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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. 24849, 25312, 25455,  
25470, 25496, 25508.

\_\_\_\_\_  
HEARING  
DATE: Thursday, August 21, 2025  
TIME: 8:57 a.m.  
BEFORE: Hearing Examiner Gregory Chakalian  
LOCATION: New Mexico Energy Minerals and Natural  
Resources Department  
Wendell Chino Building, Pecos Hall  
1200 South Saint Francis Drive  
Santa Fe, NM 87505  
REPORTED BY: Gerald Aragon  
JOB NO.: 6973024

A P P E A R A N C E S

List of Attendees:

Gregory Chakalian, Hearing Division Manager, Examiner  
with Energy, Minerals and Natural Resources Department  
of New Mexico

Freya Tschantz, Hearings, Notice and Website, with  
Energy, Minerals and Natural Resources Department of  
New Mexico

Deana Bennett, Modrall Sperling Law firm, on behalf of  
Coterra Energy Operating and the City of Carlsbad

Paula Vance, Holland & Hart, on behalf of Matador  
Production Company, EOG, and COG

Sharon Shaheen, Counsel on behalf of Pride Energy

Jim Bruce, Counsel on behalf of Kaiser-Francis Oil  
Company

Jackie McLean, Hardy McLean LLC, on behalf of Red  
River Energy Partners

Darin Savage, Abadie & Schill on behalf of Alpha  
Energy Partners II, LLC

Warren Anderson, Landowner, Interested Party

Keri Hatley, Counsel on behalf of ConocoPhillips  
Company

John Coffman, Landman, Coterra Energy Operating

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P R O C E E D I N G S

THE HEARING EXAMINER: It is 8:57 a.m.  
on August 21, 2025. This is the second regularly  
conducted docket of the Oil Conservation Division's  
Status Conferences.

Although we do have a hearing by  
affidavit to start us off. So I'm going to call case  
number 1284 -- excuse me, 24849, Avant Operating.

Good morning.

MS. BENNETT: Good morning,  
Mr. Examiner, Mr. Technical Examiner. This is Deana  
Bennett on behalf of Coterra, who succeeded to Avant's  
interests in this acreage.

MS. VANCE: Good morning, Mr. Hearing  
Examiner. Paula Vance with the Santa Fe Office of  
Holland & Hart on behalf of Matador Production  
Company. And we've just entered an appearance. We  
have -- we've objected. We withdrew the objection.

THE HEARING EXAMINER: And, Ms. Vance,  
did you see the latest filing from Ms. Bennett?

MS. VANCE: I did. And we have no  
issue with it.

THE HEARING EXAMINER: Okay. Very  
good.

So, Ms. Bennett, the Technical Examiner

1 and I reviewed your submission showing that you did  
2 provide notice to that one operator. What is MVDR  
3 stand for?

4 MS. BENNETT: I don't know.

5 THE HEARING EXAMINER: Oh, okay. All  
6 right. Anyway, you provided it more than 20 days ago  
7 for today's hearing. So, do you know if they're  
8 represented by anyone?

9 MS. BENNETT: They have not entered an  
10 appearance, and they've never indicated to me that  
11 they were represented by anyone.

12 THE HEARING EXAMINER: Okay.

13 MS. BENNETT: Or to Coterra, as far as  
14 I know.

15 THE HEARING EXAMINER: All right.  
16 Well, you've satisfied the legal notice requirements.  
17 So, this case will be taken under advisement at this  
18 point. Thank you.

19 MS. BENNETT: Thank you very much.

20 THE HEARING EXAMINER: Moving on to  
21 case number 2, this is Pride Energy 25312. Looks like  
22 it is merged with 25455 for the purposes of a hearing.

23 Entrance, please.

24 MS. SHAHEEN: Sharon Shaheen on behalf  
25 of Pride Energy.

1 THE HEARING EXAMINER: Morning.

2 MS. VANCE: Good morning, Mr. Hearing  
3 Examiner. Paula Vance with the Santa Fe Office of  
4 Holland & Hart on behalf of EOG.

5 THE HEARING EXAMINER: Good morning.  
6 And what is this -- what is the status of your --  
7 could it be one of the microphones that's on in the  
8 room on a computer? Thank you. I think it's better.  
9 Well, whatever happened, it worked.

10 So, what's the status of your objection  
11 at this point?

12 MS. VANCE: So right now -- and  
13 Ms. Shaheen and I have conferred throughout the week,  
14 but basically, there is a agreement in place, but it's  
15 not finalized. So we would like to ask for another  
16 status conference. I understand that the division may  
17 not want that. And if that were the case, then we  
18 would ask for a contested hearing date as far out as  
19 possible because I believe we'll be able to get this  
20 done within the next week or so.

21 THE HEARING EXAMINER: Ms. Shaheen?

22 MS. SHAHEEN: I agree with Ms. Vance.  
23 I spoke with my client, and he believes that it will  
24 be finally papered up within a week. They're simply  
25 waiting on exhibits, and I understand from Ms. Vance

1     that the person in charge of the exhibits is out, was  
2     out yesterday, today, and tomorrow.

3                 So we think it will be papered up and  
4     signed within the next week. We would ask that it  
5     would be continued, but obviously, if we need to set  
6     it for a contested hearing, we can do that. And at  
7     that point, Pride will dismiss its application.

8                 THE HEARING EXAMINER: Even though your  
9     case was filed first?

10                MS. SHAHEEN: Yes. EOG will be  
11     drilling the acreage that Pride intended to drill.

12                THE HEARING EXAMINER: I see.

13                MR. BRUCE: Mr. Examiner, this is Jim  
14     Bruce representing Kaiser-Francis Oil Company. I just  
15     want to get my appearance of record.

16                THE HEARING EXAMINER: And what's the  
17     status of your entry? Is there an objection?

18                MR. BRUCE: No.

19                THE HEARING EXAMINER: Are there any  
20     other parties?

21                MS. MCLEAN: Yes, Jackie McLean on  
22     behalf of Red River Energy Partners. And we've just  
23     entered in our -- not objecting.

24                THE HEARING EXAMINER: Thank you.

25                MS. HATLEY: And, Mr. Examiner, Keri

1 Hatley, entering an appearance on behalf of COG  
2 operating. We are just monitoring.

3 THE HEARING EXAMINER: Perfect. Let me  
4 look at the history. 25312 -- 25312.

5 Ms. Shaheen, did we issue a pre-hearing  
6 order in this case?

7 MS. SHAHEEN: Yes, it was set for a  
8 contested hearing on, I think, the 16th. It might  
9 have been the 11th. And that was vacated because we  
10 had reached an agreement in principle and needed to  
11 paper up the agreement.

12 And I'll just note that these  
13 applications were filed for the May docket, so they  
14 haven't been sitting there for that long. We moved  
15 fairly quickly to get to a resolution, and I think  
16 again, it'll happen within the next week or so.

17 THE HEARING EXAMINER: Well, I don't  
18 have a connection to the internet for some reason, so  
19 I just have to rely on the parties at this point.

20 Ms. Shaheen, when did you file your  
21 application?

22 MS. SHAHEEN: I believe they were filed  
23 the end of March for the May docket.

24 THE HEARING EXAMINER: Okay. When you  
25 say "they," why do you say they?



1 MS. SHAHEEN: Oh, sorry. It's just one  
2 application.

3 THE HEARING EXAMINER: Right. Okay.  
4 So March. And the pre-hearing order set the hearing  
5 for -- was it July or August?

6 MS. SHAHEEN: August.

7 THE HEARING EXAMINER: August. But we  
8 received a motion to vacate that based on what you  
9 said about the settlement negotiations going on.

10 But we -- did we not come to a status  
11 conference before this? Where -- when was the last  
12 time we heard your case?

13 MS. SHAHEEN: I believe it was on the  
14 second July docket.

15 THE HEARING EXAMINER: I thought so.  
16 And at that time, you said, "Let's have another status  
17 conference because we're close."

18 MS. SHAHEEN: I believe so. That's  
19 correct. Mr. Feldewert was here.

20 THE HEARING EXAMINER: Okay.

21 MS. VANCE: That's all correct. And  
22 also, just as far as filing goes, we filed our  
23 application at the beginning of June. So just to give  
24 a little bit more history there, so.

25 THE HEARING EXAMINER: Perfect. Well,

1 I anticipated that this would be the last status  
2 conference we'd have in these cases.

3 So, what I'll do is we'll issue another  
4 pre-hearing order for another status conference. You  
5 say it'll be another week or two before this should be  
6 concluded? Okay. Why don't we see what dates are  
7 available in late September, over a month away?

8 Freya?

9 MS. TSCHANTZ: The late September date  
10 is September 30th. We also have September 16th.

11 THE HEARING EXAMINER: Let's go with  
12 the 30th. So, Freya, will you issue a pre-hearing  
13 order?

14 I guess -- would that be an amended  
15 pre-hearing order since we've already issued one, but  
16 then we vacated it? What's the effect of vacating it,  
17 Ms. Shaheen?

18 MS. SHAHEEN: I think it no longer has  
19 any effect.

20 THE HEARING EXAMINER: I agree. Okay.  
21 Okay. So we'll have to issue the  
22 second pre-hearing order. Okay, Freya?

23 MS. TSCHANTZ: Okay.

24 THE HEARING EXAMINER: All right.  
25 September 30th. Is that a trailing docket or is that

1 the only one on the docket?

2 MS. TSCHANTZ: It's the only one so  
3 far.

4 THE HEARING EXAMINER: All right,  
5 perfect. So it'll be the first one. We won't come  
6 back for another status conference.

7 When the parties resolve this, just  
8 file a motion to vacate and I guess dismiss your case,  
9 Ms. Shaheen?

10 MS. SHAHEEN: Yes.

11 THE HEARING EXAMINER: So why don't you  
12 file the motion to dismiss and vacate the hearing  
13 order and your case? We'll do that, and then we'll  
14 come on the record. We'll move your case -- it  
15 depends on when you resolve this. Maybe we can move  
16 it to the earlier September case for a hearing by  
17 affidavit. But if not, then the first one in October,  
18 depending.

19 MS. SHAHEEN: Understood. That works.

20 THE HEARING EXAMINER: Sounds good.  
21 Any further, Ms. Shaheen?

22 MS. SHAHEEN: Not from Pride. Thank  
23 you.

24 THE HEARING EXAMINER: Good.

25 MS. VANCE: Nothing.

1 THE HEARING EXAMINER: All right, thank  
2 you. All right, well, good luck to the parties.

3 Now, do I even have the docket anymore  
4 in front of me? Yes. Okay.

5 Moving on to number 4 on the docket.  
6 This is Paloma Permian, 25470.

7 Entries, please.

8 MS. BENNETT: Good morning,  
9 Mr. Examiner. Deana Bennett from Modrall Sperling on  
10 behalf of Paloma Permian.

11 THE HEARING EXAMINER: Thank you.

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

15 THE HEARING EXAMINER: And did you  
16 object?

17 MS. VANCE: Yes. We have filed a entry  
18 of appearance and objection to these cases.

19 THE HEARING EXAMINER: When did you do  
20 that?

21 MS. VANCE: Or this case?

22 THE HEARING EXAMINER: Yeah.

23 MS. VANCE: We did that -- I can -- if  
24 you give me a second.

25 THE HEARING EXAMINER: And if

1 Ms. Bennett knows.

2 Ms. Bennett, do you know when they  
3 objected?

4 MS. BENNETT: I don't know when they  
5 objected --

6 THE HEARING EXAMINER: Okay.

7 MS. BENNETT: -- but it was about a  
8 week ago, probably.

9 THE HEARING EXAMINER: All right.

10 MS. VANCE: It was sometime last month,  
11 I think.

12 THE HEARING EXAMINER: Okay. So in  
13 July. Okay.

14 What's your plans, Ms. Vance?

15 MS. VANCE: Well, Ms. Bennett and  
16 I -- we spoke yesterday, and it's my understanding  
17 this morning that her -- that Paloma would like to  
18 move forward with a contested hearing regarding the  
19 application that they have filed.

20 That being said, I think at this point  
21 we will plan on filing our own competing cases, and we  
22 would request a hearing date sometime -- a contested  
23 hearing date sometime in November, primarily because  
24 of witness availability.

25 THE HEARING EXAMINER: Ms. Bennett?

1 MS. BENNETT: Thank you. Paloma would  
2 like to have a contested hearing set as quickly as  
3 possible. They would like to go to hearing in  
4 October.

5 And I've already had some initial  
6 conversations with Paloma about their availability.  
7 And they noted that I -- I was looking at Tuesdays in  
8 October and they said October 14th would work for  
9 them, if that's possible. It's -- they have APDs in  
10 hand, they have a rig, they're ready to move on this,  
11 and they don't want to have any further delay.

12 THE HEARING EXAMINER: Okay. Yeah, I  
13 understand. So first, let's go to Freya.

14 Freya, what dates do we have available  
15 in October for a hearing?

16 MS. TSCHANTZ: For October? We have  
17 October 28th, and that's it, because of the OCC  
18 rulemaking, that's expected to be about three weeks.

19 THE HEARING EXAMINER: Now, of course,  
20 we could hold it -- we could hold the hearing  
21 virtually; right?

22 MS. TSCHANTZ: Yes.

23 THE HEARING EXAMINER: All right. So,  
24 is October 14th available if we did it virtually?

25 MS. TSCHANTZ: Yes, that would work.

1 THE HEARING EXAMINER: All right,  
2 Ms. Vance, let's talk about your competing -- is it  
3 applications, you said multiple?

4 MS. VANCE: Yes, there will be two  
5 cases that we file.

6 THE HEARING EXAMINER: Two cases, okay.  
7 Two cases to compete with one.

8 MS. VANCE: Two compete with one,  
9 that's correct.

10 THE HEARING EXAMINER: Okay. All  
11 right. When --

12 MS. VANCE: And may I just -- you know,  
13 just can I give a little color?

14 THE HEARING EXAMINER: Yeah, sure.

15 MS. VANCE: COG is the operator in this  
16 area, already has existing wells.

17 THE HEARING EXAMINER: Yeah.

18 MS. VANCE: And so -- and also we have  
19 filed a Bone Spring application to go along with these  
20 cases. And so, you know, again, it would be our  
21 preference to push this out, you know, to have some  
22 time on this, have all of the cases heard together.

23 But again, I understand what Ms.  
24 Bennett is saying, but COG already has existing  
25 development here, has a significant interest. And the

1 parties I do know are having some negotiations. But I  
2 think it would be more fruitful, at least from our  
3 perspective, to push this out some more.

4 And hopefully, the parties could  
5 resolve their issues. But either way, even if it goes  
6 to a contested hearing, you know, our strong  
7 preference would be sometime in November. And to go  
8 along with also our witness availability.

9 THE HEARING EXAMINER: Well, seeing as  
10 we're doing this virtually, and you know, Ms. Vance,  
11 that I give preference to the operator, the applicant,  
12 who has a case here in front of us, I prefer to do it  
13 in October. It's two months from now. I mean, it's  
14 only the 20th of August today or 21st. So we're  
15 talking about almost two months from now to have your  
16 witnesses available and get your cases filed properly.

17 Have you sent out proposals?

18 MS. VANCE: We have. And again, there  
19 were some revised proposals that went out in the --  
20 in -- from what I understand, the parties are  
21 discussing those, but you know, COG, our preference,  
22 strong preference, would be to push this out to  
23 November regardless.

24 And I understand you're saying that we  
25 could be hybrid, but that doesn't mean my witnesses



1 will be available. Because they would be -- most  
2 likely, they would be appearing virtually any way for  
3 a contested hearing. So it's strictly availability  
4 itself.

5 THE HEARING EXAMINER: Okay. Well,  
6 what we'll do is we'll issue a pre-hearing order for  
7 October 14. And, Ms. Vance, if your witnesses file  
8 affidavits saying that they just cannot appear  
9 virtually and they cannot have another expert testify  
10 in their place, then you know, we'll adjust it. But  
11 I'm certainly not going to adjust it into November,  
12 that's too far away for me.

13 MS. VANCE: May I ask one thing? Freya  
14 said that there is a available date at the end of  
15 October. If there was to be a split of the  
16 differences here between the parties, could we at  
17 least push it to the end of October?

18 THE HEARING EXAMINER: Ms. Bennett?

19 MS. BENNETT: Thank you. Paloma --  
20 well, Paloma would still want to go on the 14th. But  
21 because the 28th, although it's still in October, it  
22 does seem a ways away. And I think what Paloma's  
23 preference would be is if Ms. Vance -- if COG's  
24 witnesses aren't available on the 14th, then we could  
25 go on the 28th as a fallback position.

1 THE HEARING EXAMINER: Okay.

2 MS. BENNETT: As I mentioned, I did  
3 already clear the 14th with Paloma, and they're  
4 available.

5 THE HEARING EXAMINER: Okay.

6 MS. BENNETT: So that's their  
7 preference.

8 THE HEARING EXAMINER: Okay.

9 MS. BENNETT: But if we have to go to  
10 the 28th due to witness availability, then Paloma  
11 would be ready to go on the 28th as well.

12 THE HEARING EXAMINER: Okay. All  
13 right. So, Ms. Vance, it's up to you to check with  
14 your witnesses and let us know if they're available on  
15 the 14th. That's our preference.

16 If they're not, then we'll do the 28th.  
17 The problem with the 28th is that I'm not available on  
18 the 29th through the 4th of November. So if we don't  
19 conclude in one day, the case would have to be  
20 continued for a week or so until after the 4th of  
21 November.

22 MS. VANCE: Two questions. One, in  
23 that case, would that -- that particular docket, does  
24 it start at nine o'clock or is it one of the ones that  
25 starts in the afternoon?

1 THE HEARING EXAMINER: Which docket?

2 MS. VANCE: The 28th.

3 THE HEARING EXAMINER: Freya?

4 I think it'd be morning.

5 MS. TSCHANTZ: It would be nine  
6 o'clock.

7 THE HEARING EXAMINER: Nine o'clock.

8 And we could even start at eight o'clock if we need  
9 to.

10 MS. VANCE: Okay. And then, as far as  
11 an affidavit, what is the threshold you would like to  
12 see?

13 THE HEARING EXAMINER: Why can't -- why  
14 are they not available?

15 MS. VANCE: Okay.

16 THE HEARING EXAMINER: You know,  
17 something sworn under penalty of perjury that, you  
18 know, I am not available. Here's why. And there's no  
19 one else who can testify in my place.

20 MS. VANCE: Thank you.

21 THE HEARING EXAMINER: That's what  
22 you -- that's what I'd want.

23 MS. VANCE: Okay.

24 THE HEARING EXAMINER: So, Freya, we're  
25 going to hold off on issuing the pre-hearing order in

1       this case.  Let's wait until --

2                       When would you be able to either agree  
3       to the 14th or file what you need to?

4                       MS. VANCE:  I -- can I have until next  
5       week, maybe?

6                       THE HEARING EXAMINER:  Sure.

7                       MS. VANCE:  Wednesday.

8                       THE HEARING EXAMINER:  Perfect.

9                       MS. VANCE:  Wednesday-ish, I think --

10                      THE HEARING EXAMINER:  Perfect.

11                      MS. VANCE:  -- would be okay.

12                      THE HEARING EXAMINER:  Sure.  So let's  
13       see what date that is.  Hold on.  I show the 27th.

14                      MS. VANCE:  I think that that should  
15       work.  Yeah.

16                      THE HEARING EXAMINER:  Okay.  So then  
17       we won't issue the pre-hearing order until the 28th of  
18       August, waiting to hear from Ms. Vance and COG on  
19       their witness availability.

20                      So, Ms. Bennett, I know it's your  
21       preference to be the 14th.  It's my preference too.  
22       We'll see what Ms. Vance's client can do.

23                      And then once you file your  
24       applications, Ms. Vance, would you also file a motion  
25       to consolidate?

1 MS. VANCE: Yes.

2 THE HEARING EXAMINER: All right,  
3 sounds good. When do you anticipate that, by the way?

4 MS. VANCE: I think maybe sometime next  
5 week. I think we -- I just need to touch base with  
6 COG and see where we are with things. But I  
7 anticipate sometime in the next week or two, which  
8 should be plenty of time for notice and all of that.

9 THE HEARING EXAMINER: Right.

10 Ms. Bennett, have you seen these  
11 proposals?

12 MS. BENNETT: I have not, but I do know  
13 that Paloma has seen at least the original proposals.  
14 I'm not aware of new proposals. That doesn't mean  
15 that there shouldn't be anything read into that.

16 THE HEARING EXAMINER: Okay.

17 MS. BENNETT: I just don't know if  
18 there were new proposals, but I do know that Paloma  
19 has seen at least one set of proposals. I can't say  
20 whether it's the new ones or the original ones. So  
21 they have seen the proposal letters.

22 THE HEARING EXAMINER: Okay. Perfect.  
23 Anything further, Ms. Vance?

24 MS. VANCE: No, that's it.

25 THE HEARING EXAMINER: Ms. Bennett?

1 MS. BENNETT: Nothing further. Thank  
2 you very much.

3 THE HEARING EXAMINER: All right.  
4 We're off the record in this case.

5 Let's move on to AEP 2 Operating. This  
6 is number five on our docket, 25496.

7 Entries, please.

8 MR. SAVAGE: Good morning, Mr. Hearing  
9 Examiner. Good morning, Technical Examiner. Darin  
10 Savage appearing on behalf of Alpha Energy  
11 Partners II, LLC.

12 MS. HATLEY: Good morning,  
13 Mr. Examiner. Keri Hatley, entering her appearance on  
14 behalf of ConocoPhillips Company.

15 MS. BENNETT: Good morning. Deana  
16 Bennett, on behalf of the City of Carlsbad.

17 THE HEARING EXAMINER: I am waiting for  
18 Mr. Samaniego, and I'm waiting for -- is it  
19 Mr. Anderson?

20 Are either of those parties on with us?

21 MR. SAVAGE: Mr. Hearing Examiner, in  
22 the --

23 MR. ANDERSON: Yes.

24 MR. SAVAGE: -- the last hearing we had  
25 with --

1 THE HEARING EXAMINER: Hold on. I  
2 heard somebody. Hold on one second.

3 Go ahead.

4 MR. ANDERSON: Yes, Mr. Anderson is  
5 here, Mr. Examiner.

6 THE HEARING EXAMINER: Okay. So you're  
7 entering an appearance for who?

8 MR. ANDERSON: Mr. -- I'm -- I'm the  
9 landowner for the property in Eddy County, New Mexico.

10 THE HEARING EXAMINER: Yes, sir. My  
11 question is: You are entering an appearance for -- is  
12 it just you, or is it you and your wife, or is there  
13 anyone else?

14 MR. ANDERSON: I'm -- I'm entering an  
15 appearance for Warren Anderson and Lily Anderson, sir.

16 THE HEARING EXAMINER: Okay, perfect.  
17 Thank you. And I did get that document that you  
18 emailed today. It would be helpful if you would put a  
19 case number on your filing so we know where to put  
20 them, since you're not able to file them directly into  
21 the case yourself. Okay?

22 MR. ANDERSON: Yes, sir.

23 THE HEARING EXAMINER: All right, so  
24 you'll have a chance to speak. I just want to get all  
25 the entries of appearance first.

1 Do we not have Coterra Energy, Beatty &  
2 Wozniak with us? Okay.

3 MS. BENNETT: Mr. Hearing Examiner,  
4 this is Deana Bennett from Module. I'm also appearing  
5 on behalf of Coterra Energy, Magnum Hunter.

6 THE HEARING EXAMINER: Okay. Okay.  
7 Mr. Samaniego, are you with us?

8 Okay, Mr. Savage, what were you saying?

9 MR. SAVAGE: I was saying that the last  
10 meeting we had on this, that it was ruled that Mr.  
11 Samaniego did not have standing because he had no  
12 ownership.

13 THE HEARING EXAMINER: Thank you.

14 I wonder, Freya, if you could remove  
15 that entry of appearance?

16 MS. TSCHANTZ: Yes.

17 THE HEARING EXAMINER: Okay, great.

18 Okay, so, Mr. Savage, this is your  
19 case. I know it's been objected. How many --  
20 Mr. Savage, how many parties have objected to this  
21 case?

22 MR. SAVAGE: It is my understanding  
23 it's just Mr. Anderson.

24 THE HEARING EXAMINER: Oh.

25 MR. SAVAGE: And that was based on the



1 offer?

2 THE HEARING EXAMINER: Yes.

3 MR. SAVAGE: And so, as I understand,  
4 the current status of this case is that Mr. Anderson  
5 has objected to it. And that's the only party that  
6 has objected to it.

7 This was part -- this was one case of  
8 four. The other ones have been heard by affidavit,  
9 and this is the remaining case. So the only thing at  
10 issue in this case is that Mr. Anderson has a right to  
11 have a full hearing with witnesses because he has  
12 standing in his ownership.

13 And I confirmed that in the rules, and  
14 I sent Ms. Chance the confirmation on that. So that's  
15 not an issue. The only thing, the issue -- there's no  
16 competing applications. The -- if I could elaborate a  
17 little bit or clarify the minimum standard with the  
18 OCD and OCC for good faith effort to reach a volunteer  
19 agreement, and that is -- that's, you know, what  
20 you -- is required to -- the effort required to be  
21 made before you can proceed with a forced pooling.  
22 The -- and I can show you the cases on this, but the  
23 minimum requirement is basically sending out the well  
24 proposal and perhaps one email or one form of  
25 correspondence. But the well proposal basically

1 satisfies the good-faith effort.

2 THE HEARING EXAMINER: So let me  
3 interrupt you. I get where you're going with this.  
4 So what I think you're saying is, why don't we have a  
5 hearing as soon as possible, just on the issue of good  
6 faith?

7 Of course, you'll present the case by  
8 affidavit. Mr. Anderson will be there to testify  
9 under oath as to his dealings with your client. And  
10 then we will take the case under advisement at that  
11 point and make a decision.

12 MR. SAVAGE: Yes. And Mr. Anderson  
13 does have a right to a full hearing so our witnesses  
14 would be available and would provide any testimony.  
15 So yes, that would be basically the --

16 THE HEARING EXAMINER: Right. When do  
17 you want to have it heard?

18 MR. SAVAGE: What -- when? As soon as  
19 the -- what's available?

20 THE HEARING EXAMINER: Freya?

21 MS. TSCHANTZ: I don't know if next  
22 week, Tuesday, is too soon.

23 THE HEARING EXAMINER: It's not too  
24 soon for me. If it's not --

25 MR. ANDERSON: That's too soon for me

1 because -- hello?

2 THE HEARING EXAMINER: Yeah,  
3 Mr. Anderson, we haven't -- Mr. Anderson, we haven't  
4 called on you yet. So hold on one second.

5 MR. ANDERSON: Oh, I'm sorry. Okay.

6 THE HEARING EXAMINER: That's okay.  
7 What's the date, Freya?

8 MS. TSCHANTZ: The 26th.

9 THE HEARING EXAMINER: The 26th. So  
10 first of all, let me go to the applicant.

11 Mr. Savage, would your witnesses be  
12 available on the 26th?

13 MR. SAVAGE: Yes.

14 THE HEARING EXAMINER: Okay.  
15 Mr. Anderson, what's the problem with the 26th?

16 MR. ANDERSON: The problem with the  
17 26th is I have to be in the dentist at -- and I have  
18 a, like, surgery going on. I -- my tooth -- I broke  
19 my tooth. And on that, I need at least two weeks to  
20 get my attorney.

21 THE HEARING EXAMINER: Your -- okay,  
22 Mr. Savage, when was this case filed?

23 MR. SAVAGE: So it was filed -- so we  
24 had the hearing by affidavit on the other cases last  
25 month. And that was at the regular docket for

1     hearings by affidavit.  So that was our -- this case  
2     was grouped with that.  So it was filed at least 30  
3     days before that.  So at least two months ago, if not  
4     more.

5                     THE HEARING EXAMINER:  Mr. Anderson,  
6     when did you enter an appearance on this case?

7                     MR. ANDERSON:  I entered an appearance  
8     on this case on the 7th of this month.

9                     THE HEARING EXAMINER:  Of this month.  
10    And how long have you been negotiating with Alpha  
11    Energy Partners?

12                    MR. ANDERSON:  Oh, I've been trying to  
13    negotiate with Alpha since I believe the latter part  
14    of '23, '24.

15                    THE HEARING EXAMINER:  So it's that  
16    long?  Did you receive the well proposal?  The well  
17    proposals in this case?

18                    MR. ANDERSON:  I believe I -- I  
19    received the -- when you say the well proposals, would  
20    that be the polling application?

21                    THE HEARING EXAMINER:  Mr. Savage?

22                    MR. SAVAGE:  He would have received the  
23    copy of the polling application, but he also, before  
24    that, would've received the pooling, the well  
25    proposal, and my witness is online to confirm that

1       that was sent.

2                       THE HEARING EXAMINER:   Okay.   Do you  
3       know when?

4                       MR. SAVAGE:   He would know that.  
5       Usually, well, proposals are sent quite a bit prior to  
6       the application, so can we have John Coffman --

7                       THE HEARING EXAMINER:   Sure.

8                       MR. SAVAGE:   -- provide a --

9                       THE HEARING EXAMINER:   Sure.

10                      MR. SAVAGE:   Mr. Coffman, are you  
11       online?

12                      MR. COFFMAN:   Yes, I'm here.

13                      THE HEARING EXAMINER:   Mr. Coffman,  
14       when did -- I'm not going to put you under oath  
15       because this is not evidence right now. I'm just  
16       asking when did you send the well proposal for this  
17       case to Mr. Warren Anderson?

18                      MR. COFFMAN:   It looks like -- let me  
19       find it. It was sent on 6/23.

20                      THE HEARING EXAMINER:   Okay, May 23rd.  
21       Mr. Anderson, did you --

22                      MR. ANDERSON:   Yeah.

23                      THE HEARING EXAMINER:   Do you  
24       acknowledge getting something in late June?

25                      MR. ANDERSON:   Yes, sir, I do.

1 THE HEARING EXAMINER: Okay. All  
2 right. Sounds good. And so, Mr. Anderson, this is  
3 one of four cases that's being held up because of your  
4 objection. You know, you have a right to object, you  
5 have a right --

6 MR. ANDERSON: Yes.

7 THE HEARING EXAMINER: -- to take Alpha  
8 Energy Partners to a hearing.

9 MR. ANDERSON: Yes.

10 THE HEARING EXAMINER: But you do not  
11 have a right to delay that hearing. So, the fact that  
12 you have not gotten a attorney to represent you at  
13 this point, I would suggest you get one right away.

14 MR. ANDERSON: No -- no problem, sir.

15 THE HEARING EXAMINER: All right. And  
16 when it comes to the hearing, we're going to have a  
17 hearing on one issue only. We're going to have a  
18 hearing on your accusation that Alpha Energy Partners  
19 has not been dealing with you in good faith.

20 MR. ANDERSON: Okay. Okay. When --  
21 when you -- when you -- how do you -- how do you --  
22 how do you come to that conclusion, sir?

23 THE HEARING EXAMINER: Because I read  
24 your -- I read the document you filed with me.

25 MR. ANDERSON: Okay. Okay.

1 THE HEARING EXAMINER: Are you alleging  
2 that there's some other problem with this application?

3 MR. ANDERSON: I'm -- I'm just -- what  
4 I'm -- what I'm -- what I'm saying is, what's wrong  
5 with this application is that I don't think that  
6 the -- I think the criteria is off because they're  
7 offering -- what they -- what they say they're  
8 offering is the standard.

9 But that would be fine for a person who  
10 had a thousand acres or so many acres. But I don't  
11 have a thousand or so many acres, so I'm just seeing  
12 how could they offer me the same offer as that when  
13 I -- I don't have that many acreage.

14 THE HEARING EXAMINER: Okay.

15 MR. ANDERSON: How could that standard  
16 be fair?

17 THE HEARING EXAMINER: Okay. Well,  
18 you -- the witnesses will be here for you to  
19 cross-examine. So you can cross-examine, especially  
20 Mr. Coffman, who is the landman who I think would be  
21 the most appropriate witness for you to ask questions  
22 to.

23 But I'm trying to set a date for a  
24 hearing. And you said that next Tuesday you have a  
25 dentist appointment; is that right?

1 MR. ANDERSON: I -- I have to get  
2 surgery on my tooth, yes.

3 THE HEARING EXAMINER: Okay. All  
4 right. Sounds good. So you'll be available the next  
5 day?

6 MR. ANDERSON: Could -- could -- could  
7 you get -- I couldn't get two weeks, sir?

8 THE HEARING EXAMINER: No. That's too  
9 long.

10 MR. ANDERSON: I'm just asking for two  
11 weeks.

12 THE HEARING EXAMINER: No, that's too  
13 long. I'm not going to delay this case based on tooth  
14 surgery. I will delay it, but not that long. So  
15 what's -- so are you available on Wednesday the 27th?

16 MR. ANDERSON: I -- if I have to be. I  
17 just have to be. I don't -- I don't know how I -- I  
18 don't know if you ever had root canal and surgery or  
19 what have you, but --

20 THE HEARING EXAMINER: Okay. All  
21 right. So, Mr. Anderson, I'm going to set this case  
22 for 9 a.m. Mountain Standard Time on the 27th, which  
23 is Wednesday of next week. And you will have the  
24 witnesses available to cross-examine. I would suggest  
25 preparing a list of questions for the witnesses in



1 advance so that it goes smoothly for you.

2 MR. ANDERSON: I do. I -- okay. I --  
3 I do have a list of questions, sir.

4 THE HEARING EXAMINER: Well, that's  
5 great. And also, I would highly recommend that you  
6 review the exhibits.

7 Do we have any exhibits for him to --  
8 we do have -- have you filed them already in this  
9 case?

10 MR. SAVAGE: Yes.

11 THE HEARING EXAMINER: What's the --  
12 Mr. Anderson, do you know how --

13 Can you just email Mr. Anderson the --

14 MR. SAVAGE: We'll do that, yes.

15 THE HEARING EXAMINER: -- exhibits?  
16 Okay.

17 So, Mr. Anderson, Mr. Savage, the  
18 attorney for AEP Operating, is going to email you a  
19 copy of the exhibits filed in this case. The exhibits  
20 will become evidence once they are accepted by myself  
21 on Wednesday, unless you object to something you --  
22 you'd have to make a legal argument about why they  
23 could not be received into evidence. But I would  
24 review those exhibits. If you get an attorney, give  
25 the exhibits to the attorney so that they can review

1       them in advance.

2                       MR. ANDERSON:   Yes, I'll do that.

3                       THE HEARING EXAMINER:   All right.   Now  
4       you know that we are an hour ahead of you?

5                       MR. ANDERSON:   Yes.

6                       THE HEARING EXAMINER:   Okay.   All  
7       right.   And we're going to start promptly at 9 a.m.

8                       MR. ANDERSON:   Yes, sir.   Okay.

9                       THE HEARING EXAMINER:   Now, Mr. Savage,  
10      your witnesses are not going to be here; right?

11                      MR. SAVAGE:   We prefer to have them  
12      online --

13                      THE HEARING EXAMINER:   Right.

14                      MR. SAVAGE:   -- if that is an option.

15                      THE HEARING EXAMINER:   So virtual.

16                      MR. SAVAGE:   Yeah.

17                      THE HEARING EXAMINER:   I wonder  
18      whether -- okay, so it'll just be you and me and then  
19      Freya and the court reporter, and Mr. Anderson will  
20      appear virtually.

21                      Is there anything else, Mr. Anderson?

22                      MR. ANDERSON:   At this -- at this time?  
23      No, I just -- I just have to come ready, and I'll be  
24      ready.

25                      THE HEARING EXAMINER:   Okay.   Very

1 good.

2 Mr. Savage, anything further on this  
3 case?

4 MR. SAVAGE: No, no, thank you.

5 THE HEARING EXAMINER: All right.  
6 Well, Mr. Anderson, good luck with your root canal  
7 next Tuesday, and we'll see you next Wednesday  
8 morning.

9 MR. ANDERSON: Okay. Thank you, sir.

10 THE HEARING EXAMINER: Thank you.  
11 We're off the record in this case.

12 Let's go to Coterra Energy 25508.

13 MS. BENNETT: Good morning,  
14 Mr. Examiner. Edina Bennett on behalf of Coterra  
15 Energy Operating.

16 THE HEARING EXAMINER: Thank you.

17 MS. MCLEAN: And Jackie McLean, on  
18 behalf of Permian Resources Operating.

19 THE HEARING EXAMINER: Good morning.  
20 Okay. And, Ms. McLean, do you want to tell us what's  
21 going on with your position?

22 MS. MCLEAN: Sure, certainly. So  
23 Permian Resources filed an objection initially to  
24 Coterra's request for an extension of their pooling  
25 order. And then subsequently, we filed a pooling

1 application for acreage that overlaps with Coterra's  
2 Ruby Wells, which are the subject of the extension  
3 request.

4 And we've done this because, one, we're  
5 ready to, you know, battle the request for extension  
6 and go to a contested hearing on that. We'll present  
7 witnesses and testimony, and then, in the hopes of,  
8 you know, prevailing, Permian Resources has a lease  
9 obligation that they have to meet for this acreage in  
10 the east half of section 22.

11 And so, they want to tee up this  
12 application and, you know, any contested hearing that  
13 may come of that, so that they can move forward as  
14 quickly as possible.

15 THE HEARING EXAMINER: So, Ms. Bennett,  
16 before I come to you, I want to explore this concept a  
17 little further because it was my understanding that  
18 when it comes to an extension, the sole grounds of  
19 contention at an -- that would be good cause?

20 MS. MCLEAN: Yes.

21 THE HEARING EXAMINER: Okay. So let me  
22 refine my questions a little bit since we're in  
23 agreement of this. So you're saying that we would  
24 have a contested hearing on the issue of good cause?

25 MS. MCLEAN: Correct.

1 THE HEARING EXAMINER: And if you  
2 prevail on that issue, then you're teeing up your  
3 case, your competing case. Okay. All right.

4 MS. MCLEAN: Correct.

5 THE HEARING EXAMINER: So you agree  
6 with that?

7 MS. MCLEAN: Yes, I agree.

8 THE HEARING EXAMINER: You agree with  
9 that?

10 MS. MCLEAN: And I -- not -- would not  
11 necessarily be a competing case to Coterra's, you  
12 know, current pooling, because at that point their  
13 pooling order would be void.

14 THE HEARING EXAMINER: Right.

15 MS. MCLEAN: So we would have the only  
16 application for that acreage. Coterra could at --  
17 then, you know, choose to file their competing  
18 application for that same acreage. But that's why  
19 we've done it this way.

20 Because we do understand, you know,  
21 we've been through this before. We've listened to one  
22 of Ms. Bennett's cases where they did this. But we  
23 are here today to say we will fight the good cause  
24 request for the extension, and then we'll be ready to  
25 proceed forward with our application.

1 THE HEARING EXAMINER: Okay. And,  
2 Ms. Bennett, I saw you shaking your head. What don't  
3 you agree with?

4 MS. BENNETT: Well, as Ms. McLean  
5 pointed out, I have had experience with this very  
6 issue and with a situation where I was in Ms. McLean's  
7 position per client. And so, I'm glad to hear that  
8 we're all in agreement that the contested hearing  
9 would only be on good cause.

10 And I was shaking my head primarily  
11 because, you know, Permian's position here is that  
12 the -- they have a lease expiration issue. And so  
13 what they want to do is fight Coterra's extension  
14 request and then have Coterra submit competing  
15 applications and go to a contested hearing on those  
16 competing applications.

17 That seems very inconsistent with the  
18 idea of getting this acreage developed quickly. That  
19 could take months, if not longer. And so, I'm mostly  
20 just surprised to hear that that's the path forward  
21 because it does seem inconsistent with the idea of  
22 getting the acreage developed.

23 That being said, Coterra is really  
24 desirous of having further communications with Permian  
25 and wants to work this out. I had a call with

1 Permian's counsel yesterday, where I expressed that,  
2 and I'm hopeful that Permian and Coterra will be able  
3 to figure out an amicable resolution to this so that  
4 we aren't -- we don't find ourselves in that spot of  
5 just delay.

6 And so if -- as the initial applicant  
7 here, I would request that we have a status conference  
8 on September 25th to allow time for the parties to  
9 actually have more time to discuss. And hopefully, by  
10 then, we'll be able to -- they'll have reached an  
11 agreement, and we can actually move forward to get  
12 this acreage developed timely.

13 THE HEARING EXAMINER: Okay. Thank  
14 you, Ms. Bennett. I'm thinking about the request for  
15 another status conference.

16 When was your application for an  
17 extension filed?

18 MS. MCLEAN: I filed it on July 8th.

19 THE HEARING EXAMINER: Okay. You filed  
20 it July --

21 MS. BENNETT: August 7th was the  
22 first --

23 THE HEARING EXAMINER: Right.

24 MS. BENNETT: -- would've been the  
25 first date for a hearing. So this is the first time

1 we've been before the division.

2 THE HEARING EXAMINER: Okay. When does  
3 the order expire?

4 MS. MCLEAN: The order expires, I  
5 believe, at the end of August. I don't have that  
6 right in front of me, but the division's precedent has  
7 been that as long as we submit an application prior to  
8 the expiration of the order that we have, sort of,  
9 tolled the expiration of the order.

10 THE HEARING EXAMINER: And what is the  
11 grounds for good cause in this case? Just without  
12 going into great detail, what's going on?

13 MS. MCLEAN: One issue is that Coterra  
14 only recently acquired this acreage in January. And  
15 so Coterra has been working through -- they acquired  
16 quite a bit of acreage in January from both Avant and  
17 Franklin Mountain Energy. So Coterra has been working  
18 through all of its different orders and development  
19 plans.

20 And so, as things are coming up,  
21 they're trying to address them, but they've had their  
22 arms full. There may -- that's what I know. I  
23 haven't had a chance to, you know, talk with the --  
24 with Coterra to see if there's more than that. That's  
25 what I know is part of the issue here, just in terms



1 of timing is the amount of acreage that Coterra  
2 acquired, and the I -- needing time to wrap their arms  
3 around it.

4 THE HEARING EXAMINER: Okay. Is any of  
5 this land BLM land?

6 MS. BENNETT: I believe, let me  
7 just -- I'm not -- I can't answer that off the top of  
8 my head.

9 MS. MCLEAN: It is.

10 MS. BENNETT: I think it is.

11 MS. MCLEAN: Yes.

12 MS. BENNETT: And I can check with  
13 Coterra to see if they have the APDs for this.

14 THE HEARING EXAMINER: Ms. McLean is  
15 nodding her head, so I think she knows that.

16 Now, Ms. McLean, I'm asking about  
17 Coterra's land. Is any part of it federal land? And  
18 so you know the answer to that, and that's yes.

19 MS. MCLEAN: I'm saying that just by  
20 the naming convention of the wells since it's their  
21 Fed Comm well.

22 THE HEARING EXAMINER: Oh, okay.

23 MS. MCLEAN: So that typically would  
24 indicate that's -- so that's why I'm just saying yes.

25 THE HEARING EXAMINER: Yeah, that makes

1 sense.

2 So thank you, Ms. Bennett.

3 So Ms. McLean, why are you -- why is  
4 Permian, you said --

5 MS. MCLEAN: Yes, sir.

6 THE HEARING EXAMINER: Okay. Why is  
7 Permian challenging good cause in this case?

8 MS. MCLEAN: Because -- it's my  
9 understanding that they had been talking with Coterra  
10 for some time now, and they don't have confidence that  
11 they will actually drill these wells by the time they  
12 need to meet their lease obligation. And that's why  
13 they're moving forward with that. So they don't  
14 believe that, you know, they've moved expeditiously  
15 enough or that there's good cause.

16 THE HEARING EXAMINER: And you're  
17 saying when you were talking about their obligations  
18 to drill, you were talking about Coterra's  
19 obligations?

20 MS. MCLEAN: No, Permian Resources'  
21 obligations.

22 THE HEARING EXAMINER: How does Permian  
23 Resources' obligations to drill affect Coterra's  
24 extension, though? I don't understand that?

25 MS. MCLEAN: So in section 22 --

1 THE HEARING EXAMINER: Okay.

2 MS. MCLEAN: -- Permian and Coterra  
3 have overlapping --

4 THE HEARING EXAMINER: Okay.

5 MS. MCLEAN: -- you know, leases on  
6 acreage, right. And Permian and -- you know, Permian  
7 had signed on to Coterra's initial plans. However, it  
8 was subject to this farm-in agreement that Permian  
9 Resources has, that expires next year.

10 And so Permian has to have drilling  
11 commence by either Permian or Coterra by that deadline  
12 for them to have that lease stay in place. Coterra  
13 has -- is very well aware of this, and they haven't  
14 done anything to indicate that they're moving forward  
15 with this acreage.

16 And that's why Permian is, you know,  
17 objecting to the good cause here. They don't think  
18 there's good cause, and they don't think that they  
19 will actually drill this acreage. So we're going --  
20 you know, we would present evidence on all of that at  
21 the hearing.

22 THE HEARING EXAMINER: So, how does --  
23 so I don't understand enough about a farm-in agreement  
24 to understand. So you're saying that Permian and  
25 Coterra both have a lease agreement on the same piece

1 of land?

2 MS. MCLEAN: Well, on the same east top  
3 of Section 22. I'm not totally sure.

4 THE HEARING EXAMINER: Okay.

5 MS. MCLEAN: Which part of the east top  
6 of section 22?

7 THE HEARING EXAMINER: But some land.  
8 So, two companies can have a lease agreement on the  
9 same piece of land?

10 MS. MCLEAN: Yeah, a lot of times what  
11 happens is like someone, let's say Coterra, has the  
12 lease, right?

13 THE HEARING EXAMINER: Right.

14 MS. MCLEAN: And then some -- they've  
15 assigned out little portions of it, right?

16 THE HEARING EXAMINER: Right.

17 MS. MCLEAN: Not at the state land  
18 office, but like at the county records. And someone  
19 they've assigned it out to wants Permian Resources to  
20 come in and be the operator of this acreage. Well,  
21 then, they now have this agreement with that lessee,  
22 and they have to meet certain obligations for that,  
23 you know, not to expire.

24 THE HEARING EXAMINER: So you're saying  
25 that both Permian and Coterra have a right to drill on

1 some part of the shared east half of section 22?

2 MS. MCLEAN: Correct.

3 THE HEARING EXAMINER: Do you agree  
4 with that, Ms. Bennett?

5 MS. BENNETT: Well, yesterday -- if  
6 what she's saying is accurate, then yes, I would  
7 agree. But yesterday I did read -- or it was either  
8 yesterday or the day before yesterday, I reached out  
9 to Ms. Hardy and asked what acreage was at issue in  
10 terms of the lease expiration. And I haven't heard  
11 back --

12 MS. MCLEAN: Well, I -- Ms. Hardy,  
13 here -- we've talked to our client since then.

14 MS. BENNETT: Well, I understand that.  
15 But no one has communicated that to me despite my  
16 request for information so that Coterra and Permian  
17 could actually have a conversation at this point. I  
18 don't think Coterra -- I don't know other than what  
19 I've heard today, despite my request for information.  
20 So I'm not in a position to agree or disagree.

21 THE HEARING EXAMINER: Okay. Okay.

22 MS. BENNETT: Assuming that she's  
23 correct, then yes, they both do have an -- the ability  
24 to drill. But like I said, I don't think that this --  
25 the discussions are as far along as we've heard today.

1                   Just given, for example, the fact that  
2   I did not know -- I specifically asked and was not  
3   told what acreage had the lease or the term assignment  
4   on it for the farm out. So I -- I do feel like  
5   there's room for further discussions here between  
6   Coterra and Permian. I did ask specifically for a  
7   name of someone at Permian that Coterra could reach  
8   out to. I haven't received that information.

9                   I also offered to have Coterra and  
10  Permian get together to talk about this. I haven't  
11  heard anything back about that offer. So I do think  
12  that there's room for discussions, and it just doesn't  
13  make sense to me to move forward on a contested  
14  hearing, which is going to add delay when we could  
15  have a status conference on the 25th, which is just a  
16  month from now.

17                  And then we could set a contested  
18  hearing after that if the parties still haven't had a  
19  chance to reach an agreement. But I think it's  
20  premature to set a contested hearing at this moment,  
21  given the uncertainties.

22                  THE HEARING EXAMINER: Ms. McLean?

23                  MS. MCLEAN: Yes. Thank you. So  
24  Permian Resources has been in contact with Scott  
25  Richter at Coterra, and they have been emailing back

1 and forth with each other. The ball is in Coterra's  
2 court right now. Sean [sic] Richter had said that he  
3 would be in touch with them, and they have not heard  
4 back since then.

5 But I -- they are very well aware of  
6 the situation. We were forwarded the email contact in  
7 between the two. I -- at this point, Permian  
8 Resources is fine with doing a status conference in  
9 September. However, we would like to get a contested  
10 hearing set for this in the October -- in the month of  
11 October.

12 THE HEARING EXAMINER: Freya, what's --  
13 what do we have at the end of September, beginning of  
14 October for a contested hearing on the issue of good  
15 cause only?

16 MS. TSCHANTZ: September 30th.

17 THE HEARING EXAMINER: September 30th.  
18 That's what I thought. Okay.

19 Ms. Bennett and Ms. McLean, we're going  
20 to set a contested hearing for September 30th on the  
21 issue of good cause only. I don't think it's going to  
22 take that long for that one issue to receive evidence  
23 on.

24 The division still has to make a  
25 decision on whether good cause exists to extend the

1 order -- underlying order. So that will delay any  
2 further hearing on Permian's application.

3 And then I would suspect, Ms. Bennett,  
4 you would file also a competing application if, for  
5 some reason, the order went away. Is that right?

6 MS. BENNETT: Yes, Coterra does intend  
7 to drill these wells, and so Coterra would file a  
8 competing application, and so we would be having then  
9 yet another contested hearing.

10 THE HEARING EXAMINER: Right. Okay. I  
11 understand. I think this will help the parties. I  
12 always think that having a solid date will help the  
13 parties negotiate in good faith, and we don't have a  
14 moving target in that respect.

15 So Ms. Bennett and Ms. McClean, would  
16 you please, you know, notify your parties, your  
17 clients of the date, September 30th?

18 Freya, would that be the first case or  
19 second case?

20 MS. TSCHANTZ: It's the first case.

21 THE HEARING EXAMINER: The first case.  
22 Okay. Very good.

23 Anything further, Ms. Bennett?

24 MS. BENNETT: Nothing from me, thank  
25 you.



1 THE HEARING EXAMINER: Okay, wonderful.  
2 Good luck, Ms. Bennett, with your negotiations, and  
3 Ms. McLean.

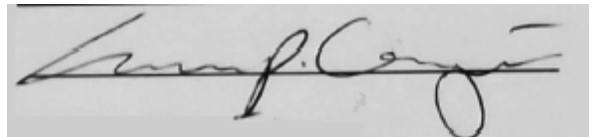
4 MS. MCLEAN: Nothing from us.

5 THE HEARING EXAMINER: All right, we're  
6 off the record in this case. Thank you. And that  
7 concludes our business today. Thank you all.

8 (Whereupon, at 9:46 a.m., the  
9 proceeding was concluded.)  
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CERTIFICATE

I, GERALD ARAGON, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



GERALD ARAGON

September 5, 2025

Notary Public in and for the  
State of New Mexico

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CERTIFICATE OF TRANSCRIBER

I, JILL CLAYTON, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.  
September 5, 2025



JILL CLAYTON

[& - alleging]

<b>&amp;</b>	<b>25508</b> 1:10	<b>8th</b> 39:18	<b>actually</b> 39:9
<b>&amp;</b> 2:11,18 4:16 6:4 12:14 24:1	35:12	<b>9</b>	39:11 42:11
<b>1</b>	<b>25th</b> 39:8 46:15	<b>9</b> 32:22 34:7	43:19 45:17
<b>11th</b> 8:9	<b>26th</b> 27:8,9,12	<b>9:46</b> 49:8	<b>add</b> 46:14
<b>1200</b> 1:19	27:15,17	<b>a</b>	<b>address</b> 40:21
<b>1284</b> 4:8	<b>27th</b> 20:13	<b>a.m.</b> 1:14 4:2	<b>adjust</b> 17:10,11
<b>14</b> 17:7	32:15,22	32:22 34:7	<b>advance</b> 33:1
<b>14th</b> 14:8,24	<b>28th</b> 14:17	49:8	34:1
17:20,24 18:3	17:21,25 18:10	<b>abadie</b> 2:18	<b>advisement</b>
18:15 20:3,21	18:11,16,17	<b>ability</b> 45:23	5:17 26:10
<b>16th</b> 8:8 10:10	19:2 20:17	50:10 51:7	<b>aep</b> 22:5 33:18
<b>2</b>	<b>29th</b> 18:18	<b>able</b> 6:19 20:2	<b>affect</b> 42:23
<b>2</b> 5:21 22:5	<b>3</b>	23:20 39:2,10	<b>affidavit</b> 4:7
<b>20</b> 5:6	<b>30</b> 28:2	<b>accepted</b> 33:20	11:17 19:11
<b>2025</b> 1:13 4:3	<b>30th</b> 10:10,12	<b>accurate</b> 45:6	25:8 26:8
50:18 51:13	10:25 47:16,17	50:9 51:5	27:24 28:1
<b>20th</b> 16:14	47:20 48:17	<b>accusation</b>	<b>affidavits</b> 17:8
<b>21</b> 1:13 4:3	<b>34945</b> 50:17	30:18	<b>afternoon</b>
<b>21st</b> 16:14	<b>35141</b> 51:14	<b>acknowledge</b>	18:25
<b>22</b> 36:10 42:25	<b>4</b>	29:24	<b>ago</b> 5:6 13:8
44:3,6 45:1	<b>4</b> 12:5	<b>acquired</b> 40:14	28:3
<b>23</b> 28:14	<b>4th</b> 18:18,20	40:15 41:2	<b>agree</b> 6:22
<b>23rd</b> 29:20	<b>5</b>	<b>acreage</b> 4:13	10:20 20:2
<b>24</b> 28:14	<b>5</b> 50:18 51:13	7:11 31:13	37:5,7,8 38:3
<b>24849</b> 1:9 4:8	<b>6</b>	36:1,9 37:16	45:3,7,20
<b>25312</b> 1:9 5:21	<b>6/23</b> 29:19	37:18 38:18,22	<b>agreement</b> 6:14
8:4,4	<b>6973024</b> 1:22	39:12 40:14,16	8:10,11 25:19
<b>25455</b> 1:9 5:22	<b>7</b>	41:1 43:6,15	36:23 38:8
<b>25470</b> 1:10	<b>7th</b> 28:8 39:21	43:19 44:20	39:11 43:8,23
12:6	<b>8</b>	45:9 46:3	43:25 44:8,21
<b>25496</b> 1:10	<b>87505</b> 1:20	<b>acres</b> 31:10,10	46:19
22:6	<b>8:57</b> 1:14 4:2	31:11	<b>ahead</b> 23:3
		<b>action</b> 50:12,16	34:4
		51:8,12	<b>alleging</b> 31:1

<p><b>allow</b> 39:8</p> <p><b>alpha</b> 2:18 22:10 28:10,13 30:7,18</p> <p><b>amended</b> 10:14</p> <p><b>amicable</b> 39:3</p> <p><b>amount</b> 41:1</p> <p><b>anderson</b> 2:20 22:19,23 23:4 23:4,8,14,15,15 23:22 24:23 25:4,10 26:8 26:12,25 27:3 27:3,5,15,16 28:5,7,12,18 29:17,21,22,25 30:2,6,9,14,20 30:25 31:3,15 32:1,6,10,16,21 33:2,12,13,17 34:2,5,8,19,21 34:22 35:6,9</p> <p><b>answer</b> 41:7,18</p> <p><b>anticipate</b> 21:3 21:7</p> <p><b>anticipated</b> 10:1</p> <p><b>anymore</b> 12:3</p> <p><b>anyway</b> 5:6</p> <p><b>apds</b> 14:9 41:13</p> <p><b>appear</b> 17:8 34:20</p> <p><b>appearance</b> 4:17 5:10 7:15</p>	<p>8:1 12:18 22:13 23:7,11 23:15,25 24:15 28:6,7</p> <p><b>appearing</b> 17:2 22:10 24:4</p> <p><b>applicant</b> 16:11 27:10 39:6</p> <p><b>application</b> 7:7 8:21 9:2,23 13:19 15:19 28:20,23 29:6 31:2,5 36:1,12 37:16,18,25 39:16 40:7 48:2,4,8</p> <p><b>applications</b> 8:13 15:3 20:24 25:16 38:15,16</p> <p><b>appointment</b> 31:25</p> <p><b>appropriate</b> 31:21</p> <p><b>aragon</b> 1:21 50:2,18</p> <p><b>area</b> 15:16</p> <p><b>argument</b> 33:22</p> <p><b>arms</b> 40:22 41:2</p> <p><b>asked</b> 45:9 46:2</p> <p><b>asking</b> 29:16 32:10 41:16</p>	<p><b>assigned</b> 44:15 44:19</p> <p><b>assignment</b> 46:3</p> <p><b>assuming</b> 45:22</p> <p><b>attendees</b> 2:2</p> <p><b>attorney</b> 27:20 30:12 33:18,24 33:25 50:14 51:10</p> <p><b>audio</b> 50:8 51:3</p> <p><b>august</b> 1:13 4:3 9:5,6,7 16:14 20:18 39:21 40:5</p> <p><b>availability</b> 13:24 14:6 16:8 17:3 18:10 20:19</p> <p><b>available</b> 10:7 14:14,24 16:16 17:1,14,24 18:4,14,17 19:14,18 26:14 26:19 27:12 32:4,15,24</p> <p><b>avant</b> 4:8 40:16</p> <p><b>avant's</b> 4:12</p> <p><b>aware</b> 21:14 43:13 47:5</p> <p><b>b</b></p> <p><b>b</b> 3:1</p> <p><b>back</b> 11:6 45:11 46:11,25 47:4</p>	<p><b>ball</b> 47:1</p> <p><b>base</b> 21:5</p> <p><b>based</b> 9:8 24:25 32:13</p> <p><b>basically</b> 6:14 25:23,25 26:15</p> <p><b>battle</b> 36:5</p> <p><b>beatty</b> 24:1</p> <p><b>beginning</b> 9:23 47:13</p> <p><b>behalf</b> 2:9,11 2:13,14,16,18 2:21 4:12,16 5:24 6:4 7:22 8:1 12:10,14 22:10,14,16 24:5 35:14,18</p> <p><b>believe</b> 6:19 8:22 9:13,18 28:13,18 40:5 41:6 42:14</p> <p><b>believes</b> 6:23</p> <p><b>bennett</b> 2:9 4:10,12,20,25 5:4,9,13,19 12:8,9 13:1,2,4 13:7,15,25 14:1 15:24 17:18,19 18:2 18:6,9 20:20 21:10,12,17,25 22:1,15,16 24:3,4 35:13 35:14 36:15 38:2,4 39:14</p>
--	---	--	--

<p>39:21,24 41:6 41:10,12 42:2 45:4,5,14,22 47:19 48:3,6 48:15,23,24 49:2 <b>bennett's</b> 37:22 <b>best</b> 50:10 51:6 <b>better</b> 6:8 <b>bit</b> 9:24 25:17 29:5 36:22 40:16 <b>blm</b> 41:5 <b>bone</b> 15:19 <b>broke</b> 27:18 <b>bruce</b> 2:14 7:13 7:14,18 <b>building</b> 1:18 <b>business</b> 49:7</p>	<p>25:7,9,10 26:7 26:10 27:22 28:1,6,8,17 29:17 32:13,21 33:9,19 35:3 35:11 37:3,3 37:11 40:11 42:7 48:18,19 48:20,21 49:6 <b>cases</b> 10:2 12:18 13:21 15:5,6,7,20,22 16:16 25:22 27:24 30:3 37:22 <b>cause</b> 36:19,24 37:23 38:9 40:11 42:7,15 43:17,18 47:15 47:21,25 <b>certain</b> 44:22 <b>certainly</b> 17:11 35:22 <b>certificate</b> 50:1 51:1 <b>certify</b> 50:4 51:2 <b>chakalian</b> 1:15 2:3 <b>challenging</b> 42:7 <b>chance</b> 23:24 25:14 40:23 46:19</p>	<p><b>charge</b> 7:1 <b>check</b> 18:13 41:12 <b>chino</b> 1:18 <b>choose</b> 37:17 <b>city</b> 2:10 22:16 <b>clarify</b> 25:17 <b>clayton</b> 51:2,15 <b>clear</b> 18:3 <b>client</b> 6:23 20:22 26:9 38:7 45:13 <b>clients</b> 48:17 <b>close</b> 9:17 <b>coffman</b> 2:23 29:6,10,12,13 29:18 31:20 <b>cog</b> 2:12 8:1 12:14 15:15,24 16:21 20:18 21:6 <b>cog's</b> 17:23 <b>color</b> 15:13 <b>come</b> 9:10 11:5 11:14 30:22 34:23 36:13,16 44:20 <b>comes</b> 30:16 36:18 <b>coming</b> 40:20 <b>comm</b> 41:21 <b>commence</b> 43:11 <b>communicated</b> 45:15</p>	<p><b>communicati...</b> 38:24 <b>companies</b> 44:8 <b>company</b> 2:12 2:15,22 4:17 7:14 22:14 <b>compete</b> 15:7,8 <b>competing</b> 13:21 15:2 25:16 37:3,11 37:17 38:14,16 48:4,8 <b>computer</b> 6:8 <b>concept</b> 36:16 <b>conclude</b> 18:19 <b>concluded</b> 10:6 49:9 <b>concludes</b> 49:7 <b>conclusion</b> 30:22 <b>conducted</b> 4:4 <b>conference</b> 6:16 9:11,17 10:2,4 11:6 39:7,15 46:15 47:8 <b>conferences</b> 4:5 <b>conferred</b> 6:13 <b>confidence</b> 42:10 <b>confirm</b> 28:25 <b>confirmation</b> 25:14 <b>confirmed</b> 25:13</p>
<p><b>c</b></p>			
<p><b>c</b> 2:1 4:1 <b>call</b> 4:7 38:25 <b>called</b> 1:6 27:4 <b>canal</b> 32:18 35:6 <b>carlsbad</b> 2:10 22:16 <b>case</b> 1:9 4:7 5:17,21 6:17 7:9 8:6 9:12 11:8,13,14,16 12:21 16:12 18:19,23 20:1 22:4 23:19,21 24:19,21 25:4</p>			

[connection - document]

<p><b>connection</b> 8:18 <b>conocophillips</b> 2:21 22:14 <b>conservation</b> 1:3,6 4:4 <b>considering</b> 1:8 <b>consolidate</b> 20:25 <b>contact</b> 46:24 47:6 <b>contention</b> 36:19 <b>contested</b> 6:18 7:6 8:8 13:18 13:22 14:2 16:6 17:3 36:6 36:12,24 38:8 38:15 46:13,17 46:20 47:9,14 47:20 48:9 <b>continued</b> 7:5 18:20 <b>convention</b> 41:20 <b>conversation</b> 45:17 <b>conversations</b> 14:6 <b>copy</b> 28:23 33:19 <b>correct</b> 9:19,21 15:9 36:25 37:4 45:2,23</p>	<p><b>correspondeen...</b> 25:25 <b>coterra</b> 2:10,23 4:12 5:13 24:1 24:5 35:12,14 37:16 38:14,23 39:2 40:13,15 40:17,24 41:1 41:13 42:9 43:2,11,12,25 44:11,25 45:16 45:18 46:6,7,9 46:25 48:6,7 <b>coterra's</b> 35:24 36:1 37:11 38:13 41:17 42:18,23 43:7 47:1 <b>counsel</b> 2:13,14 2:21 39:1 50:11,14 51:7 51:10 <b>county</b> 23:9 44:18 <b>course</b> 14:19 26:7 <b>court</b> 34:19 47:2 <b>criteria</b> 31:6 <b>cross</b> 31:19,19 32:24 <b>current</b> 25:4 37:12</p>	<p><b>d</b> <b>d</b> 4:1 <b>darin</b> 2:18 22:9 <b>date</b> 1:13 6:18 10:9 13:22,23 17:14 20:13 27:7 31:23 39:25 48:12,17 <b>dates</b> 10:6 14:14 <b>day</b> 18:19 32:5 45:8 <b>days</b> 5:6 28:3 <b>deadline</b> 43:11 <b>dealing</b> 30:19 <b>dealings</b> 26:9 <b>deana</b> 2:9 4:11 12:9 22:15 24:4 <b>decision</b> 26:11 47:25 <b>delay</b> 14:11 30:11 32:13,14 39:5 46:14 48:1 <b>dentist</b> 27:17 31:25 <b>department</b> 1:2 1:17 2:4,7 <b>depending</b> 11:18 <b>depends</b> 11:15 <b>description</b> 3:2 <b>desirous</b> 38:24</p>	<p><b>despite</b> 45:15 45:19 <b>detail</b> 40:12 <b>developed</b> 38:18,22 39:12 <b>development</b> 15:25 40:18 <b>differences</b> 17:16 <b>different</b> 40:18 <b>digital</b> 50:8 51:3 <b>directly</b> 23:20 <b>disagree</b> 45:20 <b>discuss</b> 39:9 <b>discussing</b> 16:21 <b>discussions</b> 45:25 46:5,12 <b>dismiss</b> 7:7 11:8,12 <b>division</b> 1:3,7 2:3 6:16 40:1 47:24 <b>division's</b> 4:4 40:6 <b>docket</b> 4:4 8:13 8:23 9:14 10:25 11:1 12:3,5 18:23 19:1 22:6 27:25 <b>document</b> 23:17 30:24</p>
--	--	--	---

[doing - extension]

<b>doing</b> 16:10 47:8 <b>drill</b> 7:11 42:11 42:18,23 43:19 44:25 45:24 48:7 <b>drilling</b> 7:11 43:10 <b>drive</b> 1:19 <b>due</b> 18:10 <b>duly</b> 50:5	<b>energy</b> 1:2,16 2:4,7,10,13,17 2:19,23 5:21 5:25 7:22 22:10 24:1,5 28:11 30:8,18 35:12,15 40:17 <b>enter</b> 28:6 <b>entered</b> 4:17 5:9 7:23 28:7 <b>entering</b> 8:1 22:13 23:7,11 23:14 <b>entrance</b> 5:23 <b>entries</b> 12:7 22:7 23:25 <b>entry</b> 7:17 12:17 24:15 <b>eog</b> 2:12 6:4 7:10 <b>es</b> 50:4 <b>especially</b> 31:19 <b>evd</b> 3:2 <b>evidence</b> 29:15 33:20,23 43:20 47:22 <b>examine</b> 31:19 31:19 32:24 <b>examiner</b> 1:15 2:3 4:2,11,11 4:15,19,23,25 5:5,12,15,20 6:1,3,5,21 7:8 7:12,13,16,19	7:24,25 8:3,17 8:24 9:3,7,15 9:20,25 10:11 10:20,24 11:4 11:11,20,24 12:1,9,11,13,15 12:19,22,25 13:6,9,12,25 14:12,19,23 15:1,6,10,14,17 16:9 17:5,18 18:1,5,8,12 19:1,3,7,13,16 19:21,24 20:6 20:8,10,12,16 21:2,9,16,22,25 22:3,9,9,13,17 22:21 23:1,5,6 23:10,16,23 24:3,6,13,17,24 25:2 26:2,16 26:20,23 27:2 27:6,9,14,21 28:5,9,15,21 29:2,7,9,13,20 29:23 30:1,7 30:10,15,23 31:1,14,17 32:3,8,12,20 33:4,11,15 34:3,6,9,13,15 34:17,25 35:5 35:10,14,16,19 36:15,21 37:1 37:5,8,14 38:1	39:13,19,23 40:2,10 41:4 41:14,22,25 42:6,16,22 43:1,4,22 44:4 44:7,13,16,24 45:3,21 46:22 47:12,17 48:10 48:21 49:1,5 <b>example</b> 46:1 <b>excuse</b> 4:8 <b>exhibits</b> 6:25 7:1 33:6,7,15 33:19,19,24,25 <b>existing</b> 15:16 15:24 <b>exists</b> 47:25 <b>expected</b> 14:18 <b>expeditiously</b> 42:14 <b>experience</b> 38:5 <b>expert</b> 17:9 <b>expiration</b> 38:12 40:8,9 45:10 <b>expire</b> 40:3 44:23 <b>expires</b> 40:4 43:9 <b>explore</b> 36:16 <b>expressed</b> 39:1 <b>extend</b> 47:25 <b>extension</b> 35:24 36:2,5,18 37:24 38:13
<b>e</b>			
<b>e</b> 2:1,1 3:1 4:1,1 <b>earlier</b> 11:16 <b>east</b> 36:10 44:2 44:5 45:1 <b>eddy</b> 23:9 <b>edina</b> 35:14 <b>effect</b> 10:16,19 <b>effort</b> 25:18,20 26:1 <b>eight</b> 19:8 <b>either</b> 16:5 20:2 22:20 43:11 45:7 <b>elaborate</b> 25:16 <b>email</b> 25:24 33:13,18 47:6 <b>emailed</b> 23:18 <b>emailing</b> 46:25 <b>employed</b> 50:11,14 51:8 51:11 <b>employee</b> 50:13 51:10			



[extension - guess]

39:17 42:24	35:23,25 39:17	19:3,24 24:14	<b>going</b> 4:7 9:9
<b>f</b>	39:18,19	26:20 27:7	17:11 19:25
<b>fact</b> 30:11 46:1	<b>filing</b> 4:20 9:22	34:19 47:12	26:3 27:18
<b>fair</b> 31:16	13:21 23:19	48:18	29:14 30:16,17
<b>fairly</b> 8:15	<b>finalized</b> 6:15	<b>front</b> 12:4	32:13,21 33:18
<b>faith</b> 25:18	<b>finally</b> 6:24	16:12 40:6	34:7,10 35:21
26:1,6 30:19	<b>financially</b>	<b>fruitful</b> 16:2	40:12,12 43:19
48:13	50:15 51:11	<b>full</b> 25:11 26:13	46:14 47:19,21
<b>fallback</b> 17:25	<b>find</b> 29:19 39:4	40:22	<b>good</b> 4:9,10,14
<b>far</b> 5:13 6:18	<b>fine</b> 31:9 47:8	<b>further</b> 11:21	4:24 6:2,5
9:22 11:3	<b>firm</b> 2:9	14:11 21:23	11:20,24 12:2
17:12 19:10	<b>first</b> 7:9 11:5	22:1 35:2	12:8,12 21:3
45:25	11:17 14:13	36:17 38:24	22:8,9,12,15
<b>farm</b> 43:8,23	23:25 27:10	46:5 48:2,23	25:18 26:1,5
46:4	39:22,25,25	50:13 51:9	30:2,19 32:4
<b>fe</b> 1:20 4:15 6:3	48:18,20,21	<b>g</b>	35:1,6,13,19
12:13	<b>five</b> 22:6	<b>g</b> 4:1	36:19,24 37:23
<b>fed</b> 41:21	<b>forced</b> 25:21	<b>gerald</b> 1:21	38:9 40:11
<b>federal</b> 41:17	<b>foregoing</b> 50:3	50:2,18	42:7,15 43:17
<b>feel</b> 46:4	50:4 51:4	<b>getting</b> 29:24	43:18 47:14,21
<b>feldewert</b> 9:19	<b>form</b> 25:24	38:18,22	47:25 48:13,22
<b>fight</b> 37:23	<b>forth</b> 47:1	<b>give</b> 9:23 12:24	49:2
38:13	<b>forward</b> 13:18	15:13 16:11	<b>gotten</b> 30:12
<b>figure</b> 39:3	36:13 37:25	33:24	<b>great</b> 24:17
<b>file</b> 8:20 11:8	38:20 39:11	<b>given</b> 46:1,21	33:5 40:12
11:12 15:5	42:13 43:14	<b>glad</b> 38:7	<b>gregory</b> 1:15
17:7 20:3,23	46:13	<b>go</b> 10:11 14:3	2:3
20:24 23:20	<b>forwarded</b> 47:6	14:13 15:19	<b>grounds</b> 36:18
37:17 48:4,7	<b>four</b> 25:8 30:3	16:7 17:20,25	40:11
<b>filed</b> 7:9 8:13	<b>francis</b> 1:19	18:9,11 23:3	<b>grouped</b> 28:2
8:22 9:22	2:14 7:14	27:10 35:12	<b>guess</b> 10:14
12:17 13:19	<b>franklin</b> 40:17	36:6 38:15	11:8
15:19 16:16	<b>freya</b> 2:6 10:8	<b>goes</b> 9:22 16:5	
27:22,23 28:2	10:12,22 14:13	33:1	
30:24 33:8,19	14:14 17:13		

# [h - issue]

<b>h</b>	11:4,11,12,16 11:20,24 12:1 12:11,12,15,19 12:22,25 13:6 13:9,12,18,22 13:23,25 14:2 14:3,12,15,19 14:20,23 15:1 15:6,10,14,17 16:6,9 17:3,5,6 17:18 18:1,5,8 18:12 19:1,3,7 19:13,16,21,24 19:25 20:6,8 20:10,12,16,17 21:2,9,16,22,25 22:3,8,17,21,24 23:1,6,10,16,23 24:3,6,13,17,24 25:2,11 26:2,5 26:13,16,20,23 27:2,6,9,14,21 27:24 28:5,9 28:15,21 29:2 29:7,9,13,20,23 30:1,7,8,10,11 30:15,16,17,18 30:23 31:1,14 31:17,24 32:3 32:8,12,20 33:4,11,15 34:3,6,9,13,15 34:17,25 35:5 35:10,16,19 36:6,12,15,21	36:24 37:1,5,8 37:14 38:1,8 38:15 39:13,19 39:23,25 40:2 40:10 41:4,14 41:22,25 42:6 42:16,22 43:1 43:4,21,22 44:4,7,13,16,24 45:3,21 46:14 46:18,20,22 47:10,12,14,17 47:20 48:2,9 48:10,21 49:1 49:5 <b>hearings</b> 2:6 28:1 <b>held</b> 30:3 <b>hello</b> 27:1 <b>help</b> 48:11,12 <b>helpful</b> 23:18 <b>hereto</b> 50:15 51:11 <b>highly</b> 33:5 <b>history</b> 8:4 9:24 <b>hold</b> 14:20,20 19:25 20:13 23:1,2 27:4 <b>holland</b> 2:11 4:16 6:4 12:14 <b>hopeful</b> 39:2 <b>hopefully</b> 16:4 39:9	<b>hopes</b> 36:7 <b>hour</b> 34:4 <b>hunter</b> 24:5 <b>hybrid</b> 16:25 <b>i</b> <b>idea</b> 38:18,21 <b>ii</b> 2:19 22:11 <b>inconsistent</b> 38:17,21 <b>indicate</b> 41:24 43:14 <b>indicated</b> 5:10 <b>information</b> 45:16,19 46:8 <b>initial</b> 14:5 39:6 43:7 <b>initially</b> 35:23 <b>intend</b> 48:6 <b>intended</b> 7:11 <b>interest</b> 15:25 <b>interested</b> 2:20 50:15 51:12 <b>interests</b> 4:13 <b>internet</b> 8:18 <b>interrupt</b> 26:3 <b>ish</b> 20:9 <b>issue</b> 4:22 8:5 10:3,12,21 17:6 20:17 25:10,15,15 26:5 30:17 36:24 37:2 38:6,12 40:13 40:25 45:9 47:14,21,22
----------	--	---	--

[issued - minimum]

<b>issued</b> 10:15 <b>issues</b> 16:5 <b>issuing</b> 19:25 <b>it'd</b> 19:4 <b>it'll</b> 8:16 10:5 11:5 34:18	34:4 36:5,8,12 37:12,17,20 38:11 40:22,23 40:25 41:18 42:14 43:5,6 43:16,20 44:23 45:18 46:2 48:16	<b>likely</b> 17:2 <b>lily</b> 23:15 <b>list</b> 2:2 32:25 33:3 <b>listened</b> 37:21 <b>little</b> 9:24 15:13 25:17 36:17,22 44:15 <b>llc</b> 2:16,19 22:11 <b>location</b> 1:16 <b>long</b> 8:14 28:10 28:16 32:9,13 32:14 40:7 47:22 <b>longer</b> 10:18 38:19 <b>look</b> 8:4 <b>looking</b> 14:7 <b>looks</b> 5:21 29:18 <b>lot</b> 44:10 <b>luck</b> 12:2 35:6 49:2	<b>matador</b> 2:11 4:16 <b>matter</b> 1:5 <b>mcclean</b> 48:15 <b>mclean</b> 2:16,16 7:21,21 35:17 35:17,20,22 36:20,25 37:4 37:7,10,15 38:4 39:18 40:4,13 41:9 41:11,14,16,19 41:23 42:3,5,8 42:20,25 43:2 43:5 44:2,5,10 44:14,17 45:2 45:12 46:22,23 47:19 49:3,4 <b>mclean's</b> 38:6 <b>mean</b> 16:13,25 21:14 <b>meet</b> 36:9 42:12 44:22 <b>meeting</b> 24:10 <b>mentioned</b> 18:2 <b>merged</b> 5:22 <b>mexico</b> 1:1,16 2:5,8 23:9 50:20 <b>microphones</b> 6:7 <b>minerals</b> 1:2,16 2:4,7 <b>minimum</b> 25:17,23
<b>j</b>			
<b>jackie</b> 2:16 7:21 35:17 <b>january</b> 40:14 40:16 <b>jill</b> 51:2,15 <b>jim</b> 2:14 7:13 <b>job</b> 1:22 <b>john</b> 2:23 29:6 <b>july</b> 9:5,14 13:13 39:18,20 <b>june</b> 9:23 29:24	<b>knowledge</b> 50:10 51:6 <b>knows</b> 13:1 41:15		
	<b>l</b>		
	<b>land</b> 41:5,5,17 41:17 44:1,7,9 44:17 <b>landman</b> 2:23 31:20 <b>landowner</b> 2:20 23:9 <b>late</b> 10:7,9 29:24 <b>latest</b> 4:20 <b>law</b> 2:9 <b>lease</b> 36:8 38:12 42:12 43:12,25 44:8 44:12 45:10 46:3 <b>leases</b> 43:5 <b>legal</b> 5:16 33:22 <b>lessee</b> 44:21 <b>letters</b> 21:21		
<b>k</b>			
<b>kaiser</b> 2:14 7:14 <b>keri</b> 2:21 7:25 22:13 <b>know</b> 5:4,7,14 13:2,4 15:12 15:20,21 16:1 16:6,10,21 17:10 18:14 19:16,18 20:20 21:12,17,18 23:19 24:19 25:19 26:21 29:3,4 30:4 32:17,18 33:12			
		<b>m</b>	
		<b>made</b> 25:21 <b>magnum</b> 24:5 <b>make</b> 26:11 33:22 46:13 47:24 <b>makes</b> 41:25 <b>manager</b> 2:3 <b>march</b> 8:23 9:4 <b>marked</b> 3:3	

[modrall - okay]

<b>modrall</b> 2:9 12:9 <b>module</b> 24:4 <b>moment</b> 46:20 <b>monitoring</b> 8:2 <b>month</b> 10:7 13:10 27:25 28:8,9 46:16 47:10 <b>months</b> 16:13 16:15 28:3 38:19 <b>morning</b> 4:9,10 4:14 6:1,2,5 12:8,12 13:17 19:4 22:8,9,12 22:15 35:8,13 35:19 <b>motion</b> 9:8 11:8 11:12 20:24 <b>mountain</b> 32:22 40:17 <b>move</b> 11:14,15 13:18 14:10 22:5 36:13 39:11 46:13 <b>moved</b> 8:14 42:14 <b>moving</b> 5:20 12:5 42:13 43:14 48:14 <b>multiple</b> 15:3 <b>mvdr</b> 5:2	<b>n</b>	<b>notice</b> 2:6 5:2 5:16 21:8 <b>notify</b> 48:16 <b>november</b> 13:23 16:7,23 17:11 18:18,21 <b>number</b> 4:8 5:21 12:5 22:6 23:19	14:17,24 16:13 17:7,15,17,21 47:10,11,14 <b>offer</b> 25:1 31:12,12 46:11 <b>offered</b> 46:9 <b>offering</b> 31:7,8 <b>office</b> 4:15 6:3 12:13 44:18 <b>officer</b> 50:2 <b>oh</b> 5:5 9:1 24:24 27:5 28:12 41:22 <b>oil</b> 1:3,6 2:14 4:4 7:14 <b>okay</b> 4:23 5:5 5:12 8:24 9:3 9:20 10:6,20 10:21,22,23 12:4 13:6,12 13:13 14:12 15:6,10 17:5 18:1,5,8,12 19:10,15,23 20:11,16 21:16 21:22 23:6,16 23:21 24:2,6,6 24:8,17,18 27:5,6,14,21 29:2,20 30:1 30:20,20,25,25 31:14,17 32:3 32:20 33:2,16 34:6,8,18,25 35:9,20 36:21	
	<b>n</b> 2:1 4:1 <b>name</b> 46:7 <b>naming</b> 41:20 <b>natural</b> 1:2,16 2:4,7 <b>necessarily</b> 37:11 <b>need</b> 7:5 19:8 20:3 21:5 27:19 42:12 <b>needed</b> 8:10 <b>needing</b> 41:2 <b>negotiate</b> 28:13 48:13 <b>negotiating</b> 28:10 <b>negotiations</b> 9:9 16:1 49:2 <b>neither</b> 50:11 51:7 <b>never</b> 5:10 <b>new</b> 1:1,16 2:5 2:8 21:14,18 21:20 23:9 50:20 <b>nine</b> 18:24 19:5 19:7 <b>nm</b> 1:20 <b>nodding</b> 41:15 <b>nos</b> 1:9 <b>notary</b> 50:19 <b>note</b> 8:12 <b>noted</b> 14:7	<b>o</b>	<b>o</b> 4:1 <b>o'clock</b> 18:24 19:6,7,8 <b>oath</b> 26:9 29:14 <b>object</b> 12:16 30:4 33:21 <b>objected</b> 4:18 13:3,5 24:19 24:20 25:5,6 <b>objecting</b> 7:23 43:17 <b>objection</b> 4:18 6:10 7:17 12:18 30:4 35:23 <b>obligation</b> 36:9 42:12 <b>obligations</b> 42:17,19,21,23 44:22 <b>obviously</b> 7:5 <b>occ</b> 14:17 25:18 <b>ocd</b> 25:18 <b>october</b> 11:17 14:4,8,8,15,16	

<p>37:3 38:1 39:13,19 40:2 41:4,22 42:6 43:1,4 44:4 45:21,21 47:18 48:10,22 49:1 <b>once</b> 20:23 33:20 <b>ones</b> 18:24 21:20,20 25:8 <b>online</b> 28:25 29:11 34:12 <b>operating</b> 2:10 2:23 4:8 8:2 22:5 33:18 35:15,18 <b>operator</b> 5:2 15:15 16:11 44:20 <b>option</b> 34:14 <b>order</b> 8:6 9:4 10:4,13,15,22 11:13 17:6 19:25 20:17 35:25 37:13 40:3,4,8,9 48:1 48:1,5 <b>orders</b> 40:18 <b>original</b> 21:13 21:20 <b>outcome</b> 50:16 51:12 <b>overlapping</b> 43:3</p>	<p><b>overlaps</b> 36:1 <b>own</b> 13:21 <b>ownership</b> 24:12 25:12</p> <p><b>p</b></p> <p><b>p</b> 2:1,1 4:1 <b>paloma</b> 12:6,10 13:17 14:1,6 17:19,20 18:3 18:10 21:13,18 <b>paloma's</b> 17:22 <b>paper</b> 8:11 <b>papered</b> 6:24 7:3 <b>part</b> 25:7 28:13 40:25 41:17 44:5 45:1 <b>particular</b> 18:23 <b>parties</b> 7:20 8:19 11:7 12:2 16:1,4,20 17:16 22:20 24:20 39:8 46:18 48:11,13 48:16 50:12,14 51:8,11 <b>partners</b> 2:17 2:19 7:22 22:11 28:11 30:8,18 <b>party</b> 2:20 25:5 <b>path</b> 38:20 <b>paula</b> 2:11 4:15 6:3 12:13</p>	<p><b>pecos</b> 1:18 <b>penalty</b> 19:17 <b>perfect</b> 8:3 9:25 11:5 20:8,10 21:22 23:16 <b>perjury</b> 19:17 <b>permian</b> 12:6 12:10 35:18,23 36:8 38:24 39:2 42:4,7,20 42:22 43:2,6,6 43:8,10,11,16 43:24 44:19,25 45:16 46:6,7 46:10,24 47:7 <b>permian's</b> 38:11 39:1 48:2 <b>person</b> 7:1 31:9 <b>perspective</b> 16:3 <b>piece</b> 43:25 44:9 <b>place</b> 6:14 17:10 19:19 43:12 <b>plan</b> 13:21 <b>plans</b> 13:14 40:19 43:7 <b>please</b> 5:23 12:7 22:7 48:16 <b>plenty</b> 21:8 <b>point</b> 5:18 6:11 7:7 8:19 13:20</p>	<p>26:11 30:13 37:12 45:17 47:7 <b>pointed</b> 38:5 <b>polling</b> 28:20 28:23 <b>pooling</b> 25:21 28:24 35:24,25 37:12,13 <b>portions</b> 44:15 <b>position</b> 17:25 35:21 38:7,11 45:20 <b>possible</b> 6:19 14:3,9 26:5 36:14 <b>pre</b> 8:5 9:4 10:4 10:12,15,22 17:6 19:25 20:17 <b>precedent</b> 40:6 <b>prefer</b> 16:12 34:11 <b>preference</b> 15:21 16:7,11 16:21,22 17:23 18:7,15 20:21 20:21 <b>premature</b> 46:20 <b>prepared</b> 51:3 <b>preparing</b> 32:25 <b>present</b> 26:7 36:6 43:20</p>
---	---	---	--

<b>prevail</b> 37:2	<b>provided</b> 5:6	<b>receive</b> 28:16	<b>represent</b>
<b>prevailing</b> 36:8	<b>public</b> 50:19	47:22	30:12
<b>pride</b> 2:13 5:21	<b>purpose</b> 1:7	<b>received</b> 9:8	<b>represented</b> 5:8
5:25 7:7,11	<b>purposes</b> 5:22	28:19,22,24	5:11
11:22	<b>push</b> 15:21	33:23 46:8	<b>representing</b>
<b>primarily</b>	16:3,22 17:17	<b>recently</b> 40:14	7:14
13:23 38:10	<b>put</b> 23:18,19	<b>recommend</b>	<b>request</b> 13:22
<b>principle</b> 8:10	29:14	33:5	35:24 36:3,5
<b>prior</b> 29:5 40:7	<b>q</b>	<b>record</b> 7:15	37:24 38:14
50:5	<b>qualified</b> 50:7	11:14 22:4	39:7,14 45:16
<b>probably</b> 13:8	<b>question</b> 23:11	35:11 49:6	45:19
<b>problem</b> 18:17	<b>questions</b> 18:22	50:9 51:5	<b>required</b> 25:20
27:15,16 30:14	31:21 32:25	<b>recorded</b> 50:6	25:20
31:2	33:3 36:22	<b>recording</b> 50:8	<b>requirement</b>
<b>proceed</b> 25:21	<b>quickly</b> 8:15	51:4	25:23
37:25	14:2 36:14	<b>records</b> 44:18	<b>requirements</b>
<b>proceeding</b>	38:18	<b>red</b> 2:16 7:22	5:16
49:9 51:4	<b>quite</b> 29:5	<b>reduced</b> 50:7	<b>resolution</b> 8:15
<b>proceedings</b>	40:16	<b>refine</b> 36:22	39:3
50:3,5,6,9 51:6	<b>r</b>	<b>regarding</b>	<b>resolve</b> 11:7,15
<b>production</b>	<b>r</b> 2:1 4:1	13:18	16:5
2:12 4:16	<b>reach</b> 25:18	<b>regardless</b>	<b>resources</b> 1:2
<b>promptly</b> 34:7	46:7,19	16:23	1:17 2:4,7
<b>properly</b> 16:16	<b>reached</b> 8:10	<b>regular</b> 27:25	35:18,23 36:8
<b>property</b> 23:9	39:10 45:8	<b>regularly</b> 4:3	42:20,23 43:9
<b>proposal</b> 21:21	<b>read</b> 21:15	<b>related</b> 50:11	44:19 46:24
25:24,25 28:16	30:23,24 45:7	51:7	47:8
28:25 29:16	<b>ready</b> 14:10	<b>relative</b> 50:13	<b>respect</b> 48:14
<b>proposals</b>	18:11 34:23,24	51:10	<b>review</b> 33:6,24
16:17,19 21:11	36:5 37:24	<b>rely</b> 8:19	33:25
21:13,14,18,19	<b>really</b> 38:23	<b>remaining</b> 25:9	<b>reviewed</b> 5:1
28:17,19 29:5	<b>reason</b> 8:18	<b>remove</b> 24:14	<b>revised</b> 16:19
<b>provide</b> 5:2	48:5	<b>reported</b> 1:21	<b>richter</b> 46:25
26:14 29:8		<b>reporter</b> 34:19	47:2

[rig - sounds]

<b>rig</b> 14:10 <b>right</b> 5:6,15 6:12 9:3 10:24 11:4 12:1,2 13:9 14:21,23 15:1,11 18:13 21:2,9 22:3 23:23 25:10 26:13,16 29:15 30:2,4,5,11,13 30:15 31:25 32:4,21 34:3,7 34:10,13 35:5 37:3,14 39:23 40:6 43:6 44:12,13,15,16 44:25 47:2 48:5,10 49:5 <b>river</b> 2:17 7:22 <b>room</b> 6:8 46:5 46:12 <b>root</b> 32:18 35:6 <b>ruby</b> 36:2 <b>ruled</b> 24:10 <b>rulemaking</b> 14:18 <b>rules</b> 25:13	<b>satisfied</b> 5:16 <b>satisfies</b> 26:1 <b>savage</b> 2:18 22:8,10,21,24 24:8,9,18,20,22 24:25 25:3 26:12,18 27:11 27:13,22,23 28:21,22 29:4 29:8,10 33:10 33:14,17 34:9 34:11,14,16 35:2,4 <b>saw</b> 38:2 <b>saying</b> 15:24 16:24 17:8 24:8,9 26:4 31:4 36:23 41:19,24 42:17 43:24 44:24 45:6 <b>schill</b> 2:18 <b>scott</b> 46:24 <b>sean</b> 47:2 <b>second</b> 4:3 9:14 10:22 12:24 23:2 27:4 48:19 <b>section</b> 36:10 42:25 44:3,6 45:1 <b>see</b> 4:20 7:12 10:6 19:12 20:13,22 21:6 35:7 40:24	41:13 <b>seeing</b> 16:9 31:11 <b>seem</b> 17:22 38:21 <b>seems</b> 38:17 <b>seen</b> 21:10,13 21:19,21 <b>send</b> 29:16 <b>sending</b> 25:23 <b>sense</b> 42:1 46:13 <b>sent</b> 16:17 25:14 29:1,5 29:19 <b>september</b> 10:7 10:9,10,10,25 11:16 39:8 47:9,13,16,17 47:20 48:17 50:18 51:13 <b>set</b> 7:5 8:7 9:4 14:2 21:19 31:23 32:21 46:17,20 47:10 47:20 <b>settlement</b> 9:9 <b>shaheen</b> 2:13 5:24,24 6:13 6:21,22 7:10 8:5,7,20,22 9:1 9:6,13,18 10:17,18 11:9 11:10,19,21,22	<b>shaking</b> 38:2 38:10 <b>shared</b> 45:1 <b>sharon</b> 2:13 5:24 <b>show</b> 20:13 25:22 <b>showing</b> 5:1 <b>sic</b> 47:2 <b>signature</b> 50:17 51:14 <b>signed</b> 7:4 43:7 <b>significant</b> 15:25 <b>simply</b> 6:24 <b>sir</b> 23:10,15,22 29:25 30:14,22 32:7 33:3 34:8 35:9 42:5 <b>sitting</b> 8:14 <b>situation</b> 38:6 47:6 <b>skills</b> 50:10 51:6 <b>smoothly</b> 33:1 <b>sole</b> 36:18 <b>solid</b> 48:12 <b>somebody</b> 23:2 <b>soon</b> 26:5,18,22 26:24,25 <b>sorry</b> 9:1 27:5 <b>sort</b> 40:8 <b>sounds</b> 11:20 21:3 30:2 32:4
s			
<b>s</b> 2:1 3:1 4:1 <b>saint</b> 1:19 <b>samaniego</b> 22:18 24:7,11 <b>santa</b> 1:20 4:15 6:3 12:13			

<b>south</b> 1:19 <b>speak</b> 23:24 <b>specifically</b> 46:2,6 <b>sperling</b> 2:9 12:9 <b>split</b> 17:15 <b>spoke</b> 6:23 13:16 <b>spot</b> 39:4 <b>spring</b> 15:19 <b>stand</b> 5:3 <b>standard</b> 25:17 31:8,15 32:22 <b>standing</b> 24:11 25:12 <b>start</b> 4:7 18:24 19:8 34:7 <b>starts</b> 18:25 <b>state</b> 1:1 44:17 50:20 <b>status</b> 4:5 6:6 6:10,16 7:17 9:10,16 10:1,4 11:6 25:4 39:7 39:15 46:15 47:8 <b>stay</b> 43:12 <b>strictly</b> 17:3 <b>strong</b> 16:6,22 <b>subject</b> 36:2 43:8 <b>submission</b> 5:1 <b>submit</b> 38:14 40:7	<b>subsequently</b> 35:25 <b>succeeded</b> 4:12 <b>suggest</b> 30:13 32:24 <b>sure</b> 15:14 20:6 20:12 29:7,9 35:22 44:3 <b>surgery</b> 27:18 32:2,14,18 <b>surprised</b> 38:20 <b>suspect</b> 48:3 <b>sworn</b> 19:17 50:5	<b>testify</b> 17:9 19:19 26:8 <b>testifying</b> 50:5 <b>testimony</b> 26:14 36:7 <b>thank</b> 5:18,19 6:8 7:24 11:22 12:1,11 14:1 17:19 19:20 22:1 23:17 24:13 35:4,9 35:10,16 39:13 42:2 46:23 48:24 49:6,7 <b>thing</b> 17:13 25:9,15 <b>things</b> 21:6 40:20 <b>think</b> 6:8 7:3 8:8,15 10:18 13:11,20 16:2 17:22 19:4 20:9,14 21:4,5 26:4 31:5,6,20 41:10,15 43:17 43:18 45:18,24 46:11,19 47:21 48:11,12 <b>thinking</b> 39:14 <b>thought</b> 9:15 47:18 <b>thousand</b> 31:10 31:11 <b>three</b> 14:18	<b>threshold</b> 19:11 <b>thursday</b> 1:13 <b>time</b> 1:14 9:12 9:16 15:22 21:8 32:22 34:22 39:8,9 39:25 41:2 42:10,11 <b>timely</b> 39:12 <b>times</b> 44:10 <b>timing</b> 41:1 <b>today</b> 7:2 16:14 23:18 37:23 45:19,25 49:7 <b>today's</b> 5:7 <b>together</b> 15:22 46:10 <b>told</b> 46:3 <b>tolled</b> 40:9 <b>tomorrow</b> 7:2 <b>tooth</b> 27:18,19 32:2,13 <b>top</b> 41:7 44:2,5 <b>totally</b> 44:3 <b>touch</b> 21:5 47:3 <b>trailing</b> 10:25 <b>transcriber</b> 51:1 <b>transcript</b> 51:3 51:5 <b>transcriptionist</b> 50:8 <b>true</b> 50:9 51:5
	<b>t</b>		
	<b>t</b> 3:1 <b>take</b> 26:10 30:7 38:19 47:22 <b>taken</b> 5:17 50:3 50:12 51:9 <b>talk</b> 15:2 40:23 46:10 <b>talked</b> 45:13 <b>talking</b> 16:15 42:9,17,18 <b>target</b> 48:14 <b>technical</b> 4:11 4:25 22:9 <b>tee</b> 36:11 <b>teeing</b> 37:2 <b>tell</b> 35:20 <b>term</b> 46:3 <b>terms</b> 40:25 45:10		



<b>trying</b> 28:12 31:23 40:21 <b>tschantz</b> 2:6 10:9,23 11:2 14:16,22,25 19:5 24:16 26:21 27:8 47:16 48:20 <b>tuesday</b> 26:22 31:24 35:7 <b>tuesdays</b> 14:7 <b>two</b> 10:5 15:4,6 15:7,8 16:13 16:15 18:22 21:7 27:19 28:3 32:7,10 44:8 47:7 <b>typewriting</b> 50:7 <b>typically</b> 41:23	<b>understanding</b> 13:16 24:22 36:17 42:9 <b>understood</b> 11:19 <b>usually</b> 29:5	<b>w</b>	<b>wells</b> 15:16 36:2 41:20 42:11 48:7 <b>wendell</b> 1:18 <b>went</b> 16:19 48:5 <b>wife</b> 23:12 <b>withdrew</b> 4:18 <b>witness</b> 13:24 16:8 18:10 20:19 28:25 31:21 50:4 <b>witnesses</b> 16:16 16:25 17:7,24 18:14 25:11 26:13 27:11 31:18 32:24,25 34:10 36:7 <b>wonder</b> 24:14 34:17 <b>wonderful</b> 49:1 <b>work</b> 14:8,25 20:15 38:25 <b>worked</b> 6:9 <b>working</b> 40:15 40:17 <b>works</b> 11:19 <b>would've</b> 28:24 39:24 <b>wozniak</b> 24:2 <b>wrap</b> 41:2 <b>wrong</b> 31:4
<b>u</b>	<b>v</b>	<b>wait</b> 20:1 <b>waiting</b> 6:25 20:18 22:17,18 <b>want</b> 6:17 7:15 14:11 17:20 19:22 23:24 26:17 35:20 36:11,16 38:13 <b>wants</b> 38:25 44:19 <b>warren</b> 2:20 23:15 29:17 <b>way</b> 16:5 17:2 21:3 37:19 <b>ways</b> 17:22 <b>we've</b> 4:17,18 7:22 10:15 36:4 37:19,21 37:21 40:1 45:13,25 <b>website</b> 2:6 <b>wednesday</b> 20:7,9 32:15 32:23 33:21 35:7 <b>week</b> 6:13,20 6:24 7:4 8:16 10:5 13:8 18:20 20:5 21:5,7 26:22 32:23 <b>weeks</b> 14:18 27:19 32:7,11	
<b>uncertainties</b> 46:21 <b>under</b> 5:17 19:17 26:9,10 29:14 <b>underlying</b> 48:1 <b>understand</b> 6:16,25 14:13 15:23 16:20,24 25:3 37:20 42:24 43:23,24 45:14 48:11	<b>vacate</b> 9:8 11:8 11:12 <b>vacated</b> 8:9 10:16 <b>vacating</b> 10:16 <b>vance</b> 2:11 4:14 4:15,19,21 6:2 6:3,12,22,25 9:21 11:25 12:12,13,17,21 12:23 13:10,14 13:15 15:2,4,8 15:12,15,18 16:10,18 17:7 17:13,23 18:13 18:22 19:2,10 19:15,20,23 20:4,7,9,11,14 20:18,24 21:1 21:4,23,24 <b>vance's</b> 20:22 <b>virtual</b> 34:15 <b>virtually</b> 14:21 14:24 16:10 17:2,9 34:20 <b>void</b> 37:13 <b>volunteer</b> 25:18		

**[x - yesterday]**

<b>x</b>
<b>x</b> 3:1
<b>y</b>
<b>yeah</b> 12:22 14:12 15:14,17 20:15 27:2 29:22 34:16 41:25 44:10 <b>year</b> 43:9 <b>yesterday</b> 7:2 13:16 39:1 45:5,7,8,8