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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

PREHEARING TRANSCRIPT

CONTINUANCES, DISMISSALS AND SCHEDULING CONFERENCES

March 21, 2019

Santa Fe, New Mexico

BEFORE: KATHLEEN MURPHY, CHIEF EXAMINER
WILLIAM V. JONES, TECHNICAL EXAMINER
TERRY WARNELL, TECHNICAL EXAMINER
PHILLIP GOETZE, TECHNICAL EXAMINER
SUSAN SITA, LEGAL EXAMINER

ALSO PRESENT: Dr. Marilyn Gruebel
Ms. Marlene Salvidrez

This matter came on for hearing before the New Mexico Oil Conservation Division, Kathleen Murphy, Chief Examiner; William V. Jones and Terry Warnell, Technical Examiners; and Susan Sita, Legal Examiner, on Thursday, March 21, 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 (8:16 a.m.)
- 2 EXAMINER MURPHY: Today is Thursday, March
- 3 21st, OCD examiner hearing.
- 4 Let me introduce people. Marlene Salvidrez
- 5 is a new employee with OCD. She had been here a couple
- of years ago for several years. She went to Forestry,
- 7 and now she's back and she's helping Florene and myself
- 8 quite a bit, and we welcome her; Mary Hankins, our court
- 9 reporter; Will Jones, our bureau chief. Susan Sita is
- 10 our legal counsel today. Phil Goetze is here for the
- 11 saltwater disposal well hearing; and Marilyn Gruebel and
- 12 Terry Warnell.
- 13 Are there any announcements?
- 14 I'll read through the continuances. Today
- 15 that'll take longer than some of the cases. And so this
- 16 will go on the record, and then afterwards, if there are
- any additions or corrections, we'll take those.
- On page 1, continued are the following
- 19 numbers: 20171, 20202, 20254, 16488, 16487, 20267,
- 20 20074, 20075, 20077, 20076, 201 -- excuse me -- 20210,
- 21 20211, 20255, 20165, 16414, 20134, 20132, 20133, 20166,
- 22 20168, 20167, 20201, 20219, 20217, 20218, 20169.
- Page 2. Looks like the entire page, but
- 24 I'll have to read them. It's 20164, 20163, 20136,
- 25 20138, 20137, 20135, 20170, 20246, 20247, 20265, 20248,

- 1 16492, 16493, 16494, 16495, 20249, 20250, 20251, 20053,
- 2 20054, 20300, 20179, 20174, 20175, 20176, 20177, 20178.
- 3 Page 3, 20173, 20180, 20226, 20227, 20190,
- 4 20232, 20105, 20106, 20107, 20118, 20119, 20207, 20208,
- 5 20160, 20162, 20260, 20259, 15888, 16354, 16355, 16404,
- 6 20253, 20113, 16504, 16506, 16507.
- 7 Page 4. Again, all are continued, but I'll
- 8 read them: 16509, 20140, 20141, 20142, 20150, 20151,
- 9 20236, 16481, 16482, 16409, 16410, 16221, 16434, 16231,
- 10 16470, 16471, 16472, 16473, 16474, 16475, 16184, 16344,
- 11 16345 and 16489.
- 12 Are there any corrections or modifications
- 13 to that?
- MS. BENNETT: Good morning. Deana Bennett
- 15 with Modrall, Sperling.
- 16 On page 3 of 4, case number 75 -- well,
- 17 docket number 75, which is Case 16292, I would ask that
- 18 that be continued to the next available docket date.
- 19 EXAMINER MURPHY: Okay.
- 20 EXAMINER JONES: I might have a correction
- 21 here. On page 1, number four on the docket, 20254,
- 22 Cimarex, is that being continued or not?
- MR. DeBRINE: Yes, it is.
- 24 EXAMINER WARNELL: It's continued to the
- 25 next available docket?

- 1 MR. DeBRINE: Yes.
- 2 EXAMINER JONES: And there was one other
- 3 change to the record, I think -- well, I'm getting dizzy
- 4 here. There were two dismissals, I think, that we read
- 5 as continuances, number 71 and number 72. Is it correct
- 6 that the Tap Rock cases are dismissed?
- 7 EXAMINER MURPHY: Oh, I'm sorry. Those are
- 8 dismissed. Is that not true?
- 9 MS. SHAHEEN: Sharon Shaheen for Tap Rock.
- Tap Rock has assigned JOAs, and we ask that
- 11 those cases be dismissed.
- 12 EXAMINER JONES: Can we turn it over to
- 13 Mr. Warnell here about discussion of Devon versus
- 14 Cimarex, the Dos XX matter, which is about, what, 15
- 15 cases?
- MR. DeBRINE: Yes.
- 17 EXAMINER JONES: Has there been any
- 18 consensus on -- on when to --
- 19 MR. DeBRINE: Well, the parties have
- 20 requested a special hearing date and indicated their
- 21 availability on April 11 and 12, and so we were
- 22 requesting those two days be set aside for a special
- 23 hearing for all of those cases.
- MR. BRUCE: What are the well names on
- 25 those?

1 MR. DeBRINE: Dos XX, double X, for

- 2 Cimarex --
- MR. FELDEWERT: Bell Lake.
- 4 MR. DeBRINE: -- and Bell Lake for Devon.
- 5 EXAMINER JONES: And I think Mr. Bruce is
- 6 in these cases.
- 7 MR. BRUCE: Yeah. I just entered an
- 8 appearance. And that's fine with me, too.
- 9 EXAMINER JONES: Okay. So we will have to
- 10 huddle after the --
- 11 EXAMINER WARNELL: Yeah. That's probably
- 12 not going to work. Can you give me the case numbers?
- MR. FELDEWERT: Oh, boy.
- 14 EXAMINER JONES: There are three of them on
- 15 this particular docket.
- 16 MR. FELDEWERT: I have them here.
- 17 EXAMINER WARNELL: Could you read them off?
- 18 I'm curious how many attorneys are going to be involved.
- 19 MR. FELDEWERT: I think I've got a list of
- 20 cases.
- 21 So we've got 20259 and 20260 and 20340
- 22 through 20343. And the Cimarex Dos Equis, I believe,
- 23 are 20162, 20301 through 20308.
- 24 MR. DeBRINE: And then we've got another
- 25 eight, not to be confused with Dos Equis. It's double

- 1 X, the Cimarex cases.
- 2 EXAMINER WARNELL: What are those --
- 3 MR. DeBRINE: Those actually are -- those
- 4 are set for, I believe, the April 4 docket, but it's the
- 5 same -- same basic acreage.
- 6 EXAMINER JONES: So they've already been
- 7 noticed?
- 8 MR. DeBRINE: Yeah. They've been noticed
- 9 for April 4, but it's going to be the same issues.
- 10 EXAMINER WARNELL: And, Mr. Bruce, you're
- 11 making an appearance for whom?
- MR. BRUCE: ConocoPhillips Company.
- 13 EXAMINER JONES: Are you making an
- 14 appearance in all -- in all of those cases, Mr. Bruce?
- 15 MR. BRUCE: Yeah. I didn't know they were
- 16 all interrelated. I'll enter a written appearance for
- 17 all of them.
- MR. DeBRINE: We don't have case numbers
- 19 yet for those, but they're on the April 4th docket.
- 20 EXAMINER MURPHY: You should have case
- 21 numbers for them.
- 22 EXAMINER JONES: Well, it's now just been
- 23 published on the website, but they don't have them right
- 24 here.
- 25 EXAMINER WARNELL: Can you give me some

1 other dates, please? What are you thinking for time?

- 2 MR. DeBRINE: I think it's still a two-day
- 3 hearing. It'll be two full days.
- 4 MR. FELDEWERT: We'll have three witnesses.
- 5 I assume they'll have three witnesses. Maybe a day.
- 6 EXAMINER WARNELL: A day? Two days?
- 7 MR. DeBRINE: It's a two-day hearing.
- 8 MR. FELDEWERT: There will be six witnesses
- 9 and three parties, so a day, day and a half.
- MR. DeBRINE: 18 wells, maybe.
- 11 EXAMINER JONES: There is no chance of an
- 12 agreement if it goes another month?
- MR. DeBRINE: Well the parties have been
- 14 talking.
- 15 MR. FELDEWERT: They have been. Yeah.
- 16 MR. DeBRINE: I know we got some overture
- 17 yesterday, but that's all I know.
- MR. FELDEWERT: Yeah.
- 19 MR. DeBRINE: I know our people were good
- 20 anytime that week of April 8th.
- 21 EXAMINER JONES: We have an issue because
- 22 on some of the cases, we've already continued them from
- 23 the previous docket to April 18th, and we turn in that
- 24 resolution document saying that. Legally, can we move
- 25 them back to an earlier date and then hear them and

- 1 then --
- 2 EXAMINER WARNELL: We've got a notice
- 3 problem. Yeah. I think we should -- we'll have to move
- 4 them forward. It won't be April 11th. It may not be
- 5 April, if we survive the hearing on the 18th.
- 6 MR. FELDEWERT: So then would you like to
- 7 let us know what would work in May, or how do you want
- 8 to approach it?
- 9 EXAMINER WARNELL: Yes. We will email the
- 10 three attorneys here sometime this week or tomorrow with
- 11 our proposal.
- 12 Thank you.
- MR. DeBRINE: Thank you.
- 14 EXAMINER JONES: Earl, can you email Terry
- 15 the other cases involved?
- 16 MR. DeBRINE: Yeah. I'll do that.
- 17 EXAMINER WARNELL: Thank you.
- 18 While we're talking about special hearings
- 19 and cases, what about Ascent and Apache?
- 20 MR. DeBRINE: Well, according to the
- 21 docket, we did get the April 30th, May 1st dates for
- 22 those. I think we're set.
- 23 EXAMINER WARNELL: Everybody good to go --
- MR. BRUCE: Yeah.
- 25 EXAMINER WARNELL: -- April 30th, May 1st?

- 1 MR. BRUCE: Correct.
- 2 EXAMINER WARNELL: How long do you expect
- 3 that to take?
- 4 MR. DeBRINE: That'll be a two-day hearing,
- 5 April 30 and May 1st.
- 6 EXAMINER WARNELL: Do you believe that --
- 7 Does anyone know if Jalapeno is going to make an
- 8 appearance in that case or -- I haven't heard.
- 9 We could go into Saturday if you want.
- Okay. So we're set for April 30th, special
- 11 hearing, for Ascent and Apache.
- MR. DeBRINE: Thank you.
- MR. LARSON: Mr. Feldewert brought to my
- 14 attention that Case 16404, which is Continental
- 15 Resources' application --
- 16 EXAMINER WARNELL: What page are you on?
- 17 MR. LARSON: Three, down at the bottom.
- 18 They may have been announced as continued. The case is
- 19 actually dismissed.
- 20 EXAMINER MURPHY: True. I'm sorry about
- 21 that.
- 22 MS. BENNETT: So while we're on the topic
- of continuances and special hearing dates, would it be
- 24 possible to have a further discussion about several
- 25 cases that we'd like to -- and by me, I mean myself,

1 Mr. Bruce and Mr. Larson would like to get set for a

- 2 special hearing?
- 3 EXAMINER JONES: Yes. We have -- yeah, go
- 4 ahead. Please.
- 5 MS. BENNETT: And Mr. Feldewert's also in
- 6 some of these cases, too.
- 7 So the first set of cases involve the
- 8 Marathon Cerberus and Trojan Horse cases, which are Case
- 9 Numbers 20165 and 20170, along with the Ridge Runner
- 10 Gladiator and Warrior cases. I don't have those numbers
- 11 right here, but they're on the docket. I can find them
- 12 for you after we talk a little bit more. And then the
- 13 XTO Golden Retriever.
- 14 Is that right?
- MR. FELDEWERT: Yes.
- MS. BENNETT: So we were hoping --
- 17 MR. FELDEWERT: It's WPX.
- MS. BENNETT: Oh, sorry. WPX.
- 19 So we were hoping that -- we talked amongst
- 20 ourselves, and we were hoping that we could propose
- 21 April 25, 26 for a special hearing date for those cases.
- 22 And there are -- I have two. Gary has three, and Mike
- 23 has --
- MR. FELDEWERT: Two.
- 25 MS. BENNETT: -- two. And Jim's in the

- 1 case according --
- 2 MR. BRUCE: And I'm just here for the show.
- MS. BENNETT: Yeah. Yeah.
- 4 EXAMINER JONES: Would they all be properly
- 5 noticed for the 30 days by that time?
- 6 MS. BENNETT: Yes. Uh-huh. Well, mine are
- 7 for sure. I know Gary's are.
- 8 And have yours --
- 9 MR. BRUCE: Yes.
- MS. BENNETT: Yes. So yes.
- MR. LARSON: They've been continued -- the
- 12 Marathon and Ridge Runner cases have been continued
- 13 several times. So --
- MS. BENNETT: So we would propose April
- 15 25th and 26th.
- 16 EXAMINER WARNELL: Why do you need a
- 17 special hearing?
- MS. BENNETT: These are competing well
- 19 proposals, and we haven't been able to reach any sort of
- 20 agreement at this point. And they have been continued a
- 21 number of times, and so we would like to get some
- 22 resolution on these cases.
- MR. BRUCE: And, Mr. Warnell, there are
- 24 basically three separate well proposals or well
- 25 proposals by other parties covering different lands, so

- 1 it's --
- 2 MR. LARSON: Originally, we thought about a
- 3 late -- then Mr. Feldewert filed his applications. It
- 4 only made sense to have those heard with these group of
- 5 cases so that it moved it back to the next time. And
- 6 just for the record, the three Ridge Runner cases are
- 7 20105, 20106 and 20107.
- 8 MR. FELDEWERT: And I can provide you with
- 9 the WPX case numbers if you'd like.
- 10 EXAMINER WARNELL: Yes, please.
- 11 MR. FELDEWERT: 20374 and 20375.
- 12 EXAMINER WARNELL: So we've got seven cases
- 13 involved?
- MS. BENNETT: Uh-huh.
- MR. LARSON: Uh-huh.
- 16 EXAMINER WARNELL: Are you going to need
- 17 two days?
- MR. BRUCE: I think a day and a half would
- 19 be minimal.
- 20 MR. LARSON: We should start on the 25th.
- 21 EXAMINER WARNELL: And if we don't finish,
- 22 we'll come in on Saturday?
- MR. LARSON: No. Only Mr. Bruce is coming
- in on a Saturday.
- 25 (Laughter.)

1 EXAMINER JONES: He's at the post office.

- MR. BRUCE: We're having an open bar.
- 3 (Laughter.)
- 4 EXAMINER WARNELL: If we set something up
- 5 for the 25th and the 26th, will we hear them, or we will
- 6 dismiss them?
- 7 MS. BENNETT: Well, my assumption would be
- 8 that they would be heard.
- 9 MR. BRUCE: I think it's a pretty safe
- 10 assumption it'll be heard.
- 11 EXAMINER MURPHY: Have you-all met
- 12 together, though, in one room for these cases, or would
- 13 this be the first time? Have you sat down with each
- 14 other and talked about it, and not just two of you and
- 15 two here but all four of you together? Have you
- 16 discussed --
- 17 MR. LARSON: In terms of resolving it?
- 18 EXAMINER MURPHY: Yes.
- 19 MR. LARSON: No. I mean, our clients have
- 20 been communicating.
- 21 MS. BENNETT: Yeah. Our clients are
- 22 communicating. As Mr. Larson mentioned, WPX just
- 23 recently filed their applications, and so until
- 24 recently, it was just a two-part conversation. And I'm
- 25 not entirely sure which lands the WPX application covers

- 1 in terms of what Marathon's proposals are, but we
- 2 have -- our clients have been communicating. And as
- 3 Mr. Bruce mentioned, he's in the case to support WPX,
- 4 but he doesn't have --
- 5 MR. BRUCE: I have not filed independent
- 6 applications.
- 7 MS. BENNETT: Yeah.
- 8 MR. BRUCE: I'm supporting WPX.
- 9 MR. FELDEWERT: I do know they've had
- 10 discussions and tried to work this out.
- 11 EXAMINER WARNELL: Mr. Feldewert, your
- 12 client is?
- MR. FELDEWERT: WPX.
- So they've had discussions to try and work
- 15 it out. It's been unsuccessful to date, so that's why
- 16 we need a hearing.
- 17 EXAMINER JONES: So it's Marathon, WPX
- 18 and --
- MR. FELDEWERT: Ridge Runner.
- 20 MR. BRUCE: I represent Burnett Oil Company
- 21 and Fortson, F-O-R-T-S-O-N, Oil Company.
- 22 EXAMINER WARNELL: Can we accommodate that?
- 23 EXAMINER JONES: We can find an examiner.
- We've already got the other one set for the 30th.
- The court reporter could do it?

- 1 (The court reporter indicates.)
- 2 EXAMINER JONES: I think so. They always
- 3 seem to round up a court reporter.
- 4 EXAMINER WARNELL: All right. April 25th
- 5 and 26th.
- 6 EXAMINER JONES: Now, as far as this docket
- 7 here goes, which cases would be timid continued the
- 8 25th?
- 9 MS. BENNETT: That would be --
- 10 EXAMINER JONES: Only the Cimarex -- or
- 11 only the Marathon cases?
- MS. BENNETT: No. The Ridge Runner cases
- 13 are also on this docket, and they're on page --
- MR. LARSON: And we had agreed to continue
- 15 all the cases to the 18th -- April 18th with the idea
- 16 that we would seek a special hearing.
- MS. BENNETT: Uh-huh.
- 18 MR. LARSON: So the three Ridge Runner
- 19 cases --
- 20 EXAMINER JONES: Three Ridge Runner cases
- 21 and one Marathon case?
- 22 MS. BENNETT: Three Marathons, Trojan
- 23 Horse, Cerberus --
- 24 EXAMINER JONES: I got it. I got it. So
- 25 that's 4/25. And the other one was the Cerberus.

1 MS. BENNETT: Cerberus, uh-huh, 20165.

- 2 Thank you.
- 3 So Marathon and Mewbourne have been in
- 4 discussions about several sets of wells. And, in fact,
- 5 this is one that, Mr. Jones, you emailed us about, the
- 6 Homework Larry and Duda Bides set of cases.
- 7 EXAMINER JONES: Yeah.
- 8 MS. BENNETT: And our clients have been in
- 9 discussions and they've been in discussions for quite
- 10 some time and have yet to reach a resolution, and so
- 11 we'd like to request that those cases be set for a
- 12 special hearing as well. And we have conferred with our
- 13 clients and with each other, and I propose either May
- 14 3rd or May 17th, both of which are the days right after
- 15 a hearing date, and so it wouldn't be -- it would be a
- 16 special hearing date, but it's already combined -- or
- 17 back to back to a docket date.
- 18 EXAMINER WARNELL: You can do it in less
- 19 than a day?
- 20 MS. BENNETT: Do you think we could do it
- 21 in less than a day, Jim?
- 22 MR. BRUCE: I think we could -- yeah, I
- 23 think so. Maybe not -- you know, not 8:00 to 5:00,
- 24 but -- I don't think we need 8:00 to 5:00, but I think
- 25 the issues are fairly defined.

1 EXAMINER WARNELL: What are the case

- 2 numbers?
- 3 MS. BENNETT: So the Marathon case numbers
- 4 are 16414, 20166, 20167, 20201 and 20168.
- 5 EXAMINER JONES: 20168.
- MS. BENNETT: Uh-huh.
- 7 EXAMINER WARNELL: And, Jim, Marathon?
- MR. BRUCE: Mewbourne's are --
- 9 EXAMINER WARNELL: Mewbourne's. I'm sorry.
- 10 MR. BRUCE: -- 16492 through 16495, plus
- 11 20249 through 20251.
- 12 MS. BENNETT: So there are a number of
- 13 wells, but they're a number of wells within each area.
- 14 So I would have the same landman, geologist and engineer
- 15 even though I have a number of wells.
- 16 And I assume you probably would, too.
- 17 MR. BRUCE: Yeah.
- MS. BENNETT: The number of wells, I don't
- 19 think, is dispositive of about how long the hearing
- 20 would be, because it does seem like there may be too
- 21 many wells to fit into for one day, but the evidence for
- 22 all of them would be the same, and the witnesses would
- 23 be the same. And so then we were thinking, for
- 24 convenience sake, to just piggyback off of existing
- 25 docket dates. And so May 2nd is an existing docket

1 date, albeit for new cases, but perhaps we could have it

- 2 on May 3rd, or even May 2nd -- start on May 2nd and go
- 3 into May 3rd if the May 2nd docket looks like -- or the
- 4 same thing with the 16th/17th, which is the continuance
- 5 docket date.
- 6 EXAMINER WARNELL: I think I'd rather go
- 7 with the 17th. And I don't know if I want to call it a
- 8 special docket. These dockets are killing us. The one
- 9 that we have here today, we just took 15 minutes to redo
- 10 the continuances and dismissals. We started out with
- 11 114 cases, and now, today, maybe we're going to hear
- 12 five, six. So help me out here.
- MS. BENNETT: Well, and in a way we are
- 14 helping you out because we're taking about --
- 15 between this set of cases and the prior set of cases,
- 16 we're taking about 30 off of your hands just like that
- 17 (demonstrating), and they won't be continued anymore if
- 18 we can get them set for a special -- I will say
- 19 "special" in air quotes now.
- 20 EXAMINER GOETZE: I mean, we do have other
- 21 functions, and that's part of the problem. Everyone
- 22 puts everything off to the side to do it. In doing this
- 23 docket alone, it's now taking two people. So be aware
- 24 that you want these things and we get back to this old
- 25 proverb of yeah, I want it tomorrow. You can't get it

- 1 tomorrow. And so the more we're burdened in figuring
- 2 out schedules, the less you're going to get in completed
- 3 orders.
- 4 MS. BENNETT: Uh-huh.
- 5 EXAMINER GOETZE: They're bringing a new
- 6 director, which means there's going to be a period of
- 7 orientation. So try to figure out a little bit more and
- 8 help Mr. Warnell.
- 9 MS. BENNETT: Uh-huh. I certainly can
- 10 understand that, definitely. And I can say personally I
- 11 was trying to be as helpful as possible by suggesting
- 12 dates that are already set close to existing docket
- 13 dates thinking that that might be the most convenient,
- 14 rather than setting dates that are unrelated to existing
- 15 docket dates. But I certainly understand the time
- 16 constraints and time commitment that you-all put into
- 17 preparing the docket and then the frustration of coming
- into a hearing and having five cases go forward.
- 19 EXAMINER GOETZE: People have files on
- 20 their floor because the continuances are to the point
- 21 where we don't get things done. And you've got a lot of
- 22 money wrapped up in this, so we understand the
- 23 obligation. But at the same time, you know, if it's
- 24 going to be legitimate, then let's have special dockets.
- 25 But if it's just being used as a means to come to an

- 1 agreement, come on, give us a break.
- MS. BENNETT: Uh-huh.
- 3 EXAMINER GOETZE: Okay?
- 4 MS. BENNETT: Yup.
- 5 EXAMINER JONES: And also Mr. Wade has told
- 6 us that he is amenable to things going straight to the
- 7 Commission. You can make a request for that if you
- 8 have -- if you have a --
- 9 MS. BENNETT: And I would like to echo --
- 10 or reiterate the fact that a lot of these cases do come
- 11 from good-faith efforts by the parties to reach
- 12 agreement, and so that's why we see a lot of these
- 13 continuances. I mean, I'm relatively new to this, as
- 14 you-all know. I'm sort of maybe not the right
- 15 mouthpiece for this message, but I can say, based on my
- 16 experience -- short experience, that that is what has
- 17 been happening. Our landmen are -- we file an
- 18 application, find that it's -- that there is a protest
- 19 or a question about it, and our landmen are trying to
- 20 work with the landmen from the other companies or
- 21 engineers, what have you, to resolve those. And that's
- 22 a lot of what leads to the continuances, is trying to
- 23 work it out. And only when we do get to an impasse like
- 24 this are we then asking for special hearings rather than
- 25 continuances.

1 MR. DeBRINE: And, Mr. Examiner, I would

- 2 only add that I think part of the problem that we
- 3 experience is when you have two or three different
- 4 competing applications that are on different dockets.
- 5 Trying to get them on the same docket is very difficult
- 6 because the continuance is to the next month's
- 7 continuance docket where you might have the two on the
- 8 continuance that month. So we're scrambling trying to
- 9 get things on the same continuance docket, and that's
- 10 where we run into problems, and that's why we think, oh,
- 11 well, let's see if we can get a special hearing so that
- 12 everything comes together at the same time. That's the
- 13 problem we've experienced.
- 14 EXAMINER GOETZE: And the Division is well
- 15 aware that the sandbox is getting smaller and smaller,
- 16 and so there is going to be quite a play for what's
- 17 still out there. We appreciate that.
- And, Ms. Bennett, you're a veteran now.
- 19 (Laughter.)
- 20 MS. BENNETT: Yes. Do I get my Girl Scout
- 21 patch now -- my OCD Girl Scout patch?
- 22 EXAMINER GOETZE: We have --
- MS. BENNETT: Yeah.
- So what do we think? The 17th, coming back
- 25 to --

Page 22 EXAMINER WARNELL: I think that's a good idea. MS. BENNETT: Awesome. Thank you. EXAMINER WARNELL: You know, let's just keep communicating and docketing, and we'll work it out. MS. BENNETT: Of course. Thank you very much. EXAMINER WARNELL: Thank you. EXAMINER MURPHY: Okay. We'll continue the cases. I think we'll hear the Solaris case. (The prehearing record, continuances, dismissals and scheduling conferences, concludes, 8:46 a.m.)

- 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.
- 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.
- DATED THIS 7th day of April 2019.

21

22

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

25