

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:

APPLICATION OF NM&O OPERATING COMPANY TO RE-OPEN CASE NUMBER 15658 FOR COMPULSORY POOLING, RIO ARRIBA, NEW MEXICO. CASE NO. 15658

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

June 22, 2017

Santa Fe, New Mexico

BEFORE: MICHAEL McMILLAN, CHIEF EXAMINER
DAVID K. BROOKS, LEGAL EXAMINER

This matter came on for hearing before the New Mexico Oil Conservation Division, Michael McMillan, Chief Examiner, and David K. Brooks, Legal Examiner, on Thursday, June 22, 2017, at the New Mexico Energy, Minerals and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

REPORTED BY: Mary C. Hankins, CCR, RPR
New Mexico CCR #20
Paul Baca Professional Court Reporters
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APPEARANCES

FOR APPLICANT NM&O OPERATING COMPANY:

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1 (9:33 a.m.)

2 EXAMINER McMILLAN: So we are now going to
3 switch to Case Number 15658, application of NM&O
4 Operating Company to re-open Case Number 15658 for
5 compulsory pooling, Rio Arriba County, New Mexico.

6 Call for appearances.

7 MR. BRUCE: Mr. Examiner, Jim Bruce of
8 Santa Fe representing the Applicant. I have no
9 witnesses.

10 EXAMINER McMILLAN: Any other appearances?
11 Please proceed.

12 MR. BRUCE: This case was heard in, I
13 believe, May, and I trusted my client who gave me the
14 wrong well location. The case was heard, but certain
15 [sic] Examiner Brooks noticed that after the hearing and
16 requested that I re-open the case so that the
17 application would reflect the correct well location.
18 And so testimony has already been presented on the
19 efforts.

20 This case was applied merely for to obtain
21 the signatures of working interest owners on a
22 communitization agreement, which the BLM is requiring to
23 be filed on this well. Evidence was previously
24 testified. This was mainly for notice purposes, for the
25 correct well location. Submitted as Exhibit A is my

1 Affidavit of Notice to the various working interest
2 owners. I have not received a couple of the letters
3 back yet, specifically Hooper, Kimball & Williams and
4 Freeport-McMoRan. But I did publish notice in the "Rio
5 Grande Sun" one time. Now, I asked for them to publish
6 it on June 8th. They published it on June 15th. So the
7 case will have to be continued for two weeks just to
8 satisfy the publication requirements.

9 EXAMINER BROOKS: Consistently bad luck.

10 MR. BRUCE: Yeah (laughter).

11 And Exhibit C is simply -- this really
12 relates to the -- at the first hearing, actual notice
13 was received by all applicants, except Hooper, Kimball &
14 Williams. So Exhibit C would be the Affidavit of Notice
15 from the prior hearing showing that Hooper, Kimball &
16 Williams did receive actual notice. And it also shows
17 that in that case, all parties did receive actual
18 notice, even though I haven't gotten a couple of green
19 cards back on this one. Obviously, they've all received
20 actual or constructive knowledge.

21 And so with that, I would ask that Exhibits
22 A, B and C be admitted to the record and that the case
23 be continued two weeks for further notice requirements
24 and, at that time, be taken under advisement.

25 EXAMINER McMILLAN: Exhibits A, B and C

1 shall be accepted as part of the record.

2 (NM&O Operating Company Exhibit Letters A,
3 B and C are offered and admitted into
4 evidence.)

5 EXAMINER McMILLAN: Case Number 15658 shall
6 be continued until July the 6th.

7 (Case Number 15658 concludes, 9:36 a.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, Certified Court
6 Reporter, New Mexico Certified Court Reporter No. 20,
7 and Registered Professional Reporter, do hereby certify
8 that I reported the foregoing proceedings in
9 stenographic shorthand and that the foregoing pages are
10 a true and correct transcript of those proceedings that
11 were reduced to printed form by me to the best of my
12 ability.

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

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

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MARY C. HANKINS, CCR, RPR
Certified Court Reporter
New Mexico CCR No. 20
Date of CCR Expiration: 12/31/2017
Paul Baca Professional Court Reporters