

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 COLGATE OPERATING, LLC TO
POOL THE UNCOMMITTED INTERESTS OF RECORD
TITLE OWNERS UNDER THE TERMS OF ORDER NO. 21447
EDDY COUNTY, NEW MEXICO.

CASE NOS. 22566-22567

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
MARCH 3, 2022
SANTA FE, NEW MEXICO

This matter came on for virtual hearing before
the New Mexico Oil Conservation Division, HEARING OFFICER
WILLIAM BRANCARD and TECHNICAL EXAMINER DEAN McCLURE on
Thursday, March 3, 2022, through the Webex Platform.

Reported by: Irene Delgado, NMCCR 253
PAUL BACA PROFESSIONAL COURT REPORTERS
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Albuquerque, NM 87102
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A P P E A R A N C E S

For Colgate:

DANA HARDY
HINKLE SHANOR LLP
P.O. Box 0268
Santa Fe, NM 87504
505-982-4554

For Elliott Industries:

SCOTT S. MORGAN
CAVIN & INGRAM
P.O. Box 1216
Albuquerque, NM 87103

I N D E X

CASE CALLED	
SUMMARY OF CASE AND EXHIBITS	03
TAKEN UNDER ADVISEMENT	05
REPORTER CERTIFICATE	06

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

	Admitted
All Exhibits and Attachments	05

1 HEARING EXAMINER BRANCARD: Let's look at Case
2 22566, Number 46 on the worksheet. I don't know if you want
3 to combine this one with the following case. Colgate
4 Operating.

5 MS. HARDY: Yes, Mr. Examiner. Dana Hardy with
6 Hinkle Shanor on behalf of Colgate Operating, and I would
7 like to consolidate these two cases for hearing.

8 HEARING EXAMINER BRANCARD: So that would get us
9 to Case 22567, and let's look for Elliott Industries LP.

10 MR. MORGAN: Yes. Good morning, Mr. Examiner.
11 Scott Morgan with Cavin and Ingram for Elliott Industries.

12 HEARING EXAMINER BRANCARD: It is my
13 understanding that we had an objection to this case going
14 forward by affidavit, but it was withdrawn. Mr. Morgan?

15 MR. MORGAN: That is correct, Mr. Examiner. We
16 reached an agreement, I believe, in this case.

17 HEARING EXAMINER BRANCARD: So you are okay with
18 this case going forward by affidavit?

19 MR. MORGAN: We are -- we are really here to
20 preserve any rights that may be there and with the
21 understanding we had that this case applies only to the
22 pooling of the administrative record title of interest.

23 HEARING EXAMINER BRANCARD: Thank you. Are there
24 any other interested persons for Cases 22566, 22567?

25 (No audible response.)

1 HEARING EXAMINER BRANCARD: Hearing none, Ms.
2 Hardy, you may proceed.

3 MS. HARDY: Thank you. In Case 22566, Colgate
4 seeks to pool record title owners under the terms of Order
5 R-21446 which pools all uncommitted interest in the Scanlon
6 Draw Bone Spring Pool in the Bone Spring Formation in a 233
7 acre standard horizontal spacing unit comprised of the S/2
8 of the NW/4 equivalent of Irregular Section 18, Township 19
9 South, Range 29 East, and the S/2 of the N/2 of Section 13,
10 Township 19 South, Range 28 East in Eddy County.

11 In Case 22567 Colgate similarly seeks to pool
12 record title owners under the terms of Order R-21447 which
13 pools uncommitted interests in the same pool of the Scanlon
14 Draw Bone Spring Pool in a horizontal spacing unit comprised
15 of the N/2 of the NW/4 equivalent of Irregular Section 18,
16 Township 19 South, Range 29 East, and the N/2 of the N/2 of
17 Section 13, Township 19 South, Range 29 East -- 28 East.

18 In both cases we have provided the self-affirmed
19 statement of landman Mark Hadjick. Mr. Hadjick's exhibits
20 include a plat of the tracts in interest as Exhibit A-3, the
21 hearing notice letter and certified mail receipts are
22 included in Exhibit A-5, and an affidavit of publication is
23 provided as Exhibit A-6. And both of those notices, the
24 certified mail and our publication were timely under the
25 Division's rules.

1 With that, unless there are questions, I request
2 that the exhibits be admitted and cases be taken under
3 advisement.

4 HEARING EXAMINER BRANCARD: Thank you. Mr.
5 Morgan, any questions?

6 MR. MORGAN: No, no questions. Thank you, Mr.
7 Examiner.

8 HEARING EXAMINER BRANCARD: Mr. McClure?

9 TECHNICAL EXAMINER McCLURE: No, sir, I have no
10 questions on either of these cases.

11 HEARING EXAMINER BRANCARD: I don't believe that
12 I have any questions. So with that, are there any other
13 interested persons for Cases 22566, 22567?

14 (No audible response.)

15 HEARING EXAMINER BRANCARD: Hearing no further
16 interest, Cases 22566, 22567, the exhibits will be admitted
17 into the record and these cases will be taken under
18 advisement.

19 MS. HARDY: Thank you.

20 MR. MORGAN: Thank you.

21 (Exhibits admitted.)

22 (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 I, IRENE DELGADO, New Mexico Certified Court
6 Reporter, CCR 253, do hereby certify that I reported the
7 foregoing virtual proceedings in stenographic shorthand and
8 that the foregoing pages are a true and correct transcript
9 of those proceedings to the best of my ability.

10 I FURTHER CERTIFY that I am neither employed by
11 nor related to any of the parties or attorneys in this case
12 and that I have no interest in the final disposition of this
13 case.

14 I FURTHER CERTIFY that the Virtual Proceeding was
15 of extremely poor to good quality.

16 Dated this 3rd day of March 2022.

17

/s/ Irene Delgado

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Irene Delgado, NMCCR 253
License Expires: 12-31-22

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