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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:

CASE NOS: 22925

APPLICATIONS OF INVITO OPERATING, LLC
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
AUGUST 4, 2022
SANTA FE, NEW MEXICO

This matter came on for virtual hearing before
the New Mexico Oil Conservation Division, HEARING OFFICER
WILLIAM BRANCARD and TECHNICAL EXAMINER JOHN GARCIA on
Thursday, August 4, 2022, through the Webex Platform.

Reported by: PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

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A P P E A R A N C E S

For Invito Operating LLC:

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Turmelle, Spinnaker Investments LP, David W. Head and Norma
G. Head:

WILLIAM CHRIS BARNHILL

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Santa Fe, NM 87504

JACK RICHARDSON

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I N D E X

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| STATUS CONFERENCE | 03 |
| REPORTER CERTIFICATE | 06 |

1 HEARING EXAMINER BRANCARD: Okay. Thank you. So
2 I think we are now on 22, case 22925 and In-vee-to or
3 In-vi-to Operating.

4 MS. HARDY: May it please the Examiner, Dana
5 Hardy with Hinkle Shanor on behalf of Invito Operating LLC.

6 HEARING EXAMINER BRANCARD: And we have an entry
7 of appearance, Tierra Oil Company.

8 MR. RICHARDSON: Mr. Examiner, this is Jack
9 Richardson with J Bar Cane Royalty, and I know Tierra is on
10 the call, they may be having some technical difficulties at
11 this time.

12 HEARING EXAMINER BRANCARD: All right. Ms.
13 Hardy, I think you asked for a status conference.

14 MS. HARDY: Yes, Mr. Examiner. It's my
15 understanding that Tierra filed an objection to the case
16 being heard by affidavit. I think there are issues with
17 that objection. I think it was filed by Mr. Barnhill
18 representative of Tierra Oil, and I don't think a
19 non-attorney can represent entities or other parties in the
20 Division proceedings under New Mexico law and under the
21 Division's rules. I think that's an issue that will have to
22 be addressed, but at this point think we would ask that the
23 case be set for a contested hearing on the first October
24 docket.

25 I believe you are muted, Mr. Brancard.

1 HEARING EXAMINER BRANCARD: Thank you.

2 Mr. Richardson, any objection to a hearing on
3 October 6.

4 MR. RICHARDSON: No, that sounds fine with us.
5 With respect to the affidavit that was was filed, we were
6 kind of scrambling to try to get this figured out and
7 currently working through various conflicts and things like
8 that trying to source some legal counsel and trying to get
9 something filed, so I appreciate you working with us on
10 that.

11 HEARING EXAMINER BRANCARD: Thank you. Anyone
12 else here then for case 22925.

13 MR. BARNHILL: William Chris Barnhill with Tierra
14 Oil finally here. I was having technical difficulties, but
15 I don't believe I have anything further to add at this
16 point, just that we are representing about 20 percent of
17 mineral interests under this proposed well, and we are
18 unleased and just seeking fair terms for a lease.

19 HEARING EXAMINER BRANCARD: Thank you, okay. So
20 we will set -- is there any objection, Mr. Barnhill, to the
21 October 6 setting?

22 MR. BARNHILL: No, sir.

23 HEARING EXAMINER BRANCARD: Thank you. So case
24 22925 will be set for a contested hearing on October 6. I
25 will issue a prehearing order.

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MR. BARNHILL: Thank you.

MR. RICHARDSON: Thank you.

(Concluded.)

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STATE OF NEW MEXICO
COUNTY OF BERNALILLO

REPORTER'S CERTIFICATE

I do hereby certify that I reported the foregoing virtual proceedings in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings to the best of my ability.

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

I FURTHER CERTIFY that the Virtual Proceeding was of poor to good quality.

Dated this 4th day of August 2022.

Irene Delgado
Court Reporter
License Expires: 12-31-22

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