

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

APPLICATION OF SPUR ENERGY DE NOVO CASE 22309
PARTNERS, LLC FOR COMPULSORY ORDER R-21575
POOLING EDDY COUNTY, NEW MEXICO (OCD CASE 21629)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
REGULARLY SCHEDULED COMMISSION HEARING
THURSDAY, JUNE 9, 2022

OIL CONSERVATION COMMISSION:

Adrienne Sandoval: Commission Chair
Greg Bloom: Commissioner (State Land Office)
William Ampomah: Commissioner (NM Energy Dept.)
Florene Davidson: Commission Clerk
Chris Moander Esq.: Commission Counsel

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 (Time noted 10:12 a.m.)

2 COMMISSION CHAIR SANDOVAL: All right.

3 Were you going to say something, Mr.
4 Moander?

5 MR. MOANDER: I was actually assuming you call
6 the next case, 22309 -- I don't actually see any
7 counsel with us today, but I've got a few things I want to
8 address once we get to that.

9 COMMISSION CHAIR SANDOVAL: Go ahead. I don't
10 see any of the counsel, either.

11 MR. MOANDER: So, Madam Chair, there was some
12 confusion. And I talked to a variety of attorneys on
13 this.

14 So Longfellow submitted an Unopposed
15 Request for Dismissal, and upon a more detailed reading
16 and discussion with multiple attorneys about this Request
17 for Dismissal -- the way I actually read it is not how the
18 parties are seeing -- or at least one of the parties I
19 think are seeing it.

20 It's an attempt to dismiss the underlying
21 Division application in this case, which would effectively
22 obliterate the Division Order and negate any basis for
23 this appeal. I am not convinced that that is appropriate
24 here.

25 There was no response filed to this, but

1 what I think is more important is that the counsel for
2 Spur filed a motion to continue that was not opposed. And
3 so that was filed, I think less than two days ago, or
4 around two days ago, so it's not in the system yet.

5 My suggestion on this is that the
6 Commission grant the continuance and deny the dismissal,
7 because the Commission has not ruled on that dismissal.

8 Well, I guess to put that in proper order:
9 The Commission denies the Request for Dismissal, grant the
10 motion to continue, and set this for July, and get a
11 status conference.

12 COMMISSION CHAIR SANDOVAL: Should we get a
13 status conference in July or should we hear the case?

14 MR. MOANDER: Well, that's up to you, actually,
15 because I'm always -- my thoughts on this is it might be
16 useful to the Commission to get a handle on what's going
17 on, considering the unorthodox effort to try to dismiss a
18 Division application at the Commission level.

19 But if the Commission wants to proceed to
20 hearing it's certainly within your purview to do so.

21 COMMISSION CHAIR SANDOVAL: I think denying the
22 dismissal makes sense, and setting it for July does, as
23 well. I guess the decision point is -- well, if the other
24 commissioners agree, the decision point would be whether
25 or not they come in for a status conference or we schedule

1 the hearing.

2 I'm concerned that if we schedule the
3 hearing they are just going to continue it or try again.

4 MR. MOANDER: Madam Chair, I appreciate the
5 desire to push some of these to hearing, but I do think
6 that a status conference to get a sense of whether the
7 parties are going to need scheduling to make sure all the
8 witnesses could be there, especially if there's going to
9 be a need for consecutive days of hearing, which some of
10 these, thus far in this year, seem to -- the cases seem to
11 go into Day 2.

12 COMMISSION CHAIR SANDOVAL: Okay.

13 All right. So in de novo Case No. 22309
14 Application of Spur Energy Partners for Compulsory
15 Pooling, is there a motion to deny their motion for
16 dismissal and continue the case to July, and set a status
17 conference for the regularly scheduled OCC in July?

18 It looks like you're talking, Commissioner
19 Bloom, but you're muted.

20 COMMISSIONER BLOOM: Madam Chair, I so move.

21 COMMISSIONER AMPOMAH: Madam Chair, I second.

22 COMMISSION CHAIR SANDOVAL: Mr. Moander, would
23 you do you a roll call vote, please.

24 MR. MOANDER: Happily.

25 Dr. Ampomah?

1 COMMISSIONER AMPOMAH: Approved.

2 MR. MOANDER: Commissioner Bloom?

3 COMMISSIONER BLOOM: Approved.

4 MR. MOANDER: Madam Chair.

5 COMMISSION CHAIR SANDOVAL: Approved.

6 MR. MOANDER: The motion carries.

7 COMMISSION CHAIR SANDOVAL: Okay.

8 Is there any update on pending litigation?

9 MR. MOANDER: Madam Chair, I'm going to suggest
10 doing a quick vote on the motion to continue. Even though
11 you've got scheduling lined, up let's tie off that motion.

12 COMMISSION CHAIR SANDOVAL: Okay.

13 Is there a motion to approve the motion to
14 continue until the July regularly scheduled hearing, where
15 we will set a status conference.

16 COMMISSIONER BLOOM: Madam Chair, I so move.

17 COMMISSIONER AMPOMAH: Madam Chair, I second.

18 COMMISSION CHAIR SANDOVAL: Would you do a
19 recall call vote, please.

20 MR. MOANDER: Yes, Madam Chair.

21 Dr. Ampomah.

22 COMMISSIONER AMPOMAH: Approved.

23 MR. MOANDER: Commissioner Bloom.

24 COMMISSIONER BLOOM: Approved.

25 MR. MOANDER: Madam Chair.

1 COMMISSION CHAIR SANDOVAL: Approved.

2 MR. MOANDER: The motion carries, and per prior
3 discussion this matter will be set for status conference
4 in July.

5 (Time noted 10:15 a.m.)

6

7

8

9

10

11

12

13

14

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 Reporter
7 CCR No. 122, DO HEREBY CERTIFY that on Thursday, June 9,
8 2022, the proceedings in the above-captioned matter were
9 taken before me; that I did report in stenographic
10 shorthand the proceedings set forth herein, and the
11 foregoing pages are a true and correct transcription to
12 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
19 /S/CCR/Mary Therese Macfarlane_____

20 MARY THERESE MACFARLANE, CCR
21 NM Certified Court Reporter No. 122
License Expires: 12/31/2022

22
23
24
25