

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. 13,314

SECOND AMENDED APPLICATION OF)
BURLINGTON OIL & GAS COMPANY,)
L.P., FOR SURFACE COMMINGLING,)
RIO ARriba COUNTY, NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: WILLIAM V. JONES, JR., Hearing Examiner

November 4th, 2004

Santa Fe, New Mexico

2004 NOV 18 AM 10 49

This matter came on for hearing before the New Mexico Oil Conservation Division, WILLIAM V. JONES, JR., Hearing Examiner, on Thursday, November 4th, 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

November 4th, 2004
Examiner Hearing
CASE NO. 13,314

PAGE

REPORTER'S CERTIFICATE

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A P P E A R A N C E S

FOR THE DIVISION:

GAIL MacQUESTEN
Deputy General Counsel
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

FOR THE APPLICANT:

KELLAHIN & KELLAHIN
117 N. Guadalupe
P.O. Box 2265
Santa Fe, New Mexico 87504-2265
By: W. THOMAS KELLAHIN

* * *

1 WHEREUPON, the following proceedings were had at
2 9:41 a.m.:

3 EXAMINER JONES: Call Case 13,314, reopened and
4 continued, second amended Application of Burlington Oil &
5 Gas Company, L.P., for surface commingling, Rio Arriba
6 County, New Mexico.

7 Call for appearances.

8 MR. KELLAHIN: Mr. Examiner, I'm Tom Kellahin of
9 the Santa Fe law firm of Kellahin and Kellahin, appearing
10 this morning on behalf of the Applicant.

11 EXAMINER JONES: Any other witnesses, or
12 appearances?

13 There being none, go ahead.

14 MR. KELLAHIN: I hope we're done with this one,
15 Mr. Examiner.

16 EXAMINER JONES: I hope so too.

17 MR. KELLAHIN: Mr. Catanach was about ready to
18 issue the order, and he discovered that we had advertised
19 this originally as San Juan County, and the whole purpose
20 of the continuance and the readvertisement is to renotify
21 both by newspaper publication and by additional mailings to
22 all the interest owners the correction from San Juan County
23 to Rio Arriba County.

24 We submitted the affidavits as to notice and the
25 certificate from the newspaper at the last hearing, so

1 they're already introduced as exhibits into the case file,
2 and we would ask that you take this case under advisement
3 now and return it to Mr. Catanach for a decision.

4 EXAMINER JONES: So about how many owners did
5 they have to identify again?

6 MR. KELLAHIN: A bunch.

7 EXAMINER JONES: Okay, let's take Case 13,314
8 under advisement.

9 MR. KELLAHIN: Thank you.

10 EXAMINER JONES: Thank you.

11 (Thereupon, these proceedings were concluded at
12 9:42 a.m.)

13 * * *

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15
16 I do hereby certify that the foregoing is
17 a complete record of the proceedings in
18 the Examiner hearing of Case No. _____
19 heard by me on _____

20 _____, Examiner
21 Oil Conservation Division
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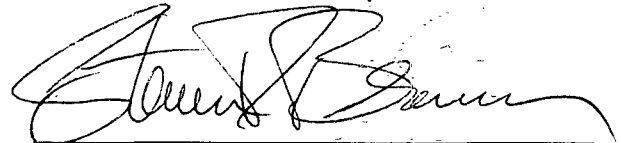
CERTIFICATE OF REPORTER

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 November 6th, 2004...



STEVEN T. BRENNER
CCR No. 7

My commission expires: October 16th, 2006