

STATE OF NEW MEXICO
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION
FOR THE PURPOSE OF CONSIDERING:

Application of Mewbourne Oil Company
for compulsory pooling, Eddy County,
New Mexico

Case Nos. 22600,
22601, 22602, 22603

TRANSCRIPT OF PROCEEDINGS

May 5, 2022

MOTION FOR CONTINUANCE AND REQUEST FOR CONSOLIDATION

This matter came on for hearing before the New Mexico Oil Conservation Division, William Brancard, Esq., Hearing Examiner, Dean McClure, Technical Examiner, on May 5, 2022 via Webex Virtual Conferencing Platform hosted by the New Mexico Energy, Minerals and Natural Resources Department

REPORTED BY: SHANON R. MYERS, CCR, RPR, CRR, RMR, CRC
CCR No. 275
PAUL BACA COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
(505) 843-9241

1 A P P E A R A N C E S

2 For Mewbourne Oil Company:

3 JAMES GARRETT BRUCE ATTORNEY AT LAW
4 P.O. Box 1056
5 Santa Fe, NM 87504-1056
6 (505) 982-2043
7 jamesbruce@aol.com

8 BY: JAMES G. BRUCE

9 For MRC Permian Company:

10 HOLLAND & HART, LLP
11 P.O. Box 2208
12 Santa Fe, NM 87504-2208
13 (505) 988-4421
14 mfeldewert@hollandhart.com

15 BY: MICHAEL H. FELDEWERT

16

17 I N D E X

18 Cases called 3:1

19 Court Reporter's Certificate 7:1

20

21

22

23

24

25

1 (Time noted at 8:18 a.m.)

2 EXAMINER BRANCARD: Okay. Items 7 through 10,
3 Cases 22600, 22601, 22602, 22603, Mewbourne Oil Company.

4 MR. BRUCE: Mr. Examiner, Jim Bruce here on behalf
5 of Mewbourne.

6 EXAMINER BRANCARD: Thank you. MRC Permian?

7 MR. FELDEWERT: Examiner, Michael Feldewert, the
8 Santa Fe office of Holland & Hart.

9 EXAMINER BRANCARD: Is there anyone else here on
10 Cases 22600, -601, -602, -603?

11 So, Mr. Feldewert, you've got us a little confused
12 here. You filed an entry of appearance and a motion -- or
13 request for consolidation, and tucked in that motion, there
14 seemed to be a request for continuance also, which is
15 interesting because you are not the applicant in this case,
16 so I felt we'd discuss what's going on here.

17 MR. FELDEWERT: I totally understand. This was --
18 Mr. Bruce and I had a discussion in advance of filing the
19 pleading. We sought to continue the Mewbourne cases, number
20 one; and then, secondly, consolidate them with some pending
21 cases on the May 19th docket that we identified because they
22 are all related.

23 EXAMINER BRANCARD: Okay. By "related," do we
24 mean contested?

25 MR. FELDEWERT: Yes, sir. In other words, there's

1 overlapping acreage in the -- what are competing pooling
2 applications.

3 EXAMINER BRANCARD: Okay. All right. But we
4 don't have a prehearing order or anything for a contested
5 hearing on this case.

6 MR. FELDEWERT: No, sir. The cases we identified
7 in the pleading on the May 19th docket were currently
8 scheduled for a -- well, they're just on the docket. I know
9 that the parties are in discussions, so -- but it seemed
10 like the first step was to get this case on the same docket
11 as the related cases so that when May 19th rolls around, we
12 can decide what makes most sense for all three sets of
13 cases.

14 EXAMINER BRANCARD: All right. So am I hearing --
15 I'm reading into your words here. Am I hearing that this is
16 a request for a status conference on May 19th?

17 MR. FELDEWERT: It can be if you'd like. I mean,
18 I don't -- I mean, at this point, Mr. Brancard, I'm not sure
19 needs to be. I'll defer to Mr. Bruce. I know the parties
20 are in discussion. The related cases are not yet set for a
21 status conference.

22 EXAMINER BRANCARD: Well, but, I mean, either we
23 have a status conference or a hearing.

24 MR. FELDEWERT: Well, then we'll have a status
25 conference.

1 EXAMINER BRANCARD: Mr. Bruce?

2 MR. BRUCE: Mr. Examiner, Jim Bruce here. I would
3 personally prefer a status conference. I think we need to
4 get these cases outgoing on the same docket, but, of course,
5 I would have a conflict and -- on the 19th, I'd have to
6 get -- you know, find alternative counsel for Mewbourne, and
7 I think it would be easier to set it as a status conference
8 and then go from there.

9 EXAMINER BRANCARD: Okay. So let us set this as a
10 status conference on May 19th for Cases 22600, -601, -602.
11 They will be consolidated -- and make sure I got this right
12 here -- Cases 22274, -75, -76, -77, and 22501, -502, -503,
13 and -504; is that correct? Are we --

14 MR. FELDEWERT: Yes, sir.

15 EXAMINER BRANCARD: I'm reading off your pleading
16 Mr. Feldewert, so --

17 MR. FELDEWERT: Yes, sir.

18 EXAMINER BRANCARD: All right. So I will issue a
19 scheduling order consolidating those cases and setting a
20 status conference for May 19th.

21 MS. SALVIDREZ: Bill, I will also need the
22 consolidation order.

23 EXAMINER BRANCARD: And that will be -600 through
24 -603, correct?

25 MS. SALVIDREZ: Yes.

1 MR. FELDEWERT: So let me ask a question. When we
2 filed the current pleading, does that cover us, Marlene?

3 MS. SALVIDREZ: That was filed as an entry of
4 appearance.

5 EXAMINER BRANCARD: Got to get your categories
6 correct.

7 MR. FELDEWERT: We asked for -- okay. We asked
8 for the continuance in the body. I certainly --

9 EXAMINER BRANCARD: It didn't come in as a
10 continuance in our continuance box.

11 MR. FELDEWERT: Okay.

12 EXAMINER BRANCARD: Thank you.

13 (Proceedings concluded at 8:24 a.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

3

4

5

6

REPORTER'S CERTIFICATE

7

I, SHANON R. MYERS, New Mexico Certified Court
8 Reporter, CCR #275, do hereby certify that I reported the
9 foregoing virtual proceedings in stenographic shorthand and
10 that the foregoing pages are a true and correct transcript
11 of those proceedings to the best of my ability.

12

I FURTHER CERTIFY that I am neither employed by
13 nor related to any of the parties or attorneys in this case
14 and that I have no interest in the final disposition of this
15 case.

16

I FURTHER CERTIFY that the virtual proceeding was
17 of extremely poor to good quality.

18

Dated this 2nd day of June 2022.

19

20

/s/ Shanon R. Myers

21

22

SHANON R. MYERS, CCR, RPR, CRR, RMR, CRC
License Expires: 12/31/22

23

24

25