1	STATE OF NEW MEXICO
2	ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT
3	OIL CONSERVATION DIVISION
4	
5	IN THE MATTER OF THE HEARING CALLED
	BY THE OIL CONSERVATION DIVISION FOR
6	THE PURPOSE OF CONSIDERING:
7	APPLICATION OF ENDURING RESOURCES,
	LLC TO CONTRACT THE BASIN MANCOS
8	POOL FROM THE PROPOSED HAYNES
	CANYON UNIT AREA AND EXPAND THE
9	COUNSELORS GALLUP-DAKOTA POOL TO
	THE INTERIOR BOUNDARY OF THE
10	PROPOSED HAYNES CANYON UNIT AREA,
	RIO ARRIBA COUNTY, NEW MEXICO.
11	
	CASE NO. 22899
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17	REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
	EXAMINER HEARING
18	AUGUST 4, 2022
	SANTA FE, NEW MEXICO
19	
20	This matter came on for virtual hearing before
	the New Mexico Oil Conservation Division, HEARING OFFICER
21	WILLIAM BRANCARD and TECHNICAL EXAMINER JOHN GARCIA on
	Thursday, August 4, 2022, through the Webex Platform.
22	
23	Reported by: PAUL BACA PROFESSIONAL COURT REPORTERS
	500 Fourth Street, NW, Suite 105
24	Albuquerque, NM 87102
	505-843-9241
25	
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1	APPEARANCES	
2	For the Applicant:	
3	ADAM RANKIN	
	HOLLAND & HART	
4	110 North Guadalupe, Suite 1	
	Santa Fe, NM 87501	
5	505-954-7286	
6		
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1	HEARING EXAMINER BRANCARD: Let's try to get the
2	last one done here then. I hope you are still okay,
3	Mr. Baca.
4	MR. BACA: We are okay.
5	HEARING EXAMINER BRANCARD: And this would be
6	case number 22899, Enduring Resources.
7	MR. RANKIN: Mr. Examiner, good afternoon, Adam
8	Rankin appearing on behalf of the applicant in this case,
9	Enduring Resources with the Santa Fe office of Holland &
10	Hart.
11	HEARING EXAMINER BRANCARD: Okay. You are okay,
12	
	Mr. Rankin? Your voice seems a little scratchy today.
13	MR. RANKIN: I am recovering from whatever took
14	me out, and I'm working my way back.
15	HEARING EXAMINER BRANCARD: All right. Are there
16	any other interested persons for case 22899?
17	(No audible response.)
18	HEARING EXAMINER BRANCARD: Hearing none, please
19	proceed, Mr. Rankin.
20	MR. RANKIN: Thank you, Mr. Examiner. This is a
21	case in which the applicant, Enduring Resources, is seeking,
22	at the behest of the district office, to contract pools that
23	are located within its proposed voluntary unit, the proposed
24	Haynes Canyon Unit, that was heard by the Division
25	previously at hearing, and to expand the Counselors

1	Gallup-Dakota pool to the interior boundary of the proposed
2	Haynes Canyon unit area.
3	We filed on Tuesday a set of exhibits that
4	reflects the applicant's request, Exhibits A through D.
5	Exhibit A is a copy of the application that was
6	filed with the case which reviews the unit area that is
7	proposed and was subject to case number 22854 which was
8	presented to the Division on June 2.
9	The application identifies the unit area and the
10	request to contract pools from outside of that unit area and
11	to expand the Counselors Gallup-Dakota pool, which is the
12	pool that was identified by the district office. They would
13	like to have the assigned pool for the unit area.
14	Exhibit B is the self-affirmed statement of
15	Enduring's landman. This is a Anita Ashland, and she has
16	previously testified before the Division and she is the
17	landman that's responsible for the formation in the proposed
18	unit and testified at the June 2nd hearing throughout the
19	day.
20	Enduring, she reflects, requested an order that
21	would contract, in this case, the Basin Mancos Pool, which
22	is pool code 97232 from outside of the proposed unit area
23	which is reflected in her self-affirmed statement, and to
24	expand the Counselors Gallup-Dakota pool, which is pool code
25	13379, to the interior boundary of the proposed Haynes

Τ	Canyon unit area so there would be only one designated pool
2	within the unit area that would be applicable to the
3	unitized formation.
4	Attached to her self-affirmed statement is a
5	general location map that just kind orients the Division to
6	the area of the unit.
7	Unit B-2 is a plat that depicts the unit acreage
8	in the area as part of the proposed unit agreement. That
9	plat identifies the unit boundary in the area within which
L O	the Counselors pool would be expanded to that unit boundary.
11	The purpose for doing so is, number one, Enduring
12	was requested to bring this application by the district
13	office to effect this pool change, number one. Number two,
L <b>4</b>	so that there would be only one pool in the unit area which
15	would accommodate administrative efficiency so that we don't
16	have more than one pool assigned to wells within the unit
L 7	area.
18	Exhibit C is a copy of the affidavit prepared by
19	me giving notice to affected parties within one mile of the
20	unit boundary to let them know that Enduring is proposing a
21	change to the unit rather the pool, pools designated
22	within the unit area.
23	Exhibit D is a copy of the sorry within
24	that affidavit you will see a copy of the letter that was
25	sent out to the affected parties, as well as a list of the
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1	status of the certified letters that went out to each of
2	those parties.
3	We did send out a supplemental notice to the
4	parties to make sure everyone within that one mile area did
5	get notice, and that's why there are two letters with
6	different dates.
7	Finally in Exhibit D is a copy of an affidavit of
8	publication reflecting that we gave notice as well of this
9	application hearing in the Rio Grande Sun which is the
L O	county within which the unit is located.
11	With that, Mr. Examiner, I think we would ask
12	that the case be taken under advisement and that Exhibits A
13	through D and their attachments be accepted into the record.
L <b>4</b>	I'm happy to try to address any questions that the Division
15	may have.
16	HEARING EXAMINER BRANCARD: Thank you.
L 7	Mr. Garcia, questions?
18	TECHNICAL EXAMINER GARCIA: I'm assuming because
19	it's units, there is no wells in this acreage, is there?
20	MR. RANKIN: I believe that's true, although I
21	don't know 100 percent. Ms. Ashland is on. There may be
22	some APDs that were filed. She and I talked a little bit
23	about this and I do have her here to address that issue.
24	So with that, I may ask her, if she is available,
25	to answer that question for you, Mr. Garcia.

1	TECHNICAL EXAMINER GARCIA: The reason I ask is
2	that, you know, basically when we change pools around
3	existing wells in that pool, we have to make sure, can
4	district offices move the operators, and obviously you did
5	all the paperwork for this hearing, that's why I'm asking.
6	MR. RANKIN: Yeah, my understanding is that, you
7	know, because it's limited to the unit area, I believe
8	Enduring was the only operator impacted. But Ms. Ashland is
9	on, and she may be able to answer the question whether or
10	not there are wells that require, you know, changing the
11	pool designation.
12	TECHNICAL EXAMINER GARCIA: If we don't mind, I
13	guess, Mr. Brancard, just so I can make sure the district
14	office stays included with any change of plans they have to
15	do for other wells or operators if needed.
16	HEARING EXAMINER BRANCARD: Ms. Ashland, are you
17	available.
18	MS. ASHLAND: Yes, I am.
19	HEARING EXAMINER BRANCARD: Raise your right
20	hand. Do you solemnly swear the testimony you are about to
21	give is the truth and nothing but the truth?
22	MS. ASHLAND: Yes, I do.
23	HEARING EXAMINER BRANCARD: Please identify
24	yourself and your position.
25	MS. ASHLAND: My name is Anita Ashland. I'm the
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1	senior landman with Enduring Resources LLC.
2	HEARING EXAMINER BRANCARD: Did you understand
3	the question from Mr. Garcia?
4	MS. ASHLAND: I did. There are no other wells in
5	the Mancos formation within the boundaries of the unit.
6	TECHNICAL EXAMINER GARCIA: Okay. That makes
7	life a lot easier. We can go on through and we'll get back
8	to you. And I think just logical questions covering the
9	unit, we are only expanding it? We are not taking away from
10	any other sections of that pool, we're just expanding it to
11	cover the unit?
12	MS. ASHLAND: That's correct.
13	TECHNICAL EXAMINER GARCIA: I believe that's all
14	my questions, Mr. Brancard.
15	HEARING EXAMINER BRANCARD: Thank you. Are both
16	of these pools in the unit right now, proposed unit?
17	MS. ASHLAND: Yes, they, they both cover portions
18	of the unit.
19	HEARING EXAMINER BRANCARD: Okay, thank you. And
20	I did have a question for you, Mr. Rankin. Are you aware of
21	Division orders that establish these the outlines of
22	these pools? In other words, we need to amend the existing
23	Division orders to do this.
24	MR. RANKIN: I let me think about that. I
25	don't believe I have. I haven't fully researched it.

1	Fortunately I'm not a keeper of the pools or the boundaries,
2	so I don't know.
3	HEARING EXAMINER BRANCARD? We can look it up, I
4	was just hoping you did the work.
5	MR. RANKIN: I don't know the answer to the
6	question, Mr. Examiner, but I imagine there probably are
7	nomenclature orders, I suppose, although I know sometimes
8	the Division has done it without hearing orders, so I don't
9	know for certain off the top of my head.
L O	HEARING EXAMINER BRANCARD: Okay. So just, I
11	mean, just for the record then, in coming up with an order
12	we may come up with an order that's an amendment to an
13	existing pool order, or two existing pool orders for two
14	pools.
15	MR. RANKIN: I understand that. That would make
16	sense if those orders exist.
L 7	HEARING EXAMINER BRANCARD: Just so you are
18	clear, that's where we may go with this. And I assume this
19	is sort of a package that goes with our blessing for your
20	unit, for the Haynes Canyon Unit?
21	MR. RANKIN: Yeah, we understand that we are
22	requesting they be separate applications for approval of the
23	unit, number one, and then separately, file a separate
24	application to address the pools.
25	HEARING EXAMINER BRANCARD: Okay. But hopefully

1	we will issue that all in together. All right.
2	MR. RANKIN: That would make sense.
3	TECHNICAL EXAMINER GARCIA: Mr. Brancard, the
4	pool, it would be preferable to keep the pool expansion
5	separate, because other operators have the ability to expand
6	the pool, too. (Unclear audio.)
7	HEARING EXAMINER BRANCARD: I agree, I think
8	there will be separate orders, I'm just trying to get them
9	out at the same time.
L O	TECHNICAL EXAMINER GARCIA: Okay. Making sure.
11	You scared me.
12	HEARING EXAMINER BRANCARD: Okay. Anything else,
13	Mr. Rankin?
14	MR. RANKIN: No, I don't think so. I appreciate
15	the consideration, and yeah, appreciate the attention to the
16	orders so that Enduring can proceed.
L 7	HEARING EXAMINER BRANCARD: All right. And you
18	know, we have people who know more about units who will be
19	working on the orders, so they may reach out and ask, ask
20	some questions.
21	MR. RANKIN: Yeah, if anything comes up, we are
22	happy to address it.
23	HEARING EXAMINER BRANCARD: With that, anybody
24	else who has comment on case 22899?
25	(No audible response.)

1	HEARING EXAMINER BRANCARD: Hearing none, the
2	exhibits will be admitted into the record and case 22899
3	will be taken under advisement. Mr. Garcia, have we asked
4	for any information here?
5	TECHNICAL EXAMINER GARCIA: I don't believe so.
6	HEARING EXAMINER BRANCARD: I'm losing track
7	here. All right. I think we are done with case 22899, and
8	I think we are done with today's agenda.
9	Thank you everyone for hanging in there, and
10	thank you to the court reporter. Everyone have a great day.
11	(Exhibits admitted.)
12	(Taken under advisement.)
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1	STATE OF NEW MEXICO
2	COUNTY OF BERNALILLO
3	REPORTER'S CERTIFICATE
4	I do hereby certify that I reported the
5	foregoing virtual proceedings in stenographic shorthand and
6	that the foregoing pages are a true and correct transcript
7	of those proceedings to the best of my ability.
8	I FURTHER CERTIFY that I am neither employed by
9	nor related to any of the parties or attorneys in this case
10	and that I have no interest in the final disposition of this
11	case.
12	I FURTHER CERTIFY that the Virtual Proceeding was
13	of poor to reasonable quality.
14	Dated this 4th day of August 2022.
15	
16	Irene Delgado
	Court Reporter
17	License Expires: 12-31-22
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