

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

CASE NO. 13,351 (Continued)

2005 FEB 17 AM 8 59

CONTINUED CASE
TRANSCRIPT OF PROCEEDINGS

BEFORE: MARK E. FESMIRE, CHAIRMAN
JAMI BAILEY, COMMISSIONER
FRANK T. CHAVEZ, COMMISSIONER

ORIGINAL

February 10th, 2005

Santa Fe, New Mexico

This matter came on for hearing before the Oil Conservation Commission, MARK E. FESMIRE, Chairman, on Thursday, February 10th, 2005, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

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I N D E X

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A P P E A R A N C E S

FOR THE COMMISSION:

DAVID K. BROOKS, JR.
 Assistant General Counsel
 Energy, Minerals and Natural Resources Department
 1220 South St. Francis Drive
 Santa Fe, New Mexico 87505

* * *

1 WHEREUPON, the following proceedings were had at
2 9:00 a.m.:

3 CHAIRMAN FESMIRE: Good morning, at this time
4 we'll call the February meeting of the New Mexico Oil
5 Conservation Commission to order.

6 The first thing we need to do is note that it's
7 nine a.m., February 10th, 2005. The location of the
8 meeting is Porter Hall, in the Oil Conservation Division
9 office, in Santa Fe, New Mexico.

10 My name is Mark Fesmire.

11 To my right is Commissioner Jami Bailey.
12 Commissioner Bailey is the designee of the Commissioner of
13 State Lands, Mr. Patrick Lyons.

14 To my left is Mr. Frank Chavez. Mr. Chavez is
15 the not-quite-former OCD Supervisor in Aztec and the
16 appointee of New Mexico Energy, Minerals and Natural
17 Resources Department Secretary, Joanna Prukop.

18 To Mr. Chavez's left is David Brooks. Mr. Brooks
19 is the Commission counsel.

20 To Commissioner Bailey's right is Florene
21 Davidson. Ms. Davidson is the Commission Secretary.

22 And Mr. Steve Brenner is the court reporter
23 today, as in every other day that I've been around.

24 Let the record reflect that all Commissioners or
25 their deisngees are present.

1 * * *

2
3 CHAIRMAN FESMIRE: And the first matter of
4 business is the adoption of the minutes of the meeting held
5 January 13th, 2005.

6 Have the Commissioners had the opportunity to
7 review the minutes?

8 COMMISSIONER BAILEY: Yes, I have, and I move
9 that we adopt them.

10 CHAIRMAN FESMIRE: Commissioner Chavez?

11 COMMISSIONER CHAVEZ: I second the motion.

12 CHAIRMAN FESMIRE: The motion having been made
13 and seconded, all those in favor signify by saying aye.

14 COMMISSIONER BAILEY: Aye.

15 COMMISSIONER CHAVEZ: Aye.

16 CHAIRMAN FESMIRE: All those opposed?

17 The minutes of the January 13th, 2005, meeting
18 are hereby adopted by the Commission. At this time we'll
19 sign the minutes.

20 Let the record reflect that the minutes have been
21 signed and are hereby transmitted to Secretary Davidson.

22 * * *

23
24 CHAIRMAN FESMIRE: The first case on the docket
25 is Cause Number 13,351. It's the Application of Edge

1 Petroleum Exploration Company to restrict the effect of the
2 special rules and regulations for the Dos Hermanos-Morrow
3 Gas Pool, Eddy County, New Mexico.

4 On application of the Applicant, they have asked
5 that this case be continued to the March 8th, 2005,
6 Commission meeting. That Application was granted, and this
7 case will be continued to the March Commission meeting.

8 * * *

9
10 CHAIRMAN FESMIRE: The next item on the agenda,
11 we should probably address the report of the committee that
12 was organized and empowered by the Commission to look into
13 rules and procedures for the Commission and the Oil
14 Conservation Division.

15 At this time I'll ask Counsel Brooks to address
16 that for us.

17 MR. BROOKS: Yes, Mr. Chairman, honorable
18 Commissioners. The committee has been unable to assemble
19 in preparation for this hearing; various members' schedules
20 have not jibed so that we could get a meeting together. So
21 we are not in a position to make a final report at this
22 time and request that that matter be deferred until the
23 March 8th hearing.

24 CHAIRMAN FESMIRE: The Chair sees no reason why
25 it shouldn't be deferred to the March meeting. Is there

1 any objection from the Commissioners?

2 COMMISSIONER BAILEY: No.

3 COMMISSIONER CHAVEZ: No objection.

4 CHAIRMAN FESMIRE: Okay. We will take Counsel
5 Brooks' suggestion and postpone that report to the March
6 meeting.

7 (Thereupon, these proceedings were concluded at
8 9:05 a.m.)

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CERTIFICATE OF REPORTER

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Commission was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL February 10th, 2005.



STEVEN T. BRENNER
CCR No. 7

My commission expires: October 16th, 2006