

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:

ORIGINAL

CASE 15375  
(cont'd from  
9/17/15)

APPLICATION OF WPX ENERGY PRODUCTION, LLC, FOR  
APPROVAL OF THE KIMBETO WASH UNIT; CREATION OF A NEW  
POOL FOR HORIZONTAL DEVELOPMENT WITHIN THE UNIT  
AREA, AND FOR ALLOWANCE OF 330 FOOT SETBACKS FROM THE  
EXTERIOR OF THE PROPOSED UNIT, SAN JUAN COUNTY, NEW  
MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

October 1, 2015

Santa Fe, New Mexico

BEFORE: WILLIAM V. JONES, CHIEF EXAMINER  
MICHAEL McMILLAN, EXAMINER  
GABRIEL WADE, LEGAL EXAMINER

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This matter came on for hearing before the  
New Mexico Oil Conservation Division, William V. Jones,  
Chief Examiner, Michael McMillan, Examiner, and Gabriel  
Wade, Legal Examiner, on October 1, 2015, at the New  
Mexico Energy, Minerals, and Natural Resources  
Department, Wendell Chino Building, 1220 South St.  
Francis Drive, Porter Hall, Room 102, Santa Fe, New  
Mexico.

REPORTED BY: ELLEN H. ALLANIC  
NEW MEXICO CCR 100  
CALIFORNIA CSR 8670  
PAUL BACA COURT REPORTERS  
500 Fourth Street, NW  
Suite 105  
Albuquerque, New Mexico 87102

A P P E A R A N C E S

For the Applicant

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I N D E X

CASE NUMBER 15375 CALLED  
WPX ENERGY PRODUCTION, LLC,

Reporter's Certificate

PAGE  
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E X H I B I T   I N D E X

Exhibits Offered

WPX ENERGY PRODUCTION, LLC EXHIBIT 10

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1 (Time noted 8:50 a.m.)

2 EXAMINER JONES: Next case is 15375. Let's  
3 call 15375 which was continued from September 17th.

4 It is Application of WPX Energy Production,  
5 LLC, For Approval of the Kimbeto Wash Unit; Creation of  
6 a New Pool For Horizontal Development Within The Unit  
7 Area, and For Allowance of 330 Foot Setbacks from the  
8 Exterior of the Proposed Unit, San Juan County, New  
9 Mexico.

10 Call for appearances.

11 MR. FELDEWERT: Mr. Examiner, Michael  
12 Feldewert with the Santa Fe Office of Holland and Hart.  
13 I have no witnesses here today. I do have one  
14 additional exhibit. If I may approach.

15 EXAMINER JONES: Yes, sir.

16 Any other appearances?

17 (No response.)

18 MR. FELDEWERT: Mr. Examiner, this case was  
19 submitted on September 17th, the last hearing. And at  
20 this time two witnesses were presented and a total of  
21 nine exhibits were entered into the record.

22 The case was continued to allow notice of  
23 publication in a newspaper of this application and the  
24 hearing. We were able to publish in the Durango Herald  
25 on September 18th. And that is reflected in what we

1 have marked as WPX Exhibit No. 10, which is their notice  
2 of publication. And we ask that this exhibit be  
3 accepted in this matter and that it be taken under  
4 advisement.

5 (WPX ENERGY PRODUCTION, LLC, Exhibit 10  
6 offered.)

7 EXAMINER McMILLAN: I'm deferring to Gabe on  
8 that one.

9 EXAMINER WADE: So this is a newspaper in  
10 what county?

11 MR. FELDEWERT: Well, it is the Durango  
12 Herald, which is the County of La Plata in Colorado, but  
13 it is a newspaper of general circulation of the county  
14 in question in this case. We could not make the  
15 Farmington Times.

16 EXAMINER WADE: What were the other papers  
17 that are available?

18 MR. FELDEWERT: We tried the Navajo  
19 publication. That's a once a week publication, so we  
20 couldn't make that one either.

21 EXAMINER McMILLAN: Did you try the  
22 Albuquerque Journal?

23 MR. FELDEWERT: I think she examined that  
24 and this was the only one we could make.

25 EXAMINER JONES: First it's the post office

1 and then it's the newspaper.

2 MR. FELDEWERT: It's a struggle. I looked  
3 at the rule, and it's a newspaper of general circulation  
4 within the county. And I think the Durango Herald  
5 certainly qualifies as that.

6 EXAMINER WADE: I am not 100 percent certain  
7 that that's true. But we will take this under  
8 consideration. It's La Plata County, Colorado, so...

9 MR. FELDEWERT: Would you let me know if  
10 there's a problem?

11 EXAMINER WADE: I would definitely do that.  
12 Would you want the opportunity to go ahead and just  
13 republish in a New Mexico paper?

14 MR. FELDEWERT: I am trying to avoid the  
15 additional two week continuance on this matter.

16 EXAMINER WADE: It might end up being  
17 longer. I would suggest you go ahead and do that,  
18 because I don't know if we can accept this. I would  
19 have to look at the rule and see if this really is a  
20 publication for this purpose.

21 MR. FELDEWERT: When do we need to make a  
22 decision on whether we continue for two weeks? Can you  
23 examine the issue and let me know shortly?

24 EXAMINER WADE: What deadline would you  
25 want?

1 MR. FELDEWERT: Well, we would need to make  
2 the next docket. It would need to be on the next  
3 docket. So if you could let me know once you examine  
4 the issue.

5 EXAMINER WADE: Okay. We can take it under  
6 consideration.

7 MR. FELDEWERT: Okay. I appreciate that.

8 EXAMINER JONES: Thank you, Mr. Feldewert.  
9 We are taking case 15375 under advisement.

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(Time noted 8:54 a.m.)

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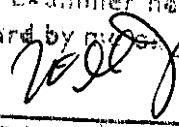
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I hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. \_\_\_\_\_  
heard by me:   
\_\_\_\_\_, Examiner  
Oil Conservation Division

1 STATE OF NEW MEXICO )  
2 ) ss.  
3 COUNTY OF BERNALILLO )  
4  
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7 REPORTER'S CERTIFICATE

8  
9 I, ELLEN H. ALLANIC, New Mexico Reporter CCR  
10 No. 100, DO HEREBY CERTIFY that on Thursday, October 1,  
11 2015, the proceedings in the above-captioned matter were  
12 taken before me, that I did report in stenographic  
13 shorthand the proceedings set forth herein, and the  
14 foregoing pages are a true and correct transcription to  
15 the best of my ability and control.

16  
17 I FURTHER CERTIFY that I am neither employed by  
18 nor related to nor contracted with (unless excepted by  
19 the rules) any of the parties or attorneys in this case,  
20 and that I have no interest whatsoever in the final  
21 disposition of this case in any court.

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ELLEN H. ALLANIC, CSR  
NM Certified Court Reporter No. 100  
License Expires: 12/31/15