

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

IN THE MATTTTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

CASE NO. 20964

APPLICATION OF OVERFLOW ENERGY, LLC,
FOR APPROVAL OF A SALT WATER DISPOSAL
WELL, EDDY COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

THURSDAY, AUGUST 20, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the
New Mexico Oil Conservation Division, FELICIA ORTH Hearing
Examiner, and Technical Examiners SCOTT COX and DEAN
McCLURE on Thursday, August 20, 2020, Via Webex Video
conferencing

REPORTED BY: Mary Therese Macfarlane
New Mexico CCR 122
Paul Baca Professional Court Reporters
500 Fourth street NW, Suite 105
Albuquerque, New Mexico 87102
(505) 843-9241

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

2 FOR THE APPLICANT OVERFLOW ENERGY:

3 Sharon T. Shaheen, Esq.
4 Montgomery & Andrews
5 325 Paseo De Peralta
6 Santa Fe NM 87501
7 (505) 986-2678
8 sshaheen@montand.com

7 FOR MARATHON OIL:

8 Deana Bennett, Esq.
9 Modrall, Sperling
10 500 4th Street NW, Suite 1000
11 Albuquerque, NM 87102
12 (505) 848-1834
13 deana.bennett@modrall.com

13 I N D E X

14 CASE NUMBER 20964 CALLED PAGE

15 APPLICANT WITNESSES

16 (Note: No witnesses called.)

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

18 (Note: No exhibits marked.)

19
20
21
22
23
24
25

1 (Time noted 9:00 a.m.)

2 HEARING EXAMINER ORTH: Let's move, then, to
3 Case 20964. This is Overflow Energy. It's an application
4 for a salt water disposal well. The well name is Rita.

5 Ms. Shaheen, are you here for the
6 Applicant?

7 MS. SHAHEEN: Yes, I am.

8 HEARING EXAMINER ORTH: All right. Thank you.

9 Marathon Oil is another party. Ms.
10 Bennett, are you here?

11 MS. BENNETT: I am. Good morning, Madam
12 Examiner. This is Deana Bennett.

13 HEARING EXAMINER ORTH: All right. So you're
14 appearing instead of Ms. Bradfute here.

15 MS. BENNETT: I am. Thank you.

16 HEARING EXAMINER ORTH: And I have us down for a
17 status conference. Let me check for just a moment to see
18 if there are any other parties who would like to enter an
19 appearance. (Note: Pause.)

20 No. All right.

21 Ms. Shaheen, if you would, please.

22 MS. SHAHEEN: Thank you. This Application was
23 Previously heard in December and it's been reset to hear a
24 specific issue, so I'm thinking that it may not take a
25 whole day because it is limited to the one issue that was

1 previously raised by Marathon. And I've talked with my
2 clients about October/November and they were available in
3 those months, but I'm happy to take some December dates
4 back to them if that is all the Division has available at
5 this time.

6 HEARING EXAMINER ORTH: So November 5th, which
7 is the early hearing session in November would be
8 available for a partial-day hearing, because of course we
9 need to get through the regular hearings set before we
10 turn to a special hearing.

11 If you believe we could fit this in in what
12 is left of the day, we could set it on November 5th;
13 otherwise we would be moving into, let's see, December 3rd
14 or December 17.

15 MS. SHAHEEN: Madam Examiner, if our regular
16 hearings go the way they have been going, we're done at a
17 relatively -- you know, midmorning, I think that would be
18 fine. Ms. Bennett may have some other ideas about it.

19 MS. BENNETT: Thank you. I agree that the
20 hearing won't take a full day. The only thing I'm not
21 sure about right now is Marathon's availability for
22 November 5th, and so I've just emailed Marathon, or texted
23 them to see if that date works for them.

24 So if it's possible to provisionally hold
25 that date while I confirm with Marathon that they are

1 available that day, I think it would work for Marathon.

2 HEARING EXAMINER ORTH: All right.

3 So I'm going to tentatively put you there,
4 and if you would then please submit a Draft Scheduling
5 Order with either the November 5th date, if in fact
6 Marathon is available, or you have the December 5th date
7 if that's the next time you're both available.

8 MS. SHAHEEN: Thank you, Madam Examiner. I will
9 circulate a draft to Ms. Bennett and we will get that to
10 you as soon as we can.

11 HEARING EXAMINER ORTH: Thank you.

12 MS. BENNETT: Thank you both.

13 HEARING EXAMINER ORTH: Yeah. Thank you both.

14 (Note: Time noted 9:02 a.m.)

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO) .

2 : SS

3 COUNTY OF TAOS)

4

5 REPORTER'S CERTIFICATE

6 I, Mary Therese Macfarlane, New Mexico Certified
7 Court Reporter No. 122, do hereby certify that on
8 Thursday, August 20, 2020, the proceedings in the
9 above-captioned matter were taken before me; that I did
10 report in stenographic shorthand the proceedings set forth
11 herein, and the foregoing pages are a true and correct
12 transcription to the best of my ability and control.

13 I further certify that I am neither employed by
14 nor related to nor contracted with (unless excepted by the
15 rules) any of the parties or attorneys in this case, and
16 that I have no interest whatsoever in the final
17 disposition of this case in any court.

18

/s/ Mary Marfarlane

19

Mary Therese Macfarlane, CCR
NM Certified court Reporter No. 122
License Expires: 12/31/2020

20

21

22

23

24

25