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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. 25422, 25426, 25234,
25235, 25288, 25349, 25350,
25358, 25407, 25409, 25410,
25411, 25412, 25414, 25415,
25417, 25418 25419, 25420,
25421, 25423, 25424, 25425,
25427, 25428, 25429, 25433,
25434, 25435, 25437, 25438,
25446, 25448, 25449, 25451, 25453

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HEARING

DATE: Thursday, July 10, 2025

TIME: 8:55 a.m.

BEFORE: Hearing Examiner Gregory Chakalian
Technical Examiner Dean McClure

LOCATION: EMNRD - Oil Conservation Division
1220 South Street, Francis Drive,
3rd Floor
Santa Fe, New Mexico 87505

REPORTED BY: PAUL BACA, CCR #112
VERITEXT LEGAL SOLUTIONS
500 4th Street, Suite 105
Albuquerque, New Mexico 87102

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APPEARANCES

FOR MEWBOURNE OIL COMPANY, BURNETT OIL, MRC HAT
MESA, MRC ROYALTIES:

JAMES GARRETT BRUCE ATTORNEY AT LAW
PO Box 1056
Santa Fe, New Mexico 87504-1056
505-982-2043
BY: JAMES G. BRUCE
jamesbrucc@aol.com

FOR FAE II OPERATING, MEWBOURNE OIL, BTA OIL
PRODUCERS, DEVON ENERGY PRODUCTION, EGL RESOURCES,
SPUR ENERGY PARTNERS:

HARDY McLEAN LLC
125 Lincoln Avenue, Suite 223
Santa Fe, New Mexico 87501-2053
505-372-6375
BY: JACLYN McLEAN
jmclean@hardymclean.com
DANA HARDY
dhardy@hardymclean.com

FOR DEVON ENERGY PRODUCTION, WPX ENERGY PERMIAN,
CIMAREX ENERGY:

ABADIE & SCHILL PC
555 Rivergate Lane, Suite B4-180
Durango, Colorado 81301-7485
BY: DARIN CHARDIN SAVAGE
darin@abadieschill.com

FOR COG OPERATING and CONCHO OIL:

CONOCOPHILLPS
1048 Paseo de Peralta
Santa Fe, New Mexico 87501-3034
505-780-8000
BY: KERI LISA HATLEY
keri.hatley@conocophillps.com

1 APPEARANCES (Continued)
2 FOR MEWBOURNE OIL, COG OPERATING, MATADOR
3 PRODUCTION, PERMIAN RESOURCES, HILCORP ENERGY:

4 HOLLAND & HART LLP
5 110 N. Guadalupe Street, Suite 1
6 Santa Fe, New Mexico 87501-1849
7 505-988-4411

8 BY: PAULA MARIE VANCE
9 pmvance@hollandhart.com

10 FOR AVANT OPERATING II LLC and DOGWOOD EXPLORATION
11 LLC:

12 MODRALL SPERLING ROEHL HARRIS & SISK PA
13 PO Box 2168
14 Albuquerque, New Mexico 87103-2168
15 505-848-1800

16 BY: YARITHZA PE A
17 yarithza.pe a@modrall.com

18 FOR COTERRA ENERGY OPERATING:

19 BRADFUTE SAYER CONSULTING & LEGAL SERVICES
20 PO Box 90233
21 Albuquerque, New Mexico 87199-0233
22 505-264-8740

23 BY: JENNIFER L. BRADFUTE
24 jennifer@bradfutelaw.com

25 FOR XTO PERMIAN OPERATING, RILEY PERMIAN OPERATING:

BEATTY WOZNIAK PC
310 Ashburn Cove
Austin, Texas 78738-1819
202-251-7758

BY: MIGUEL ANDRES SUAZO
msuazo@bwenerylaw.com

FOR CIVITAS PERMIAN OPERATING:

ATTORNEY AT LAW
555 17th Street, Suite 3700
Denver, Colorado 80202-3906
303-312-8518

BY: MICHAEL DAVID RODRIGUEZ
tsumichael@gmail.com

1 APPEARANCES (Continued)

2 FOR FAE II OPERATING:

3 PADILLA LAW FIRM PA

PO Box 2523

4 Santa Fe, New Mexico 87504-2523

505-988-7577

5 BY: ERNEST L. PADILLA

padillalawnm@outlook.com

6

7 FOR EOG RESOURCES:

8 EOG RESOURCES

125 Lincoln Avenue, Suite 213

9 Santa Fe, New Mexico 87501

432-488-6148

10 BY: JORDAN LEE KESSLER

jordanleekessler@gmail.com

11

12 ALSO PRESENT:

13 Freya Tschantz

Joe Kent

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1 HEARING EXAMINER CHAKALIAN: All right.
2 It is 8:55 a.m. on July 10, 2025. This is the first
3 regular docket of the Oil Conservation Division's
4 Hearings by Affidavit.

5 And without further ado, let us begin with
6 FAE Operating. They have two cases before us this
7 morning, 25422 and 25426.

8 Entries of appearance, please.

9 MS. HARDY: Dana Hardy with Hardy & McLean
10 on behalf of FAE Operating, LLC.

11 HEARING EXAMINER CHAKALIAN: Good morning,
12 Ms. Hardy.

13 MS. HARDY: We do not have any other
14 parties.

15 HEARING EXAMINER CHAKALIAN: Very good.
16 Before we begin, we have Mr. Goetze. He is our
17 technical examiner for these two cases, and he is
18 going to give you some input on these two cases.

19 Mr. Goetze.

20 TECHNICAL EXAMINER GOETZE: Thank you.
21 Good morning, Ms. Hardy.

22 MS. HARDY: Good morning.

23 TECHNICAL EXAMINER GOETZE: I am going to
24 make your day a little bit worse. I am going to
25 advise and I am going to request out of you that

1 these applications for the North Jal and South Jal
2 be dismissed at this point and refiled.

3 My concerns in discussion with other staff
4 members is we have got kind of half an application
5 here. We have expanded, but we have not contracted.
6 And even if you were to take a look at the Gray
7 Eumont Gas Pool in Eumont Monument South Unit
8 expansion, we need both sides of that application to
9 address the expansion and contraction.

10 So I am recommending that you refile it.
11 That 40 acres, refile it. We will work with you to
12 provide a full application and that will have very
13 few difficulties in it. My concern is that if no --
14 you remember the reports that used to come out? If
15 you go and look at the Mattix-Langlie or
16 Langlie-Mattix referencing the pools, there's two
17 pages there. My concern, especially with the South
18 Jal is that what we are going to do create something
19 here that will cause even more anguish than 40 acres
20 in the sense that if we come in and ask for a whole
21 based upon the pool description that is currently
22 available, then staff in the administrative review
23 process or the engineering bureau are going to have
24 a difficult time.

25 This is one of the things that I

1 highlighted about this 40-acres is the fact that you
2 are trying to bring together something that is old
3 and has numerous flaws in it. So I am anticipating
4 that we will have to cooperate a little bit more and
5 provide more information to you folks to get an
6 application for both together that addresses both
7 expansion and contraction and therefore give us a
8 real work.

9 So I put that on the table before you.
10 The other item that I will bring up is that in
11 review of the applications, it would be nice to have
12 a little more exhibits provided, some sort of visual
13 explanation of what is being contracted and expanded
14 and get away from the bubbles and the squares that
15 just doesn't cut it for folks that review the
16 application.

17 And the other portion of the application
18 reviewing the notice I found that both the North and
19 the South Jal applications were sufficient in the
20 sense that if we were to use the same parties that
21 is not ideal. My recommendation to you, the
22 Examiner is to dismiss both cases and that they are
23 refiled and we get this done promptly.

24 MS. HARDY: Thank you, Mr. Goetze. I have
25 a question. I know that Joe had the 40-acres, I

1 believe, is on. I don't know if 40-acres has any
2 questions or if they understand exactly what we need
3 here. I can also communicate with you and I see
4 Joe.

5 Mr. Kent, do you understand what we need
6 to provide here?

7 MR. KENT: Yeah. I mean, as long as like
8 Mr. Goetze said the NMOCD is willing to work with us
9 to tell us what they exactly want to further assist
10 them in reviewing this, you know, we can just
11 follow-up on those items outside of this.

12 TECHNICAL EXAMINER GOETZE: I think this
13 is the way to go. We have not communicated very
14 effectively but certainly, there are a lot of things
15 going on with the OCD and this is a nightmare. The
16 Langlie-Mattix, let's make these two units very
17 clean in the order.

18 Unfortunately I can't put in the content
19 items that I think should be in there unless you ask
20 for it. That is just the way it works. So, I
21 recommend to the Examiner that both these cases be
22 dismissed. You may do it or we may do it. We will
23 talk and meet and get the content that is addressing
24 all the issues.

25 HEARING EXAMINER CHAKALIAN: Ms. Hardy,

1 now with that explanation from Mr. Goetze, will you
2 file a motion to dismiss these cases and then work
3 with Mr. Goetze before you refile the new cases?

4 MS. HARDY: Yes. We will do that,
5 Mr. Examiner.

6 HEARING EXAMINER CHAKALIAN: Thank you.
7 We are off the record -- unless there is anything
8 else, Ms. Hardy, we are off the record in these
9 cases.

10 MS. HARDY: No. Thank you.

11 HEARING EXAMINER CHAKALIAN: All right.
12 Thank you.

13 I am now calling Mewbourne Oil cases.
14 There are two that are consolidated together, 25234,
15 25235.

16 Entries of appearance, please.

17 MS. HARDY: Dana Hardy with Hardy & McLean
18 on behalf of Mewbourne Oil Company.

19 HEARING EXAMINER CHAKALIAN: Thank you.

20 MS. HARDY: There are several other
21 parties in these cases.

22 HEARING EXAMINER CHAKALIAN: Thank you,
23 Ms. Hardy.

24 MR. RODRIGUEZ: Good morning. Michael
25 Rodriguez with Civitas Permian Operating. We

1 withdraw our objection.

2 HEARING EXAMINER CHAKALIAN: Thank you,
3 Mr. Rodriguez.

4 MR. SAVAGE: Good morning, Mr. Hearing
5 Examiner. Darin Savage with Abadie & Schill
6 appearing on behalf of Devon Energy Production
7 Company. We had an objection and we have withdrawn
8 it as well as competing applications.

9 HEARING EXAMINER CHAKALIAN: Thank you,
10 Mr. Savage.

11 MS. HATLEY: Good morning, Mr. Examiner.
12 Keri Hatley appearing on behalf of COG Operating and
13 Concho Oil and Gas. Monitoring only.

14 HEARING EXAMINER CHAKALIAN: Thank you,
15 Ms. Hatley.

16 Ms. Hardy.

17 MS. HARDY: Thank you. In these cases
18 Mewbourne seeks an order pooling all uncommitted
19 interest in the Wolfcamp and Bone Spring formations
20 underlying 1,121-acre, more or less, nonstandard
21 horizontal spacing units comprised of all of
22 Section 33 and the northwest quarter and south half
23 of Section 34, Township 21 South, Range 26 East in
24 Eddy County.

25 Case Number 25234 involves the Wolfcamp

1 and Case Number 25235 involves the Bone Spring.

2 These base units will be dedicated to the
3 Buffalo Nickel 33/34 Fed Com wells.

4 And Mewbourne is seeking approval of the
5 nonstandard spacing units administratively.

6 Our exhibit packets include the
7 self-affirmed statements of landman Braxton
8 Blandford and geologist Charles Crosby, both of whom
9 have previously testified before the Division and
10 been recognized as experts in their respective
11 fields.

12 Mr. Blandford provides the standard land
13 exhibits, the tract ownership and pooled parties are
14 identified in Exhibit A-3 and Mr. Crosby provides a
15 location map, structure map and cross section.

16 The notice information is included in
17 Exhibit C. Notice was timely mailed on March 7,
18 2025 and was timely punished on February 27, 2025.

19 With that, unless there are questions, I
20 request that the exhibits be admitted into the
21 record and that the case be taken under advisement.

22 Thank you.

23 HEARING EXAMINER CHAKALIAN: Okay.
24 Without objection the exhibits are admitted into the
25 record.

1 (Exhibits admitted, Case 25234, 25235.)

2 HEARING EXAMINER CHAKALIAN: Mr. McClure.

3 MR. McCLURE: Mr. Hearing Examiner, I do
4 have questions for the landman in these cases.

5 HEARING EXAMINER CHAKALIAN: Okay.

6 Ms. Hardy, do you want to get your landman up on the
7 screen.

8 (Whereupon the witness was sworn.)

9 HEARING EXAMINER CHAKALIAN: Would you
10 state and spell your name for the record.

11 THE WITNESS: Braxton Blandford,
12 B-R-A-X-T-O-N, B-L-A-N-D-F-O-R-D.

13 HEARING EXAMINER CHAKALIAN: Okay. You
14 can put your hand down.

15 Have you been previously qualified by this
16 Division as an expert?

17 MR. BLANDFORD: I have.

18 HEARING EXAMINER CHAKALIAN: In what
19 field?

20 MR. BLANDFORD: Land.

21 HEARING EXAMINER CHAKALIAN: All right.
22 Mr. McClure.

23 MR. McCLURE: Thank you, Mr. Examiner.
24
25

1 BRAXTON BLANDFORD,
2 after having been first duly sworn under oath,
3 was questioned and testified as follows:
4 EXAMINATION
5 BY MR. MCCLURE:
6 Q. Mr. Blandford, what is the status of the
7 northeast quarter of Section 34?
8 A. It is open field.
9 Q. Meaning that it is not leased yet; is that
10 correct?
11 A. Yes, sir.
12 Q. The reason that it is being left off of
13 this proposed unit -- well, let me back up.
14 What is the reason that it is being left
15 off this proposed unit?
16 A. My understanding is that we don't
17 anticipate it being automatic resale anytime soon
18 given its proximity to Carlsbad. That is my
19 understanding.
20 Q. Okay. So approximately how many miles are
21 we from Carlsbad for this proposed unit? Just an
22 approximate, like is it a mile, half a mile, or is
23 it 10 miles?
24 A. I think it is somewhere around a mile.
25 Q. Okay. If I can direct your attention to

1 your Exhibit A-3. It should be Page 20 of 52.

2 It looks like Ms. Hardy has it on the
3 screen there.

4 A. Okay.

5 Q. Do you see down there where it says
6 Mewbourne Oil Company, et al.?

7 A. Yes, sir.

8 Q. Does that include additional persons or
9 does that include persons in addition to Mewbourne
10 in that description?

11 A. It would have been parties that signed our
12 JOA and, you know, our ownership and standing we had
13 on the parties that signed the JOA.

14 Q. Okay. If I tell you that we are going to
15 need to see a full breakdown of all the persons and
16 their percentages, do you understand what I am
17 asking for?

18 A. Yes, sir.

19 Q. Okay. I thank you, Mr. Blandford?

20 MR. McCLURE: I have no further questions,
21 Mr. Hearing Examiner.

22 HEARING EXAMINER CHAKALIAN: Mr. McClure,
23 what do you want the applicant to provide?

24 MR. McCLURE: We are going to need to see
25 an amended Exhibit A-3 to include that full breakout

1 of interest.

2 HEARING EXAMINER CHAKALIAN: Okay.

3 Mr. Blandford, when would you be able to have that
4 to us?

5 MR. BLANDFORD: I can have that by the end
6 of the day.

7 HEARING EXAMINER CHAKALIAN: All right.
8 It is going to require further review, so these
9 cases will have to be continued to the next docket
10 to allow the Technical Examiner to review them.

11 Is there anything else, Mr. McClure, that
12 you need besides an amended A3?

13 MR. MCCLURE: That is everything I need,
14 Mr. Hearing examiner.

15 HEARING EXAMINER CHAKALIAN: All right.
16 Okay. So, Ms. Hardy, these cases will be continued
17 until the next hearing by affidavit docket so that
18 Mr. McClure can review the amended A3. And if we
19 have any further questions on them, we will be able
20 to ask at the next hearing by affidavit docket.

21 MS. HARDY: Thank you. Mr. Examiner, just
22 for clarity, would they be automatically continued
23 or do I need to file a motion?

24 HEARING EXAMINER CHAKALIAN: You need to
25 file a motion.

1 MS. HARDY: Okay. We will do that.

2 HEARING EXAMINER CHAKALIAN: All right.

3 Thank you. Freya, it is August what?

4 MS. TSCHANTZ: 7th.

5 HEARING EXAMINER CHAKALIAN: August 7.

6 Thank you.

7 All right. We are off the record in those
8 cases. Let's move on to another Mewbourne case,
9 25288.

10 Entries of appearance, please.

11 MS. VANCE: Good morning, Mr. Hearing
12 Examiner. Paula Vance with the Santa Fe office of
13 Holland & Hart on a behalf of the applicant,
14 Mewbourne Oil Company.

15 HEARING EXAMINER CHAKALIAN: Thank you.

16 MR. SAYER: Matthias Sayer from Bradfute
17 Sayer on behalf of Coterra.

18 HEARING EXAMINER CHAKALIAN: Can you turn
19 on a microphone and say that again so we catch it on
20 the record.

21 MR. SAYER: Matthias Sayer on behalf of
22 Bradfute Sayer representing Coterra.

23 HEARING EXAMINER CHAKALIAN: Would you
24 spell your name for the reporter.

25 MR. SAYER: M-A-T-T-H-I-A-S. S-A-Y-E-R.

1 HEARING EXAMINER CHAKALIAN: Did you file
2 an objection?

3 MR. SAYER: No, we did not.

4 HEARING EXAMINER CHAKALIAN: Are you just
5 monitoring?

6 MR. SAYER: Correct.

7 HEARING EXAMINER CHAKALIAN: All right.
8 Sounds good.

9 Ms. Vance.

10 MS. VANCE: Thank you, Mr. Hearing
11 Examiner. I just noticed that our pooling exhibit
12 has the et al, so I just e-mailed my landman. I
13 would like to go ahead and present the case and then
14 we can just deal with that issue down the road.

15 So in this case, Mewbourne seeks to pool
16 a -- pool the interests in a nonstandard 1,920-acre,
17 more or less, horizontal well spacing unit in the
18 Bone Spring formation. The pole is the Pearl Bone
19 Spring East and the pole code is 49690. That is
20 underlying all of Sections 8, 17, and 20 in
21 Township 19 South, Range 36 East, and that is in Lea
22 County, New Mexico.

23 And I will note that Mewbourne is filing
24 an administrative application separately for the
25 nonstandard spacing unit of Kirkdall.

1 Mewbourne seeks to initially dedicate the
2 spacing unit to the High Sea 8/20 Fed Com 522H 524H,
3 526H and 528H.

4 And then we have provided in the hearing
5 packet, I did file a revised hearing packet that has
6 a updated CPAC that shows that Coterra made an entry
7 of appearance and also included the overhead costs
8 in there.

9 We have a copy of the application as well
10 as the landman statement from Landman Peyton Warren,
11 who has previously testified before the Division.

12 We also included a revised C102s that
13 shows that they have been surveyed, or that the
14 plats have been surveyed.

15 And then we did do a revised pooling
16 exhibit, because we filed this back in March, and
17 Mewbourne has reached agreement with a couple of
18 parties, so we updated who we, in fact, are pooling
19 or seeking to pool in this case.

20 In addition, we have the statement from
21 landman, or I'm sorry geologist Charles Crosby, who
22 has previously testified, along with all of the
23 required geology exhibits.

24 And then that is my self-affirmed
25 statement of notice with a sample letter of the

1 notice that went out timely, March 21, 2025, and
2 then an affidavit of notice of publication that was
3 timely published on March 27, 2025.

4 And hopefully I headed off the question
5 from Mr. McClure. Unless he has, or unless the
6 Division has any other questions, I would ask that
7 we at least be able to correct that issue with that
8 pooling exhibit, but otherwise the Division takes
9 this under advisement.

10 HEARING EXAMINER CHAKALIAN: Okay. So
11 you're asking for the exhibits to be admitted into
12 evidence?

13 MS. VANCE: Yes.

14 HEARING EXAMINER CHAKALIAN: Without
15 objection the exhibits are admitted into evidence.
16 (Exhibits admitted, Case 25288.)

17 HEARING EXAMINER CHAKALIAN: Mr. McClure,
18 questions?

19 MR. McCLURE: Mr. Hearing Examiner, the
20 only question I had would have been in regards to
21 the Mewbourne Oil Company et al., and it seems
22 Ms. Vance has already preemptively kind of put on
23 the record that they are going -- that they intend
24 to update that summary of entry.

25 Is that correct, Ms. Vance?

1 MS. VANCE: Yes. I just e-mailed the
2 landman.

3 MR. McCLURE: In addition to that,
4 Ms. Vance, since we are going to have to submit an
5 amended exhibit packet anyway, it would probably be
6 worthwhile to remove the duplicate copy of the
7 summary of contacts that is included in the current
8 exhibit packet.

9 Well, I guess I should back up. It is not
10 really a duplicate. It looks like the original
11 version is there but then the new version is also
12 there.

13 MS. VANCE: Yeah, I can clean that up.
14 That is not a problem.

15 MR. McCLURE: Very good. One additional
16 thing which I guess is more important is we would
17 have to get some sort of new submission for anyway
18 also would be on the CPAC, at least the version that
19 is uploaded, doesn't appear to have a signature on
20 it. So if you could get a signature added to that
21 as well.

22 MS. VANCE: No problem.

23 MR. McCLURE: Thank you, Ms. Vance. Thank
24 you, Mr. Hearing Examiner. I have nothing further
25 on these cases.

1 HEARING EXAMINER CHAKALIAN: Thank you,
2 Mr. McClure. Ms. Vance, the amended Exhibit C-2
3 will need further review from the technical team.
4 So please, submit the amended exhibit packet and
5 please move this case to the August 7 hearing by
6 affidavit docket for that review and possible
7 questions.

8 MS. VANCE: Would it be possible, since I
9 will be here next Tuesday, to have this case heard
10 on that date? I believe that this is one where
11 Mewbourne has some lease --

12 HEARING EXAMINER CHAKALIAN: Mr. McClure,
13 are you the reviewer next Tuesday?

14 MR. McCLURE: Yes, I am, Mr. Hearing
15 Examiner.

16 HEARING EXAMINER CHAKALIAN: Okay.
17 Ms. Vance brought up a valid request, if we could
18 possibly hear that case. When would you have the
19 revisions in, Ms. Vance?

20 MS. VANCE: I am hoping to have them in by
21 tomorrow.

22 HEARING EXAMINER CHAKALIAN: As long as
23 you submit them by tomorrow to give Mr. McClure time
24 to review the additional, the corrected packet,
25 because he has a lot of other things to review for

1 next week as well.

2 And, Mr. McClure, is that okay with you?

3 MR. McCLURE: That is fine with me,
4 Mr. Hearing Examiner.

5 HEARING EXAMINER CHAKALIAN: Ms. Vance you
6 will continue this case to the 15th. Submit the
7 amended exhibit packet no later than 5 p.m.
8 tomorrow. If it is later than that, it won't be
9 heard that day.

10 MS. VANCE: Understood.

11 HEARING EXAMINER CHAKALIAN: Is there
12 anything further on this case?

13 MS. VANCE: No.

14 HEARING EXAMINER CHAKALIAN: Thank you,
15 Mr. McClure. Thank you, Ms. Vance.

16 We are off the record in this case.

17 Let's go on to COG Operating. We have two
18 cases, 25349, 25350.

19 Entries of appearance, please.

20 MS. VANCE: Good morning, Mr. Hearing
21 Examiner, Paula Vance with the Santa Fe office of
22 Holland & Hart on behalf of the applicant, COG
23 Operating.

24 MR. BRUCE: Mr. Examiner, Jim Bruce
25 representing MRC Hat Mesa and MRC Royalties.

1 HEARING EXAMINER CHAKALIAN: Mr. Bruce,
2 did you or did your clients object?

3 MR. BRUCE: No.

4 HEARING EXAMINER CHAKALIAN: You're just
5 monitoring?

6 MR. BRUCE: Yes, sir.

7 HEARING EXAMINER CHAKALIAN: Ms. Vance.

8 MS. VANCE: Yes. We previously presented
9 this case in sun June. We are just here to submit
10 the revised hearing packets. I updated the CPAC
11 with the correct pool code and then also updated the
12 geology exhibits to reflect the correct spacing for
13 these applications.

14 HEARING EXAMINER CHAKALIAN: Okay. So
15 let's get your packet admitted into evidence.

16 MS. VANCE: May I? I would ask that the
17 Division take these -- take the hearing packets --
18 admit, sorry. It's been a long week. I would like
19 to admit the exhibits into evidence.

20 Thank you.

21 HEARING EXAMINER CHAKALIAN: Okay.
22 Without objections.

23 (Exhibits admitted, Cases 25349, 25350.)

24 HEARING EXAMINER CHAKALIAN: Mr. McClure,
25 any questions on this case, these two cases.

1 MR. McCCLURE: Mr. Hearing Examiner, my
2 understanding is Mr. Fordyce has reviewed the
3 revised exhibits and the Division has no further
4 requests or questions.

5 HEARING EXAMINER CHAKALIAN: Okay. And
6 hearing no --

7 MR. McCCLURE: Long answer short, yes, I do
8 believe we can take it under advisement.

9 HEARING EXAMINER CHAKALIAN: Okay. I was
10 hearing another voice while Mr. McClure was
11 speaking. Is there someone who wants to enter an
12 appearance or objection?

13 No. Okay.

14 Ms. Vance, it looks like we can take these
15 cases under advisement at this time.

16 MS. VANCE: Thank you.

17 HEARING EXAMINER CHAKALIAN: Let's move on
18 to Riley Permian. This is Number 8 on our docket,
19 25358.

20 Entry of appearances, please.

21 MR. SUAZO: Good morning, Mr. Examiner,
22 Miguel Suazo with Beatty & Wozniak appearing today
23 on behalf of Riley Permian.

24 HEARING EXAMINER CHAKALIAN: Good morning.

25 MS. KESSLER: Good morning, Mr. Examiner,

1 Jordan Kessler entering an appearance on behalf of
2 EOG Resources monitoring this case.

3 HEARING EXAMINER CHAKALIAN: Thank you,
4 Ms. Kessler.

5 MS. VANCE: Good morning, Mr. Hearing
6 Examiner, Paula Vance with the Santa Fe office of
7 Holland & Hart on behalf of Matador Production
8 Company. We are just monitoring the cases as well.

9 HEARING EXAMINER CHAKALIAN: Thank you.
10 Mr. Suazo.

11 MR. SUAZO: Yes. Good morning again. On
12 behalf of Riley, we are requesting an application to
13 approve a standard horizontal spacing unit
14 consisting of 481.47 acres, more or less, comprised
15 of the north half of Section 12, Township 18 South,
16 Range 26 East, and the northwest quarter of
17 Section 7, Township 18 South, Range 27 East in Eddy
18 County.

19 This application consists of four wells.
20 The Marty Fee T11-7 1H through 4H that are producing
21 in the Red Lake and Glorieta-Yeso formations.

22 The exhibit packet was filed on July 3rd
23 and Exhibit A is the compulsory pooling
24 administrative checklist.

25 Exhibit B is the application filed on

1 April 8th. The proposed notice of hearing filed on
2 April 24 of this year.

3 Exhibit C is the affidavit of senior
4 landman Mark Smith, who has previously testified
5 before the Division. His qualifications have been
6 accepted and made a matter of record.

7 Exhibit C-1 through C-6 are the standard
8 suite of land exhibits; location maps, ownership of
9 the parties being pooled, well proposals.

10 And Exhibit D is the affidavit of senior
11 geologist Doug Standard who has also testified
12 before the Division. His qualifications have been
13 accepted and made a matter of record. He is
14 sponsoring Exhibits D1 through D5, the standard
15 suite of geology exhibits; base map, subsea
16 structure and gun barrel diagram and isopach map.

17 Exhibit E is the notice affidavit showing
18 the notice letters were mailed on April 18, 2025 and
19 again on June 10, 2025 to the interested parties.
20 It includes mailing receipts and was published in
21 the Carlsbad Current-Argus.

22 And I would like to request the exhibits
23 be admitted into the record, and unless there is any
24 questions this case be taken under advisement.

25 HEARING EXAMINER CHAKALIAN: Okay.

1 Without objections.

2 (Exhibits admitted, Case 25358.)

3 HEARING EXAMINER CHAKALIAN: Mr. McClure.

4 MR. McCLURE: Thank you, Mr. Hearing
5 Examiner. I will have questions for the landman in
6 this case.

7 HEARING EXAMINER CHAKALIAN: Would you
8 call your landman.

9 MR. SUAZO: Mark Smith should be online.

10 HEARING EXAMINER CHAKALIAN: Would you
11 raise your right hand, Mr. Smith.

12 (Whereupon the witness was sworn.)

13 HEARING EXAMINER CHAKALIAN: State and
14 spell your name for the record.

15 THE WITNESS: My name is Mark Smith.
16 M-A-R-K, S-M-I-T-H.

17 HEARING EXAMINER CHAKALIAN: Mr. Smith,
18 can you get closer to your microphone or do
19 something to speak louder so we can hear you? But I
20 did catch barely what you said.

21 Have you been previously accepted as an
22 expert by this with Division?

23 THE WITNESS: Yes, I have.

24 HEARING EXAMINER CHAKALIAN: Perfect.
25 What field.

1 THE WITNESS: In the matters of land.

2 HEARING EXAMINER CHAKALIAN: Land. Thank
3 you, sir.

4 Mr. McClure.

5 MR. McCCLURE: Thank you, Mr. Hearing
6 Examiner.

7 MARK SMITH,
8 after having been first duly sworn under oath,
9 was questioned and testified as follows:

10 EXAMINATION

11 BY MR. McCCLURE:

12 Q. Mr. Smith, if I can draw your attention to
13 your Exhibit E-4. It should be on Page 25 of 72.

14 A. Yes, sir.

15 Q. This list, it is a breakdown or table. It
16 has a couple of persons identified as committed and
17 additional persons identified as uncommitted.

18 Do you see what I am referring to?

19 A. Yes, sir.

20 Q. Is it accurate to say that each person on
21 that list that is identified as uncommitted is the
22 entirety of the persons that the applicant is
23 requesting the Division to force pool in this case?

24 A. Yes, sir, that would be accurate.

25 Q. Okay. Now, can I draw your attention to

Page 30

1 the previous page, Page 24 of 72. This is
2 Exhibit E-3, your tract map.

3 A. Yes.

4 Q. On this map it looks like you're only
5 identifying a single tract.

6 Do you see what I am referring to?

7 A. Yes.

8 Q. Is all of the interests across that tract
9 identical?

10 A. They are not. There are 22 separate
11 ownership tracts within this unit itself. There is
12 over 200 mineral owners. It is an old development
13 area that was established, residential development
14 that was established in the 1920s that actually
15 never went into effect. It is very cut up.

16 So I did describe it as Tract 1 simply
17 because it was extremely broken up. And it would
18 have been a little bit difficult to describe on a
19 plat of this nature because there is a lot of little
20 residential lots throughout.

21 Q. Now, Mr. Smith, did I hear your testimony
22 correctly that you said that there are several
23 hundred mineral interest owners; is that correct?

24 A. That is correct.

25 Q. And is that a breakdown of that interest

1 depicted anywhere on your -- let me back up.

2 Are these unleased mineral interest
3 owners?

4 A. No. The bulk of them are leased. There
5 is only about roughly 5.9 unleased acres within the
6 whole unit.

7 Q. Okay. So, of those unleased mineral
8 interest owners, that would be the five persons that
9 is listed on Page 27; is that correct?

10 A. That is correct.

11 Q. So you do include a whole list of all the
12 interest owners or a full list of all the working
13 interest owners and any unleased mineral interest
14 owners; is that correct?

15 A. That's correct, yes.

16 Q. Now you reference, like, 22 different
17 tracts, I believe you said. That information is
18 clearly available to you, correct?

19 A. Yes. We have a Division order title
20 opinion rendered, yes, yes, sir.

21 Q. Okay. Understanding that in scenarios
22 like this, with the individual lots that maybe it's
23 burdensome to provide, however that is something we
24 are going to need to be provided to us.

25 I guess do you understand what I would be

1 asking for when I ask for that.

2 A. Yes. I guess I just may need clarity on
3 how you would like to -- just because of the nature
4 of the D tracts. But, yes, I am more than happy to
5 provide you whatever you -- whatever you need.

6 Q. Okay. Yeah, I was going to say I think in
7 other instances the applicant had needed to provide
8 a larger map, I guess in order to show the
9 individual. Because I know like in different cases
10 we have seen like blowups of like in the middle of
11 the city limits where they did have depictions of,
12 like, individual houses-type thing broke out there.
13 But it was a pretty big map, I guess in order to see
14 those details.

15 But as far as any break-out list, I, mean
16 all we have to have is -- you could have a list of
17 all your tracts in, like, a table and then the
18 owners below that. And then just have a legal
19 description for each of the tracts. And then maybe
20 that might help in identifying, rather than
21 identifying directly. I don't know if that would be
22 of assistance in identifying it on the map if we
23 include the legal descriptions and the list of
24 tracts below. I have a question there but I guess
25 are you following?

1 A. Some of these tracts are half acre, 1
2 acre. Would it just been in regards to the unleased
3 mineral owners because they are all within the same
4 couple of tracts within the unit itself, or are you
5 wanting every tract which includes committed or
6 leased, leased mineral owners as well?

7 Q. I was going to say I mean, understanding
8 that we are not necessarily supposed to have
9 questions, could you rephrase your question and
10 maybe I could help clarify what the Division will be
11 looking for.

12 HEARING EXAMINER CHAKALIAN: I have
13 another idea. Mr. Smith, hold on a second.
14 Mr. Suazo, do you understand what is going on here?

15 MR. SUAZO: I want to make sure that I
16 understand what it is that Mr. McClure is asking for
17 so we make sure that we get the Division everything
18 it needs to move this forward.

19 So as I understand it, based upon the
20 review of Exhibit C-3 and the following page, what
21 you are looking for is actually a map breaking out
22 the unleased mineral interest owners and
23 corresponding table reflecting their interest; is
24 that correct?

25 MR. MCCLURE: Yes, Mr. Suazo, that is

1 correct.

2 MR. SUAZO: Okay. Understood.

3 HEARING EXAMINER CHAKALIAN: All right.

4 Mr. Smith, it looks like counsel, your counsel
5 understands what is still needed for us to continue
6 the review of this case.

7 So are there any other questions or
8 requests, Mr. McClure, before we continue this case?

9 MR. MCCLURE: I do have additional
10 questions, Mr. Hearing Examiner.

11 HEARING EXAMINER CHAKALIAN: Go right
12 ahead.

13 MR. MCCLURE: Thank you, Mr. Hearing
14 Examiner.

15 Q. (By Mr. McClure) Mr. Smith, can I draw
16 your attention to the CPAC. That is Pages 3 and 4.
17 Typically I am looking at the first take points and
18 the last take points for each of the four wells.

19 MR. SUAZO: Which exhibit is that?

20 MR. MCCLURE: Exhibit A it looks like it
21 was identified as. We could look at your form
22 C-102s if you have those in front of you, too.

23 A. I have got the C-102s.

24 Q. (By Mr. McClure) Okay. Is all the first
25 take points and last take points that is presented

1 on those C-102s is accurate?

2 A. They should be, yes.

3 Q. Okay. So is it correct that there is no
4 wells closer than 330 feet to, I guess, that
5 centerline?

6 Do you understand what I am referring to
7 by center line?

8 A. Yes, I know what you are referring to as
9 it pertains to the center line.

10 The answer is no.

11 Q. Okay. Do you understand, then, when I
12 tell you that you would need an NSP for this
13 proposed unit, would you understand what I am
14 referring to?

15 A. No, I don't.

16 Q. Essentially at this particular point you
17 don't have a proxy well unless there is a well
18 330 feet of that centerline. So assuming that Riley
19 intends to drill the wells as laid out in this
20 application, this would be a nonstandard spacing
21 unit.

22 A. We should have identified the proximity
23 well if that is what you are asking.

24 Q. Yes. Can you identify that well for me?

25 A. I might need to defer to our geologist to

1 confirm which one.

2 MR. SUAZO: The geologist is also on the
3 line.

4 Q. (By Mr. McClure) Let me see if you
5 identified it on the CPAC and maybe I can direct
6 your attention to that.

7 Actually it looks like you have not
8 available for the defining well. It would be -- we
9 kind of need the landman's testimony for that
10 defining well, so I prefer if you could provide that
11 to me if you believe there is one, Mr. Smith.

12 A. I probably identified one but if it is not
13 material, then -- I thought it was 4H that we have.

14 Q. Mr. Smith, it is not a big deal, it is
15 just we are going to have to change one of the boxes
16 on the CPAC just identifying that the applicant
17 intends to seek an NSP administratively?

18 A. Right. I know that 2H and 3H are both 330
19 from the center line, so it would be one of the two.

20 Q. If Riley had moved them over by 10 feet
21 then this question wouldn't have even arised [sic].

22 A. Yes. Are we good with claiming the 3H as
23 the proximity well?

24 Q. No. You would need to, if you wish to,
25 you would need to change the location of that well

1 in an amended exhibit packet which you will be
2 submitting one, anyway, so you can feel free to do
3 so.

4 A. To be closer than 330.

5 Q. Yes, it needs to be closer than 330.

6 A. Okay. I misunderstood, I thought we
7 needed to be within 330.

8 Q. I guess rather than to be equal to, it has
9 to be less than might be the way to say it.

10 A. Okay. So it cannot be equal to 330.

11 Q. Yeah, but it could be 329.

12 A. Okay.

13 Q. Okay. So, Mr. Smith, is it Riley's intent
14 to change the location of one of the wells then to
15 make it a proxy well?

16 A. Yes.

17 Q. Okay. Thank you, Mr. Smith.

18 MR. McCLURE: Mr. Hearing Examiner, I have
19 no more questions, but we would need a couple more
20 exhibits submitted to us then.

21 HEARING EXAMINER CHAKALIAN: Okay. Go
22 ahead.

23 MR. McCLURE: Mr. Suazo, we are going to
24 need a -- well, an amended CPAC that identifies the
25 new proxy well and then whichever well Riley intends

1 to move, we are going to need the CPAC updated to
2 include that new well location.

3 Do you understand what I am asking for?

4 MR. SUAZO: I do, thank you.

5 MR. McCLURE: Okay. And then the
6 Form C-102 for whichever well it is, is also going
7 to need to be amended to include the new location.

8 MR. SUAZO: Just, so we are clear for
9 purposes, we don't have to file an NSP, we just need
10 to change the location to less than 330 feet and
11 that will make it acceptable.

12 Q. Yes, that is correct. That is how the
13 administrative code is. From Mr. Smith's testimony
14 it seems that that is Riley's intent is to move one
15 of them and assuming that they move it to within the
16 330 feet it would be fine as a standard spacing
17 unit.

18 MR. SUAZO: Okay. Understood.

19 HEARING EXAMINER CHAKALIAN: Okay. Is
20 that all Mr. McClure.

21 MR. McCLURE: Yes, it is Mr. Hearing
22 Examiner, including our earlier reference to their
23 Exhibit.

24 HEARING EXAMINER CHAKALIAN: C-3 or C-4.

25 MR. McCLURE: C-3 is the one that needs to

1 be, that tract map.

2 HEARING EXAMINER CHAKALIAN: Thank you.

3 So, Mr. Suazo, it sounds like there are
4 three things to amend in the hearing packet and to
5 continue the case to August 7 so we can do some
6 further review on this case.

7 Is there anything else?

8 MR. SUAZO: No, Mr. Examiner.

9 HEARING EXAMINER CHAKALIAN: All right.
10 Very good, August 7.

11 Thank you, Mr. McClure. Thank you,
12 Mr. Smith.

13 We are off the record in this case.

14 Let's move on to Case Number 9 WPX Energy
15 Permian. It is 25407.

16 Entries of appearance.

17 MR. SAVAGE: Good morning, Mr. Hearing
18 Examiner. Good morning, Technical Examiner, Darin
19 Savage with Abadie & Schill appearing on behalf of
20 the applicant, WPX Energy Permian.

21 MR. SUAZO: Good morning, Mr. Examiner,
22 Miguel Suazo on behalf of Beatty & Wozniak appearing
23 on behalf of XTO Permian Operating for monitoring
24 purposes only.

25 HEARING EXAMINER CHAKALIAN: Perfect.

1 Thank you.

2 Mr. Savage.

3 MR. SAVAGE: Case 25407 covers land in the
4 West half of Section 33 and 28 and the southwest
5 quarter of Section 21 all in Township 26 South,
6 range 30 East, Eddy County, New Mexico.

7 The landman has testified previously for
8 the Division and has been accepted as an expert
9 witness. So has the geologist, Russell Goodin, who
10 has also testified for the Division and has been
11 accepted as a matter of record.

12 In this case the WPX seeks an order
13 pooling all uncommitted interests in the Bone Spring
14 formation designated as an oil pool underlying a
15 standard 609.5 acres, more or less, spacing unit
16 comprised of the west half of Section 33 and 28 and
17 the southwest quarter of Section 21.

18 The unit will be dedicated Clawhammer Fed
19 Com wells which include five initial wells.
20 Orientation of the wells in the unit are stand up
21 and the wells have standard locations.

22 Mr. Prout includes his landman
23 self-affirmed statement C-102, an ownership
24 breakdown along with the proposed letter which they
25 have used in the chronology of context.

1 Mr. Goodin's Exhibit B for the case
2 includes his self-affirmed statement along with the
3 five standard geology exhibits describing the
4 potential for development of the unit.

5 Exhibit C provides a self-affirmed
6 statement and notice for mailing and publication
7 notice. Notice was timely mailed on May 15, 2025
8 and timely published on May 20, 2025.

9 At this time I move the Exhibits A, B, C
10 and also exhibits be admitted into the record for
11 this case and the case be taken under advisement.

12 Witnesses and counsel are available for
13 questions.

14 HEARING EXAMINER CHAKALIAN: Without
15 exception.

16 (Exhibits admitted, Case 25407.)

17 HEARING EXAMINER CHAKALIAN: Mr. McClure,
18 questions in this case?

19 MR. McCLURE: Mr. Examiner, I have no
20 questions but I do have a small typo that I would
21 like to point out to Mr. Savage for correction.

22 HEARING EXAMINER CHAKALIAN: Please.

23 MR. McCLURE: Mr. Savage, on the CPAC for
24 your Well Number 3.

25 Do you see where I am looking at?

1 MR. SAVAGE: Yes. I wrote that down. Go
2 ahead, please.

3 MR. McCLURE: Yes, sir. The API number
4 appears to have a slight typo for that well.
5 Currently it is listed as 30-015-56685. But I
6 believe that the well that the applicant actually is
7 to include has the last five digits of the API56585.

8 MR. SAVAGE: Yes. 56585, Mr. Hearing
9 Examiner?

10 MR. McCLURE: That is correct, Mr. Savage,
11 the last five digits of the API.

12 MR. SAVAGE: Okay. I have that down.

13 MR. McCLURE: I believe that is the well
14 that the applicant intends to include, but if that
15 is not the case --

16 MR. SAVAGE: We will doublecheck and
17 confirm that?

18 HEARING EXAMINER CHAKALIAN: Mr. Savage,
19 can you correct that by the end of today?

20 MR. SAVAGE: I believe so. I believe we
21 can do that.

22 HEARING EXAMINER CHAKALIAN: Well, if you
23 can't, we are going to deem it a typo and take the
24 case under advisement after that time elapses and
25 you fix this API number.

1 MR. SAVAGE: We will certainly do that.
2 Do you require a separate notice letter and a whole
3 new packet for this one typo or do you just want us
4 to correct it and to have, like, Ms. Tschantz
5 replace it?

6 HEARING EXAMINER CHAKALIAN: Mr. McClure,
7 how much do you want it done?

8 MR. McCLURE: I mean, they are not going
9 to have to make other changes to the application
10 packet, but as far as submitting a new exhibit
11 packet, I don't know if that is Mr. Savage's
12 question, I guess. We do want them to submit a new
13 exhibit packet; isn't that right, Mr. Examiner?

14 HEARING EXAMINER CHAKALIAN: Why don't you
15 call it a revised exhibit packet.

16 MR. SAVAGE: We will do so.

17 HEARING EXAMINER CHAKALIAN: And just put
18 a cover letter saying that you are correcting this
19 typo of an API number.

20 MR. SAVAGE: Thank you.

21 HEARING EXAMINER CHAKALIAN: Anything
22 further, Mr. Savage?

23 MR. SAVAGE: Nothing.

24 HEARING EXAMINER CHAKALIAN: We are off
25 the record in this case and this case will be taken

1 under advisement once that typo is corrected.

2 We are moving on to Number 10, Matador
3 Production, 25409.

4 Entries of appearance, please.

5 MS. VANCE: Good morning, Mr. Hearing
6 Examiner, Paula Vance with the Santa Fe office of
7 Holland & Hart on behalf of the applicant Matador
8 Production Company.

9 HEARING EXAMINER CHAKALIAN: Are there any
10 other parties? I don't see any.

11 MS. PENA: There are, Mr. Hearing
12 Examiner. We just filed an entry of appearance this
13 morning. Yarithza Pena with Modrall on behalf of
14 Avant Operating II and their entity Dogwood
15 Exploration, LLC. We are just monitoring. I spoke
16 with Ms. Vance about a revision that my client would
17 like to see on their exhibits.

18 MS. VANCE: Yes. I have reached out just
19 to confirm, but basically, and I can summarize and
20 Ms. Pena can correct me if I am wrong, but her
21 client acquired an interest after we filed and her
22 client would like us to just reflect that in the
23 pooling exhibit.

24 I am just confirming with my client that
25 we are good to do that. I have not heard back yet,

1 but I just want to confirm that we are good to do
2 that.

3 HEARING EXAMINER CHAKALIAN: Do you want
4 to present your case?

5 MS. VANCE: I would say we previously
6 actually presented this case. I did doublecheck the
7 case file and the transcript is in there. But the
8 reason why I know we did present it at the June
9 hearing is because Mr. McClure had some questions
10 for our geologist and requested some revised
11 exhibits, specifically the geology, which we did not
12 provide.

13 He wanted to see the top of the Strawn
14 interval marked on the structural cross section or
15 stratigraphic cross section, and we did provide
16 that. So I am just here to close the loop on the
17 revised exhibits that we filed.

18 Additionally, we did include an updated
19 pooling exhibit and chronology of contacts because
20 during that time Matador was able to reach agreement
21 with a couple of the parties they previously were
22 seeking to pool.

23 So unless there are any questions, I would
24 ask that the revised exhibits be taken under
25 advisement and be admitted into the record.

1 HEARING EXAMINER CHAKALIAN: Ms. Pena any
2 objection.

3 MS. PENA: No objection.

4 HEARING EXAMINER CHAKALIAN: Okay.
5 Without objection.

6 (Exhibit admitted, Case 25409.)

7 HEARING EXAMINER CHAKALIAN: Mr. McClure,
8 questions in this case.

9 MR. McCLURE: I do have a quick question
10 for Ms. Vance, Mr. Hearing Examiner.

11 HEARING EXAMINER CHAKALIAN: For
12 Ms. Vance. Go ahead.

13 MR. McCLURE: Ms. Vance, so when you were
14 referencing a change that Ms. Pena was talking to
15 you about on behalf of Avant, is that a change in
16 the interest breakdown then; is that correct?

17 MS. VANCE: It is not a change to the
18 interest. My understanding is it is just a change
19 to the party name. They acquired -- I am not sure
20 if she wants to say who the interest was, but I
21 believe it was Moxie something.

22 MS. PENA: Yes. We would just request a
23 change in the name to reflect the current interest
24 owner which is Dogwood Exploration, LLC.

25 MS. VANCE: Yes. The only thing is my

1 landman is out right now, so that is why I am not
2 able to confirm that. But we are happy to -- I
3 think we will be fine to do that, if that is
4 agreeable.

5 MR. McCLURE: Okay. So is it accurate to
6 say that you intend to amend one of your exhibits
7 and submit a new exhibit packet then; is that
8 correct?

9 MS. VANCE: Correct. I will just update
10 the pooling exhibit to reflect that the interest
11 Ms. Pena pointed out was acquired by Avant and that
12 is the interest that is being pooled. It is still
13 the same interest that is being pooled.

14 MR. McCLURE: Okay. Ms. Vance, can I also
15 draw your attention to your CPAC in your amended
16 exhibit packet. I believe it is on Page 6 of 74.

17 MS. VANCE: Yes.

18 MR. McCLURE: Do you see that
19 Formation/Pool area of the CPAC?

20 MS. VANCE: Yes.

21 MR. McCLURE: If I -- if I remember, I
22 guess, from the last hearing, that MRC is only
23 requesting a subset of the Pennsylvanian formation
24 that, being the Cisco and Canyon, if I remember
25 right? Yeah, that is right, the Cisco and Canyon.

1 And that the field needs to be amended to reflect
2 that.

3 Do you understand what I am saying to you?

4 MS. VANCE: Yes. Give me one second, I
5 want to look at the geology.

6 MR. McCURE: We can also bring your
7 geologist back for questioning if you want.

8 MS. VANCE: He should be available. I
9 want to make sure I understand what you need to be
10 reflected in the CPAC.

11 HEARING EXAMINER CHAKALIAN: Let's do that
12 on the record through questioning your geologist.
13 What is his name?

14 MS. VANCE: Mr. Joshua Burrus.

15 HEARING EXAMINER CHAKALIAN: Okay.
16 Mr. Burrus, would you please raise your right hand.

17 (Whereupon the witness was sworn.)

18 HEARING EXAMINER CHAKALIAN: Would you
19 state and spell your name for the record.

20 THE WITNESS: Joshua Burrus. J-O-S-H-U-A,
21 B-U-R-R-U-S.

22 HEARING EXAMINER CHAKALIAN: Okay. Have
23 you been previously qualified as an expert before
24 this Division?

25 THE WITNESS: Yes, I have.

1 HEARING EXAMINER CHAKALIAN: In what
2 field?

3 THE WITNESS: Petroleum geology.

4 HEARING EXAMINER CHAKALIAN: Okay.

5 Mr. McClure.

6 MR. McCCLURE: Thank you Mr. Hearing
7 Examiner.

8 JOSHUA BURRUS,
9 after having been first duly sworn under oath,
10 was questioned and testified as follows:

11 EXAMINATION

12 BY MR. McCCLURE:

13 Q. Mr. Burrus, what formations is Matador
14 requesting the Division to force pool in this case?

15 A. Our focus is on the Cisco and Canyon
16 formations of the upper Pennsylvania.

17 So, above the top Strawn or Demonian top
18 that was added to the updated exhibits.

19 Q. Okay. Thank you. So if I request an
20 amendment to the CPAC to describe the vertical
21 limits of what Matador is requesting within the
22 Pennsylvanian location, do you understand what I am
23 referring to?

24 A. Yes.

25 Q. Okay. Thank you.

1 A. My understanding is you are requesting a
2 more delineated restriction to the upper
3 Pennsylvanian, that being the Cisco and Canyon above
4 the Strawn.

5 Q. That is correct. And the exact wording
6 doesn't matter, per se, as long as a layman would
7 understand which -- what the subset is within the
8 Pennsylvanian that Matador is requesting to be
9 pulled.

10 Do you understand my explanation?

11 A. Yes, sir.

12 Q. Okay. Thank you.

13 MR. McCLURE: I have no more questions,
14 Mr. Hearing Examiner?

15 HEARING EXAMINER CHAKALIAN: Mr. McClure,
16 what I understand from you is you want two things to
17 be revised. One is the CPAC for what you just
18 described with the geologist, and also the --
19 Ms. Vance, do you know what the other item is?

20 MS. VANCE: It would just be the pooling
21 exhibit that I pointed out that Ms. Pena and I have
22 agreed to update. That is not a problem.

23 The one thing I would point out is these
24 are also related to our Ed Drake cases that are on
25 the July 15 contested hearing date and Matador is

1 pooling the same interval.

2 So I will update those CPACs and provide
3 revised hearing packets. I can always hold off in
4 case there is additional things that come out of the
5 hearing that you made, that Mr. McClure may want to
6 see. But I will make a mental note to update the
7 CPACs.

8 HEARING EXAMINER CHAKALIAN: So then what
9 we will do since this requires an amendment and
10 further review, we will do what we did with the
11 other case and you will put it on the July 15
12 docket.

13 MS. VANCE: Yes, that works.

14 HEARING EXAMINER CHAKALIAN: That way we
15 will hear these cases first before we go to the
16 contested matters that morning.

17 MS. VANCE: Yes, I appreciate that.

18 HEARING EXAMINER CHAKALIAN: Okay. So
19 July 15, and that would require you to file the
20 amended packet by tomorrow close of business.

21 MS. VANCE: Not a problem.

22 HEARING EXAMINER CHAKALIAN: All right.
23 Very good.

24 Anything further, Ms. Vance?

25 MS. VANCE: Not on this case.

1 HEARING EXAMINER CHAKALIAN: All right.

2 We are off the record --

3 MR. McCLURE: Mr. Hearing examiner, if I
4 could get Ms. Vance to confirm which exhibit it was
5 that they intend for the pooling update?

6 MS. VANCE: It should be C-4.

7 MR. McCLURE: Okay. Thank you, Ms. Vance.
8 That is what I was thinking.

9 HEARING EXAMINER CHAKALIAN: All right.
10 We are off the record in that case.

11 Let's move on to Number 11 on our docket.
12 This is FAE Operating, 25410.

13 Entries of appearance, please.

14 MR. PADILLA: Ernest Padilla for the
15 applicant, FAE II Operating, LLC.

16 HEARING EXAMINER CHAKALIAN: Good morning,
17 Mr. Padilla.

18 Are there any other parties that you know
19 of.

20 MR. PADILLA: No.

21 HEARING EXAMINER CHAKALIAN: Okay.
22 Mr. Padilla, I couldn't find your exhibits.

23 MR. PADILLA: Mr. Examiner, we have -- I
24 am looking at the OCD exhibits. I have an extra
25 copy, if you would like.

1 HEARING EXAMINER CHAKALIAN: What I am
2 seeing, sir, is that when I look in the imaging file
3 in the imaging system and now my system needs to be
4 reconnected to the internet, excuse me.

5 Mr. Padilla, I have to restart my
6 computer. Why don't we take a five-minute break and
7 we will come back on the record at 10:00. Thank
8 you.

9 (A recess was taken.)

10 HEARING EXAMINER CHAKALIAN: All right. It
11 is 10:04 a.m. We are back on the record.

12 Mr. Padilla, we did not review that case
13 because the exhibits were not timely submitted.
14 Would you please continue your case to August 7 so
15 we can review it properly and we then hear it by
16 affidavit at that time.

17 MR. PADILLA: That will be fine. I am
18 glad that you made me aware of that.

19 HEARING EXAMINER CHAKALIAN: No problem.
20 Let's move on to Case Numbers 12 and 13 on our
21 docket. This is BTA Oil Producers 25411 and 12.

22 Entries of appearance, please.

23 MS. HARDY: Mr. Examiner, Dana Hardy with
24 Hardy & McLean on behalf of BTA Oil Producers, LLC.

25 HEARING EXAMINER CHAKALIAN: Thank you,

1 Ms. Hardy.

2 MS. PENA: Mr. Examiner, Yarithza Pena
3 with Modrall Sperling on behalf of Avant Operating
4 II, LLC, and we are just monitoring.

5 HEARING EXAMINER CHAKALIAN: Thank you.
6 Okay. Ms. Hardy.

7 MS. HARDY: Thank you. In Case
8 Number 25411, BTA seeks an order pooling interests
9 in the Second Bone Spring interval underlying a
10 400-acre, more or less, standard horizontal spacing
11 unit comprised of the west half of the northwest
12 quarter of Section 25 and the west half of the west
13 half of Sections 24 and 13, Township 20 South,
14 range 35 East in Lea County.

15 In case Number 25412, BTA also seeks an
16 order pooling interests in the Second Bone Spring
17 underlying a 400-acre standard horizontal unit
18 comprised of the east half of the northwest quarter
19 of Section 25 and the east half of the west half of
20 Sections 24 and 13, Township 20 South, Range 35
21 East.

22 The units will be dedicated to the Sage
23 Brush 22302 25-24-13 State Com wells.

24 Our exhibit packets include the
25 self-affirmed statement of landman professional

1 Kristeen Ramos and geologist Darin Dolezal, both of
2 whom have previously testified before the Division
3 and been recognized as experts in their respective
4 fields.

5 Ms. Ramos provides the standard land
6 exhibits. The tract ownership and pooled parties
7 are identified in Exhibit A-3.

8 Mr. Dolezal provides a location map,
9 structure map, cross section and isopach map.

10 The notice information is included in our
11 Exhibit C. Notice was timely mailed on June 12 of
12 2025 and was timely published on June 18 of 2025.

13 With that, unless there are questions, I
14 request that the exhibits be admitted into the
15 record and that these cases be taken under
16 advisement.

17 Thank you.

18 HEARING EXAMINER CHAKALIAN: Okay.
19 Without objection.

20 (Exhibits admitted, Case 25411, 25412.)

21 HEARING EXAMINER CHAKALIAN: Mr. McClure.

22 MR. McCLURE: Mr. Hearing Examiner, I am
23 going to have questions for the landman.

24 HEARING EXAMINER CHAKALIAN: Ms. Hardy?

25 MS. HARDY: Mr. Examiner, Ms. Ramos is out

1 but we do have Adams Davenport available, who has
2 also been recognized as an expert in land matters
3 and is familiar with these cases and is available to
4 answer questions.

5 HEARING EXAMINER CHAKALIAN: Okay. Let's
6 get him on the screen.

7 Mr. Adams Davenport, please raise your
8 right hand.

9 (Whereupon the witness was sworn.)

10 HEARING EXAMINER CHAKALIAN: Spell your
11 name and state your name for the record.

12 THE WITNESS: Adams Davenport. A-D-A-M-S,
13 D-A-V-E-N-P-O-R-T.

14 HEARING EXAMINER CHAKALIAN: You have been
15 previously recognized by this Division as an expert?

16 THE WITNESS: I have.

17 HEARING EXAMINER CHAKALIAN: In what
18 field?

19 THE WITNESS: Land matters.

20 HEARING EXAMINER CHAKALIAN: Okay. And
21 are you familiar with the exhibits filed by your --
22 well, who are you employed with, first of all?

23 THE WITNESS: BTA Oil Producers.

24 HEARING EXAMINER CHAKALIAN: Okay. You
25 have reviewed the exhibits in this case?

1 THE WITNESS: I have.

2 HEARING EXAMINER CHAKALIAN: Okay. And
3 you have formulated an expert opinion in this case.

4 THE WITNESS: Yes.

5 HEARING EXAMINER CHAKALIAN: Okay.

6 Mr. McClure.

7 MR. McCLURE: Thank you, Mr. Hearing
8 examiner.

9 ADAMS DAVENPORT,
10 after having been first duly sworn under oath,
11 was questioned and testified as follows:

12 EXAMINATION

13 BY MR. McCLURE:

14 Q. Mr. Davenport, I am going to try to find a
15 page reference here real fast.

16 If I could draw your attention do
17 Ms. Ramos' statement that is on Page 5 of 91. I am
18 specifically looking at Paragraph 7.

19 A. Okay.

20 Q. There is reference to a depth that exists
21 within the unit, but that depth reference itself
22 does not seem to be described here.

23 Do you see where I am referring to, I
24 guess?

25 A. I see where you are referring to, yes.

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1 Q. Now, there is also two total vertical
2 depth in this same paragraph.

3 Do you see where I am referring to?

4 A. Yes.

5 Q. Is it accurate to say that there is two
6 different depth severances and that they occur at
7 those two different total vertical depth?

8 A. It is our intent to pool the interval from
9 the top of the Bone Spring to the top of the --
10 sorry, the top of the Second Bone Spring to the top
11 of the Third Bone Spring. It may not be clear in
12 this Provision 7, though.

13 Q. Understanding that -- I guess let me ask
14 my question again.

15 Is it accurate to say that there are two
16 different depth severances within the Bone Spring?

17 A. Correct.

18 Q. And where do those depth severances occur?

19 A. At the top of the Second Bone Spring and
20 at the top of the Third Bone Spring.

21 Q. Okay. So then those, do you see where
22 there are two different total vertical depth
23 references within this Paragraph 7?

24 A. I do.

25 Q. Okay. So how it is describes here as your

1 vertical limit, is it accurate to say that the top
2 of that vertical limit, there are depth severance
3 that occurs and at the base of that vertical limit
4 there is another depth severance that occurs?

5 A. That would be accurate.

6 Q. Okay. And that the description of the
7 changes here is accurate to describe that vertical
8 limit and where those depth severances occur; is
9 that correct?

10 A. Yes.

11 Q. Okay. So then if I asked -- if I request
12 that the landman statement be amended to describe
13 where those depth severances occur rather than only
14 describing the vertical limits, do you understand
15 what I am asking for?

16 A. Not necessarily, no.

17 Q. Okay. I just better give you a second --
18 well, have you fully read this Paragraph 7, I guess?

19 A. Yes, I have.

20 Q. Okay. So if I were to say that my reading
21 of it is that it is a descriptive -- that it says
22 that any depth severance that occurs and it goes on
23 to describe the vertical limit that the BTA wishes
24 to force pool in this case.

25 Do you agree with that?

1 A. Yes.

2 Q. Okay. So then if I were to say that the
3 Division would like to have those depth severances
4 identified, do you understand what I am asking for
5 there?

6 A. There is no depth severance within the --
7 from the top of the Bone Spring to the top of the
8 Third Bone Spring within that interval. There is no
9 additional depth severance.

10 Q. Okay. Let me ask that question again. If
11 I ask you to identify the depth severances that
12 occur within the Bone Spring formation, do you
13 understand what I am asking for?

14 A. Yes.

15 Q. Okay. And then further if I ask that the
16 landman statement be amended to include a
17 description of those depth severances, do you
18 understand what I am asking for there?

19 A. Yes.

20 Q. Okay. Now, within the CPAC there is very
21 similar language, and let me reference a page. That
22 is Page 2 of 91. And specifically I am looking at
23 where it says Other Situations, and then there is
24 depth severance and there is a paragraph that
25 closely mimics this Paragraph 7.

1 Do you see where I am referring to,
2 Mr. Davenport?

3 A. Yes.

4 Q. Okay. So if I request that that paragraph
5 also be amended to identify where the depth
6 severances occur, do you understand what I am asking
7 for there?

8 A. Yes.

9 Q. Okay. One additional questions on the
10 topic.

11 There is a question that identified both
12 within this paragraph and within Paragraph 7 of the
13 landman statement, that well being the Heller
14 Company Trust Com A Number 1.

15 Do you see where I am referencing?

16 A. Yes.

17 Q. Is this where these depth severance -- is
18 it due to that well that these depth severances
19 occur?

20 A. No.

21 Q. Can you provide me with a brief
22 description of what caused the depth severance that
23 these changes do occur?

24 A. There is another working interest owner
25 within the unit that desires to develop other

1 targets within the Bone Spring pool at a later date.
2 So we, BTA and the other working interest party
3 agreed to limit this pooling application to just the
4 Bone Spring, Second Bone Spring intervals because
5 that is the only interval we plan to develop at this
6 time.

7 Q. Okay. In those discussions that led to
8 the depth severance, was this identified well used
9 as the type log to determine the stratigraphic
10 equivalent of the depth severance?

11 A. Correct.

12 Q. Okay. If I could draw your attention to
13 your Exhibit A-3, BTA's Exhibit A-3 Page 16 of 91.

14 A. Okay.

15 Q. Just to confirm, is it accurate to say
16 that in this table at that top section there is five
17 different categories listed there.

18 Do you see where I am referring to?

19 A. Yes.

20 Q. Okay. Of these five different categories,
21 please confirm for me which it is that BTA is
22 requesting the Division to force pool.

23 A. The dark yellow and the light yellow. So
24 it, "Leased (other third party) pooled and Unleased
25 pooled," are the two.

1 Q. Okay. Thank you, Mr. Davenport.

2 MR. McCLURE: I have no further questions
3 Mr. Hearing Examiner.

4 Do you want me to run down the amended
5 exhibits that I would like to be submitted?

6 HEARING EXAMINER CHAKALIAN: Yes, please.

7 MR. McCLURE: Ms. Hardy, I am sure you
8 were following along. Just to confirm, I guess,
9 what I am looking for is the amended CPAC
10 referencing to identify the depth severances more
11 clearly and then amended landman statement that
12 directly identifies the depth severance occurring
13 within the Bone Spring formation.

14 MS. HARDY: Mr. McClure, to make sure I
15 understand because I think this is the way that we
16 have described depth severances in most of our prior
17 cases.

18 You're wanting -- because here we state
19 and I have got it on the screen in the provisions of
20 the checklist. Depth severance exists, so as a
21 result of that depth severance, we have what we're
22 pooling. And so are you wanting us to say the depth
23 severance is at the top of the Second Bone Spring
24 and then the footage, and then it is at the bottom
25 of the -- top of the Third Bone Spring?

1 MR. McCCLURE: Ms. Hardy, the way that the
2 vertical limits is described would work perfectly to
3 describe the depth severances.

4 My only issue with what is here and within
5 the landman statement is it doesn't say where the
6 depth severances occur. And from reading this, it
7 would easily lead you to believe that there is only
8 one single depth severance within the Bone Spring
9 formation. So I guess what I would be looking for
10 and it is entirely up to you how you want to word
11 it, but, I mean, if you just, like, get rid of,
12 like, those first two sentences and just change it
13 to the depth severances occur at, and then goes on
14 to list how you have it there, I guess.

15 MS. HARDY: Okay. I understand.

16 MR. McCCLURE: Because, like, when I am
17 reviewing your exhibit packet, the only reason I
18 knew there were two different depth severances was
19 in your geology exhibit details it in much more
20 detail. The issue is I kind of want to see it from
21 the landman exhibit as well and then also definitely
22 needs to be on this CPAC.

23 MS. HARDY: I understand. We will get
24 that to you.

25 HEARING EXAMINER CHAKALIAN: Okay.

1 Ms. Hardy, please move these two cases to the
2 August 7 docket to allow Mr. McClure to review the
3 amended exhibit packet that you file.

4 MS. HARDY: We will do that.

5 HEARING EXAMINER CHAKALIAN: We are off
6 the record in these cases.

7 Let's move to Number 14, Mewbourne Oil,
8 25414.

9 Entries of appearance.

10 MS. HARDY: Dana Hardy with Hardy & McLean
11 on behalf of Mewbourne.

12 HEARING EXAMINER CHAKALIAN: Thank you.

13 MS. HARDY: We have no other parties in
14 this case.

15 HEARING EXAMINER CHAKALIAN: Please
16 proceed.

17 MS. HARDY: Thank you.

18 Actually, Mr. Examiner, before I present
19 this case, can I ask you if we can quickly go back
20 to the prior Mewbourne cases that I have presented,
21 25234 and 25235, which were Numbers 3 and 4 of the
22 docket?

23 HEARING EXAMINER CHAKALIAN: Let me recall
24 those cases. Recalling 25234 and 35, yes.

25 MS. HARDY: Thank you.

1 In those cases Mr. McClure had asked us to
2 provide a breakdown of the ownership interest on our
3 Exhibit A-3, and we can do that. I would ask that
4 the cases be set, if possible, on Tuesday's docket
5 next week along with the cases Ms. Vance has
6 presented for Mewbourne that have the same issue.

7 I will also be present on Tuesday, and
8 these cases have been pending for quite some time.
9 They were filed in February, so we would like to
10 have them heard.

11 HEARING EXAMINER CHAKALIAN: Okay. So how
12 soon can you get that amended packet in.

13 MS. HARDY: We can get it to you today.

14 HEARING EXAMINER CHAKALIAN: Very good.
15 So those are for both cases.

16 Mr. McClure, are you okay because really
17 you are the one who has to review this additional
18 information. Are you okay if Ms. Hardy files the
19 amended packets in both 25234 and 35 by 5:00 today?
20 Would you have time to review them so we hear them
21 at the beginning of the July 15, docket?

22 MR. McCLURE: Yes, I would, Mr. Hearing
23 Examiner.

24 HEARING EXAMINER CHAKALIAN: Okay. And
25 Ms. Hardy, you will move them to the July 15 docket?

1 MS. HARDY: Yes, I will do that.

2 HEARING EXAMINER CHAKALIAN: All right.

3 So all of these cases that are -- that have
4 additional evidence or revised evidence that we are
5 hearing will be heard first.

6 So our -- so, Freya, our docket is growing
7 rapidly. And I am hoping that you will organize it
8 so that -- I know that we had a trailing docket but
9 these cases will go first because hopefully they
10 will not require much time or attention.

11 MS. TSCHANTZ: Yes, I will.

12 HEARING EXAMINER CHAKALIAN: Thank you.
13 Okay. That means we have, in addition to our
14 contested cases, we have 25234, 35. We are going to
15 have 25409. And we are going to have 25288. Those
16 are four cases so far added to our July 15, docket.

17 MS. TSCHANTZ: We also have an injection
18 case, hearing by affidavit on that date as well.

19 HEARING EXAMINER CHAKALIAN: We will hear
20 that case after we hear these four cases. I am
21 trying to prioritize how much time each case will
22 take, okay. Excellent. Okay. So, Ms. Hardy, you
23 were discussing 25414.

24 MS. HARDY: Yes. Thank you very much.

25 In this case Mewbourne seeks an order

1 pooling uncommitted interests in the Bone Spring
2 formation underlying a 640.24-acre standard
3 horizontal unit comprised of the north half of
4 Sections 28 and 29, Township 22 South, Range 27 East
5 in Eddy County.

6 The unit will be dedicated to the City
7 Slickers, 28/29 Fee wells.

8 Our exhibit packet includes a
9 self-affirmed statements of Brad Dunn and geologist
10 Tyler Hill, both of whom have previously testified
11 before the Division and been recognized as experts
12 in their respective fields.

13 Mr. Dunn provides the standard land
14 exhibits. The tract ownership of pooled parties are
15 identified in Exhibit A-3.

16 And Mr. Hill provides a location map,
17 structure map and cross section.

18 The notice information is included in
19 Exhibit C. Notice was timely mailed on June 2, 2025
20 and was timely published on June 19, 2025.

21 With that, unless there are questions, I
22 request that the exhibits be admitted into the
23 record and that the case be taken under advisement.

24 Thank you.

25 HEARING EXAMINER CHAKALIAN: Okay.

1 Without exception.

2 (Exhibits admitted, Case 25414.)

3 HEARING EXAMINER CHAKALIAN: Mr. McClure.

4 MR. McCLURE: Mr. Hearing Examiner, I have
5 no questions for this case.

6 HEARING EXAMINER CHAKALIAN: Okay. This
7 case is taken under advisement.

8 Thank you, Ms. Hardy.

9 MS. HARDY: Thank you.

10 HEARING EXAMINER CHAKALIAN: Let's move on
11 to 25415, Permian Resources.

12 MS. VANCE: Good morning, Mr. Hearing
13 Examiner, Paula Vance with the Santa Fe office of
14 Holland & Hart on behalf of Permian Resources.

15 HEARING EXAMINER CHAKALIAN: I don't see
16 any other parties.

17 MS. VANCE: That's correct.

18 HEARING EXAMINER CHAKALIAN: Please
19 proceed.

20 MS. VANCE: Thank you.

21 So this case is an extension, a request
22 for a one-year extension. And we have provided in
23 our hearing packet a copy of the application, the
24 order, the original order as well as the
25 self-affirmed statement of the landman Daniel Koury

1 who is available and he has previously testified
2 before. We have also -- or Koury, I'm sorry. And
3 we also provided an updated pooling exhibit because
4 Permian was able to reach agreement with some of the
5 leasehold owners, some of the mineral interest
6 owners, rather.

7 And then in Paragraph 5, we have outlined
8 the reason for the good cause and the request for
9 the one-year extension.

10 Additionally, I have my self-affirmed
11 statement of notice with a sample letter that timely
12 went out on June 20, 2025, and the affidavit of
13 notice of publication that was published on June 24,
14 2025.

15 Unless there are any questions, I would
16 ask that the exhibits and the sub-exhibit be
17 admitted into the record and that this case be taken
18 under advisement at this time.

19 HEARING EXAMINER CHAKALIAN: Without
20 objection.

21 (Exhibits admitted, Case 25415.

22 HEARING EXAMINER CHAKALIAN: Mr. McClure.

23 MR. MCCLURE: No questions for this case,
24 Mr. Hearing Examiner?

25 HEARING EXAMINER CHAKALIAN: This case is

1 taken under advisement.

2 Thank you.

3 MS. VANCE: Thank you.

4 HEARING EXAMINER CHAKALIAN: Let's move on
5 to Number 16, 25417, Mewbourne Oil.

6 MR. BRUCE: Mr. Examiner, jim Bruce
7 representing Mewbourne.

8 HEARING EXAMINER CHAKALIAN: Any other
9 parties, Mr. Bruce?

10 MR. BRUCE: Not that I know of.

11 HEARING EXAMINER CHAKALIAN: Please
12 proceed.

13 MR. BRUCE: Mr. Examiner, in this case
14 Mewbourne seeks to pool additional parties under
15 existing pooling order R-23287, which pooled the
16 Bone Spring formation underlying the south half,
17 north half of Section 16 and the south half,
18 northeast of Section 17, 18 South, 29 East.

19 Submitted exhibits, Exhibit 1 is the
20 application and proposed notice.

21 Exhibit 2 is the affidavit of Ariana
22 Rodrigues, the landman for Mewbourne.

23 After the original order a couple of
24 additional interest owners were located who needed
25 to be pooled. The land plat is rather -- I mean,

1 the land affidavit is rather short on exhibits
2 because there is not much to show. It is just that
3 they needed to force pool the Jo Ann Sivley Trust
4 and the Thomas Ray Sivley Trust as well as
5 Shelmar E & P. But as I note on Exhibit 2B the
6 Shelmar E & P interest just signed the JOA and is
7 not being pooled. So it is only the two Sivley
8 trusts. They were -- the well was proposed to them
9 quite some time ago and they were given notice as
10 shown on Exhibit 3A by Federal Express and that
11 notice was delivered. So even though I published
12 notice I have not attached that.

13 But only the two Sivley trusts are being
14 pooled, notice has been given. They have been in
15 negotiation for a long period of time. We simply
16 ask that those two interest be pooled under the
17 existing order, and ask that the Exhibits 1, 2, and
18 3 be admitted into the record.

19 HEARING EXAMINER CHAKALIAN: Thank you.
20 Without objection.

21 (Exhibits admitted, Case 25417.)

22 HEARING EXAMINER CHAKALIAN: Mr. McClure,
23 questions in this case?

24 MR. MCCLURE: Mr. Examiner, I do have
25 questions for the landman in this case.

1 HEARING EXAMINER CHAKALIAN: Mr. Bruce.

2 MR. BRUCE: She should be online.

3 HEARING EXAMINER CHAKALIAN: You want to
4 call her name out.

5 MR. BRUCE: Ariana Rodrigues.

6 HEARING EXAMINER CHAKALIAN: Ms. Rodrigues
7 , would you raise your right hand, please.

8 (Whereupon the witness was sworn.)

9 HEARING EXAMINER CHAKALIAN: Would you
10 spell your name, please.

11 THE WITNESS: Ariana Rodrigues.

12 A-R-I-A-N-A, R-O-D-R-I-G-U-E-S.

13 HEARING EXAMINER CHAKALIAN: Thank you.

14 Have you been previously qualified as an
15 expert before this Division?

16 THE WITNESS: Yes.

17 HEARING EXAMINER CHAKALIAN: In what
18 field?

19 THE WITNESS: Land.

20 HEARING EXAMINER CHAKALIAN: Thank you.

21 Mr. McClure.

22 MR. MCCLURE: Thank you, Mr. Hearing
23 Examiner.

24

25

1 ARIANA RODRIGUES,
2 after having been first duly sworn under oath,
3 was questioned and testified as follows:

4 EXAMINATION

5 BY MR. MCCLURE:

6 Q. Ms. Rodrigues, looking at your breakdown
7 of interests, I believe it is Exhibit 2B. It occurs
8 on Page 18 of 28.

9 A. Uh-huh.

10 Q. Okay. At the overall spacing unit
11 ownership it says Mewbourne Oil Company, et al.
12 Do you see where I am referring to?

13 A. Yes.

14 Q. Now, above that in the individual tracts,
15 however, I do see where it specifically details this
16 Mewbourne Oil Company without the et al.

17 Do you see where I am referring to there?

18 A. Yes. I meant to delete the et al. on that
19 bottom summary portion. We have et al. whenever we
20 were working with the Sivley Trusts, we had an
21 agreement with them, so we had them under our et al?

22 We had not closed with them and after
23 working with them for months, we have not had any
24 sort of communication back, so we decided to move
25 forward with pooling and so that is where that came

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1 from.

2 Q. Okay. So I do see where you have now
3 included the -- there are two different trusts down
4 below there in red; is that correct?

5 A. Yes.

6 Q. Those are the interests you were referring
7 to that was initially wrapped up in that et al.?

8 A. Correct. We had an agreement with them,
9 but nothing ever got signed, so that is what I am
10 taking out of Mewbourne and putting on the pooled
11 document.

12 Q. Okay. So then is it accurate to say if
13 that et al. was not there that this -- well, let me
14 back up. Let me ask the question in a different
15 way.

16 The five different persons there, is it
17 accurate to say that that is an accurate description
18 of all the interests in this unit?

19 A. The -- we have -- Mewbourne has everybody
20 that has signed the JOA, the contractual interests
21 in this case.

22 Q. Okay. So then is it accurate to say that
23 there are additional persons beyond these five that
24 has a working interest or unleased mineral interest
25 owner in this unit?

1 A. There are no unleased mineral owners.
2 They are all signed up under the JOA. The only
3 people that are pending are the two Jo Ann Sivley
4 trusts.

5 Q. So is it accurate to say -- go right
6 ahead.

7 A. Sorry. And then that also there was that
8 Jami Huber Owen that was previously pooled.

9 Q. So is it accurate to say that there are
10 additional working interest owners in this unit that
11 are not shown in this breakout?

12 A. Yes.

13 Q. Okay. So if I were to ask you to amend
14 this to include all of those working interest
15 owners, do you understand what I am asking for?

16 A. Yes.

17 Q. Okay. Is it accurate to say that of the
18 persons being -- that Mewbourne is asking to add to
19 this existing order, is it accurate to say that it
20 is the two trusts that is listed here in red that
21 only working interest, I guess?

22 A. The two people we are pooling for this
23 case are that Jo Ann Sivley Trust and the Thomas Ray
24 Sivley Trust.

25 Q. Okay. Thank you.

1 In looking at your Page 24 of 28. This is
2 the -- it looks like written notice for this
3 application.

4 Do you see where I am looking at?

5 A. Yes.

6 Q. On this notice letter it appears that both
7 the trusts are listed there and it has the attention
8 of a single person. It is Melissa Rickman.

9 Do you see where I am referring to? Is it
10 fair to say make that this Melissa Rickman is
11 representing both those trusts?

12 A. Yes.

13 Q. Thank you, Ms. Rodrigues.

14 MR. McCLURE: Mr. Hearing Examiner, I have
15 no further questions, but I am going to request that
16 they submit an amended Exhibit 2B that includes a
17 full breakout of the updated ownership in the unit.

18 HEARING EXAMINER CHAKALIAN: Mr. Bruce.

19 MR. BRUCE: That is fine.

20 HEARING EXAMINER CHAKALIAN: Okay. So,
21 Mr. Bruce, this case will be moved by yourself to
22 the August 7 docket for further review once you
23 submit that amended exhibit.

24 Is there anything else?

25 MR. BRUCE: Nothing further.

1 HEARING EXAMINER CHAKALIAN: Okay. Thank
2 you. We are off the record in that case.

3 Let's move on to Number 17, EGL Resources.
4 There are two cases, 25418, 25419.

5 Entries, please.

6 MS. HARDY: Mr. Examiner, Dana Hardy with
7 Hardy & McLean on behalf of EGL Resources.

8 There are no other parties.

9 HEARING EXAMINER CHAKALIAN: Thank you,
10 Ms. Hardy.

11 Go ahead.

12 MS. HARDY: Thank you.

13 In these cases EGL seeks an order pooling
14 additional uncommitted interests under the terms of
15 Division Order Numbers R-23783 and 23782.

16 These units are dedicated to the Moonraker
17 15-27 Fed Com wells. Our exhibit packet includes
18 the self-affirmed statement of land professional
19 Ruby Pelzel who has previously testified before the
20 Division and been recognized as an expert in
21 petroleum land matters.

22 Ms. Pelzel provides the standard land
23 exhibits. The ownership of pooled parties are shown
24 on Exhibit A-3. And here we are only seeking to
25 pool overriding oil interests.

1 The notice information is included in
2 Exhibit B. Notice was timely mailed on June 3, 2025
3 and was timely published on June 18, 2025.

4 With that, unless there are questions, I
5 request that the exhibits be admitted and that the
6 cases be taken under advisement.

7 Thank you.

8 HEARING EXAMINER CHAKALIAN: Thank you,
9 Ms. Hardy.

10 Without objections.

11 (Exhibits admitted, Cases 25418, 25419.)

12 HEARING EXAMINER CHAKALIAN: Mr. McClure,
13 questions.

14 MR. McCLURE: Mr. Hearing Examiner, no
15 questions for either of these cases.

16 HEARING EXAMINER CHAKALIAN: Thank you.

17 We will take them under advisement.

18 Moving on to Number 19 on the docket and
19 20. These are EGL Resources, 25420 and 21.

20 Entries, please.

21 MS. HARDY: Mr. Examiner, Dana Hardy again
22 with Hardy McLean on behalf of EGL Resources.

23 There are no other parties.

24 HEARING EXAMINER CHAKALIAN: Please
25 proceed.

1 MS. HARDY: In these cases EGL seeks an
2 order extending the deadline to commence drilling
3 the wells authorized by Order Numbers R-23525 and
4 R-23254 until October the 23rd, 2026.

5 So that is a one-year extension and this
6 is the first extension for these wells.

7 Our exhibit packet includes the
8 self-affirmed statement of Ruth Pelzel who, again,
9 has been previously recognized as an expert by the
10 Division in petroleum land matters.

11 Ms. Pelzel explains there would be cause
12 for the extension due to delays and issuance of
13 federal drilling permits.

14 The notice information is included in
15 Exhibit B. Notice was timely mailed on June 12,
16 2025 and was timely published on June 18, 2025.

17 Unless there are questions, I request that
18 the exhibits be admitted and that these cases be
19 taken under advisement.

20 Thank you.

21 HEARING EXAMINER CHAKALIAN: Thank you,
22 Ms. Hardy. Without objection.

23 (Exhibits admitted, Case 25420.)

24 HEARING EXAMINER CHAKALIAN: Mr. McClure,
25 questions?

1 MR. McCURE: No questions for either of
2 to these cases, Mr. Hearing Examiner.

3 HEARING EXAMINER CHAKALIAN: They are
4 taken under advisement.

5 MS. HARDY: Thank you.

6 HEARING EXAMINER CHAKALIAN: Moving on to
7 Number 21 on our docket. This is Cimarex Energy,
8 25423.

9 MR. SAVAGE: Mr. Hearing Examiner, this is
10 Darin Savage with Abadie & Schill appearing on
11 behalf of Cimarex Energy Company of Colorado.

12 I believe there are two other parties.

13 HEARING EXAMINER CHAKALIAN: Thank you.

14 MS. KESSLER: Good morning, Mr. Examiner,
15 Jordan Kessler on behalf of EOG Resources monitoring
16 this case.

17 HEARING EXAMINER CHAKALIAN: Thank you.

18 MS. VANCE: Good morning, Mr. Hearing
19 Examiner, Paula Vance with the Santa Fe office of
20 Holland & Hart on behalf of Matador Production
21 Company. We are also just monitoring the case.

22 HEARING EXAMINER CHAKALIAN: Mr. Savage.

23 MR. SAVAGE: Thank you.

24 This case covers lands in the west half of
25 Sections 11 and 14, Township 25 South, Range 28 East

1 in Eddy County.

2 The landman for this case is Dylan Park
3 who has testified before the Division as an expert
4 witness and his credentials have been accepted as a
5 matter of record.

6 However, the geologist Crystal Pate has
7 not testified before the Division. Her resume is
8 attached to her written statement. She is available
9 for questioning to determine whether she is
10 qualified to be an expert witness in the area of
11 geology.

12 HEARING EXAMINER CHAKALIAN: Thank you.
13 Mr. Savage, I am going postpone that questioning and
14 qualify her at this time so we can move through this
15 docket. It is going a little slower.

16 MR. SAVAGE: Yes. In this case Cimarex
17 seeks an order creating a standard 640-acre spacing
18 unit comprised of the west half of Sections 11 and
19 14 and pooling all uncommitted interests in the Bone
20 Spring formation.

21 The unit will be dedicated to six initial
22 wells. That's the Riverbend 11-14 Federal Com 1H
23 through 6H. Orientation leading into the standard
24 and the wells have standard locations.

25 Mr. Park's Exhibit A includes his landman

1 statement, C-102s, ownership breakdown that end up
2 being the chronology of contacts.

3 Ms. Crystal's exhibits includes her
4 geology statement along with the suite of five
5 standard geology exhibits.

6 Exhibit C provides the self-affirmed
7 statement confirming notice of mailing. Publication
8 has been timely mailed on June 18, 2025 and timely
9 published on June 21, 2025.

10 Mr. Hearing Examiner, at this time, I will
11 move Exhibits A, B and C and all sub-exhibits be
12 accepted into the record for this case and the case
13 be taken under advisement.

14 Counsel and witnesses are available for
15 questions.

16 HEARING EXAMINER CHAKALIAN: Thank you,
17 Mr. Savage.

18 Without objection.

19 (Exhibits admitted, Case 25423.)

20 HEARING EXAMINER CHAKALIAN: Mr. McClure,
21 questions.

22 MR. McCLURE: Mr. Hearing Examiner, I will
23 have questions for both the landman and geologist.

24 HEARING EXAMINER CHAKALIAN: Okay. Let's
25 get them both on the screen. Let's get them sworn

1 in together.

2 I see Ms. Pate and Mr. Park.

3 Would you both please raise your right
4 hands.

5 (Whereupon the witnesses were sworn.)

6 HEARING EXAMINER CHAKALIAN: Mr. Park, I
7 want to start with you. Would you spell your name
8 for the record.

9 THE WITNESS: Sure. It is Dylan,
10 D-Y-L-A-N, last name Park, P-A-R-K.

11 HEARING EXAMINER CHAKALIAN: And you have
12 been previously recognized as an expert before this
13 Division?

14 THE WITNESS: Yes, sir.

15 HEARING EXAMINER CHAKALIAN: In what
16 field?

17 THE WITNESS: Land management.

18 HEARING EXAMINER CHAKALIAN: Ms. Pate,
19 would you spell your name.

20 THE WITNESS: Yes. Crystal,
21 C-R-Y-S-T-A-L. Pate, P-A-T-E.

22

23

24

25

1 CRYSTAL PATE,
2 after having been first duly sworn under oath,
3 was questioned and testified as follows:
4 EXAMINATION
5 BY HEARING EXAMINER CHAKALIAN:
6 Q. You have not previously been qualified as
7 an expert; is that correct?
8 A. That is correct.
9 Q. Before this Division.
10 Okay. What field are you seeking to be
11 admitted and recognized as an expert before this
12 Division.
13 A. Geology.
14 Q. Okay. Just general geology not petroleum
15 geology?
16 A. Petroleum geology.
17 Q. Okay. Very good. What education do you
18 have that goes towards that? And just give me some
19 dates when you achieved your degrees.
20 A. I have a Bachelor's in geology I received
21 in 2009.
22 Q. From where?
23 A. Wait, yes, 2009 from Texas Tech
24 University. And then I have a Master's in science
25 from Texas Tech University in 2011.

1 Q. Okay. And what work have you done since
2 2011 that would go towards your qualifications?

3 A. I have ten years' experience, ten-plus
4 years' experience in petrocivics (phonetic) with
5 multiple operators, including Concho and
6 ConocoPhillips, and two years with Coterra as a
7 geologist.

8 Q. What is your current title?

9 A. Senior geologist.

10 Q. What are your duties there?

11 A. I am in charge of operations, managing and
12 upper landing for the zones and development of our
13 assets.

14 Q. So land. You said you deal with landing
15 zones and management of assets?

16 A. Yes. Development of them, planning for
17 development and mapping reservoir properties.

18 Q. Okay. In this case, what did you do in
19 this case?

20 A. I helped plan the wells, the landing
21 zones, and I mapped the rest of our properties for
22 the area.

23 Q. Okay. You provided the exhibits under
24 your tab?

25 A. Yes. Yes, sir.

1 HEARING EXAMINER CHAKALIAN: Okay. All
2 right. Thank you, Ms. Pate. You are hereby
3 qualified before this division as a petroleum
4 geologist.

5 Mr. McClure, would you like to start with
6 Mr. Park?

7 MR. McCLURE: Thank you Mr. Hearing
8 Examiner. I mostly certainly can.

9 DYLAN PARK,
10 after having been first duly sworn under oath,
11 was questioned and testified as follows:

12 EXAMINATION

13 BY MR. McCLURE:

14 Q. Mr. Park, can I draw your attention to
15 your Summary of Interests in Exhibit A-2. I believe
16 it is Page 32 of 166.

17 A. Yes, sir. Give me just one second. Okay.
18 I am there.

19 Q. Do you see where we -- where you have
20 Devon, EOG and Matador listed and then it has, like,
21 contractual rights listed after that?

22 A. Yes, sir.

23 Q. Can you provide a brief description of
24 what you're referring to when you are referring to a
25 contractual right here?

1 A. Yes, sir. So in this case I broke down
2 the tracts by -- I wanted to break them down by the
3 leasehold interest.

4 So in this case there is also these
5 parties that I have noted that have just contractual
6 rights, and that is based off of an old JOA back in,
7 I believe it was 1981 that covered a large area.
8 But some of those tracts fall within our Riverbend
9 11-14 development area. So we wanted to practically
10 and prudently give them their interest in these
11 wells. It is a small interest, but we wanted to
12 note that here. We have broken down their interest
13 in detail in the recapitulation.

14 Q. Okay. So is it accurate to say that they
15 have overriding royalty interest owner in these
16 tracts or can you describe their interest a little
17 more there, I guess?

18 A. Yeah. So in this old 1981 JOA, they
19 committed leasehold in a larger area. Some of those
20 tracts of that larger area fall within our new
21 development. So they have contractual operating
22 rights within this unit that we have granted them or
23 accepted their contractual interest in this unit.
24 So we have tried to detail that here.

25 I didn't want to confuse the record title

1 or actual leasehold ownership, so that is why I just
2 kind of noted ed the contractual rights but then
3 broke that out in the recapitulation of the unit as
4 a whole.

5 Q. So then they do not have a working
6 interest, mineral interest or overriding interest?

7 A. They do have a -- they do have contractual
8 operating rights in the wells. We have proposed the
9 wells to them as a working interest owner, but it is
10 based off -- it is not based off of leasehold
11 ownership, it is based off of the old 1981 JOA where
12 they contributed numerous leases. That JOA covered
13 tracts that are within this until?

14 Does that make a little more sense?

15 Q. Yeah. I guess maybe what I am
16 understanding, then, is they are the operator of
17 record for that JOA; is that correct?

18 A. They are not necessarily the operator of
19 record. They have a working interest under the 1981
20 JOA.

21 Q. So then they have a working interest in
22 this unit, then; is that correct?

23 A. That is correct.

24 Q. Okay. And I guess why does, why is --
25 looking at the very first tract, the Tract 1

1 ownership why is Magnum Hunter Production listed as
2 having 100 percent working interest, then?

3 A. That is because they have 100 percent of
4 the record title leasehold ownership in that tract.

5 So then our interest would then be reduced
6 by the minimal amount of the contractual rights that
7 are there, and that is captured in the
8 recapitulation.

9 Q. Okay. So is it accurate to say that it is
10 not 100 percent and it is really a number slightly
11 less than 100 percent?

12 A. I don't know if that would be accurate or
13 not, because, like, for example, in Tract 1 Magnum
14 Hunter has 100 percent of the leasehold, and a
15 record title basis. But then you have Devon, EOG
16 and MRC have contractual rights based off of the
17 1981 JOA.

18 Q. But under that JOA they committed their
19 working interest to the JOA; is that correct?

20 A. That's correct.

21 Q. So they are being paid working interest
22 out of this unit; is that correct?

23 A. That's correct. That's correct, yes, sir.

24 Q. And the reason you are force pooling them
25 is because you are force pooling that working

1 interest.

2 Is that also correct?

3 A. That would be correct, the contractual
4 working interest that we have credited them with,
5 yes, sir.

6 Q. Okay. So then would it be accurate to say
7 that the reason you are saying Magnum Hunter has
8 100 percent working interest is because you're
9 figuring these different three persons' working
10 interest as being Magnum Hunter's due to the JOA?

11 A. Can you repeat that? I want to make sure
12 I understand it.

13 Q. The reason that you list Magnum Hunter as
14 100 percent working interest owner is because you're
15 considering Devon's working interest to be owned by
16 Magnum Hunter.

17 Is that the reason you have it listed as
18 100 percent?

19 A. No. Let me try to explain that a little
20 bit better than I did before. The reason why I have
21 them at 100 percent in this example of Tract 1 is
22 because they are the 100 record title leasehold
23 owner at the County level, right?

24 The 1981 JOA is not something of record,
25 it is something we found through our diligence and

1 we are crediting them with their contractual working
2 interest. I did not want to confuse -- I did not
3 want to confuse record title, leasehold ownership
4 with contractual rights. I was trying to avoid that
5 confusion, but it looks like I maybe made it worse,
6 perhaps.

7 Q. I am not a professional landman by any
8 stretch, but based upon this description it sounds
9 to me like your plan on paying out to them as if
10 they own a working interest.

11 Is that accurate to say?

12 A. That is accurate, yes, sir.

13 Q. I guess, is there a reason we don't
14 consider it a working interest here, then?

15 A. It is just -- in our profession it is
16 considered a contractual working interest, so it
17 differs a little bit, but I understand what you are
18 saying.

19 Q. Okay. I mean, it is not that the Division
20 needs to have, needs to know the nitty-gritty of the
21 individual contract, but we do need to know what
22 interest it is that we are being requested to force
23 pool in this instance.

24 A. Yes, sir. And that is where we have their
25 interest broken out in the recapitulation. I was

1 trying to keep the tract level at a record title
2 level, who actually owns the leases, but then break
3 that out in the recapitulation.

4 Q. Okay. If I were to -- but you do have all
5 of this interest available to you for each
6 individual tract.

7 Is that correct?

8 A. Yes, sir.

9 Q. And if I were to ask you to amend this
10 exhibit to instead of contractual rights or however
11 you want to identify their rights, but have an
12 actual percentage of what is being forced pool in
13 each tract, do you understand what I am asking for?

14 A. Yes, sir, I do.

15 Q. Okay. Then, of course, if you want to,
16 you know, have some sort of caveat talking about it
17 being contractual rights, then obviously you should
18 feel free in your exhibit to include your, you know,
19 extra footnotes, whatnot.

20 A. Sure.

21 Q. But we will want to see these interests
22 broken out, I guess.

23 A. I can update that, yes, sir.

24 MR. SAVAGE: Mr. Hearing Examiner, could
25 we have a little discussion on clarification on that

1 request?

2 HEARING EXAMINER CHAKALIAN: Go ahead.

3 MR. SAVAGE: In the past historically, as
4 I understand it, you look at the ownership only of
5 the unit, the proposed unit, and that would have all
6 the tract breakdowns based on the title. It has the
7 title placed out. You have northeast, northeast and
8 that was very clear.

9 And then the title attorneys started
10 running into, like, these difficult questions,
11 because we have these complicated JOAs, that would
12 cover multiple sections and then they would overlap
13 the proposed unit.

14 And then, so the attorneys, the
15 practitioners and those two kind of grappled with
16 how best to address this, because, I mean, you
17 really don't have to address the contractual rights,
18 but it is as a precaution it is best to because you
19 want to make sure that everybody that can claim
20 revenue from the working interest part of the
21 production can come in because it is accounted for.

22 So, you know, this is kind of -- this is
23 how we have been dealing with this kind of hybrid
24 complicated scenario.

25 As Mr. Park points out, it is really not a

1 leasehold working interest but it is a form of
2 working interest and it falls under the contractual
3 rights. So I, you know, this is how in the past we
4 have done this. We provide the specific percentages
5 in the recapitulation. It looks to me like it is
6 very clear. We stated on the recapitulation, I am
7 looking at the one down here that, you know, these
8 represent parties who have to be pulled and it gives
9 us specific percentages.

10 I mean, is it really a necessary? Does it
11 really benefit the OCD to have to amend this, I
12 guess is the question, and include a redundant of
13 the percentages up in the tracts where the tracts
14 really don't -- I mean, that would also be
15 inaccurate because, those contractual interests are
16 not contained within the tracts themselves. They
17 are part of that, but they are really part of a much
18 larger slot of contractual interests.

19 I mean, so -- I mean, we can do it, you
20 know, if it is really required, and requested, but
21 there is a consideration that it may not be
22 necessary.

23 HEARING EXAMINER CHAKALIAN: Thank you,
24 Mr. Savage.

25 Mr. McClure, you don't need to expand upon

1 your rationale. But after hearing Mr. Savage, do
2 you still want what you asked from Mr. Park?

3 MR. McCLURE: Yes, I do. If he wants to
4 discuss it more, we do have the rule citation that
5 specifically requires what I am requesting from
6 Mr. Park.

7 MR. SAVAGE: That is fine, Mr. McClure, we
8 will accommodate that.

9 HEARING EXAMINER CHAKALIAN: And,
10 Mr. McClure, do you want to just state the rule on
11 the record.

12 MR. McCLURE: Yeah. It is 19.15.4.12A.1
13 (b)(ii).

14 HEARING EXAMINER CHAKALIAN: Thank you.
15 Okay. So, Mr. Park, you know what Mr. McClure
16 wants. Now, Mr. McClure are you finished with your
17 questions for Mr. Park?

18 MR. McCLURE: Mr. Hearing Examiner, I am
19 finished with my questions for Mr. Park.

20 HEARING EXAMINER CHAKALIAN: Okay. What
21 about Ms. Pate?

22 EXAMINATION

23 BY MR. McCLURE:

24 Q. Ms. Pate, if I could draw your attention
25 to Page 93 of 166. This is your Exhibit B-4. It

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1 should be a cross section. Let me get there my own
2 self.

3 Are you there with me, Ms. Pate?

4 A. Yes.

5 Q. Okay. On this cross section I only see a
6 single depth identified in the depth tract, that
7 being 7500.

8 Do you see what I am referring to?

9 A. Yes, sir.

10 Q. If I were to ask you to submit an amended
11 cross section, and there is three of them, I
12 believe, within the exhibit packet. And for each of
13 them I would request this having more detail, more
14 resolution in that depth tract, like every hundred
15 feet, something along those lines s.

16 Do you understand what I am asking for?

17 A. Yes, sir.

18 Q. And that gets extended across Exhibit B-4,
19 B-6, and B-8?

20 A. Yes, sir.

21 Q. Okay. Thank you, Ms. Pate.

22 MR. McCLURE: Mr. Hearing Examiner, I have
23 no further questions. We would only ask for the
24 amended Exhibit B-4, B-6, B-8, and I guess I don't
25 have it in my notes, but the Exhibit A-2 now.

1 HEARING EXAMINER CHAKALIAN: Okay.

2 Mr. Savage, you know what he wants?

3 MR. SAVAGE: Yes, sir.

4 HEARING EXAMINER CHAKALIAN: All right.

5 Would you please move this case to August 7 so that
6 gives time for Mr. McClure to review your amended
7 exhibit packet.

8 MR. SAVAGE: Yes.

9 HEARING EXAMINER CHAKALIAN: All right.
10 We are off the record in this case.

11 Thank you, Ms. Pate and Mr. Park.

12 All right. Let's move on now to Mewbourne
13 Oil, 25424, 25425.

14 Entries, please.

15 MS. VANCE: Good morning, Mr. Hearing
16 Examiner, Paula Vance with the Santa Fe office of
17 Holland & Hart on behalf of the applicant, Mewbourne
18 Oil Company.

19 HEARING EXAMINER CHAKALIAN: Thank you.

20 MS. VANCE: As far as I am concerned, I
21 don't believe there are any other parties.

22 HEARING EXAMINER CHAKALIAN: Please
23 proceed.

24 MS. VANCE: In this case Mewbourne seeks
25 to pool the uncommitted interests in two cases

1 with -- and you already said them, but all of the
2 acreages in Township 18 South, Range 35 East, and it
3 is Lea County, New Mexico.

4 And specifically in Case 25424, Mewbourne
5 seeks to pool the interest in a 320-acre, more or
6 less, well spacing unit underlying the west half,
7 west half of Sections 14 and 23, and dedicate that
8 spacing unit to -- initially to the Picanha 23/14
9 State Com 521H.

10 And then in Case Number 25425, Mewbourne
11 seeks to pool the interest in a 320-acre, more or
12 less, well spacing unit underlying the east half of
13 the west half of Sections 20 and 23 and initially
14 dedicate that spacing unit to the Picanha 23-14
15 State Com 523H.

16 In both of those instances Mewbourne is
17 pooling the Bone Spring formation and the pool and
18 Pool Code is, Reeves Bone Spring, and Pool Code is
19 51870.

20 In our hearing packets we have provided a
21 copy of the application, the completed CPAC along
22 with the statement, statement of landman Peyton
23 Warren, along with the land exhibits that are
24 required.

25 And following that is the geologist's

1 statement from Charles Crosby who has also
2 previously testified before the Division and his
3 credentials have been accepted as a matter of
4 record.

5 And then following all of that is my
6 self-affirmed statement of notice with a sample
7 letter. It was timely mailed on June 20, 2025 and
8 the affidavit of notice of publication that was
9 timely published on June 24, 2025.

10 Unless there are any questions, I would
11 ask that the exhibits and sub-exhibits be admitted
12 into the record and that these cases be taken under
13 advisement at this time.

14 HEARING EXAMINER CHAKALIAN: Without
15 objection.

16 (Exhibits admitted, Cases 25424, 25425.)

17 HEARING EXAMINER CHAKALIAN: Mr. McClure,
18 these two cases.

19 MR. McCLURE: Mr. Hearing Examiner, no
20 questions for either of these cases.

21 HEARING EXAMINER CHAKALIAN: All right.
22 Ms. Vance, we will take these two under advisement.

23 Thank you.

24 HEARING EXAMINER CHAKALIAN: Moving on to
25 Burnett Oil, 25427, 25428.

1 MR. BRUCE: Mr. Examiner, Jim Bruce
2 representing Burnett.

3 HEARING EXAMINER CHAKALIAN: Any other
4 parties, Mr. Bruce?

5 MR. SUAZO: Yes. Mr. Examiner, Miguel
6 Suazo from Beatty & Wozniak representing Riley
7 Permian Operating, monitoring purposes only.

8 HEARING EXAMINER CHAKALIAN: Thank you,
9 sir.

10 Mr. Bruce.

11 MR. BRUCE: Mr. Hearing Examiner, there
12 are two cases related. I will go through briefly
13 the packet for the first case, and the second case
14 is pretty much there.

15 In the first case, I have submitted a
16 package of exhibits. Burnett Oil Company seeks to
17 force pool the north half of Section 24, 18 South,
18 26 East for purposes of drilling three of its Horned
19 Frog wells.

20 The Exhibit package contains the --
21 Exhibit A is the application -- excuse me.
22 Exhibit A is the affidavit of Christine Pilgrim, the
23 landman for Burnett with the application the usual
24 set of exhibits.

25 I would point out that when it comes to

1 the land interests getting towards the OCD's area of
2 interest, Exhibit A-3 contains this -- all interest
3 owners and part of that in separately as a separate
4 page showing the interest owners who are being
5 pooled so that Mr. McClure does not have to see an
6 additional list.

7 I will get into this a little bit later,
8 but there are several parties who have just recently
9 shown that they are -- will sign oil and gas leases
10 with Burnett and they have requested that they not
11 be pooled in this hearing, which Burnett has agreed
12 to. Jeanene Witt, the estate of Jeffrey Disque,
13 D-I-S-Q-U-E, and Jody Disque, the estate of John
14 Disque and Margie Disque.

15 The exhibit also contains the proposal
16 letter and shows the list of contacts with the
17 interest owners. There are a number of unlocatable
18 interest owners.

19 There is the affidavit, Exhibit B, the
20 self-affirmed statement of Trey Cortez, the
21 geologist who talks about the structure of the
22 target formation which is the Glorieta-Yeso
23 formation and contains the usual plats and cross
24 sections. And it also contains a plat of production
25 from offsetting the wells.

1 Exhibit C is the pooling checklist.

2 Exhibit D is my self-affirmed statement
3 regarding notice.

4 And Exhibit E is the affidavit of
5 publication. There are a number of people to
6 notify, the affidavit of publication because of -- I
7 did not take into account Juneteenth, so it was not
8 timely filed, so these matters need to be continued
9 to, both of them to June [sic] 24, just to cure the
10 notice deadline problem.

11 HEARING EXAMINER CHAKALIAN: June 24.

12 MR. BRUCE: July, excuse me.

13 HEARING EXAMINER CHAKALIAN: When you say
14 July 24, I think that is a status conference docket,
15 isn't it?

16 MR. BRUCE: Whatever docket works for you.

17 HEARING EXAMINER CHAKALIAN: Okay. So
18 hold on one second. Let's -- I think Mr. McClure
19 reviewed your file carefully and probably has some
20 additional things besides the notice issue, but
21 let's get your exhibits admitted into evidence. And
22 I don't hear any objection, so without objection.

23 (Exhibits admitted, Cases 25427, 25428.)

24 MR. BRUCE: I would just point out, I did
25 not include all of it. I knew I was going to have

1 to continue the matter, so I did not include all the
2 green cards which are still coming in for this
3 matter, so that will be have to be revised. I
4 already have the corrected notice or, excuse me,
5 listing of parties being pooled from my client, I
6 received that late yesterday, and so I will have to
7 submit some revised exhibits.

8 So I will just point out that the same set
9 of exhibits for case 25428, which pertains to the
10 pooling of the south half of Section 24, the same
11 zone being pooled of the Glorieta-Yeso, Atoka
12 Glorieta-Yeso and I would move the admission of
13 Exhibits A through E in the case and amended
14 exhibits will be filed and be continued to whatever
15 docket is necessary.

16 HEARING EXAMINER CHAKALIAN: Without
17 exception there are admitted.

18 Mr. McClure you heard what Mr. Bruce was
19 talking about amending the exhibit packet and
20 continuing to August 7, Mr. Bruce. That is the next
21 docket, August 7.

22 So Mr. McClure, are there any other issues
23 that you see or do you have questions for witnesses?

24 MR. McCCLURE: Mr. Hearing Examiner, I am
25 going to have questions for witnesses. I mean, this

1 is going to be continued anyway, so maybe it is not
2 worth talking about the notice. But if that had
3 been the only issue I would have had the applicant
4 to review whether they actually believed notice was
5 out of date or not, but I suppose it is irrelevant
6 to this discussion since we will end up continuing
7 it anyway, unless you wish to have it, Mr. Hearing
8 Examiner.

9 HEARING EXAMINER CHAKALIAN: No, it is
10 fine. So you're going to have questions for the
11 landman, the geologist, what?

12 MR. McCCLURE: I believe the landman should
13 be able to address all of my questions.

14 Mr. Bruce can probably handle the geology.
15 The landman is the one I have questions for.

16 HEARING EXAMINER CHAKALIAN: Mr. Bruce,
17 while you get your landman on the screen, let's take
18 a five-minute break. We will come back on the
19 record at 11, what would that be 13?

20 Thank you.

21 (A recess was taken.)

22 HEARING EXAMINER CHAKALIAN: All right.
23 We are back on the record. It is still 11:15 a.m.
24 on July 10.

25 Mr. Bruce, is this your land person?

1 MR. BRUCE: Yes.

2 HEARING EXAMINER CHAKALIAN: Ms. Pilgrim,
3 would you raise your right hand.

4 (Whereupon the witness was sworn.)

5 HEARING EXAMINER CHAKALIAN: Will you
6 spell your name.

7 THE WITNESS: It is Kristine Pilgrim.
8 K-R-I-S-T-I-N-E. Pilgrim, P-I-R-G-R-I-M.

9 HEARING EXAMINER CHAKALIAN: Have you been
10 accepted as an expert before this Division?

11 THE WITNESS: I have.

12 HEARING EXAMINER CHAKALIAN: In what
13 field?

14 THE WITNESS: For land matters.

15 HEARING EXAMINER CHAKALIAN: Very good.
16 Mr. McClure.

17 MR. McCLURE: Thank you, Mr. Hearing
18 Examiner.

19 KRISTINE PILGRIM,
20 after having been first duly sworn under oath,
21 was questioned and testified as follows:

22 EXAMINATION

23 BY MR. McCLURE:

24 Q. Ms. Pilgrim, referring you to, I believe,
25 the second case here, that being 25428.

1 Within this case, what is the legal
2 description of this unit, that Burnett, is that
3 being the division to force pool?

4 A. It is the south half of Section 24,
5 Township 18 South, 26 East.

6 Q. Okay. And is it accurate to say that the
7 wells that are stepping in and proposing to drill
8 within this unit, is it accurate to say that their
9 well name is now the Horned Frog?

10 A. No, sir. For the case that you are asking
11 for of the south half, it is the -- these are going
12 to be the Maverick. They were changed to Maverick
13 wells?

14 The north half is Horned Frog and the
15 south half is Maverick.

16 Q. Correct me if I am wrong, but isn't there
17 AIP numbers included in your exhibit packet?

18 A. Yes.

19 Q. And of those API, of those wells that is
20 identified by API number, what is the current well
21 name for those wells?

22 A. They were changed back in May. We took
23 the units to hearing to do the full 640-acre unit.
24 They were all the Big Horned Frog wells, so they
25 have been submitted and I believe already approved

1 now for the south half. We just renamed using the
2 same API numbers for the three south ones.

3 Q. Okay. So currently in the system there is
4 a system there with it being the Horned Frog with a
5 HSU that is the entirety of Section 24, but Burnett
6 intends to change them to now be the Maverick wells
7 and that would be the south half of section 24.

8 Is all of that correct?

9 A. Correct. I believe it has already been
10 submitted and taken care of.

11 Q. Not by the Division it hasn't.

12 A. Okay.

13 Q. It may have been submitted, I am not sure
14 but I didn't recall seeing it, but it could
15 potentially be unless there is federal interest and
16 you have to report the BLM.

17 Regardless, my question isn't whether you
18 have submitted or what the status is, I want to know
19 what the end result is going to be. So what is in
20 this application packet is what the result is
21 intended by Burnett?

22 A. Correct.

23 Q. Okay. Thank you.

24 Now, Mr. Bruce is referencing that there
25 was three persons that are no longer going to be

1 pooled; is that correct, to your understanding?

2 A. Yes. From the list that -- I have already
3 submitted to him the updated exhibits for that.
4 There were actually, I think, four on there that are
5 not being pooled.

6 Q. And do you happen to have that exhibit
7 number that is going to be amended?

8 MR. McCLURE: I guess, Mr. Bruce, if you
9 don't have it.

10 MR. BRUCE: It will be Exhibit A-3.

11 MR. McCLURE: A-3.

12 Okay. Thank you, Mr. Bruce.

13 MR. McCLURE: And is that in both cases,
14 Mr. Bruce?

15 MR. BRUCE: Yes. In each case it will be
16 Exhibit A-3.

17 MR. McCLURE: Okay. Thank you,
18 Ms. Pilgrim. I don't think I have any more
19 questions for you but I do have some questions for
20 Mr. Bruce.

21 THE WITNESS: Thank you.

22 MR. McCLURE: Mr. Bruce?

23 MR. BRUCE: Yes, sir.

24 MR. McCLURE: In these cases, when was
25 written notice provided?

1 MR. BRUCE: Written notice was mailed
2 June 18.

3 MR. McCLURE: Okay. Thank you, Mr. Bruce.
4 We can get the geologist if you don't know
5 what I am asking for, but, Mr. Bruce, if I were to
6 ask for a higher resolution copy of each of the
7 cross sections in these cases, we will take -- they
8 are both Exhibit B-3 in both cases.

9 MR. BRUCE: Correct.

10 MR. McCLURE: Do you understand what I am
11 asking for if I ask for a higher resolution copy of
12 those?

13 MR. BRUCE: Yes, sir. We will see what we
14 can do for you and submit amended Exhibits.

15 MR. McCLURE: Okay. Sounds good. To give
16 you some reference of what I am looking for, I need
17 to at least be able to identify the numbers in the
18 tract to the depth tract to figure out where we are
19 actually looking at, I guess.

20 MR. BRUCE: Okay.

21 MR. McCLURE: Thank you, Mr. Bruce.

22 Mr. Hearing Examiner, I have no further
23 questions, although these cases are some that has
24 the incorrect e-mail address listed.

25 HEARING EXAMINER CHAKALIAN: Okay.

1 MR. McCLURE: I don't know if you wanted
2 to touch base about that.

3 HEARING EXAMINER CHAKALIAN: Okay. I will
4 touch base.

5 Mr. Bruce, can you just, on the record,
6 say which exhibits you are going to amend and --

7 MR. BRUCE: I will be amending in each
8 package Exhibit A-3 with the correct -- which is the
9 corrected listing of interest owners and those being
10 pooled.

11 And, in addition, Exhibits B-3 the cross
12 section maps for Mr. McClure so he has a higher
13 resolution.

14 I will be also amending my Exhibit D which
15 is my affidavit of notice to include green cards and
16 update the notice that was given.

17 HEARING EXAMINER CHAKALIAN: Okay.
18 Mr. McClure found an error in your actual notice. I
19 don't think it is fatal, but I would like you to
20 correct it in the future.

21 MR. BRUCE: Okay.

22 HEARING EXAMINER CHAKALIAN: In your
23 notice you have the e-mail of Frey Tschantz, you
24 also have an outdated e-mail for OCD. I am not
25 looking at it right now where you actually -- I

1 guess it is something that we used to use here.

2 MR. BRUCE: I will correct that.

3 HEARING EXAMINER CHAKALIAN: It has -- I
4 don't even know about the part in front of the "at"
5 symbol but the part after the "at" symbol says
6 something about EMNRD.state.nm.gov, and, of course,
7 that is not correct anymore.

8 Okay. So you know what it is, right.

9 MR. BRUCE: I probably pulled that out of
10 something.

11 HEARING EXAMINER CHAKALIAN: All right.
12 Very good.

13 Then, Mr. Bruce, please, submit a
14 corrected exhibit package and continue these cases
15 to August 7.

16 MR. McCURE: Mr. Hearing Examiner, just
17 to confirm, I did not mention it because I thought
18 Mr. Bruce said he was going to include them. In his
19 Exhibit D-2 I would also request that he include the
20 notice spreadsheets when he submits that amended
21 exhibit packet.

22 HEARING EXAMINER CHAKALIAN: Okay. Thank
23 you.

24 Did you catch that, Mr. Bruce?

25 MR. BRUCE: Yes, sir.

1 HEARING EXAMINER CHAKALIAN: Okay. He
2 heard you.

3 MR. McCLURE: And one further inquiry for
4 you, Mr. Hearing Examiner.

5 HEARING EXAMINER CHAKALIAN: Yes.

6 MR. McCLURE: That same e-mail notice
7 issue, that does occur in some future cases that we
8 have not heard yet. On this docket, but we have not
9 heard yet.

10 Do you want us to bring it up on record
11 for each case or --

12 HEARING EXAMINER CHAKALIAN: Yes, yes.

13 MR. McCLURE: Thank you, Mr. Hearing
14 Examiner.

15 HEARING EXAMINER CHAKALIAN: We are off
16 the record in the Burnett Oil cases.

17 Let's move on to Mewbourne Oil, 25429.
18 Entries, please.

19 MR. BRUCE: Mr. Examiner, Jim Bruce
20 representing Mewbourne.

21 HEARING EXAMINER CHAKALIAN: I don't
22 believe there is any other parties. Why don't you
23 proceed.

24 MR. BRUCE: I am not aware of any,
25 Mr. Examiner.

1 In this case I submit the usual exhibits;
2 pooling checklist, the landman's affidavit, the
3 geologist's affidavit, and the notice exhibits.

4 In this case Mewbourne seeks to pool all
5 of Sections 23 and 26 18 South, 32 east in Lea
6 County for purposes of drilling a number of its
7 so-called Querecho Bone Spring wells.

8 This is a nonstandard spacing unit but
9 administrative approval is requested, so that
10 approval is not sought in this matter.

11 The landman, Hudson Brunson, his
12 exhibit is -- Number 2 contains all of the usual
13 information; the land plats, the interest owners. I
14 would point out, with respect to Mr. McClure, again,
15 Exhibit 2B is the tract map and it lists all of the
16 interest owners on the first page of Exhibit 2B, and
17 then on the second page it does give the specific
18 working interest owners who are being pooled.

19 There are four of them and their working
20 interests in the pooled unit, there are a number of
21 people notified. But most of them are record title
22 owners worries are being notified solely for the
23 purposes of getting approved communization agreement
24 from the Federal government.

25 The notice exhibits -- or the geologist's

1 exhibits are from Charles Crosby who has testified
2 many times before the Division in these cases and
3 contains the usual exhibits; the affidavit of
4 Certified Mail is attached together with the green
5 cards and certified notice spreadsheet.

6 Exhibit 5 is the affidavit of publication,
7 which was timely published.

8 The written notice was actually mailed out
9 on June 17, publication occurred on the 18, so all
10 of the notice is timely given.

11 And then Exhibit 6 is the application and
12 the proposed notice.

13 I would move the admission of Exhibits 1
14 through 6 and ask that these matters be taken under
15 advisement.

16 HEARING EXAMINER CHAKALIAN: Thank you,
17 Mr. Bruce. Without objection.

18 (Exhibits admitted, Case 25429.)

19 HEARING EXAMINER CHAKALIAN: Mr. McClure.

20 MR. MCCLURE: Mr. Hearing Examiner, I do
21 have questions for the landman?

22 HEARING EXAMINER CHAKALIAN: Who is your
23 landman?

24 MR. BRUCE: Hudson Brunson.

25 HEARING EXAMINER CHAKALIAN: Okay. Do you

1 see him here?

2 MR. BRUCE: Yes.

3 HEARING EXAMINER CHAKALIAN: Mr. Brunson,
4 would you raise your right hand.

5 (Whereupon, the witness was sworn.

6 HEARING EXAMINER CHAKALIAN: Spell your
7 name for the record.

8 THE WITNESS: Hudson Brunson, H-U-D-S-O-N,
9 B-R-U-N-S-O-N.

10 HEARING EXAMINER CHAKALIAN: You have been
11 accepted as an expert by this Division?

12 THE WITNESS: Yes, sir.

13 HEARING EXAMINER CHAKALIAN: In what
14 field?

15 THE WITNESS: Land matters.

16 HEARING EXAMINER CHAKALIAN: Thank you,
17 sir.

18 Mr. McClure.

19 MR. McCLURE: Thank you, Mr. Hearing
20 Examiner.

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1 HUDSON BRUNSON,
2 after having been first duly sworn under oath,
3 was questioned and testified as follows:

4 EXAMINATION

5 BY MR. MCCLURE:

6 Q. Mr. Brunson, is it accurate to say that
7 each of the wells that Mewbourne is proposing to
8 drill in this unit are part of the Bone Spring 2,
9 and Bone Spring 3?

10 A. Yes, sir.

11 Q. Is it accurate to say that Mewbourne would
12 like to pool the entirety of the Bone Spring
13 formation?

14 A. Yes, sir.

15 Q. If Mewbourne -- if those are the pools in
16 this area, we are in the Lower Bone Spring pool,
17 would it be accurate to start -- does Mewbourne have
18 an interest in going after the Avalon within the
19 Bone Springs?

20 A. I believe it is our intention to pool the
21 entire Bone Spring. The five wells that are being
22 pooled here are the wells that are proposed and are
23 the ones that are currently in our interest.

24 Q. I guess if I were to inform you that it
25 may be a much longer review by the Division and

1 possible dismissal, would Mewbourne be fine with
2 reducing its requested vertical limits to only be
3 from the top of the First Bone Spring sand to the
4 base of the Bone Spring?

5 A. I can check with our team and I can give
6 you an answer on that, but I can't speak for our
7 future plans on what we have planned. I just know
8 that it is our intention to pool the entire Bone
9 Spring.

10 Q. Okay. I guess are you aware that the
11 pool -- that the Bone Spring in this region is
12 separated in to two different pools, one being for
13 the Upper Bone Spring and one being for the Lower
14 Bone Spring?

15 A. I guess you are referring to that Pool
16 Code 50510 that you have listed?

17 Q. That's correct.

18 A. And you are saying that that should not
19 include the pole code that is above that?

20 Q. The pool that these wells are proposed to
21 be producing from only include the Lower Bone
22 Spring. And does not include the Upper Bone Spring.
23 The Upper Bone Spring being defined as the
24 Avalon.

25 A. Okay. Then I believe to answer your

1 question, yes, we would be okay in reducing it if
2 including a different pool code would lead to a
3 dismissal.

4 Q. It is a possibility. I can't necessarily
5 speculate for sure what the director would want to
6 do.

7 I will say that in recent years the
8 Division has not been approving as such with the two
9 different vertically displaced pools.

10 MR. BRUCE: Mr. McClure, is the pool that
11 is mentioned in the pooling checklist for the Second
12 and Third Bone Spring the Lower Bone Spring?

13 MR. McCLURE: It is, Mr. Bruce. The pole
14 code is right, the pole name, on the other hand, is
15 missing the "lower" from it which may be where this
16 confusion is coming from.

17 MR. BRUCE: Okay.

18 MR. McCLURE: But the pole code itself is
19 correct and the majority of that pool name is also
20 correct other than it is missing Lower Bone Spring.

21 MR. BRUCE: Okay.

22 Q. (By Mr. McClure) Mr. Brunson, if I were to
23 request that the CPAC be amended to restrict the
24 vertical limit to from the top of the First Bone
25 Spring sand to the base of the Bone Spring, do you

1 understand what I am asking of you?

2 A. I believe so.

3 Q. Okay.

4 MR. McCLURE: Mr. Bruce, do you understand
5 what I am asking for there?

6 MR. BRUCE: Yes. Avalon would be admitted
7 and it would only be the First, Second and Third
8 Bone Spring that are being pooled?

9 MR. McCLURE: That's correct, Mr. Bruce.

10 Q. (By Mr. McClure) Mr. Brunson, thank you.
11 I have no further questions?

12 MR. McCLURE: But, Mr. Bruce, these are
13 also some cross sections that I am going to need to
14 have a higher resolution submitted. I believe those
15 are Exhibits 3B and 3C.

16 MR. BRUCE: Okay. Exhibits 3B, 3C and
17 then a new pooling checklist Exhibit 1.

18 MR. McCLURE: That is correct. And on
19 that pooling checklist, if we can correct that pool
20 name to correctly identify it as being Lower Bone.

21 MR. BRUCE: I will correct that and then
22 down below I will correct that the Avalon is being
23 excluded or limit the pool extent.

24 MR. McCLURE: Now, you mentioned down
25 below, but let me actually bring it up. The place

1 where I am looking at where it says, Pooling to the
2 vertical extent.

3 MR. BRUCE: Right next to it, yes, that is
4 what I was indicating.

5 MR. McCLURE: Okay. Thank you, Mr. Bruce.

6 And then, Mr. Hearing Examiner, this is
7 another instance of the e-mail address in the notice
8 letter and public notice that is conducted.

9 HEARING EXAMINER CHAKALIAN: Okay. Thank
10 you.

11 And Mr. Bruce, has heard that.

12 I have a question for you, Mr. McClure. I
13 thought you said 3D as in David and 3C, but then
14 Mr. Bruce said 3B as in boy. Did I mishear?

15 MR. McCLURE: Yeah. I meant to say
16 Exhibit 3B as in boy and then 3C as in Charlie.

17 HEARING EXAMINER CHAKALIAN: He heard you,
18 I didn't hear you correctly.

19 Anything else, Mr. McClure before we
20 continue this case?

21 MR. McCLURE: Nothing from me, Mr. Hearing
22 Examiner.

23 HEARING EXAMINER CHAKALIAN: All right.
24 Mr. Bruce, this is another case that has to be
25 continued to August 7.

1 MR. BRUCE: Yes, sir.

2 HEARING EXAMINER CHAKALIAN: Do you have
3 any questions on this case Mr. Bruce?

4 MR. BRUCE: No.

5 HEARING EXAMINER CHAKALIAN: We are off
6 the record in this case.

7 Let's move on to EOG resources, 25433.

8 MS. VANCE: Good morning, Mr. Hearing
9 Examiner, Paula Vance with the Santa Fe office of
10 Holland & Hart on behalf of the applicant, EOG
11 Resources, Inc.

12 HEARING EXAMINER CHAKALIAN: Thank you.

13 MR. BRUCE: Mr. Examiner, Jim Bruce
14 representing MRC Permian Company in this case. They
15 do not object to proceeding and do not object to the
16 exhibits.

17 HEARING EXAMINER CHAKALIAN: Thank you.

18 Ms. Vance.

19 MS. VANCE: Thank you, Mr. Hearing
20 Examiner.

21 In this case EOG seeks to pool the
22 uncommitted interest in a 240-acre, more or less,
23 horizontal well spacing unit that is comprised of
24 the west half of the west half of Section 10 and the
25 west half of the southwest quarter of Section 3.

1 And that is in Township 25 South, Range 34 East, Lea
2 County, New Mexico. And the pool for that would be
3 the Delaware formation or, I'm sorry, it would be in
4 the Delaware formation and the pool is the Baca
5 Ridge Delaware, and the Pole Code is 97161.

6 And EOG seeks to initially dedicated that
7 spacing unit to the Osprey 10 1H well.

8 In the hearing packet we have included a
9 copy of the application, the completed CPAC along
10 with the landman's statement.

11 Our landman is Laci Stretcher who has
12 previously testified before the Division and her
13 credentials have been accepted as a matter of
14 record.

15 And following that is our geology -- our
16 geology statement from geologist Terra George, who
17 has also previously testified before the Division
18 and her credentials have been accepted as a matter
19 of record. Along with her statement are the
20 required geology sub-exhibits.

21 And then following that is my
22 self-affirmed statement of notice with the copy of
23 the -- sample copy of the letter notice that was
24 timely mailed on June 20, 2025 and the affidavit of
25 notice of publication that was timely published on

1 June 24 of 2025.

2 Unless there are any questions, I would
3 ask that the exhibits and sub-exhibits be admitted
4 into the record and that this case be taken under
5 advisement at this time.

6 HEARING EXAMINER CHAKALIAN: Without
7 objection.

8 (Exhibits admitted, Case 25433.)

9 HEARING EXAMINER CHAKALIAN: Mr. McClure.

10 MR. MCCLURE: Mr. Hearing Examiner, I do
11 have questions for the landman in this case.

12 HEARING EXAMINER CHAKALIAN: Is that
13 Ms. Stretcher?

14 MS. VANCE: That is Ms. Stretcher.

15 HEARING EXAMINER CHAKALIAN: Ms.
16 Stretcher, would you raise your right hand.

17 (Whereupon the witness was sworn.)

18 HEARING EXAMINER CHAKALIAN: Please spell
19 your name.

20 THE WITNESS: Laci, L-A-C-I, Stretcher,
21 S-T-R-E-T-C-H-E-R.

22 HEARING EXAMINER CHAKALIAN: Have you been
23 recognized as an expert by this Division?

24 THE WITNESS: I have, yes.

25 HEARING EXAMINER CHAKALIAN: Was that a

1 yes?

2 THE WITNESS: Yes.

3 HEARING EXAMINER CHAKALIAN: Thank you.

4 In what field?

5 THE WITNESS: Land matters.

6 HEARING EXAMINER CHAKALIAN: Okay.

7 Mr. McClure.

8 MR. McCLURE: Thank you, Mr. Hearing
9 Examiner.

10 LACI STRETCHER,
11 after having been first duly sworn under oath,
12 was questioned and testified as follows:

13 EXAMINATION

14 BY MR. McCLURE:

15 Q. Ms. Stretcher, if I can draw your
16 attention to your summary of contacts. It should be
17 Exhibit C-4, Page 31 of 55.

18 It looks like Ms. Vance has it pulled up
19 on the screen.

20 Do you see that top entry where it
21 references All Partners?

22 A. Yes.

23 Q. When you reference All Partners, who all
24 are you referring to?

25 A. All of the parties that are working

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1 interests owners in the Osprey 10 1H. So that
2 includes people that are under the JOA, they
3 received the proposals at the same time as the folks
4 that were not under JOA, the ones that were not
5 under JOA.

6 Q. Is it accurate to say that this is all the
7 working interest owners in the proposed unit is what
8 you are referring to, or not?

9 A. Yes.

10 Q. Okay. Scrolling down a little bit on
11 that, do you see where you have, like, Sally Ann
12 Cooper and William Horvath?

13 A. Yes.

14 Q. Beside that you reference that you had a
15 contact on 4-23-2025, reason being e-mail.

16 Do you see what I am referring to?

17 A. Yes.

18 Q. When you referenced e-mail, what do you
19 mean, I guess, by that?

20 A. I sent them an e-mail. Oftentimes folks
21 will call and ask questions about the proposal, so I
22 will generally respond back in writing so they have
23 something to look at.

24 Q. So then when you said e-mail in this
25 instance you maybe were answering questions for

1 them; is that correct?

2 A. Yes.

3 Q. Okay. Now, it looks like you include
4 these same individuals a little bit later in the
5 list at 6-25-2025.

6 Do you see where I am referring to?

7 A. Yes.

8 Q. And you said you e-mailed a revised offer.
9 So is this just a part of your -- was this just a
10 part of your negotiations with these persons?

11 A. Yes, sir. These are unleased mineral
12 owners. They were asking for an offer and we did
13 provide that.

14 Q. Okay. Now on the date, like, just a few
15 pages or just a few rows below that 6-30-2025, you
16 have party listed as Multiple.

17 What were you referring to by Multiple?

18 A. So we sent out notice for this hearing and
19 we included all royalty owners. A good deal of
20 those royalty owners are leased, but they just
21 receive the notice as a courtesy. But as you can
22 imagine, someone getting a hearing notice we had a
23 number of parties that were concerned. So when I
24 say multiple parties, it was reaching out to those
25 royalty owners and assuring them that they are

1 already leased. Basically it is good news for them
2 because it means they will have, hopefully, some
3 more money coming their way which is being produced
4 this fall.

5 Q. Okay. Ms. Stretcher, just to provide you
6 a little bit more context of what the Division is
7 looking for here. It is within the Division's
8 discretion to ask you to provide the e-mails and
9 those communications for each and every single
10 person.

11 So if I were to ask you to provide us with
12 an amended exhibit here that provides a little bit
13 more bit detail in regards to the persons that were
14 actually being communicated with rather than setting
15 them up as undefined subsets of ownership and then
16 kind of provide some details as to what those
17 communications was, extremely brief, though, and the
18 current status of those negotiations, would you
19 understand what I am asking for?

20 A. Yes. So just a more detailed description
21 of exactly what was communicated to each person and
22 the date.

23 Q. And let's say at this particular point, I
24 am not asking for the exact details of the
25 communication, but a brief description of where

1 you -- of the purpose of that communication where
2 you are currently at, in your negotiations with that
3 person.

4 A. Yes, we can provide that.

5 Mr. Examiner, can I ask a question?

6 HEARING EXAMINER CHAKALIAN: Who is
7 speaking.

8 MR. McCLURE: Probably your -- oh, go
9 ahead, Mr. Hearing Examiner.

10 HEARING EXAMINER CHAKALIAN: I just asked
11 who is speaking?

12 MR. McCLURE: I believe it is
13 Ms. Stretcher.

14 HEARING EXAMINER CHAKALIAN: Okay.

15 THE WITNESS: Yes, this is Ms. Stretcher.

16 HEARING EXAMINER CHAKALIAN: Ms.
17 Stretcher, we don't generally answer questions from
18 witnesses. So you might want to ask your counsel
19 and then let her deal with it. So, go ahead and
20 talk to Ms. Vance.

21 MS. VANCE: It might be related to just
22 getting clarification on what is required. I am
23 assuming that that is probably it. Maybe if I can
24 just touch base with Ms. Kessler as well regarding
25 the conversation there what Mr. McClure is looking

1 for. But I think, just to clarify, Mr. McClure
2 would like to see an updated Exhibit C-4 that breaks
3 out the communication with just a little bit more
4 detail there specifically related to what exactly is
5 meant by e-mailed, which I think Ms. Stretcher did
6 explain on the record, but we can put that in
7 writing.

8 In the table there, similarly, you know,
9 with the follow-up there to the same two parties and
10 then just break out the multiple, maybe just
11 identify who the parties are and then just a general
12 summary of what came out of that, which
13 Ms. Stretcher, again, she stated on the record we
14 will just -- everything, I think, again, what Ms. --
15 basically what Ms. Stretcher answered we are just
16 going to add that to this exhibit so it is in the
17 record there.

18 HEARING EXAMINER CHAKALIAN: Mr. McClure,
19 did that sum up what you want?

20 MR. MCCLURE: Mr. Hearing Examiner, it
21 does, although I would add the caveat that I did not
22 actually have Ms. Stretcher identify who the
23 multiple persons actually were and who the several
24 royalty owners were, and that will need to be
25 included in addition to the verbal testimony from

1 Ms. Stretcher.

2 MS. VANCE: We can break that out and just
3 put the names of the royalty interest owners and put
4 this on there, not a problem.

5 HEARING EXAMINER CHAKALIAN: Ms. Stretcher
6 does that answer your question.

7 THE WITNESS: I was just hoping I could
8 provide it today to Ms. Vance so that you would have
9 everything you needed.

10 HEARING EXAMINER CHAKALIAN: It is going
11 to take additional review once you submit it, so the
12 case will have to be continued.

13 Mr. McClure, is there anything further?

14 MR. MCCLURE: Mr. Hearing Examiner, I have
15 nothing further for this case.

16 HEARING EXAMINER CHAKALIAN: Okay. So
17 Ms. Vance, you know, what the Division needs, and
18 you know it needs further review, so August 7.

19 MS. VANCE: I will be here next Tuesday.

20 HEARING EXAMINER CHAKALIAN: I know you
21 will. We are going to have to cut off -- we are
22 going to have to cut this off. This seems to be a
23 lot more than just a little something for
24 Mr. McClure to review. So that window --

25 MS. VANCE: I will also be here on

1 July 29.

2 HEARING EXAMINER CHAKALIAN: We can do
3 July 29. Sure. You continue the case to July 29.

4 Mr. McClure are you the technical reviewer
5 for July 29, also?

6 MR. MCCLURE: July 29, I think that is the
7 special docket?

8 HEARING EXAMINER CHAKALIAN: It is a
9 special docket, yes.

10 MR. MCCLURE: I think it is going to be
11 both myself and Mr. Fordyce, I believe.

12 HEARING EXAMINER CHAKALIAN: Ms. Vance,
13 July 29.

14 Okay. We are off the record in that case.
15 Let's move on to Avant Operating, 25434.
16 Entries of appearance, please.

17 MR. SUAZO: Good morning, Mr. Examiner,
18 Miguel Suazo with Beatty & Wozniak appearing on
19 behalf of Coterra Operating. Coterra Energy
20 Operating, Avant was the original applicant and
21 Coterra simply acquired Franklin Mountain and Avant.

22 So in this case Coterra is requesting an
23 application to approve an extension of one year to
24 drill the additional wells in the Emerald Fed Com
25 unit Leasing Order R-23267, which are part of these

1 wells to be drilled by July 24 of this year.

2 This extension, if granted for good cause,
3 will allow Coterra to drill the additional wells by
4 July 24 of 2026.

5 R-23267, the order was entered on July 24,
6 created a nonstandard 1302-acre horizontal spacing
7 unit comprised of all of Section 31, Township 18
8 South, Range 33 East and all of Section 6,
9 Township 19 South, Range 33 East in Lea County and
10 pooled uncommitted interests in the Corbin Bone
11 Spring South formation.

12 It is comprised of 18 wells that are
13 listed in the land exhibits. The order -- the
14 approved order required Coterra to submit by the
15 24th of this month requesting an extension for good
16 cause as set forth in Paragraph 29 of the order due
17 to the acquisition of Franklin Mountain and Avant
18 and other market conditions.

19 The exhibit packet was filed on July 3 of
20 this year.

21 Exhibit A is the extension application.

22 Exhibit B is the original pooling order,
23 dated July 24, 2024.

24 Exhibit C is the affidavit of landman Cole
25 Maxwell who has not previously testified before the

1 Division and his qualifications have not been
2 accepted by the Division and made a matter of
3 record, but he is available if you would like to ask
4 him a few questions.

5 HEARING EXAMINER CHAKALIAN: We will see
6 if we need him, but it is an extension, so I doubt
7 we will.

8 MR. SUAZO: Okay. Exhibit C-1 is updated
9 pooling exhibits.

10 Exhibit C-2 is the estimated development
11 plan for each well.

12 Exhibit D is the notice affidavit that
13 indicates that notice letters were mailed on
14 June 19, 2025 to the addresses of record of the
15 parties and the receipts.

16 This was published in the Hobbs News Sun.

17 With that, I would like to request that
18 the exhibits be admitted into the record and that
19 these matters be taken under advisement.

20 HEARING EXAMINER CHAKALIAN: Thank you.

21 And without exception.

22 (Exhibits admitted, Case 25434.)

23 HEARING EXAMINER CHAKALIAN: Mr. McClure,
24 any questions on this case?

25 MR. MCCLURE: Mr. Hearing Examiner, I have

1 no questions for this case.

2 HEARING EXAMINER CHAKALIAN: Mr. Suazo, we
3 take it under advisement.

4 Thank you.

5 MR. SUAZO: Thank you.

6 HEARING EXAMINER CHAKALIAN: Moving on to
7 Mewbourne Oil. This is Case 25435.

8 MR. BRUCE: Mr. Examiner, jim Bruce
9 representing Mewbourne.

10 HEARING EXAMINER CHAKALIAN: Thank you.

11 MS. HARDY: Mr. Examiner, Dana Hardy with
12 Hardy & McLean on behalf of Devon Energy Production.
13 We are just monitoring this case.

14 HEARING EXAMINER CHAKALIAN: Okay.
15 Mr. Bruce.

16 MR. BRUCE: Mr. Examiner, in this case
17 Mewbourne seeks to force pool the west half of
18 Sections 21, 28 and 33 in 21 South, 35 East for the
19 purpose of drilling its North Wilson Deep Unit, Well
20 Numbers 17, 18, and 19.

21 The usual package of exhibits is
22 submitted.

23 Exhibit 1 is the pooling checklist.

24 Exhibit 2 is the landman's affidavit. The
25 landman is Adriana Salgado-Jimenez -- excuse me --

1 yes, and she contains in her affidavit the usual
2 land plats, listing of interest owners and those
3 parties being pooled. The only party being pooled
4 is Devon Energy Production Company, LP, which owns a
5 one-eighth -- excuse me, a one-sixteenth interest --
6 excuse me, one-sixth, interest in all of the wells
7 being drilled under this proposal.

8 Exhibit 3 is the affidavit of landman
9 [sic] Justin Roeder. Contains the usual structure
10 maps and cross sections and the other regular
11 exhibits.

12 Exhibit 4 is my affidavit of certified
13 mailing. They contain -- it shows that Devon Energy
14 did receive certified mail, so it received actual
15 notice. So the publication notice is not included
16 with this package.

17 And then Exhibit 5 is the application and
18 proposed notice.

19 I would move the admission of Exhibits 1
20 through 5 and ask that the matter be taken under
21 advisement.

22 HEARING EXAMINER CHAKALIAN: Thank you,
23 Mr. Bruce.

24 Without objection.

25 (Exhibits admitted, Case 25435.)

1 HEARING EXAMINER CHAKALIAN: Mr. McClure.

2 MR. McCURE: Mr. Hearing Examiner, I have
3 questions for the landman.

4 HEARING EXAMINER CHAKALIAN: Who is your
5 landman?

6 MR. BRUCE: Adriana Salgado.

7 HEARING EXAMINER CHAKALIAN: Thank you.
8 Ms. Salgado.

9 MR. BRUCE: Adriana, are you on the line?

10 HEARING EXAMINER CHAKALIAN: Mr. Bruce, if
11 she does not come on in a few moments we can come
12 back to this case when she is available. I do not
13 want to delay the proceedings.

14 So, all right, Ms. Salgado when you have
15 your microphone on and your camera on, we will take
16 up this case again.

17 We are going to be in recess on this case.

18 Let's go to Hilcorp Energy. We have two
19 cases, 25437 and 38.

20 Entries of appearance, please.

21 MS. VANCE: Good morning, Mr. Hearing
22 Examiner, Paula Vance with the Santa Fe office of
23 Holland & Hart on behalf of the applicant, Hilcorp
24 Energy Company.

25 And in both of these cases we are seeking

1 an exception to the -- for relevant City purposes
2 and specifically it is Rule II.B of the Special Pool
3 or Special Rules and Regulations of the Basin-Dakota
4 Gas Pool. 71599 is the pole code. I will go
5 through each of the cases.

6 I would note that our landman is here with
7 us today, Mr. Gatewood Brown. We do have our
8 geologist -- we do have a geologist available should
9 there be any questions and then our reservoir
10 engineer, I will note he has not previously
11 appeared, so we did include his resume if and when
12 those questions and you would like to go over that
13 with him.

14 So specifically in Case Number 25437,
15 Hilcorp is the spacing unit involved is a 320-acre,
16 more or less, spacing and proration unit. Again,
17 that pool is the Basin-Dakota Gas Pool and that is
18 comprised of the east half of Section 36,
19 Township 29 North, Range 8 West in San Juan County,
20 New Mexico.

21 And currently the two wells that are
22 producing from that spacing unit are within that
23 pool are the State Com Q 013R well, and the State
24 Come Q 013M well.

25 And Hilcorp is seeking to add to that

1 spacing unit the State Com Q 013N well and the State
2 Com Q 013P well.

3 And the exception in this case would be
4 that Hilcorp is seeking to produce three wells
5 within the same quarter section of the spacing unit.

6 And then separately in Case Number 25438,
7 that also involves a 320-acre spacing unit. Again,
8 it would be on the Basin-Dakota Gas Pool. It
9 comprised the west half of Section 32, Township 29
10 North, Range 7 west, and that is in Rio Arriba
11 County, New Mexico.

12 And currently, Hilcorp has three wells
13 dedicated to that spacing unit in this particular
14 pool, and that would be the San Juan 29-7 Unit 032A
15 well, 032E well, and 032N well, and is seeking to
16 add to that spacing unit the San Juan -- and seeking
17 to add to that, the San Juan 29-7 Unit 032P well and
18 the San Juan 29-7 Unit 032Q well.

19 Again, in this case the exception is
20 having five wells. The rule calls -- for the
21 special the rules calls for four wells per spacing
22 unit.

23 So, included in our hearing packet is a
24 statement from our landman Gatewood Brown, along
25 with two sub-exhibits, a notice area and a list of

1 the effected parties that were provided notice.

2 And then for our reservoir engineer we
3 provided a statement. Again, Mr. Selby has not
4 previously testified. He is a new witness before
5 the Division, so we included a copy of his resume.

6 And then the sub-exhibits also include a
7 spacing unit overview and identifies the targeted
8 reserves. Also an original gas in place for the
9 Basin-Dakota, a cumulative gas produced for the
10 Basin-Dakota, and then the remaining recoverable gas
11 for the basin-Dakota. And then a volumetric
12 analysis for each respective case.

13 Lastly is my notice. I have a sample --
14 my self-affirmed statement of notice along with a
15 sample copy of the notice that went out on June 20,
16 2025. And I will note that our affidavit of notice
17 of publication is one day late. It was published on
18 June 25, 2025, so we are off by one day.

19 You know that I will be here on several of
20 the upcoming July dockets, and I would be
21 appreciative if we could take -- if the Division
22 would take these cases under advisement, but if we
23 could perfect notice, I will be available on the
24 July 29 docket to do that.

25 HEARING EXAMINER CHAKALIAN: Okay. Thank

1 you.

2 MS. VANCE: Unless there are any
3 questions, I would ask that the exhibits and
4 sub-exhibits be admitted into the record and that
5 these cases be taken under advisement at this time.

6 HEARING EXAMINER CHAKALIAN: Okay.

7 Without objection.

8 (Exhibits admitted, Cases 25437, 25438.)

9 HEARING EXAMINER CHAKALIAN: Mr. McClure.

10 MR. MCCLURE: Mr. Hearing Examiner, I have
11 no questions for either of these cases, although I
12 would like to evaluate the notice period of when
13 public notice needed to have been conducted.

14 HEARING EXAMINER CHAKALIAN: Okay. When
15 you say evaluate what do you mean by evaluate?

16 MR. MCCLURE: Well, July 4 is the only
17 State holiday within the notice period, to my
18 understanding, unless you identified a different
19 one, Ms. Vance?

20 MS. VANCE: No. I just use a date
21 calculator on my computer. It is my trusty
22 calculator to make sure that I stay straight. And
23 what I got was today's date, but if the Division
24 will except it, I am happy that we have met the
25 timeline then.

1 MR. McCLURE: Well, unless I am
2 miscounting something, it appears to me like notice
3 would have had to have occurred on June 25, which
4 that is when your public notice was conducted,
5 right?

6 MS. VANCE: Yes, that's correct. I am
7 going to doublecheck it.

8 MR. McCLURE: Written notice needed to
9 occur by June 20 was where I counted before?

10 MS. VANCE: It would be today for the
11 public notice. So if that is the case then I don't
12 think we have anything to worry about.

13 I would ask that the exhibits and
14 sub-exhibits be admitted into the record and the
15 cases be taken under advisement at this time.

16 HEARING EXAMINER CHAKALIAN: So you said
17 you had no questions, Mr. McClure. I have already
18 admitted the exhibits, Ms. Vance, so can we take
19 these cases under advisement, Mr. McClure?

20 MR. McCLURE: I think we can, Mr. Hearing
21 Examiner?

22 HEARING EXAMINER CHAKALIAN: Let's take
23 them under advisement.

24 Thank you.

25 All right. Mr. Bruce, did you have your

1 land person back?

2 MR. BRUCE: Yes.

3 HEARING EXAMINER CHAKALIAN: All right.

4 Let's see.

5 Ms. Salgado, please raise your right hand.

6 (Whereupon the witness was sworn.)

7 HEARING EXAMINER CHAKALIAN: Spell your
8 name, please.

9 THE WITNESS: It is A-D-R-I-A-N-A. My
10 last name is S-A-L-G-A-D-O.

11 HEARING EXAMINER CHAKALIAN: Have you
12 previously been recognized as an expert before this
13 division.

14 THE WITNESS: Yes, sir.

15 HEARING EXAMINER CHAKALIAN: In what
16 field?

17 THE WITNESS: Petroleum as a landman.

18 HEARING EXAMINER CHAKALIAN: Very good.
19 Mr. McClure.

20 MR. MCCLURE: Thank you, Mr. Hearing
21 Examiner.

22

23

24

25

1 ADRIANA SALGADO,
2 after having been first duly sworn under oath,
3 was questioned and testified as follows:

4 EXAMINATION

5 BY MR. McCLURE:

6 Q. Ms. Salgado, I am looking at Exhibit 2-B.
7 This is on Page 14 of 23 of the first part of the
8 exhibit packet. Should the depiction of the tract,
9 essentially.

10 A. Yes, sir.

11 Q. Do you see that red outline depicting the
12 west half of several sections?

13 A. Yes, sir.

14 Q. Is it accurate that the inclusion of the
15 southwest quarter of Section 20, maybe, whichever
16 one is right above there, is it correct that that is
17 a typo and that that red box should have been --
18 should have not included that quarter section to the
19 north?

20 A. Yes, sir, that is correct.

21 MR. BRUCE: That was my error,
22 Mr. McClure. That is my mistake.

23 MR. McCLURE: Okay. It looked like a
24 simple typo, but I just wanted to confirm it was a
25 typo.

1 Q. (By Mr. McClure) If I were to ask for this
2 exhibit to be amended -- to make sure you
3 understand, Ms. Salgado, if I were to ask that this
4 exhibit packet or this exhibit to be amended to
5 depict the correct proposed unit, you understand
6 what I am asking for?

7 A. Yes, sir.

8 Q. Okay. Now, if I can draw your attention
9 to the CPAC that is on the Page 3 of 23 of Part I of
10 the exhibit packet.

11 A. Yes, sir. Page 3?

12 Q. Yeah, Page 3 of 23.

13 A. Yes, sir.

14 Q. You should see identification of Well 1,
15 Well 2, Well 3.

16 Do you see where I am referring to?

17 A. Yes, sir.

18 Q. Okay. So Well Number 2, do you see that
19 first take point, that is the FTP and then 100 feet
20 from the north line and 130 feet from the west line
21 of Section 21?

22 A. Yes, sir.

23 Q. Is it accurate to say that that should
24 actually read 130 from the north line and 1300 feet
25 from the west line?

1 A. Yes, sir, that's correct.

2 Q. Okay. So if I ask you to make that
3 correction, you understand what I am asking for?

4 A. Yes, sir.

5 Q. Okay. Thank you, Ms. Salgado.

6 MR. McCCLURE: I have no further questions
7 for you. But, Mr. Bruce, can you please confirm for
8 me when written notice was provided?

9 MR. BRUCE: Written notice was sent out
10 June 16, 2025.

11 MR. McCCLURE: Okay. Thank you, Mr. Bruce.
12 If I recall this is the one where there was only a
13 single noticed person; is that correct?

14 MR. BRUCE: That is correct, and they did
15 receive actual notice.

16 MR. McCCLURE: Okay. Very good. The only
17 reason I bring it up is we don't need a notice
18 spreadsheet for this one since there is only one and
19 since you verbally confirmed for me that written
20 notice was provided.

21 But if I were to ask for a higher
22 resolution copy of the cross section found in
23 Exhibit 3-D and Exhibit 3-E, do you understand what
24 I am asking for, Mr. Bruce.

25 MR. BRUCE: Bruce yes, sir.

1 MR. McCLURE: Okay. Very good. I have no
2 further questions, but, Mr. Hearing Examiner this
3 would be an additional case where the incorrect
4 e-mail address was included in the written notice.

5 HEARING EXAMINER CHAKALIAN: Okay.
6 Mr. Bruce understand that. So, Mr. Bruce, do you
7 know what needs to be submitted for this case to be
8 reviewed further?

9 MR. BRUCE: Yes. A corrected Exhibit 1, a
10 corrected Exhibit 2B, and then a higher resolution,
11 Exhibits 3C and 3D as in dog.

12 HEARING EXAMINER CHAKALIAN: Mr. McClure,
13 is that what you need?

14 MR. McCLURE: Maybe I miswrote it in my
15 notes. Which exhibits were the cross sections
16 Mr. Bruce?

17 MR. BRUCE: In this case they are 3C and
18 3D.

19 MR. McCLURE: Okay. For some reason I had
20 it listed as D as in dog and E as in egg?

21 MR. BRUCE: You are correct. 3D and 3E.

22 MR. McCLURE: Okay. Mr. Hearing Examiner,
23 with that correction, that does sound correct to me.

24 HEARING EXAMINER CHAKALIAN: Okay. So,
25 Mr. Bruce, will you continue this case to August 7

1 and then supply those additional documents?

2 MR. BRUCE: Yes, sir.

3 HEARING EXAMINER CHAKALIAN: All right.

4 Thank you.

5 We are moving on to Number 32 on our
6 docket. There are several cases for Spur Energy.
7 It looks like maybe Ms. McLean is going to represent
8 Spur Energy for all of these cases?

9 MS. McLEAN: That's correct.

10 HEARING EXAMINER CHAKALIAN: If I call
11 them all at the same time, you can divide them up
12 however you would like.

13 MS. McLEAN: Yeah. You know me.

14 HEARING EXAMINER CHAKALIAN: So I am going
15 to call 25446, 47, 48, 49, 50, 51, 53, and 54.

16 Entry of appearances.

17 MS. McLEAN: Jackie McLean with Hardy &
18 McLean on behalf of Spur Energy Partners.

19 HEARING EXAMINER CHAKALIAN: Do you know
20 if there are any other parties in any they of these
21 cases?

22 MS. McLEAN: There are.

23 HEARING EXAMINER CHAKALIAN: Okay.

24 MR. SUAZO: Good afternoon, Mr. Examiner,
25 Miguel Suazo with Beatty & Wozniak representing

1 Riley Permian Operating in each of the cases you
2 just called for monitoring purposes only.

3 MS. McLEAN: And then Jordan Kessler has
4 an entry in Case Numbers 25453 and 25454 on behalf
5 of EOG, and they do not object.

6 HEARING EXAMINER CHAKALIAN: Okay. That's
7 good to hear.

8 And before you begin to present the cases,
9 I will note that we did not receive exhibits in two
10 cases 25447 and 48, exhibits were not received by
11 the deadline on the 3rd of July.

12 We did get an amended exhibit packet after
13 that on the 8th or so.

14 MS. McLEAN: I know we definitely filed
15 them. And then we submitted amended exhibit packets
16 for all of them as well.

17 HEARING EXAMINER CHAKALIAN: Amended did
18 you say?

19 MS. McLEAN: Yes.

20 HEARING EXAMINER CHAKALIAN: Amended.

21 MS. McLEAN: Amended. And 2545 -- what is
22 it 25450 we filed a motion to dismiss yesterday.

23 HEARING EXAMINER CHAKALIAN: So 50.

24 MS. McLEAN: Correct.

25 HEARING EXAMINER CHAKALIAN: I have not

1 received it yet, okay. That case is not --

2 MS. McLEAN: They issued the order,
3 yesterday, I believe approving the dismissal.

4 HEARING EXAMINER CHAKALIAN: My concern is
5 447 and 448 the technical examiner did not have
6 exhibits to review by the deadline.

7 MS. McLEAN: I filed them myself. I know
8 I filed them. We did do amended ones, so I don't
9 know if that messed up.

10 MR. McCLURE: Mr. Hearing Examiner.

11 HEARING EXAMINER CHAKALIAN: Yes,
12 Mr. McClure.

13 MR. McCLURE: Just a light correction
14 rather than 25448 I think you intended to say 25454.

15 HEARING EXAMINER CHAKALIAN: Will you say
16 that again, please.

17 MR. McCLURE: Docket Number 39, Case 25454
18 is the other one in addition to Docket Number 33,
19 25447.

20 HEARING EXAMINER CHAKALIAN: You are
21 saying in 34 we did receive a hearing packet by the
22 deadline of the 3rd of July.

23 MR. McCLURE: Well, at least I reviewed
24 the exhibit packet for 25448. Off the top of my
25 head, I don't know when we received it.

1 MS. McLEAN: I am confused now. Which
2 ones are the ones?

3 HEARING EXAMINER CHAKALIAN: Let me look,
4 hold on. Because I am looking at our imaging system
5 and that is where the documents should be, so give
6 me a minute.

7 MS. McLEAN: Yes.

8 HEARING EXAMINER CHAKALIAN: So first I am
9 going to look at 25454 because I see the examiner
10 note that says exhibit packet was submitted at
11 8:54 p.m. on July 7 and the technical examiner has
12 not reviewed the case.

13 MS. McLEAN: 25454?

14 HEARING EXAMINER CHAKALIAN: Number 39 on
15 the docket has not been reviewed, so that case will
16 have to be continued to another docket.

17 Now, let me look at the other two that I
18 talked about. That is interesting because it looks
19 like -- let's go to Number 47, Number 33 on our
20 docket, 447 was not reviewed because once again the
21 hearing packet was not received until the 7th of
22 July at 8:36 p.m.

23 And now, when I look at the Number 48,
24 which is the one that Mr. McClure is saying that he
25 has reviewed. I see a prehearing statement on the

1 3rd, but I don't see a hearing packet on the 3rd. I
2 see a hearing exhibit packet on the 7th and then the
3 8th.

4 MS. McLEAN: So I am looking at -- on
5 25448, I think there might -- maybe with the holiday
6 because if I click on the exhibits it says received
7 by OCD 7-3-2025.

8 HEARING EXAMINER CHAKALIAN: At 5:20 p.m.,
9 yes. That is why. That was the problem. It was
10 received after we closed on the 3rd and then the
11 4th, so it was late. It has to be by 5:00 p.m. one
12 week before.

13 MS. McLEAN: The other ones must have been
14 like just right after 5:00.

15 HEARING EXAMINER CHAKALIAN: I don't know,
16 I am not looking at those. I can review those with
17 you -- but let's not waste our time today.

18 But Mr. McClure has reviewed Number 48.
19 He has not reviewed Number 47, and he has not
20 reviewed Number 54. So there are two cases that
21 have to be moved to another docket. Are you --

22 MS. McLEAN: I am going for be here all of
23 this month.

24 HEARING EXAMINER CHAKALIAN: You are going
25 to be here, okay. Are you going to be here on the

1 29th? We already have enough of these for the 15th.

2 MS. McLEAN: I will be here on the 29th
3 and also during that status conference next week. I
4 don't know if that is an option.

5 HEARING EXAMINER CHAKALIAN: You won't
6 have a technical reviewer at the status conference,
7 but we can hear them on the 29th. We will hear them
8 the first things we do, well, actually that will be
9 the second and third thing we do on that day. Let
10 me make notes here before --

11 MS. McLEAN: That is 25447 and 25454.

12 HEARING EXAMINER CHAKALIAN: Yes.

13 MR. SUAZO: We entered an appearance this
14 morning on behalf of Longfellow Energy in 25454, but
15 just monitoring.

16 HEARING EXAMINER CHAKALIAN: 25454 you
17 entered an appearance. Thank you.

18 All right. And that case won't be heard
19 today as you just heard. It will be heard on the
20 29th. The third item on that docket.

21 So, Ms. McLean, would you like to present
22 your cases.

23 MS. McLEAN: Sure. It is 25 -- we will do
24 25446 first.

25 HEARING EXAMINER CHAKALIAN: Yes.

1 MS. McLEAN: And that case Spur seeks an
2 order pooling all uncommitted interests in the San
3 Andres formation underlying a 320-acre, more or
4 less, standard horizontal spacing unit comprised of
5 the south half of Section 27, Township 17 South,
6 Range 27 East in Eddy County and will dedicate that
7 to the Big Eagle Federal Com 110 and 111H wells.

8 This is approximately tract spacing unit
9 with the Big Eagle Federal Com 110H serving as the
10 defining well. The testimony and exhibits submitted
11 by Spur for this case and in all the cases, so we
12 can just short circuit that.

13 Exhibit A, the land testimony and
14 accompanying exhibits, Colleen Bradley who has been
15 previously admitted to testify as an expert in
16 petroleum land matters before the Division.

17 Exhibit B geology testimony and exhibits
18 of Matthew Van Wie who has also been previously
19 admitted to testify by the Division as an expert in
20 geology matters.

21 And then Exhibit C, notice testimony and
22 exhibits which include a copy of the notice letter
23 and for all of these Spur cases, those were sent out
24 to the interested parties on June 18, and then a
25 copy of the affidavit of publication which shows we

1 timely published as well.

2 And we filed -- as you see, we filed the
3 amended exhibit packet for this case on July 7 in
4 all of these cases to remove Riley Permian from
5 being pooled.

6 With that, I would ask that the exhibits
7 be admitted in Case Number 25446 and that the case
8 be taken under advisement.

9 HEARING EXAMINER CHAKALIAN: Thank you.

10 No objection.

11 (Exhibits admitted, Case 25446.)

12 HEARING EXAMINER CHAKALIAN: Let's go to
13 Mr. McClure, any questions on this single case
14 25446?

15 MR. McCCLURE: Mr. Hearing Examiner, I do
16 have a question for Ms. McLean on this case.

17 Ms. McLean, if I could draw your attention
18 to your public notice, Page 47 of 47 for this case.

19 MS. McLEAN: Yes.

20 MR. McCCLURE: It appears that you in
21 inadvertently included the incorrect public notice
22 here and you included one for a different case.

23 MS. McLEAN: Yes.

24 MR. McCCLURE: Is the correct public notice
25 anywhere else in this exhibit packet?

1 MS. McLEAN: No. I want to say we
2 attached the one for Black Cherry. It ran on the
3 same day. And we can swap that out for you,
4 however, I believe that this one -- let me just --
5 so SEP Permian is -- so everyone is to receive
6 notice. There was only two parties, Riley and SEP,
7 so public notice was not actually even necessary in
8 this case.

9 MR. McCLURE: Ms. McLean, I know there is
10 numerous people that were noticed to this case. Are
11 you saying that none of them needed to or with the
12 exception of --

13 MS. McLEAN: I'm sorry, I am looking at
14 the wrong -- I had pulled up the wrong exhibit
15 because I had looked at the one that you said you
16 didn't have an exhibit packet for. Let me go over
17 to 25446, really quick, hold on, sorry about that.

18 Yes, so that one I believe that everyone
19 except -- everyone that needed to receive notice
20 here did receive notice in that chart but we can
21 also either just, you know, swap out that -- the
22 public notice for C-4 if you would like me to do
23 that as well.

24 MR. McCLURE: I mean, I don't know, I
25 guess, what Spur's timetable may be for this

1 application. But if you would like us to consider
2 taking it under advisement, we will have to go
3 through this line by line on this with your landman
4 and we will see who would need to receive notice and
5 whether they actually did by written notice.
6 Diversely, we can go with providing us with the
7 correct public notice.

8 MS. McLEAN: Yes, would that be -- because
9 it was ran on the same date, could we just submit
10 that so that the case will still be taken under
11 advisement if we do that by the end of the day,
12 today.

13 MR. McCLURE: I guess that is up to our
14 Hearing Examiner's discretion.

15 HEARING EXAMINER CHAKALIAN: Ms. McLean,
16 we are being more strict, as you can tell, by what
17 we will do that with. Typos are one thing but when
18 you have to submit something that needs potential
19 review even just to verify that it is correct, then
20 it will get bumped to another day. I can offer you
21 July 29 for this case.

22 MS. McLEAN: Well, I think -- we are the
23 ones who were not noticed for the case so if
24 Mr. McClure wants to go through the Certified Mail
25 receipts that we applied as Exhibit C-3, we can show

1 that everyone that needed to be -- that is on the
2 list to be pooled has received notice.

3 HEARING EXAMINER CHAKALIAN: How many
4 people are there?

5 MS. McLEAN: There is not that many. Let
6 me count them up here. There are four, I believe,
7 that need to be pooled.

8 HEARING EXAMINER CHAKALIAN: Okay.
9 Mr. McClure, if you question the witness on these
10 four notices, will that satisfy you and that you
11 would not need a revised exhibit to review it at a
12 later date?

13 MR. McCLURE: I mean, assuming that we can
14 confirm that everyone that needed to receive notice
15 did receive notice. Initially I probably talked to
16 Ms. McLean about the notice spreadsheet here and
17 then talked to the landman to confirm who is
18 committed and who is not committed, I guess, would
19 be my thought process.

20 HEARING EXAMINER CHAKALIAN: Okay.

21 MS. McLEAN: On Exhibit A-3 the parties to
22 be pooled are highlighted in yellow, and that is
23 stated to on the exhibit.

24 And then we sent notice to more people
25 than are actually being pulled in this case. So, I

1 am the one that is in top notice. So I could just
2 confirm that Overton, Salient, Pecos and -- those
3 are the only ones at this point that need to be
4 pooled, it looks like from this from Exhibit A-3.
5 Zarvona, that Salient Zarvona and those did
6 receive -- we do have the return receipts in
7 Exhibit C-3 for all of those.

8 HEARING EXAMINER CHAKALIAN: So there is
9 two parties you are saying?

10 MS. McLEAN: I think there is three, there
11 is Overton, Salient and Pecos.

12 HEARING EXAMINER CHAKALIAN: Okay.
13 Mr. McClure, are you ready to question the landman
14 at this point?

15 Are you uncomfortable doing this?

16 MR. McCLURE: No, no, no. It is not that
17 I am uncomfortable, it is just that two different
18 people and it might be easier to do Ms. McLean
19 first, if that is fine.

20 HEARING EXAMINER CHAKALIAN: Go right
21 ahead.

22 MR. McCLURE: Ms. McLean, I am looking at
23 your Exhibit C-2. That should be your notice
24 spreadsheet. It is on Page 38 of 47.

25 Do you see where I am referring to?

1 MS. McLEAN: Correct. Yes, I am there.

2 MR. McCLURE: Okay. Overton Energy
3 Investments VI LLC, your current status that you
4 have wrote over there is refund.

5 What is meant by that?

6 MS. McLEAN: That is something that is
7 generated by the U.S. Postal Service that on
8 Exhibit C-3 at Page 44 of the PDF, we do have the
9 electronic return receipt. That was it shows it was
10 delivered to the front desk at Overton on June 26.

11 MR. McCLURE: Which page are you looking
12 at?

13 MS. McLEAN: This is Page 44 of the PDFs,
14 exhibit -- pardon me, Exhibit C-3.

15 MR. McCLURE: Now, this has a different
16 tracking number than what you have in the notice
17 spreadsheet. Was this different notice than what
18 you have included in there or is there a typo in
19 that notice spreadsheet?

20 MS. McLEAN: I honestly would need to
21 doublecheck, but this is what we get from the
22 website which shows that we sent it to Overton
23 Energy Investments, referencing Spur Big Eagle
24 25446, and they received it on that date. I don't
25 know why those are different.

1 MR. McCCLURE: Okay. I guess, regardless
2 of that, what you have depicted here on Page 44, I
3 think you said, that is the correct notice sent to
4 Overton; is that correct?

5 MS. McLEAN: That's correct.

6 MR. McCCLURE: Okay. And it looks like it
7 was delivered on June 26. Do you believe that it
8 was also sent out on 6-17 considering the different
9 tracking number?

10 MS. McLEAN: Yes. I am positive it was
11 sent then because we include a copy of our letter
12 that we sent to everyone and it was on June 17.

13 MR. McCCLURE: You know what, looking at
14 your notice spreadsheet it looks like Overton was
15 included twice here. I see. So that top one and
16 then it was sent on a different one.

17 MS. McLEAN: I think we probably had,
18 sometimes we get multiple addresses for people just
19 because we are not totally sure but it looks like
20 that second one is the one that got delivered
21 possibly.

22 MR. McCCLURE: Yeah. Your first one may
23 have been a wrong address or whatever or two of them
24 were originally generated but then you refunded one
25 and provided another one. Okay. I understand what

1 is going on, on that one.

2 Let's look down at your SEP Permian
3 Holdings Corporation. It says, "In Transit Next
4 Facility, Arriving Late."

5 Do you also have a --

6 MS. McLEAN: That is ourselves and we are
7 not seeking to pool ourselves. But Spur just likes
8 to get copies of the notice that we sent out, but
9 that is not we are not pooling SEP.

10 MR. McCURE: Okay. So SEP is Spur?

11 MS. McLEAN: Yes.

12 MR. McCURE: Okay. And clearly Spur is
13 committed to its own unit, I would imagine?

14 MS. McLEAN: That's correct.

15 MR. McCURE: Okay. I can sit here
16 looking at this, Mr. Hearing Examiner, I just had to
17 address the issue. I don't need to talk to the
18 landman. We can take it under advisement.

19 HEARING EXAMINER CHAKALIAN: Okay. So
20 25446 is taken under advisement. We do not have --
21 we are not hearing 25447 today.

22 Ms. McLean, even though the exhibits were
23 filed late in 25448, we are still going to hear that
24 case today, so would you present that case.

25 MS. McLEAN: Yes. In Case Number 25448

1 Spur seeks an order pooling all uncommitted
2 interests in the San Andres formation underlying a
3 160-acre, more or less, horizontal spacing unit
4 comprised of the south half, south half of
5 Section 26, Township 17 South, Range 28 East in Eddy
6 County and will dedicate the unit to the Jackhammer
7 State 110H well.

8 We had all of the same Exhibits A, B and C
9 submitted for this case and I also ask that the
10 exhibits be admitted into the record in Case
11 Number 25448 and that the case be taken under
12 advisement.

13 HEARING EXAMINER CHAKALIAN: Without
14 objection.

15 (Exhibits admitted, Case 25448.)

16 HEARING EXAMINER CHAKALIAN: Mr. McClure.

17 MR. McCLURE: Mr. Hearing Examiner, no
18 questions for Case 25448.

19 HEARING EXAMINER CHAKALIAN: This case is
20 taken under advisement.

21 Let's move on now to 25449.

22 MS. McLEAN: In Case Number 25449, Spur
23 seeks an order pooling all uncommitted interests in
24 the San Andres formation underlying a 160-acre, more
25 or less, standard horizontal spacing unit comprised

1 of the south half, south half of Section 32,
2 Township 17 South, Range 27 East in Eddy County and
3 we will dedicate that unit to the Red Lake State Com
4 112H well.

5 We submitted the same Exhibits A, B and C
6 as we did in the other Spur cases and I ask that the
7 exhibits be admitted in case Number 25449 and that
8 the case be taken under advisement.

9 HEARING EXAMINER CHAKALIAN: Thank you.
10 No objection.

11 (Exhibits admitted, Case 25449.)

12 HEARING EXAMINER CHAKALIAN: Mr. McClure.

13 MR. McCLURE: Mr. Hearing Examiner, no
14 questions for case 25449.

15 HEARING EXAMINER CHAKALIAN: That case is
16 taken under advisement.

17 You dismissed Number 50 and I did not
18 actually sign an order dismissing 50, so if you
19 filed a motion, I have not received it.

20 MS. McLEAN: I must have just seen that it
21 went through.

22 HEARING EXAMINER CHAKALIAN: Okay. That
23 is fine, I am saying I have not signed it yet.

24 MS. McLEAN: Yes. It was just filed
25 yesterday.

1 HEARING EXAMINER CHAKALIAN: Then we come
2 to 25451.

3 MS. McLEAN: Correct.

4 In this case Spur seeks an order pooling
5 all uncommitted interests in the San Andres
6 formation underlying a 160-acre, more or less,
7 standard horizontal spacing unit comprised of the
8 north half, south half of Section 32, Township 17
9 South, Range 27 East in Eddy County and will
10 dedicate the unit to the Red Lake C State Com 111H
11 well.

12 And it asks that the exhibits that we
13 submitted in Case Number 25451 be admitted into the
14 record.

15 HEARING EXAMINER CHAKALIAN: Without
16 objection.

17 (Exhibits admitted, Case 25451.)

18 HEARING EXAMINER CHAKALIAN: Mr. McClure.

19 MR. McCLURE: Mr. Hearing Examiner, I have
20 no questions for Case 25451.

21 HEARING EXAMINER CHAKALIAN: It is taken
22 under advisement.

23 Then we come to 25453.

24 MS. McLEAN: Correct, yes. In that case
25 Spur seeks an order pooling all uncommitted

1 interests in the San Andres formation underlying a
2 163.14-acre standard horizontal spacing unit
3 comprised of the north half, north half of
4 Section 30, Township 17 South, Range 28 East in Eddy
5 County and seeks to dedicate the unit to this Staley
6 A State Come 110H.

7 And I ask that the exhibits that we
8 submitted in Case Number 25453 be taken under
9 advisement or be admitted into the record and the
10 case be taken under advisement.

11 HEARING EXAMINER CHAKALIAN: Without
12 objection.

13 (Exhibits admitted, Case 25453.)

14 HEARING EXAMINER CHAKALIAN: Mr. McClure.

15 MR. McCURE: Mr. Hearing Examiner, I do
16 have a quick question and also request for both of
17 those for Ms. McLean, though.

18 HEARING EXAMINER CHAKALIAN: Go right
19 ahead.

20 MS. McLEAN: In 2543? I just want to make
21 sure.

22 HEARING EXAMINER CHAKALIAN: That's the
23 case we are on now.

24 MR. McCURE: Ms. McLean, can you confirm
25 for me when written notice was provided for this

1 case?

2 MS. McLEAN: It should have been June 18,
3 2025.

4 MR. McCLURE: It should have been or it
5 was?

6 MS. McLEAN: That is what it says on the
7 cover sheet in Exhibit A, or C-1 and also on my
8 exhibit index June 18, 2025.

9 MR. McCLURE: Okay. If you look at the
10 exhibit packet for your notice spreadsheet, which I
11 think it is Exhibit B-2, it looks like your Column 2
12 has a typo in it.

13 Do you see where I am referring to?

14 MS. McLEAN: Column 2?

15 MR. McCLURE: That is where your mailing
16 date is usually included.

17 MS. McLEAN: Yes, I say that.

18 MR. McCLURE: Okay.

19 MS. McLEAN: Is that the date mailed? It
20 has the names all over again for some reason it
21 populated that way. But it looks like that was
22 done. I don't know how that happened. But we did
23 send this on June 18, 2025.

24 MR. McCLURE: Okay. Thank you.

25 If I ask for you to correct that typo and

1 resubmit it, do you understand what I am asking for?

2 MS. McLEAN: Yes.

3 MR. McCLURE: Okay. Now the bigger issue
4 with this case we stumbled upon our -- this unit
5 stumbled upon an area that has special pool rules.
6 So there are two separate pools that it needs to be
7 included rather than just the single one.

8 Do you have a pen and paper handy?

9 MS. McLEAN: Yes. I can type it out.

10 MR. McCLURE: The San Andres formation,
11 which is what we are asking -- the applicant is
12 asking to force pool here, the correct pool for the
13 northeast quarter of Section 30 is going to be the
14 Red Lake San Andres pool, a Pool Code 97253.

15 MS. McLEAN: 97253.

16 MR. McCLURE: That is correct. The pool
17 that you have already included that Red Lake Queen
18 Graybergall right. San Andres, that is the correct
19 pool for the rest of Section 30.

20 MS. McLEAN: So then you want us to choose
21 showing each pool?

22 MR. McCLURE: Correct. And then the CPAC
23 corrected as well.

24 That is all I am needing from you,
25 Ms. McLean.

1 And, Mr. Hearing Officer, I have nothing
2 else?

3 HEARING EXAMINER CHAKALIAN: Thank you,
4 Mr. McClure.

5 Ms. McLean, would you continue this case
6 to July 29.

7 MS. McLEAN: Yes, I will do that.

8 HEARING EXAMINER CHAKALIAN: We will
9 review the evidence that you submit in your amended
10 exhibit packet on that date.

11 We are going to have three cases just from
12 the Spur Energy that go to July 29. I am just going
13 to read the case numbers again so it is very clear.
14 25447, 25453, and 25454.

15 MS. McLEAN: Correct. The only one with
16 substantive changes is 25453, is the pool.

17 HEARING EXAMINER CHAKALIAN: Yes. Because
18 the other two have not been reviewed. I don't know
19 what changes there will be to those cases.

20 Mr. McClure, anything further before we
21 conclude today's hearing?

22 MR. McCLURE: No. You just addressed that
23 last case on the docket, Docket Number 39 or you did
24 earlier, so I doubt there is anything else from me,
25 Mr. Hearing Examiner.

1 HEARING EXAMINER CHAKALIAN: Unless
2 Mr. Suazo has something.

3 I just wanted to make sure. Thank you,
4 Mr. McClure. Enjoy your lunch.

5 Thank you, Ms. McLean, Mr. Suazo, and
6 Mr. Baca.

7 It is 12:36. We are off the record.

8 (Proceedings concluded at 12:36 p.m.)
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REPORTER'S CERTIFICATE

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Date: July 28, 2025



PAUL BACA, RPR, CCR

Certified Court Reporter #112

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