

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:

APPLICATION OF MARATHON OIL PERMIAN,      CASE NOS. 20128,  
LLC FOR APPROVAL OF A SPACING UNIT      20129,  
AND COMPULSORY POOLING, LEA COUNTY,      20131  
NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

February 7, 2019

Santa Fe, New Mexico

BEFORE: SCOTT DAWSON, CHIEF EXAMINER  
KATHLEEN MURPHY, TECHNICAL EXAMINER  
TERRY WARNELL, TECHNICAL EXAMINER  
DAVID K. BROOKS, LEGAL EXAMINER

This matter came on for hearing before the New Mexico Oil Conservation Division, Scott Dawson, Chief Examiner; Kathleen Murphy and Terry Warnell, Technical Examiners; and David K. Brooks, Legal Examiner, on Thursday, February 7, 2019, 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.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

# APPEARANCES

FOR APPLICANT MARATHON OIL PERMIAN, LLC:

DEANA M. BENNETT, ESQ.  
MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.  
500 4th Street, Northwest, Suite 1000  
Albuquerque, New Mexico 87102  
(505) 848-1800  
deanab@modrall.com

# INDEX

PAGE

Case Numbers 20128, 20129 and 20131 Called	3
Exhibit Offered	5
Proceedings Conclude	5
Certificate of Court Reporter	6

# EXHIBITS OFFERED AND ADMITTED

Marathon Oil Permian, LLC Exhibit Number 7A	5
---	---

1 (9:15 a.m.)

2 EXAMINER DAWSON: Going down the list to  
3 number nine, Case Number 20129, it's an application of  
4 Marathon Oil Permian, LLC for an approval of a spacing  
5 unit and compulsory pooling, Eddy County, New Mexico,  
6 for the Battle 34 AV Fee 17H and 25H wells -- Bone  
7 Spring wells.

8 Call for appearances.

9 MS. BENNETT: Good morning. Deana Bennett  
10 on behalf of Marathon Oil Permian, LLC.

11 And we're here for notice purposes only.  
12 We already presented this case, along with two other  
13 cases on the January 10th docket.

14 EXAMINER DAWSON: Okay.

15 MS. BENNETT: And those two other cases are  
16 numbers -- docket number, not case number -- 63 and 64  
17 on page 4 of 5. That's Case Numbers 20128 and 20131.

18 And what I'm passing out right now is an  
19 Affidavit of Notice that I've marked as Exhibit 7A to  
20 add to the exhibit packet that we previously submitted.  
21 And the exhibit packet includes an affidavit from Zoe  
22 Lees in my office, and the exhibit packet also includes  
23 a sheet with a blue header. That shows the status of  
24 the letters that we sent out, whether they were  
25 mailed -- well, whether they were delivered or to be

1     returned.

2                     The next page is the Affidavit of  
3     Publication showing that we published notice of this  
4     hearing in the newspaper of general circulation on  
5     January 24th, 2019.

6                     EXAMINER DAWSON:   Okay.  Is that all?

7                     MS. BENNETT:   That's all.

8                     If there are any questions, I would be  
9     happy to answer them.

10                    EXAMINER DAWSON:   Do you have any  
11     questions, Mr. Brooks?

12                    EXAMINER BROOKS:   No questions.

13                    EXAMINER DAWSON:   Mr. Warnell?

14                    EXAMINER WARNELL:   No questions.

15                    EXAMINER DAWSON:   Ms. Murphy?

16                    EXAMINER MURPHY:   No questions.

17                    MS. BENNETT:   Thank you.

18                    With that, I would ask that these cases be  
19     taken under advisement.

20                    EXAMINER DAWSON:   At this time 20128 and  
21     20129 and 20131 will be taken under advisement.

22                    Thank you very much.

23                    MS. BENNETT:   Thank you.

24                    (Case Numbers 20128, 20129 and 20131  
25     conclude, 9:17 a.m.)

1 (9:21 a.m.)

2 MS. BENNETT: I also failed to move Exhibit  
3 Number 7A in the Battle Fee cases, if I could revert  
4 back to those cases as well and ask that 7A be admitted  
5 in.

6 EXAMINER DAWSON: At this point Exhibit 7A,  
7 in Case Numbers 20128 and 20129 and 20131, will be  
8 admitted to the record.

9 MS. BENNETT: Thank you very much.

10 EXAMINER DAWSON: Thank you.

11 (Marathon Oil Permian, LLC Exhibit Number  
12 7A is offered and admitted into evidence.)

13 EXAMINER DAWSON: And we'll be on break  
14 until 9:30.

15 (Case Numbers 20128, 20129 and 20131  
16 conclude, 9:22 a.m.)

17 (Recess, 9:22 a.m. to 9:37 a.m.)

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO  
3

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 DATED THIS 7th day of March 2019.  
21

22  
23 MARY C. HANKINS, CCR, RPR  
24 Certified Court Reporter  
25 New Mexico CCR No. 20  
Date of CCR Expiration: 12/31/2019  
Paul Baca Professional Court Reporters