

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

4 IN THE MATTER OF THE HEARING CALLED
5 BY THE OIL CONSERVATION DIVISION FOR
6 THE PURPOSE OF CONSIDERING:

7 APPLICATION OF THE NEW MEXICO OIL CASE NO. 15590
8 CONSERVATION DIVISION COMPLIANCE
9 AND ENFORCEMENT BUREAU FOR A
10 COMPLIANCE ORDER AGAINST JIM PIERCE
11 FOR WELLS OPERATED IN EDDY COUNTY,
12 NEW MEXICO.

13 REPORTER'S TRANSCRIPT OF PROCEEDINGS
14 EXAMINER HEARING
15 December 15, 2016
16 Santa Fe, New Mexico

17 BEFORE: MICHAEL McMILLAN, CHIEF EXAMINER
18 DAVID K. BROOKS, LEGAL EXAMINER
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22 This matter came on for hearing before the
23 New Mexico Oil Conservation Division, Michael McMillan,
24 Chief Examiner, David K. Brooks, Legal Examiner, on
25 Thursday, December 15, 2016, at the New Mexico Energy,
Minerals and Natural Resources Department, Wendell Chino
Building, 1220 South St. Francis Drive, Porter Hall,
Room 102, Santa Fe, New Mexico.

26 REPORTED BY: Mary C. Hankins, CCR, RPR
27 New Mexico CCR #20
28 Paul Baca Professional Court Reporters
29 500 4th Street, Northwest, Suite 105
30 Albuquerque, New Mexico 87102
31 (505) 843-9241

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APPEARANCES

FOR APPLICANT NEW MEXICO OIL CONSERVATION DIVISION
COMPLIANCE AND ENFORCEMENT BUREAU:

KEITH W. HERRMANN, ESQ.
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
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1 (8:17 a.m.)

2 EXAMINER McMILLAN: Okay. Now, the first
3 thing -- we're just going to go through the docket.

4 The first case I'd like to go to is Case
5 Number 15590, application of the New Mexico Oil
6 Conservation Division Compliance and Enforcement Bureau
7 for a compliance order against Jim Pierce for wells
8 operated in Eddy County, New Mexico.

9 Call for appearances.

10 MR. HERRMANN: Mr. Examiner, Keith Herrmann
11 representing the Compliance and Enforcement Bureau.

12 EXAMINER McMILLAN: Are there any other
13 appearances?

14 Please proceed.

15 MR. HERRMANN: Mr. Examiner, this case was
16 heard on the December 1st docket. It was continued for
17 a notice issue because we were awaiting confirmation
18 that the New Mexico Superintendent of Insurance had
19 received notice. They have since gotten that notice.
20 And I have personally spoken to RLI Insurance Company,
21 and they do not intend to oppose or enter an appearance
22 in this case. I also provided you with a draft order
23 yesterday, as requested by Examiner Jones.

24 EXAMINER McMILLAN: Okay. And what exhibit
25 number will this be?

1 MR. HERRMANN: This can be entered as
2 Exhibit 6A -- correction -- 5A.

3 EXAMINER McMILLAN: Okay.

4 MR. HERRMANN: My original notice documents
5 were under -- as Exhibit 5.

6 EXAMINER McMILLAN: Okay. Exhibit 5A may
7 now be accepted as part of the record.

8 (OCD Compliance and Enforcement Bureau
9 Exhibit Number 5A is offered and
10 admitted into evidence.)

11 MR. HERRMANN: Thank you.

12 EXAMINER McMILLAN: Case Number 15590 shall
13 be taken under advisement.

14 MR. HERRMANN: Thank you, Mr. Examiner.

15 EXAMINER McMILLAN: Thank you.

16 We're going to -- we're going to -- we're
17 going to take a five-minute break.

18 (Case Number 15590 concludes, 8:18 a.m.)

19 (Recess 8:18 a.m. to 8:35 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.

20

21

22 MARY C. HANKINS, CCR, RPR
23 Certified Court Reporter
24 New Mexico CCR No. 20
25 Date of CCR Expiration: 12/31/2017
Paul Baca Professional Court Reporters

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