

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: 21088, 21089

APPLICATION OF OXY USA INC.,
TO POOL AN ADDITIONAL WORKING INTEREST
OWNER UNDER THE TERMS OF ORDER NO. R-21021,
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

MARCH 5, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, EXAMINERS FELICIA ORTH KATHLEEN MURPHY, PHILLIP GOETZE on Thursday, March 5, 2020 at the New Mexico Energy, Minerals, and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

Reported by: Irene Delgado, NMCCR 253
PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

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1 A P P E A R A N C E S

2 For the Applicant:

3 JULIA BROGGI
4 HOLLAND & HART
5 110 North Guadalupe, Suite 1
6 Santa Fe, NM 87501
7 505-954-7286

8 I N D E X

9 CASE CALLED 03

10 SUMMARY OF CASE AND EXHIBITS 03

11 TAKEN UNDER ADVISEMENT 05

12 REPORTER CERTIFICATE 06

13

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

15 Admitted

16 All Exhibits and Attachments 05

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1 HEARING EXAMINER ORTH: Call next matters 21099
2 and 21089, Oxy USA, and these are applications to amend an
3 order, I believe, related to the Oxbow Well.

4 MS. BROGGI: Julia Broggi with Holland & Hart on
5 behalf of the applicant Oxy USA Inc. I only have three
6 copies. I will give you my copy at the end with the
7 Division.

8 We are presenting these consolidated cases by
9 affidavit, and it's a little different just that there's
10 been a compulsory pooling case, the Division has already
11 entered two orders in separate cases. Since then the
12 applicant discovered an additional mineral interest owner,
13 which was Apache Corporation.

14 So we submitted an affidavit from the landman as
15 Exhibit B and -- sorry -- as Exhibit C and then you will see
16 Exhibit B is an affidavit from myself showing that Apache
17 Corporation was provided notice of this hearing because
18 there was only one mineral interest owner that we are
19 seeking to pool, under those existing orders we did not
20 provide notice by publication.

21 HEARING EXAMINER ORTH: Okay.

22 MS. BROGGI: Unless you have any questions, we
23 would ask cases 22088 and 21089 be taken under advisement.

24 HEARING EXAMINER ORTH: Questions?

25 EXAMINER MURPHY: When was it first heard?

1 MS. BROGGI: I'm not sure when the underlying
2 cases were heard, but the orders are attached as Exhibit C-1
3 and C-2.

4 EXAMINER MURPHY: So you submitted the checklist
5 already?

6 MS. BROGGI: We already submitted a checklist, so
7 we didn't provide a new one. These orders were entered on
8 September 6, 2019. And we are just asking that Apache
9 Corporation be pooled under the terms of the two orders.

10 EXAMINER MURPHY: So it was heard in January and
11 the orders were --

12 MS. BROGGI: It says January 15 for both of those
13 cases, 20 --

14 EXAMINER MURPHY: And orders were issued when?

15 MS. BROGGI: I think it's the other way around.
16 The cases were heard September 6, 2019, and orders entered
17 January 15, 2020.

18 EXAMINER MURPHY: I was just getting ready to say
19 how timely we were, but I won't. Okay. Thank you, I have
20 no more questions.

21 HEARING EXAMINER ORTH: Thank you.

22 MS. BROGGI: We moved admission of the exhibits
23 and ask the cases be taken under advisement.

24 HEARING EXAMINER ORTH: Thank you. The exhibits
25 are admitted and matter taken under advisement.

1 (Exhibits and all attachments admitted.)

2 (Taken under advisement.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

5

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

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

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

19 Dated this 5th of March 2020.

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Irene Delgado, NMCCR 253
License Expires: 12-31-20

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