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REPORTER'S TRANSCRIPT OF PROCEEDINGS
PRE-HEARING TRANSCRIPT

ORIGINAL

BEFORE: RICHARD EZEANYIM, CHIEF EXAMINER
DAVID K. BROOKS, LEGAL EXAMINER
PHILLIP GOETZE, TECHNICAL EXAMINER

February 21, 2013
Santa Fe, New Mexico

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MAY 9 2013

This matter came on for hearing before the New Mexico Oil Conservation Division, Richard Ezeanyim, Chief Examiner, and David K. Brooks, Legal Examiner, and Phillip Goetze, Technical Examiner, on Thursday, February 21, 2013, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

REPORTED BY: Mary C. Hankins, CCR, RPR
New Mexico CCR #20
Paul Baca Professional Court Reporters
500 4th Street, Northwest, Suite 105
Albuquerque, New Mexico 87102

1 (8:18 a.m.)

2 EXAMINER EZEANYIM: Good morning,
3 everybody. I will call this hearing to order.

4 Before we proceed, I have to do some little
5 introductions. Of course, everybody knows our legal
6 examiner, Mr. David Brooks. My name is Richard
7 Ezeanyim. And we have a new hearing examiner, actually
8 a technical examiner. His name is Phillip Goetze. He
9 joined us about two weeks ago. So he's going to be
10 conducting the hearings as soon as we get him
11 up-to-date.

12 Now, a couple of announcements. The reason
13 I wanted to say this is that I get calls all the time.
14 If we continue a case by the Division's volition, that
15 we decided to continue a case for one reason or another,
16 it doesn't count against the operator in lieu of the
17 three continuances, you know, the policy that we have.
18 So let's say the OCD, for one reason or the other,
19 continues a case. It won't count against that operator
20 who is the applicant or the operator. I don't know how
21 that works. But as you know, we have a
22 three-continuances policy. After three continuances,
23 the case is dismissed without prejudice, according to
24 the lawyers, and they can, you know, re-apply. So, you
25 know, unless it's really -- because you wanted to hear

1 the case, but we continued it for one reason or the
2 other. So I hope I don't get those calls anymore. When
3 somebody says, If you continue a case, will it count
4 against me, the answer is no.

5 Now, again, when I go through these cases,
6 the operator may mention the formation... For example --
7 take, for example, the Glorieta Formation. Can you
8 imagine how many pools are in there? There are a lot of
9 pools in the Glorieta-Yeso Formation, or the Bone Spring
10 Formation or whatever formation you are talking about.
11 So the point I'm making is, try to give the name of the
12 particular pool you are talking about, because sometimes
13 I want to look at that pool to see if it has a special
14 pool rule, or if it is a temporary pool. But when you
15 mention the Yeso Formation, it is important for me to
16 see which pool you are producing from, and if I don't
17 see it, you know, it may not help me to get ready for
18 what's going on, to find out whether that pool has a
19 special pool rule I can look at and see what you are
20 asking or if it depends on the statewide rules, too.

21 I mean, I'm pleading to you guys to try to
22 specify which pool, especially in these compulsory
23 pooling orders. If you have your pool, "the Yeso
24 Formation," or the pools, a particular pool, you can
25 include the pool code, if necessary. If not, I can find

1 it for you. But if you give me the particular pool, we
2 will really appreciate it, in your advertisement, in
3 your applications and everything that we read before we
4 come to the hearing.

5 Now we are going to go to the docket today.
6 It's going to be a simple docket, as you can see. And
7 for today, February 21st, 8:15 a.m. in the morning, I am
8 going to call Docket Number 7-13. First off, I'll read
9 off all the continuances and dismissals and get them out
10 of the way, of course.

11 We start with page 1. Case Number 14956 is
12 continued to March 7th. Case Number 14957 is continued
13 to March 7th.

14 Page 2. Case Number 14959 is continued to
15 March 7th.

16 I think Case Number 14937 had three
17 continuances, and lately, I think, it was canceled for
18 the applicant, dismissed it. So if he didn't dismiss
19 it, we could have dismissed it without prejudice
20 according to the three-continuances policy. So Case
21 Number 14937 is dismissed.

22 On page 3, Case Number 14948 is continued
23 to March 19th.

24 If you notice, March 19th is not a Division
25 hearing. This case has been moved to the Commission

1 hearing because of the nature of the case, and the
2 director decided to move it directly to the Commission.
3 So this case, Case Number 14948, will be continued to
4 the March 19th Commission hearing.

5 Those are the all the dismissals and
6 continuances at this point.

7 (Proceedings conclude, 8:23 a.m.)

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I do hereby certify that the foregoing is
a complete record of the proceedings in
the above hearing of Case No. _____
heard by me on _____

_____, Examiner
Oil Conservation Division

1 STATE OF NEW MEXICO

2 COUNTY OF BERNALILLO

3

4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, New Mexico Certified

6 Court Reporter No. 20, and Registered Professional

7 Reporter, do hereby certify that I reported the

8 foregoing proceedings in stenographic shorthand and that

9 the foregoing pages are a true and correct transcript of

10 those proceedings that were reduced to printed form by

11 me to the best of my ability.

12 I FURTHER CERTIFY that the Reporter's

13 Record of the proceedings truly and accurately reflects

14 the exhibits, if any, offered by the respective parties.

15 I FURTHER CERTIFY that I am neither

16 employed by nor related to any of the parties or

17 attorneys in this case and that I have no interest in

18 the final disposition of this case.

19

Mary C. Hankins

20

MARY C. HANKINS, CCR, RPR

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Paul Baca Court Reporters

New Mexico CCR No. 20

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Date of CCR Expiration: 12/31/2013.

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