

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

PRE-HEARING TRANSCRIPT

October 17, 2019

Santa Fe, New Mexico

BEFORE: LEONARD LOWE, HEARING EXAMINER
PHILLIP GOETZE, EXAMINER
DEAN MCCLURE, EXAMINER
BILL BRANCARD, LEGAL EXAMINER

ALSO PRESENT: Marlene Salvidrez

This matter came on for hearing before the New Mexico Oil Conservation Division, Leonard Lowe, Chief Examiner; Phillip Goetze, Technical Examiner; and Dean McClure, Examiner, on Thursday, October 17, 2019, at the New Mexico Energy, Minerals and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

Reported by: Belen A. Soto, CSR, RMR
New Mexico CCR#106
Paul Baca Professional Court Reporters
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1 (Commenced at 8:15 a.m.)

2 EXAMINER LOWE: Good morning. Today is
3 Thursday, October 17th, 2019. Today is Examiner Hearing
4 Docket Number 39-19. My name is Leonard Lowe, and I'll
5 be your hearing examiner for this day. With me we have
6 Bill Brancard, Phillip Goetze, Dean McClure, and the
7 rest of us here.

8 As of yesterday we had 85 cases on the
9 docket. As of this morning I will announce all the
10 continuances and dismissals.

11 Going down the list: Cases Number 16414,
12 Cases 16487, 16488, 16489, 16492, 16493, 16494, 16495
13 are all continued to January 23rd, 2020.

14 Cases Number 20141, 20142, 20166, 20167,
15 20168, 20190 are all continued to January 23rd, 2020.

16 Case Number 20201, 20248, 20249, 20250,
17 20251 are all continue to January 23rd, 2020.

18 Cases Number 20309, 20310, 20344, 20345,
19 20346, 20347 are all continued to January 23rd, 2020.

20 20411, 20424, 20568, 20569, 20586, 20596,
21 20597, 20602, 20603, 20604 are all continued.

22 Cases Number 20605, 20606, 20607, 20618,
23 20619, 20660 are all continued to January 23rd, 2020.

24 20676, 20689, 20698, 2701, 20715, 20716,
25 20717, 20718, 20724, 20725, 20738 and 20739 are all

1 continued.

2 20740, 20741, 20742, 20743 are all
3 continued to January 23rd, 2020.

4 20793, 20794, and 20799 and 20800 are all
5 continued too.

6 Now on to the -- that was -- those are all
7 the continued cases. Now to the dismissals.

8 The following cases are dismissed: Cases
9 Number 20217, 20218, 20219, 20276, 20277, 20278, 20412,
10 20524, 20525, 20526, and 20758, 20759 were all cases
11 that are dismissed.

12 MS. MARLENE SALVIDREZ: May I make a
13 correction? Page 1, Number 5 on the docket, 16489
14 should be would be continued to October 31st.

15 EXAMINER LOWE: Okay.

16 MS. MARLENE SALVIDREZ: And then
17 page 55 -- I mean, Number 55 on the docket page 5, 20676
18 October 31st.

19 EXAMINER LOWE: Okay. Thank you, Marlene.

20 On that note we will continue with -- we
21 will start off with --

22 MS. BENNETT: Mr. Examiner, I do have a
23 quick question on Cases Number 29 and 30 on the docket,
24 and I think I may have just missed those as you reading
25 through. My notes show that those should have been

1 continued.

2 Did you happen to read those off when you
3 read the continuances?

4 EXAMINER LOWE: Yes.

5 MS. BENNETT: Okay. Thank you.

6 MR. ADAM RANKIN: Mr. Examiner, Adam
7 Rankin with Holland & Hart. Mr. Examiner, on Case
8 Number 1 on the docket, Case Number 13987, as of
9 yesterday we were intending to put this case on. I got
10 a call from the client indicating they had found
11 additional parties who had not received notice. They
12 have been searching their ownership records since the
13 September 19th hearing, and they did find some
14 yesterday.

15 So, as consequence, while we were
16 intending to put the case on today, we have to continue
17 it until January 23rd so that we can perfect notice to
18 those additional parties. So, we filed an application
19 for continuance yesterday as soon as we found out, and
20 we ask that that case be continued to the 23rd so we can
21 perfect notice.

22 EXAMINER LOWE: Okay. We will inquire
23 with Marlene about that.

24 MR. ADAM RANKIN: Well, pursuant to the
25 rules -- the reason for the continuance arose after the

1 deadline. And so the rule says continuance may be filed
2 if the reason for the continuance comes up after the
3 deadline, which in this case it did.

4 And so we're asking that the case be
5 continued. It's -- nobody's prejudiced. There's no
6 other parties in the matter. And so I think it makes
7 sense. It's more efficient to just continue the case
8 and perfect notice and present the affidavit on the 23rd
9 of January.

10 EXAMINER LOWE: Okay. We'll try to work
11 on that on our side.

12 MR. ADAM RANKIN: Okay. Thank you.

13 EXAMINER GOETZE: Just a comment. And it
14 wasn't until yesterday that we still did not have
15 information of notice?

16 MR. ADAM RANKIN: That is correct.

17 EXAMINER GOETZE: And these are the land
18 people?

19 MR. ADAM RANKIN: Yes, that is correct.

20 EXAMINER GOETZE: Okay. Well, just
21 they've been working on this since September.

22 MR. ADAM RANKIN: I understand. I agree.
23 I agree.

24 EXAMINER GOETZE: Okay. Just so noted.

25 EXAMINER LOWE: Okay. Do you have any

1 more questions? Any questions?

2 MS. MARLENE SALVIDREZ: No. Just on that
3 note, we've been dismissing those. So, I need to talk
4 to management on that.

5 EXAMINER LOWE: We'll get with you on
6 that.

7 (Concluded at 8:23 a.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

5 I, BELEN A. SOTO, New Mexico Certified Court
6 Reporter No. 106, and Registered Merit Reporter, do
7 hereby certify that I reported the following proceedings
8 in stenographic shorthand and that the foregoing pages
9 are a true and correct transcript of those proceedings
10 that were reduced to printed form by me to the best of my
11 ability.

12 I FURTHER CERTIFY that the Reporter's Record of
13 the Proceedings truly and accurately reflects the
14 exhibits, if any, offered by the respective parties.

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

19 DATED THIS 31st day of October, 2019.

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BELEN A.SOTO, CSR, RMR
Certified Court Reporter
New Mexico CCR No. 106
Date of CCR Expiration: 12/31/2019
Paul Baca Professional Court Reporters

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