

1 MR. WARNELL: Call Hearing Docket 26-09 to
2 order. We're now on the record. Today's date is July 23,
3 2009. I would like to read the dismissals and the
4 continuances first. I know of two dismissals. That is Case
5 Number 14346 on page 4 of 8 and Case 14339 on page 8. Both
6 of those cases have been dismissed.

7 MR. BRUCE: Mr. Examiner?

8 MR. WARNELL: Yes.

9 MR. BRUCE: Did you say 14346?

10 MR. WARNELL: 14346.

11 MR. BRUCE: That is not dismissed. The
12 Mewbourne Oil Company case? No, no. Mr. Examiner, there is
13 a letter in the file dismissing two of the pooled parties,
14 but there are a number of other people pooled.

15 MR. WARNELL: Oh, is that right?

16 MR. BRUCE: Yes.

17 MR. WARNELL: Well, I stand corrected.
18 Excuse me. Are we going to hear that case today?

19 MR. BRUCE: Yeah. It's by affidavit. It's
20 going to be short.

21 MR. WARNELL: All right. So then I know of
22 one dismissal case, Case 14339 on page 8. Thank you, Mr.
23 Bruce. I apologize for that.

24 I think I know of 16 continuances. Starting on
25 page 1, Case Number 14321 is continued to September 17.

1 Going over to page 4, Case Number 14282, Case
2 Number 14343, Case Number 14344, and Case Number 14345,
3 those four cases are all continued to August 20.

4 On page 5, Case Number 14349, 14350, and 14351,
5 all three of those cases are continued to August 20.

6 Page 6, Cases 14352, 14353, and Case 14354 are all
7 continued to August 20. It's going to be a busy docket.

8 Page 7, the first two cases, Case 14290 and Case
9 14335 are both continued to September 3.

10 Case 14330 is continued to August 20, and Case
11 14173 is continued to August 20.

12 Last page, page 8, last case, Case 14319 is
13 continued to September 17.

14 Are there any other continuances or dismissals
15 that I don't know about or missed or --

16 MR. CARR: May it please the Examiner, on
17 page 7 of the docket --

18 MR. WARNELL: Yes, sir.

19 MR. CARR: -- at the bottom is Case 14311,
20 that is a companion case to the case, the next case on the
21 docket, 14322. In that case, Mr. Kellahin represents
22 Cimarex. I represent Nadel and Gussman Heyco in the first
23 case. It is our understanding that the parties have reached
24 an agreement and are in the process of executing a voluntary
25 agreement that will render these cases unnecessary.

1 And so with your permission, I would request that
2 Case 14311 be continued for two weeks. So if those two
3 cases could be continued for two weeks, we're hopeful that
4 we can dismiss them at that time.

5 MR. WARNELL: To August 6. We pretty much
6 had the afternoon set aside. That is good news. Thank you,
7 Mr. Carr. So Case 14311 will be continued to August 6, and
8 Case 14322 will also be continued to August 6. That
9 shortens our day a little bit. So that leaves us with seven
10 cases to hear this morning or today.

11 We'll start with Case 14340, application of
12 Chesapeake Energy Corporation, LLC, to re-instate Division
13 Order R-11993-A for compulsory pooling, Lea County, New
14 Mexico. Call for appearances.

15 MR. KELLAHIN: Mr. Examiner, I am Tom
16 Kellahin of the Santa Fe law firm of Kellahin and Kellahin
17 appearing this morning on behalf of the applicant. I have
18 no witnesses to be sworn. We're going to present this by
19 affidavit.

20 MR. WARNELL: All right. Thank you. There
21 are no other appearances. Mr. Kellahin, you can proceed.

22 MR. KELLAHIN: Thank you, Mr. Examiner. I
23 have given to the court reporter the original of the
24 affidavit and the original of the newspaper publication so
25 that she has that for the official file. Before you are