

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: )  
APPLICATION OF CROSSLAND OPERATING, )  
L.L.C., FOR COMPULSORY POOLING, EDDY )  
COUNTY, NEW MEXICO )

CASE NO. 13,177

**ORIGINAL  
RECEIVED**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

JAN 22 2004

BEFORE: DAVID R. CATANACH, Hearing Examiner

Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

January 8th, 2004

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID R. CATANACH, Hearing Examiner, on Thursday, January 8th, 2004, 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

January 8th, 2004  
Examiner Hearing  
CASE NO. 13,177

	PAGE
STATEMENT BY MR. OWEN	3
REPORTER'S CERTIFICATE	6

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## A P P E A R A N C E S

FOR THE APPLICANT:

MONTGOMERY & ANDREWS, P.A.  
Attorneys at Law  
325 Paseo de Peralta  
P.O. Box 2307  
Santa Fe, New Mexico 87504-2307  
By: PAUL R. OWEN

\* \* \*

1           WHEREUPON, the following proceedings were had at  
2 8:18 a.m.:

3           EXAMINER CATANACH: And at this time I'll call  
4 the first case on the docket, Case 13,177, the Application  
5 of Crossland Operating, L.L.C., for compulsory pooling,  
6 Eddy County, New Mexico.

7           Call for appearances.

8           MR. OWEN: Paul Owen of the Santa Fe law firm of  
9 Montgomery and Andrews, appearing on behalf of the  
10 Applicant, Crossland.

11          EXAMINER CATANACH: Any additional appearances?

12          Okay, Mr. Owen?

13          MR. OWEN: Mr. Examiner, we're here to clear up a  
14 notice matter. This Application was initially filed on  
15 October the 14th, 2003, requesting a November 7th hearing.  
16 The matter was heard on November 7th.

17          An advertisement was attached to the initial  
18 Application, which referenced the quarter quarter section  
19 in which the well was to be drilled, rather than the east  
20 half, which in fact the Application was requesting be  
21 pooled. The matter was heard on November 7th.

22          Exhibit 4 to that hearing is an affidavit which  
23 attests that notice was given to the affected parties as  
24 required by NMOCD Rules. The notice letters attached to  
25 that affidavit, in fact, do reference the east half, rather

1 than the quarter quarter section. So the affected parties  
2 were given the proper notice for the evidentiary hearing in  
3 this matter.

4 Subsequent to the hearing, a series of  
5 miscommunications between myself and NMOCD staff led to  
6 proper readvertisement not being sent out until I sent a  
7 letter in on December 16th of 2003, requesting  
8 readvertisement with the correct acreage description, the  
9 east half. The Examiner's file should reflect that that  
10 readvertisement was, in fact, done by the Division.  
11 Therefore, the affected parties received notice of the  
12 evidentiary hearing which was held in this matter. The  
13 case has been properly readvertised. All evidentiary  
14 matters were heard by the Examiner at the November 7th,  
15 2003, hearing without objection, and the case is ready for  
16 decision by the Examiner.

17 I do note that during the November 7th, 2003,  
18 hearing, the Applicant in this matter requested that this  
19 matter be -- that an order in this case be expedited  
20 because of rig availability and other concerns. And given  
21 the delay that has occurred since then, I do request that  
22 an order be expedited. And if the Examiner would prefer, I  
23 would be happy to submit a proposed order if that would  
24 help.

25 I ask that this order be taken under advisement.

1 EXAMINER CATANACH: Okay, Mr. Owen, not having  
2 originally heard this case, I would not enter an order on  
3 it, but I will communicate that to the Examiner. I believe  
4 it was Mr. Jones; is that correct?

5 MR. OWEN: I believe that's correct.

6 EXAMINER CATANACH: I will communicate your  
7 request to Mr. Jones for an expedited order.

8 And have you examined the advertisement and does  
9 it show everything correct at this point?

10 MR. OWEN: It does.

11 EXAMINER CATANACH: Okay. All right, then, there  
12 being nothing further in this case, Case 13,177 will be  
13 taken under advisement.

14 (Thereupon, these proceedings were concluded at  
15 8:22 a.m.)

16 \* \* \*

17  
18 I do hereby certify that the foregoing is  
19 a complete record of the proceedings at  
20 the Examiner hearing of Case No. 13177,  
heard by me on January 8, 2004.

21 David R. Catnach, Examiner  
22 Oil Conservation Division  
23  
24  
25

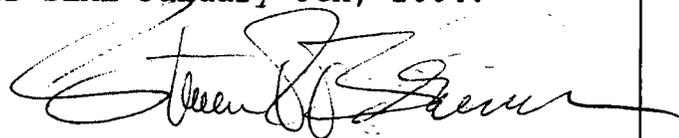
## CERTIFICATE OF REPORTER

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 Division 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 January 8th, 2004.



STEVEN T. BRENNER  
 CCR No. 7

My commission expires: October 16th, 2006