

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: 20959, 20960

APPLICATION OF BTA OIL PRODUCERS  
LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
EXAMINER HEARING  
December 12, 2019  
SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, EXAMINERS LEONARD LOWE, DEAN McCLURE, DYLAN COSS and LEGAL EXAMINER ERIC AMES, on Thursday, December 12, 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: Irene Delgado, NMCCR 253  
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 the Applicant:

JAMES BRUCE  
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For XTO Energy:

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I N D E X

CASE NO. 20959 and 20960 CALLED	
SUMMARY OF CASE AND EXHIBITS	03
TAKEN UNDER ADVISEMENT	04
REPORTER CERTIFICATE	05

E X H I B I T I N D E X

	Admitted
Exhibits 1 through 4 (All attachments)	04

1 HEARING EXAMINER COSS: Now the Division will  
2 proceed to 20959, BTA Oil Producers for compulsory pooling.

3 MR. BRUCE: Jim Bruce representing the applicant.  
4 I would ask that the 20960 be consolidated with this matter.

5 HEARING EXAMINER COSS: That is fine. And are  
6 there any other appearances in this case?

7 MR. FELDEWERT: May it please the Examiner,  
8 Michael Feldewert with the Santa Fe office of Holland & Hart  
9 appearing in both 20959 and 20960 on behalf of XTO Energy  
10 Inc., and we do not object to the cases being presented by  
11 affidavit.

12 HEARING EXAMINER COSS: You may proceed, Mr.  
13 Bruce.

14 MR. BRUCE: Mr. Examiner, I handed you a packet  
15 of four exhibits. This particular case involves the forced  
16 pooling of a Bone Spring well -- two Bone Spring wells in  
17 two adjoining well units. And Exhibit 1 is the landman's  
18 affidavit, Exhibit 2 is the geologist affidavit, and  
19 Exhibit 3 is the affidavit -- my affidavit of notice, and  
20 Exhibit 4 is the publication notice.

21 And I only have two things to mention, which is,  
22 Exhibit 4 is the publication notice. I have not received  
23 the affidavit of publication, but I have included that  
24 notice that was e-mailed to me along with the invoice from  
25 the Hobbs newspaper, and I would ask to be able to

1 supplement the record with the affidavit of publication once  
2 I receive that.

3 If you look at Exhibit 3, which is my notice  
4 letter, there is one company who was notified, Gahr Energy  
5 Company. They have come to terms with BTA and therefore  
6 they do not need to be force pooled.

7 Other than that, I would move the admission of  
8 Exhibits 1 through 4 and ask that the matter be taken under  
9 advisement.

10 HEARING EXAMINER COSS: Any objection?

11 MR. FELDEWERT: No objection.

12 HEARING EXAMINER COSS: With that, the Exhibits 1  
13 through 4 will be admitted into the record and Case Numbers  
14 20959 and 20960 will be taken under advisement with the  
15 caveat that the affidavit will be provided once you receive  
16 it, and that a supplemental pleading will be submitted  
17 explaining Gahr Energy's withdrawal.

18 MR. BRUCE: Will do.

19 (Exhibits 1-4 admitted.)

20 HEARING EXAMINER COSS: Thank you.

21 (Cases 20959, 20960 taken under advisement.

22 Adjourned.)

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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, IRENE DELGADO, New Mexico Certified Court  
7 Reporter, CCR 253, do hereby certify that I reported the  
8 foregoing proceedings in stenographic shorthand and that the  
9 foregoing pages are a true and correct transcript of those  
10 proceedings that were reduced to printed form by me to the  
11 best of my ability.

12 I FURTHER CERTIFY that the Reporter's Record of  
13 the proceedings truly and accurately reflects the exhibits,  
14 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 of attorneys in this case  
17 and that I have no interest in the final disposition of this  
18 case.

19 Dated this 12th day of December 2019.

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Irene Delgado, NMCCR 253  
License Expires: 12-31-19

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