

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 CHEVRON U.S.A., INC. CASE NO. 20332  
FOR COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

May 16, 2019

Santa Fe, New Mexico

BEFORE: LEONARD LOWE, CHIEF EXAMINER  
MICHAEL McMILLAN, TECHNICAL EXAMINER  
DAVID K. BROOKS, LEGAL EXAMINER

This matter came on for hearing before the  
New Mexico Oil Conservation Division, Leonard Lowe,  
Chief Examiner; Michael McMillan, Technical Examiner;  
and David K. Brooks, Legal Examiner, on Thursday, May  
16, 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

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# APPEARANCES

FOR APPLICANT CHEVRON U.S.A., INC.:

MICHAEL H. FELDEWERT, ESQ.  
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# EXHIBITS OFFERED AND ADMITTED

Chevron U.S.A., Inc. Exhibit Numbers 11 and 12	4
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1 (9:06 a.m.)

2 EXAMINER LOWE: We'll continue to the next  
3 case now, and that'll be Case Number 20332, Chevron  
4 U.S.A., Incorporated, for compulsory pooling, Eddy  
5 County.

6 Call for appearances.

7 MR. FELDEWERT: May it please the examiner,  
8 Michael Feldewert, with the Santa Fe office of Holland &  
9 Hart, appearing on behalf of Chevron U.S.A., Inc. And I  
10 have no witnesses here today.

11 Mr. Examiner, this case was called for  
12 hearing on April 4th -- yeah, on April 4th. And at that  
13 time, there were ten exhibits entered into the record,  
14 and there was testimony from two witnesses. This case  
15 was continued to allow timely notice to a group of  
16 overriding royalty interest owners.

17 And Chevron Exhibit 11 -- continuing the  
18 numbering sequence, Chevron Exhibit Number 11 is an  
19 affidavit prepared by my office with the attached letter  
20 providing notice of the additional hearing to this group  
21 of overriding royalty interest owners.

22 In addition, Chevron Exhibit Number 12 is  
23 an Affidavit of Publication in the local newspaper of  
24 this additional hearing, directed by name to this  
25 additional group of overriding royalty interest owners.

1 You will note that the letter in the notification states  
2 a hearing of May 2nd, which is what was requested at the  
3 time that the continuation occurred. And so this matter  
4 has now been properly noticed to all these individuals.

5 And we ask that Exhibits 11 and 12 be  
6 admitted into the record --

7 EXAMINER LOWE: Okay.

8 MR. FELDEWERT: -- and that this case be  
9 taken under advisement.

10 EXAMINER McMILLAN: Is the case where the  
11 attorney showed up?

12 MR. FELDEWERT: Yes. And I actually spoke  
13 with the attorney last night -- a different attorney --  
14 and they indicated to me that they would not be here  
15 today. So --

16 EXAMINER BROOKS: Would it be correct to  
17 say that you have not heard anything from any of the  
18 additionally noticed parties?

19 MR. FELDEWERT: Yes, sir.

20 EXAMINER BROOKS: Thank you.

21 EXAMINER LOWE: Okay. Exhibits 11 and 12  
22 will be admitted.

23 (Chevron U.S.A., Inc. Exhibit Numbers 11  
24 and 12 are offered and admitted into  
25 evidence.)

1 MR. FELDEWERT: Thank you.

2 EXAMINER LOWE: We will take it under  
3 advisement.

4 MR. FELDEWERT: Thank you.

5 (Case Number 20332 concludes, 9:09 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 DATED THIS 30th day of May 2019.

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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