

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 NADEL AND GUSSMAN)
 PERMIAN, L.L.C., FOR COMPULSORY)
 POOLING, EDDY COUNTY, NEW MEXICO)
)

CASE NO. 13,365

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

January 6th, 2005

Santa Fe, New Mexico

2005 JAN 20 AM 8 11

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID R. CATANACH, 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.

* * *

I N D E X

January 6th, 2005
 Examiner Hearing
 CASE NO. 13,365

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* * *

E X H I B I T S

Applicant's	Identified	Admitted
Exhibit A	3	-
Exhibit B	3	-

* * *

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 9:47 a.m.:

3 EXAMINER CATANACH: All right, call the hearing
4 back to order, and at this time I'll call Case 13,365,
5 which is the Application of Nadel and Gussman Permian,
6 L.L.C., for compulsory pooling, Eddy County, New Mexico.

7 Call for appearances.

8 MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe,
9 representing the Applicant. I have just have a brief
10 statement.

11 EXAMINER CATANACH: Any additional appearances?

12 Okay, Mr. Bruce, go ahead.

13 MR. BRUCE: Mr. Examiner, this case was presented
14 before you a number of weeks ago. It wasn't yours?

15 EXAMINER CATANACH: I don't think so.

16 MR. BRUCE: Okay. It was presented to the
17 Division and evidence was presented. There were several
18 small interest owners collectively owning, oh, I think well
19 less than one percent of the working interest in the well,
20 who -- including a couple of unlocatable interest owners,
21 and the notice was deficient on the publication notice. So
22 submitted as Exhibit B is the notice that was published
23 regarding this hearing.

24 And then Exhibit A was -- I also attempted to
25 notify by mail certain of these small interest owners, and

1 notice of the hearing was given to them. I think
2 collectively these people own about .8 percent working
3 interest in the well.

4 Testimony was presented with respect to these
5 people, but the notice wasn't ready at that time, and
6 therefore I'm just here to submit the additional notice
7 requirements.

8 (Off the record)

9 EXAMINER CATANACH: Anything further, Mr. Bruce?

10 MR. BRUCE: No, sir.

11 EXAMINER CATANACH: Okay, there being nothing
12 further, Case 13,365 will be taken under advisement.

13 (Thereupon, these proceedings were concluded at
14 9:49 a.m.)

15 * * *

16
17
18 I do hereby certify that the foregoing is
19 a complete record of the proceedings
20 the Examiner hearing of Case No. 13365
21 heard by me on January 6 2005.

22 Daniel R. Catanach, Examiner
23 Oil Conservation Division
24
25

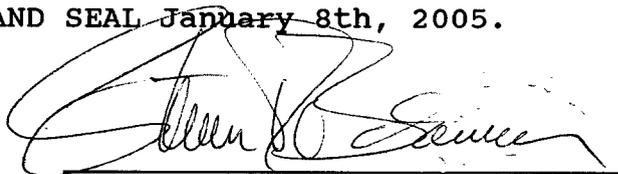
CERTIFICATE OF REPORTER

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