

From: [Hearings, OCD, EMNRD](#)
To: [Salvidrez, Marlene, EMNRD](#)
Subject: Fw: [EXTERNAL] Case No. 22973, Pre-Hearing Statement
Date: Thursday, August 4, 2022 7:47:04 AM
Attachments: [Catamount June 6 2022.pdf](#)
[Holland and Hart Legal.pdf](#)
[OGL 7-2022.doc.msg](#)
[OGL without deducts 7-2022.doc](#)
[Fwd Oil Gas Lease.msg](#)
[Agnes Sanchez offer letter-revised-Contex Energy.docx](#)

From: greg_santi@sbcglobal.net <greg_santi@sbcglobal.net>
Sent: Thursday, July 28, 2022 11:56 AM
To: Hearings, OCD, EMNRD <OCD.Hearings@state.nm.us>
Subject: [EXTERNAL] Case No. 22973, Pre-Hearing Statement

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NMAC 19.15.4.13.B. Pre-hearing statements.

(1) A party to an adjudicatory proceeding who intends to present evidence at the hearing shall file a pre-hearing statement, and serve copies on other parties or, for parties that are represented, their attorneys in the manner Subsection A of 19.15.4.13 NMAC provides, at least four business days in advance of a scheduled hearing before the division or the commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement shall include:

- (a) the names of the party and the party's attorney; **Gregory M Santistevan, heirs of Maria Benedita Santistevan, mineral owner. Because the interest is so small I could not pay for an attorney.**
- (b) a concise statement of the case;

I object to 6.B. because Catamount did not negotiate in good faith for an acceptable lease. The lease which Catamount attached is extremely onerous and would appear to be non-standard for this type of lease to the mineral owners and without liability caps to the mineral owners. Attached are the following document related to this case:

1. **Contex Energy Oil & Gas Lease May 4, 2022**
2. **Catamount Energy Proposal – Joint Operating Agreement June 8, 2022**
3. **Holland & Hart Hearing notification 22973 dated July 15, 2022. Note: received July 20, 2022**
4. **Response to Contex Energy/Catamount Energy - requested use of standard Oil and Mineral Lease agreement and terms below dated July 25, 2022**
 - a. **Terms requested:**
 - i. **\$500.00/net acre**
 - ii. **3/16ths royalty (included in the lease form already)**
 - iii. **2 year term**

No Response received from Contex as of 28 July 2022 to requested terms and use of lease agreement
5. **Contex Energy: Alternate offer to Family Heir Agnes Sanchez dates July 7, but not received by all heirs of Labradita Rivera.**

(c) the names of witnesses the party will call to testify at the hearing, and in the case of expert witnesses, their fields of expertise; **None**

(d) the approximate time the party will need to present its case; and **15 minutes**

(e) identification of any procedural matters that are to be resolved prior to the hearing.

(2) A party other than the applicant shall include in its pre-hearing statement a statement

of the extent to which the party supports or opposes the issuance of the order the applicant seeks and the reasons for such support or opposition. In cases to be heard by the commission, each party shall include copies of exhibits that it proposes to offer in evidence at the hearing with the pre-hearing statement. The commission may exclude witnesses the party did not identify in the pre-hearing statement, or exhibits the party did not file and serve with the pre-hearing statement, unless the party offers such evidence solely for rebuttal or makes a satisfactory showing of good cause for failure to disclose the witness or exhibit.

(3) A pre-hearing statement filed by a corporation or other entity not represented by an attorney shall identify the person who will conduct the party's presentation at the hearing and include a sworn and notarized statement attesting that the corporation's or entity's governing body or chief executive officer authorizes the person to present the corporation or entity in the matter.

(4) For cases pending before the commission, the commission clerk shall disseminate copies of pre-hearing statements and exhibits to the commission members.

If I have submitted this Pre-Hearing statement to the incorrect location, please forward it or respond back to me and provide the website to load the statement today.

Thank you,
Greg Santistevan
949.278.9632