

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:)

CASE NO. 12,406

APPLICATION OF POGO PRODUCING COMPANY)
FOR APPROVAL OF PERMITS TO DRILL FOUR)
WELLS WITHIN THE POTASH AREA, AS)
DEFINED BY DIVISION ORDER NO. R-111-P,)
EDDY COUNTY, NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: MARK ASHLEY, Hearing Examiner

June 1st, 2000

Santa Fe, New Mexico

00 JUN 15 PM 5:00
01 JUN 15 PM 5:00

This matter came on for hearing before the New Mexico Oil Conservation Division, MARK ASHLEY, Hearing Examiner, on Thursday, June 1st, 2000, at the New Mexico Energy, Minerals and Natural Resources Department, Porter Hall, 2040 South Pacheco, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

* * *

STEVEN T. BRENNER, CCR
(505) 989-9317

I N D E X

June 1st, 2000
Examiner Hearing
CASE NO. 12,406

PAGE

REPORTER'S CERTIFICATE

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* * *

A P P E A R A N C E S

FOR THE DIVISION:

LYN S. HEBERT
Attorney at Law
Legal Counsel to the Division
2040 South Pacheco
Santa Fe, New Mexico 87505

FOR THE APPLICANT:

JAMES G. BRUCE, Attorney at Law
3304 Camino Lisa
Santa Fe, New Mexico 87501
P.O. Box 1056
Santa Fe, New Mexico 87504
and
HINKLE, COX, EATON, COFFIELD & HENSLEY, L.L.P.
400 Penn Plaza, Suite 700
P.O. Box 10
Roswell, New Mexico 88202
By: GREGORY J. NIBERT

* * *

1 WHEREUPON, the following proceedings were had at
2 8:20 a.m.:

3 EXAMINER ASHLEY: This hearing will come to order
4 for Docket Number 15-00. Please note today's date, June
5 1st, 2000. I'm Mark Ashley, appointed Hearing Examiner for
6 today's cases.

7 Before we call the first case, I'd like to review
8 the docket for the continuances and dismissals.

9 (Off the record)

10 EXAMINER ASHLEY: At this time the Division calls
11 Case Number 12,406.

12 MS. HEBERT: Application of Pogo Producing
13 Company for approval of permits to drill four wells within
14 the potash area, as defined by Division Order No. R-111-P,
15 Eddy County, New Mexico.

16 EXAMINER ASHLEY: Call for appearances.

17 MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe,
18 representing the Applicant, along with Gregory J. Nibert of
19 the Hinkle law firm out of Roswell. We have no witnesses,
20 but I do have a brief statement and a request for a
21 continuance.

22 EXAMINER ASHLEY: Any other appearances?

23 Mr. Bruce?

24 MR. BRUCE: Mr. Examiner, this matter is an
25 application to drill four wells within the potash area.

1 This matter was filed some time ago. It's been continued
2 twice.

3 Charles High, on behalf of Mississippi Potash,
4 Inc., the potash lessee in the area, has entered an
5 appearance in this matter. Pogo Producing Company obtained
6 subpoenas from the Division. It was served upon
7 Mississippi Potash.

8 Today I have filed an affidavit of service
9 regarding the subpoena. The subpoena requested that
10 Mississippi Potash show up at the hearing today to produce
11 documents requested in the subpoena.

12 I would like the record to note that Mississippi
13 Potash has not shown up today to produce the requested
14 documents, nor have they filed any motion to quash the
15 subpoena. I would like to make a record on that.

16 And at this time, then, I would ask that the case
17 be continued to June 15th.

18 EXAMINER ASHLEY: Okay, your request is noted for
19 the record, and this case will be continued to June 15th,
20 2000.

21 (Thereupon, these proceedings were concluded at
22 8:23 a.m.)

23 I do hereby certify that the foregoing is
24 a complete record of the proceedings in
25 the Examiner hearing of Case No. 12406,
heard by me on 6-1-2000,
Mark Ashley, Examiner
Oil Conservation Division

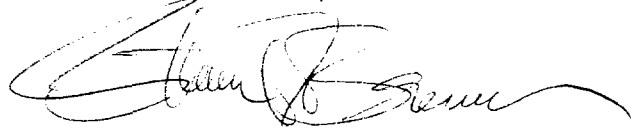
CERTIFICATE OF REPORTER

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 June 7th, 2000.



STEVEN T. BRENNER
 CCR No. 7

My commission expires: October 14, 2002