

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

DOCKET: EXAMINER HEARING

ORIGINAL

BEFORE: MICHAEL McMILLAN, Technical Examiner
DAVID K. BROOKS, Legal Examiner

March 17, 2016

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL McMILLAN, Technical Examiner, and DAVID K. BROOKS, Legal Examiner, on Thursday, March 17, 2016, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: PAUL BACA, CCR #112
PAUL BACA COURT REPORTERS
500 4th Street, NW, Suite 105
Albuquerque, New Mexico 87102

A P P E A R A N C E S

For Applicant:

J. Scott Hall
shall@montand.com
Montgomery & Andrews, P.A.
325 Paseo de Peralta
Santa Fe, New Mexico 87501
505-982-3873

FOR THE APPLICANT:

James Garrett Bruce
P.O. Box 1056
Santa Fe, New Mexico 87504
505-982-2043

For COG:

Jordan Kessler
Michael H. Feldewert
mfeldewert@hollandhart.com
Holland & Hart
110 North Guadalupe, Suite 1
Santa Fe, New Mexico 87501
505-988-4421

1 EXAMINER McMILLAN: Good morning. I'd
2 like to call to order.

3 Today's date is March 17, 2016. This is
4 Docket 11-16. My name is Michael McMillan, and I'll
5 be the hearing examiner.

6 What I would like to do is to go through
7 continuances and dismissals.

8 At Page Number 1, Case Number 15446 shall
9 be continued until April 14.

10 If you turn to page 2, which is Case
11 Number 6, Case Number 15448 shall be continued until
12 March 31.

13 Number 7 on the docket, Case Number 15449,
14 shall be continued until March 31.

15 Case Number 8, Case Number 15450 shall
16 been dismissed.

17 Case Number 9, Case Number 15451 shall be
18 dismissed.

19 If you'd turn to page 3.

20 Case Number 15452 shall be continued until
21 April 14.

22 Case Number 15453 shall be continued until
23 April 14.

24 Case Number 15454 shall be continued until
25 April 14.

1 Case Number 15455 shall be continued until
2 April 14.

3 Page 4.

4 Case Number 15456 shall be continued until
5 March 31.

6 Case Number 15457 shall be continued until
7 March 31.

8 Case Number 15458 shall be continued until
9 March 31.

10 Case Number 15459 shall be continued until
11 March 31.

12 Case Number 15460 shall be continued until
13 March 31.

14 Case Number 15461 shall be continued until
15 March 31.

16 Any other continuances?

17 MR. HALL: Mr. Examiner, Scott Hall,
18 Montgomery and Andrews.

19 EXAMINER McMILLAN: And for the case --
20 any of the cases excluding 15441, any others going
21 to be continued?

22 MR. HALL: Yes. It's scheduled for
23 April 14 now. I had...

24 EXAMINER McMILLAN: Which case?

25 MR. HALL: 15441.

1 EXAMINER McMILLAN: Okay. Well --

2 MR. BROOKS: Well, it was parked there, I
3 think, because --

4 EXAMINER McMILLAN: Yes.

5 MR. BROOKS: -- we were waiting for the
6 parties, hopefully, to agree on a setting.

7 MR. HALL: I wanted to see if I could have
8 the opportunity to address a motion I filed
9 yesterday, if it doesn't interfere with any of your
10 other cases today.

11 EXAMINER McMILLAN: Okay.

12 MR. HALL: If we would have that
13 opportunity I would appreciate it.

14 EXAMINER McMILLAN: Okay. So for Case
15 Number 15441, is this going to be an alt docket, and
16 do we have a date set for the alt docket?

17 MR. HALL: We do not have an alternate
18 date yet. So right now we're -- April 14 I think is
19 fairly firm unless we can come to an agreement on
20 alternate date.

21 MR. BROOKS: Well, I think the length of
22 the case will require a special setting, in all
23 probability, because it seems very unlikely that it
24 could be completed within the time that would be
25 available on the trailing docket.

1 MR. HALL: Agreed.

2 MR. BROOKS: But if the parties will not
3 agree on it, the division will have to set a date.
4 I believe that -- let's see.

5 Who is the examiner in charge of that
6 case? It's Will Jones, is it not?

7 MR. HALL: Yes.

8 MR. BROOKS: That's what I was thinking.
9 Of course I'm going to be very much involved because
10 there are numerous legal issues in that case, and
11 that's why I'm speaking to it at this point.

12 MR. HALL: Right. And I don't mean to
13 disrupt your docket this morning.

14 EXAMINER McMILLAN: No, that's where we
15 were. I wanted to go through the previous cases and
16 separate 15441 as a separate issue.

17 MR. HALL: Okay.

18 EXAMINER McMILLAN: So are we going to
19 continue to the 14th until you guys can come up
20 with --

21 MR. HALL: Let's keep it on the 14th and
22 see. I have witnesses here for another case. And
23 if you could work through those, I would like to
24 briefly address the motion with you if you would
25 allow that.

1 MR. BROOKS: Yeah. I think that would
2 be -- I think that would be acceptable. I -- the
3 motion is of such a nature that I believe that
4 probably I would be the principal person to -- that
5 would need to hear those arguments.

6 However, if Mr. Jones -- Mr. Jones is
7 available today, so if we get to that point today,
8 then if it doesn't interfere with -- otherwise
9 interfere with his schedule, I think it would be
10 good to bring him down, since he is the chief
11 examiner on that case.

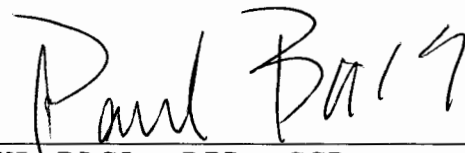
12 Okay.

13 (Proceedings concluded at 8:22 a.m.)
14
15
16
17

18 I do hereby certify that the foregoing is
19 a true and correct record of the proceedings in
20 the final hearing of Case No. _____
21 rec'd by me on March 17 2016
22 M. J. [Signature], Examiner
23 Conservation Division
24
25

CERTIFICATE

I, Paul Baca, RPR, CCR in and for the State of New Mexico, do hereby certify that the above and foregoing contains a true and correct record, produced to the best of my ability via machine shorthand and computer-aided transcription, of the proceedings had in this matter.



PAUL BACA, RPR, CCR
Certified Court Reporter #112
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