

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 WHIPTAIL MIDSTREAM LLC  
FOR A HEARING ON REMEDIATION AND  
CLOSURE PLANS

Case No. 22782

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS  
EXAMINER HEARING  
June 2, 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  
HEARING OFFICER JOHN GARCIA on Thursday, June 2,  
2022, through the Webex Platform.

Reported by:                   PAUL BACA COURT REPORTERS  
500 4th Street, NW, Suite 105  
Albuquerque, New Mexico 87102  
505-843-9241

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A P P E A R A N C E S

For Whiptail Midstream LLC:

ABADIE & SCHILL PC  
555 Rivergage Lane, Suite B4-180  
Durango, Colorado 81301-7485  
970-385-4401  
BY: DARIN C. SAVAGE  
darin@abadieschill.com

For Oil Conservation Division:

NM ENERGY NATURAL MINERALS AND NATURAL  
RESOURCES  
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BY: JESSE TREMAINE  
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I N D E X

PAGE

CASE CALLED

STATUS CONFERENCE

CERTIFICATE OF REPORTER

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1 HEARING OFFICER BRANCARD: Okay. We're on  
2 Item 25, Case 22782. Is that Whiptail Midstream or  
3 Whipstream Midtail?

4 MR. SAVAGE: Whiptail Midstream. Darin  
5 Savage with Aadie & Schill on behalf of Whiptail  
6 Midstream, LLC.

7 HEARING OFFICER BRANCARD: We have an  
8 entry of appearance in the Oil Conservation  
9 Division. Is Mr. Tremaine on?

10 MR. TREMAINE: Yes, Mr. Hearing Examiner.  
11 This is Jesse Tremaine for the OCD.

12 HEARING OFFICER BRANCARD: Mr. Tremaine,  
13 you are a little soft.

14 MR. TREMAINE: Is that better?

15 HEARING OFFICER BRANCARD: That's better.

16 The parties want to have time to talk  
17 about this and just want to stay that hearing, so  
18 what shall we do? Shall we set up a status  
19 conference? I don't want to lose touch with these  
20 cases while you're talking so I would like to have a  
21 time for you all to check back in with us.

22 Mr. Savage, any thoughts on when to check  
23 back in?

24 MR. SAVAGE: That's a -- status conference  
25 sounds appropriate. Mr. Tremaine is working, as I

1 understand it, and is working on a response to our  
2 application, so he may have a better idea. We would  
3 like some time to preview the response and maybe  
4 respond to it as well. But we're hoping this thing  
5 can get resolved.

6 HEARING OFFICER BRANCARD: Mr. Tremaine?

7 MR. TREMAINE: That's correct, Mr. -- yes,  
8 a status conference I think is appropriate.

9 The OCD is working on an internal response  
10 that, I hope, is going to address what (audio cut  
11 out) concerns and make the way for relatively quick  
12 resolution of this. But it's not -- I haven't been  
13 able to share that response with Mr. Savage yet.

14 HEARING OFFICER BRANCARD: Why don't we  
15 have a status conference on August 4th? All right?  
16 If you manage to resolve all this and dismiss the  
17 application in the meantime, that's perfectly fine.

18 MR. SAVAGE: Thank you, Mr. Examiner.

19 (Matter concluded.)  
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REPORTER'S CERTIFICATE

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I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Date: June 2, 2022

/s/ Edwina Castillo

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EDWINA CASTILLO, RPR, CCR  
Certified Court Reporter #407  
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