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APPEARANCES

FOR APPLICANT XTO ENERGY, INCORPORATED:

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EXHIBITS OFFERED AND ADMITTED

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1 (8:27 a.m.)

2 EXAMINER McMILLAN: The next cases we're
3 going to hear are 15832 through 35. I would like to
4 call Case Numbers 15832, 15833, 15834, 15835, re-opened,
5 application of XTO Energy, Incorporated to re-open Case
6 Numbers 15832, 15833, 15834 and 15835 to provide
7 supplemental notice, Eddy County, New Mexico.

8 Call for appearances.

9 MS. KESSLER: Mr. Examiners, Jordan
10 Kessler, from Holland & Hart, on behalf of the
11 Applicant.

12 EXAMINER McMILLAN: Any other appearances?

13 MR. BRUCE: Mr. Examiner, Jim Bruce
14 entering an appearance for Devon Energy Company, L.P. I
15 have no witnesses.

16 EXAMINER McMILLAN: Please proceed.

17 MS. KESSLER: Mr. Examiner, these cases
18 were heard in October on a special docket and taken
19 under advisement at that time. Again, following the
20 cases being taken under advisement, the Division
21 requested we notify the mineral estate in the areas
22 excluded by otherwise standard spacing unit in the
23 Purple Sage Pool.

24 Attached and in front of you is an
25 affidavit from Angie Repka. She identified the

1 overrides and royalty interest owners, the working
2 interest owners in the nonstandard spacing units in the
3 areas excluded by the nonstandard spacing units that had
4 previously been identified. She reviewed the ownership
5 in the mineral estate and made a diligent effort to
6 identify all of those folks. Attached to her exhibit as
7 Attachment A is an affidavit from my office providing
8 notice to all of those parties of the re-opened case.

9 And finally, the last page is an Affidavit
10 of Publication from December 22nd providing notice to
11 all of those parties.

12 So, Mr. Examiners, I would ask that Exhibit
13 7 in front of you be admitted as part of the record and
14 that this case -- these re-opened cases be taken under
15 advisement.

16 (XTO Energy, Inc. Exhibit Number 7 is
17 offered into evidence.)

18 EXAMINER JONES: You said it was heard on a
19 special docket?

20 MS. KESSLER: It was heard on a special
21 docket.

22 EXAMINER JONES: Do you remember what date?
23 Do you guys remember what date?

24 MS. KESSLER: I can send that by email. It
25 was in October.

1 MR. BRUCE: I have no objection.

2 EXAMINER McMILLAN: Okay. The question
3 there I've got is: Was there unlocatables, because I
4 saw an Affidavit of Publication?

5 MS. KESSLER: There is an Affidavit of
6 Publication. We had good addresses for everybody, but
7 not everybody's green card came back.

8 EXAMINER McMILLAN: Okay. Thank you.

9 Okay. With that in mind, Case Numbers
10 15832, 15833, 15834 and 15835 shall be taken under
11 advisement.

12 (Case Numbers 15832, 15833, 15834 and 15835
13 conclude, 8:30 a.m.)

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STATE OF NEW MEXICO
COUNTY OF BERNALILLO

CERTIFICATE OF COURT REPORTER

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

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

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

DATED THIS 26th day of January 2018.

MARY C. HANKINS, CCR, RPR
Certified Court Reporter
New Mexico CCR No. 20
Date of CCR Expiration: 12/31/2018

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