

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.: 14633

APPLICATION OF CIMAREX ENERGY COMPANY
FOR A NON-STANDARD SPACING AND PRORATION
UNIT, AN UNORTHODOX SURFACE LOCATION AND
COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

COPY

AND

Case No.: 14634

APPLICATION OF CIMAREX ENERGY COMPANY
FOR A NON-STANDARD SPACING AND PRORATION
UNIT AND COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS
EXAMINER HEARING

BEFORE: DAVID K. BROOKS, Legal Examiner
TERRY WARNELL, Technical Examiner

DATE: June 9, 2011
Santa Fe, New Mexico

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This matter came on for hearing before the New
Mexico Oil Conservation Division, DAVID K. BROOKS,
Legal Examiner, and TERRY WARNELL, Technical Examiner,
on Thursday, June 9, 2011, at the New Mexico Energy,
Minerals and Natural Resources Department, 1220 South
St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: Irene Delgado
Paul Baca Professional Court Reporters
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87103

A P P E A R A N C E S

FOR OXY:

HOLLAND & HART, LLP
MICHAEL FELDEWERT, ESQ.
110 N. Guadalupe, Suite 1
Santa Fe, NM 87501

1 EXAMINER BROOKS: And we have some other
2 cases here, and there is nobody else here, so I don't
3 know.

4 MR. BRUCE: Which cases? I'm probably
5 somewhat aware of them.

6 EXAMINER WARNELL: 14633 and the 634.

7 EXAMINER BROOKS: 14633, 14634, and they
8 are --

9 MR. BRUCE: They are Cimarex cases, and they
10 are --

11 EXAMINER BROOKS: They are Tom Kellahin's
12 cases, and he hasn't advised us what he intended to do
13 with them.

14 MR. BRUCE: I know there was a -- I had to
15 step out of those, one of many conflicts that I have,
16 and when talking with Mr. Kellahin, he said he, over
17 the last week, he said he was continuing whatever he
18 had, so maybe he just neglected to get a continuance on
19 them.

20 EXAMINER BROOKS: Okay. Well --

21 MR. FELDEWERT: Should we move for
22 continuance on behalf of Mr. Kellahin?

23 EXAMINER WARNELL: I think you just did.

24 EXAMINER BROOKS: Well, it seems that your --
25 your colleague, Mr. Feldewert, filed a motion for

1 continue -- filed an entry of appearance in these
2 cases, so I think you would have standing to move for
3 continuance.

4 MR. FELDEWERT: Which cases?

5 EXAMINER BROOKS: 14633, 14634, the
6 applications of Cimarex.

7 MR. FELDEWERT: Page 3?

8 EXAMINER BROOKS: Yeah, on Page 3, my notes
9 say that.

10 MR. BRUCE: Reed and Stevens, I believe.

11 EXAMINER BROOKS: My notes indicate that
12 there was an appearance by Holland and Hart for OXY
13 in these cases, unless I'm even more confused than I
14 usually am.

15 MR. FELDEWERT: We'll just move to dismiss.
16 Mr. Examiner, in light of circumstances, we have no
17 objection to a continuance for two weeks.

18 EXAMINER BROOKS: Okay. Well, then we will
19 -- we will take that as a motion for continuance by --
20 by OXY that the indication are that Cimarex had
21 requested to -- is requesting a continuance, although
22 they haven't filed anything. Cases 14633 and 14634
23 will be continued.

24 MR. FELDEWERT: Just to make the record
25 clear, on behalf of my client, OXY, I'm not moving to

1 continue the case. I'm saying we do not object to a
2 continuance.

3 EXAMINER BROOKS: Well, in that case, what I
4 will do is I will recess this hearing and see if I can
5 get in touch with Mr. Kellahin.

6 MR. FELDEWERT: Okay

7 EXAMINER BROOKS: And we will be back down
8 here. You don't need to be here unless you want to be.
9 I will ask the court reporter to be here so I can make
10 a record of what we did.

11 MR. FELDEWERT: Okay.

12 MR. BRUCE: Mr. Examiner, maybe I can call
13 Mr. Kellahin.

14 EXAMINER BROOKS: We'll stand in recess.

15 (Recess taken. Discussion off the record.)

16 EXAMINER BROOKS: We will go back on the
17 record and state that Cases Number 14633, application
18 of Cimarex Energy Company for a non-standard spacing
19 and proration unit, an unorthodox surface location and
20 compulsory pooling, Lea County, New Mexico, and case
21 Number 14634, application of Cimarex Energy Company for
22 a non-standard spacing and proration unit and
23 compulsory pooling, Lea County, New Mexico, both of
24 those cases will be continued on the oral motion by
25 telephone by counsel for Cimarex to 6-23-11. And, with

1 that, the docket will be adjourned.

2 (Docket concluded 9:55 a.m.)

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I hereby certify that the foregoing is
a complete record of the proceedings in
the Examiner hearing of Case No. _____
heard by me on _____

_____, Examiner
Oil Conservation Division

REPORTER'S CERTIFICATE

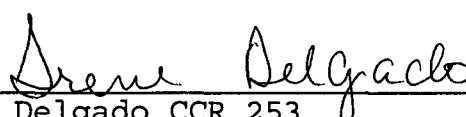
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I, IRENE DELGADO, New Mexico CCR 253, DO
HEREBY CERTIFY that on June 9, 2011, proceedings in the
above-captioned case were taken before me and that I
did report in stenographic shorthand the proceedings
set forth herein, and the foregoing pages are a true
and correct transcription to the best of my ability.

I FURTHER CERTIFY that I am neither employed
by nor related to nor contracted with any of the
parties or attorneys in this case and that I have no
interest whatsoever in the final disposition of this
case in any court.

WITNESS MY HAND this _____ day of _____

_____.


Irene Delgado CCR 253
Expires: 12-31-11