

## 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 CHI ENERGY, INC., FOR )  
 COMPULSORY POOLING, EDDY COUNTY, )  
 NEW MEXICO )

CASE NO. 13,379

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGSEXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

January 6th, 2005

Santa Fe, New Mexico

This matter came on for hearing before the New  
 Mexico Oil Conservation Division, DAVID R. CATANACH, 8  
 Hearing Examiner, on Thursday, January 6th, 2005, 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.

\* \* \*

2005 JAN 20 9:17 AM  
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## I N D E X

January 6th, 2005  
Examiner Hearing  
CASE NO. 13,379

## PAGE

REPORTER'S CERTIFICATE

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## E X H I B I T S

Applicant's	Identified	Admitted
Exhibit 3	5	3, 4

\* \* \*

## 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:

JAMES G. BRUCE  
Attorney at Law  
P.O. Box 1056  
Santa Fe, New Mexico 87504

\* \* \*

1 WHEREUPON, the following proceedings were had at  
2 9:52 a.m.:

3 EXAMINER CATANACH: Call Case 13,379, Application  
4 of Chi Energy, Inc., for compulsory pooling, Eddy County,  
5 New Mexico.

6 Call for appearances.

7 MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe,  
8 representing the Applicant.

9 EXAMINER CATANACH: Additional appearances?  
10 You may proceed, Mr. Bruce.

11 MR. BRUCE: Again, Mr. Examiner, you heard this  
12 case and evidence was presented.

13 One of the parties being pooled, the notice came  
14 back in the mail, and therefore publication notice was  
15 required. So I'm just submitting -- the case was  
16 continued, publication notice has been given to the one  
17 interest owner, Mr. Harry N. White. I would just ask that  
18 Exhibit 5 be admitted into the record and that the case be  
19 taken under advisement.

20 EXAMINER CATANACH: Okay, Mr. Bruce, Exhibit 5  
21 will be admitted.

22 As I recall, this was an interest owner that you  
23 could not find, right?

24 MR. BRUCE: We could not find, and -- I didn't  
25 know that until the day before the hearing.

1 EXAMINER CATANACH: There's little chance that  
2 either him or his successors will respond to this?

3 MR. BRUCE: Very -- slim to none chance.

4 EXAMINER CATANACH: Okay.

5 MR. BRUCE: I think the last address for him was  
6 30 or 35 years ago, and they had conducted the county-  
7 record search and I believe an Internet search and were not  
8 able to locate him.

9 EXAMINER CATANACH: Okay. Exhibit 5 will be  
10 entered.

11 And there being nothing further, Case Number  
12 13,379 will be taken under advisement.

13 (Thereupon, these proceedings were concluded at  
14 9:55 a.m.)

15 \* \* \*

16  
17 I do hereby certify that the foregoing is  
18 a complete record of the proceedings in  
the Examiner hearing of Case No. 13379  
heard by me on May 6 2005.

19 David R. Catanch, Examiner  
20 Oil Conservation Division  
21  
22  
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, 2005.



STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 16th, 2006