

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

CASE NO. 13,100

AWAITING FINAL COMMISSION ACTION

NO EVIDENCE OR TESTIMONY TAKEN

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSION HEARING

BEFORE: LORI WROTENBERY, CHAIRMAN  
JAMI BAILEY, COMMISSIONER  
ROBERT LEE, COMMISSIONER

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February 12th, 2004 Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, New Mexico Santa Fe, NM 87505

These matters came on for hearing before the Oil Conservation Commission, LORI WROTENBERY, Chairman, on Thursday, February 12th, 2004, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

STEVEN T. BRENNER, CCR  
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## I N D E X

February 12th, 2004  
 Commission Hearing  
 CASE NO. 13,100  
 (Awaiting final Commission Action -  
 No evidence or testimony taken)

	PAGE
ADOPTION OF JANUARY 15th, 2004, MINUTES	4
CASE NO. 13,100 (Awaiting final Commission Action - No evidence or testimony taken)	4
REPORTER'S CERTIFICATE	6

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## A P P E A R A N C E S

## FOR THE COMMISSION:

DAVID K. BROOKS, JR.  
 Assistant General Counsel  
 Energy, Minerals and Natural Resources Department  
 1220 South St. Francis Drive  
 Santa Fe, New Mexico 87505

\* \* \*

1           WHEREUPON, the following proceedings were had at  
2 9:03 a.m.:

3           CHAIRMAN WROTENBERY: Okay, it's shortly after  
4 9:00 a.m. We'll call this hearing of the Oil Conservation  
5 Commission to order. It's Thursday, February 12th. We're  
6 in Porter Hall in Santa Fe, New Mexico, for this regularly  
7 scheduled meeting of the Commission.

8           I'm Lori Wrotenbery, Director of the Oil  
9 Conservation Division, I serve as chair of the Oil  
10 Conservation Commission.

11           To my right is Commissioner Jami Bailey, she  
12 represents Land Commissioner Patrick Lyons on the Oil  
13 Conservation Commission.

14           To my left is Dr. Robert Lee. He serves on the  
15 Commission as a designee of the Secretary of the Energy,  
16 Minerals and Natural Resources Department.

17           We also have to my far right David Brooks, the  
18 Commission's counsel --

19           (Off the record)

20           CHAIRMAN WROTENBERY: We'll take a short break  
21 here.

22           (Thereupon, a recess was taken at 9:05 a.m.)

23           (The following proceedings had at 9:10 a.m.)

24           CHAIRMAN WROTENBERY: Okay, we'll go back on the  
25 record. I believe I was in the middle of introductions,

1 and Commissioner Bailey had to take an emergency call. But  
2 I'd also like to introduce Florene Davidson who serves as  
3 the Commission secretary, and then Steve Brenner will be  
4 recording these proceedings.

5 We have two very quick matters to start with.  
6 One is the minutes of the last Commission meeting on  
7 January 15th. Commissioner, have you had a chance to  
8 review those minutes?

9 COMMISSIONER BAILEY: Yes, I have, and I move we  
10 adopt them.

11 COMMISSIONER LEE: Second.

12 CHAIRMAN WROTENBERY: All in favor say aye.

13 COMMISSIONER BAILEY: Aye.

14 COMMISSIONER LEE: Aye.

15 CHAIRMAN WROTENBERY: Aye. And I'll sign those  
16 on behalf of the Commission. Thank you, Ms. Davidson.

17 \* \* \*

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19 CHAIRMAN WROTENBERY: And then we have one item,  
20 Case 13,100, the Application of Fruitland Coalbed Methane  
21 Study Committee to amend Rules 4 and 7 of Special Rules and  
22 Regulations for the Basin-Fruitland Coal (Gas) Pool in  
23 certain sections of San Juan County, New Mexico.

24 Mr. Brooks, I believe you were going to check  
25 with the parties on that matter and report back on the

1 status?

2 MR. BROOKS: Madame Chairman, Commissioners, Mr.  
3 Kendrick, who is the attorney for the Dugan interests in  
4 that litigation, has represented to me -- and Mr. Bruce,  
5 who represents them on coal is here in the room and can  
6 confirm it -- that the parties are still in negotiation,  
7 that they have not yet finalized their settlement  
8 agreement, but they still believe that they will, and  
9 they've requested that the matter be held in abeyance for  
10 another month.

11 MR. BRUCE: That's correct, madame Chair.

12 CHAIRMAN WROTENBERY: Okay. Any questions,  
13 Commissioners?

14 COMMISSIONER BAILEY: No.

15 CHAIRMAN WROTENBERY: Then we will continue that  
16 case to the next Commission docket.

17 (Thereupon, these proceedings were concluded at  
18 9:12 a.m.)

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## CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                                   )   ss.  
 COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Commission was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL February 12th, 2004.



STEVEN T. BRENNER  
 CCR No. 7

My commission expires: October 16th, 2006