

1 STATE OF NEW MEXICO  
2 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
3 OIL CONSERVATION DIVISION  
4

5 REPORTER'S TRANSCRIPT OF PROCEEDINGS

6 EXAMINER HEARING

7 PRE-HEARING TRANSCRIPT

8 September 1, 2016

9 Santa Fe, New Mexico  
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13 BEFORE: RICHARD EZEANYIM, CHIEF EXAMINER  
14 DAVID K. BROOKS, LEGAL EXAMINER  
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17 This matter came on for hearing before the  
18 New Mexico Oil Conservation Division, Richard Ezeanyim,  
19 Chief Examiner, and David K. Brooks, Legal Examiner, on  
20 Thursday, September 1, 2016, at the New Mexico Energy,  
21 Minerals and Natural Resources Department, Wendell Chino  
22 Building, 1220 South St. Francis Drive, Porter Hall,  
23 Room 102, Santa Fe, New Mexico.

24 REPORTED BY: Mary C. Hankins, CCR, RPR  
25 New Mexico CCR #20  
Paul Baca Professional Court Reporters  
500 4th Street, Northwest, Suite 105  
Albuquerque, New Mexico 87102  
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1 (8:22 a.m.)

2 EXAMINER EZEANYIM: Good morning, everyone.  
3 This meeting will come to order. We have a light docket  
4 today. Well, today is September 1, at 8:15 in the  
5 morning. We're in Porter Hall, and today we are going  
6 to consider Docket Number 36-16.

7 To proceed, we need, first of all, to go  
8 about the business of those cases that have been  
9 continued or dismissed before we start the docket.

10 If we start with page 1, Case Number 15537,  
11 that has been continued to September 29th.

12 All right. Page 2, Case Number 15539 has  
13 been continued to September 15. Case Number 15540 is  
14 continued to September 15. Case Number 15531 is  
15 continued to September 15. Case Number 15490 is  
16 continued to September 29th.

17 On page 3, bottom of the page, Case Number  
18 15513, that is continued to September 29th. It was just  
19 continued this morning.

20 On the last page, page 4, Case Number 15515  
21 is continued to September 29th. Case Number 15516 is  
22 continued to September 29th. Case Number 15519 is  
23 continued to September 29th. Case Number 15491 is  
24 continued to September 15. Case Number 15498 is  
25 continued to September 15.

1                   At this time are there any other  
2 continuances, since no dismissals? Any continuances or  
3 dismissals?

4                   MR. BRUCE: Mr. Examiner, please, on page  
5 2 -- or excuse me -- page 3, I would like to continue  
6 Case Number 15508 to September 15.

7                   EXAMINER EZEANYIM: Case Number 15508 on  
8 page 3?

9                   MR. BRUCE: Yes.

10                   And then the next case also, 155 -- or no.  
11 Yeah, 15508 continued to September 15. The next two  
12 cases, 15510 and 15511, please continue those to  
13 September 29th. And then finally, Case 15512 continued  
14 to September 15.

15                   EXAMINER EZEANYIM: If I may address the  
16 counsel, those cases have been heard and taken under  
17 advisement. That's my understanding. Right?

18                   MR. BRUCE: They've been heard, but I have  
19 some -- I have a ream of notice materials. I had to  
20 publish notice as we got certain people, and it slowed  
21 it down. So I need to submit notice materials.

22                   EXAMINER BROOKS: Those cases were  
23 continued for purpose of notice?

24                   MR. BRUCE: Yes.

25                   EXAMINER BROOKS: Okay. They have been

1 heard, but not all the people got notice.

2 MR. BRUCE: That is correct. So I had  
3 to --

4 EXAMINER BROOKS: We'd hear it again if any  
5 of those people showed up, which is unlikely.

6 MR. BRUCE: Yeah. But I've had to publish  
7 a couple of different notices because the certified mail  
8 kept coming back.

9 EXAMINER BROOKS: Very good.

10 EXAMINER EZEANYIM: So because you haven't  
11 gotten the notices, that's why they were continued,  
12 right? They're not going to be heard again, because  
13 that's my understanding.

14 MR. BRUCE: Correct. Correct.

15 EXAMINER EZEANYIM: Okay. Any other  
16 continuances or dismissals?

17 MR. BRUCE: Mr. Examiner, in the first  
18 case, the application of the Division, Case Number  
19 15277, re-opened, I have intervened on behalf of  
20 Petrolia Energy Corporation, P-E-T-R-O-L-I-A, and they  
21 plan on taking over the wells which are the subject of  
22 this action and have discussed this matter with the  
23 Division Enforcement personnel and would request that  
24 this matter be continued for two weeks, to September  
25 15th, so that we can get qualified to do business,

1 become an operator in this state and get the bonding in  
2 place.

3 MR. HERRMANN: Mr. Examiner, Keith Herrmann  
4 representing the Division. We have no objection.

5 EXAMINER EZEANYIM: Okay. Case Number  
6 15277 will be continued to September 15th.

7 And as counsel have said -- I have to put  
8 it in the record -- Case Number 155 -- wait -- 155 --  
9 page 3 -- it has to be in the record. Case Number 15510  
10 is continued to September 29th. Case Number 15508 is  
11 continued to September 15th. Case Number 15511 is  
12 continued to September 29th. Case Number 15512 is  
13 continued to September 15th.

14 Again, I call any other continuances or  
15 dismissals?

16 Okay. This has been a light docket. Let  
17 me see. Some of those cases, Counsel -- but do you have  
18 any notices to submit today? I have about six that have  
19 been continued. Do you have any to submit on those  
20 Mewbourne cases?

21 MR. BRUCE: I have one Mewbourne case  
22 today, but I think Ms. Kessler --

23 EXAMINER EZEANYIM: Yeah. That will be  
24 heard. That will be heard. I'm talking about  
25 everything else, because I have the case number. We

1 have continued 15508.

2 (Prehearing proceedings conclude, 8:28  
3 a.m.)

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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, Certified Court  
6 Reporter, New Mexico Certified Court Reporter No. 20,  
7 and Registered Professional Reporter, do hereby certify  
8 that I reported the foregoing proceedings in  
9 stenographic shorthand and that the foregoing pages are  
10 a true and correct transcript of those proceedings that  
11 were reduced to printed form by me to the best of my  
12 ability.

13 I FURTHER CERTIFY that the Reporter's  
14 Record of the proceedings truly and accurately reflects  
15 the exhibits, if any, offered by the respective parties.

16 I FURTHER CERTIFY that I am neither  
17 employed by nor related to any of the parties or  
18 attorneys in this case and that I have no interest in  
19 the final disposition of this case.

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22 MARY C. HANKINS, CCR, RPR  
23 Certified Court Reporter  
24 New Mexico CCR No. 20  
25 Date of CCR Expiration: 12/31/2016  
Paul Baca Professional Court Reporters

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