

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 COG OPERATING, LLC CASE NO. 20417
FOR COMPULSORY POOLING, LEA 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
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Page 2

1 APPEARANCES
 2 FOR APPLICANT COG OPERATING, LLC:
 3 KAITLYN A. LUCK, ESQ.
 4 MICHAEL H. FELDEWERT, ESQ.
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11 INDEX
 12 PAGE
 13 Case Number 20417 Called 3
 14 Exhibits Offered 3
 15 Proceedings Conclude 5
 16 Certificate of Court Reporter 6

17 EXHIBITS OFFERED AND ADMITTED
 18 COG Operating, LLC Exhibit Numbers 4 and 5 4

Page 4

1 interest owners in each tract.
 2 You'll see in the supplemental affidavit of
 3 Mr. Bedrick that he identified some interest owners as
 4 unmarketable title owners who are individuals or other
 5 entities that appear in the public records as having
 6 potential claims to ownership of oil, gas or mineral
 7 interests in the proposed spacing units. However,
 8 whether they actually own an interest is unclear due to
 9 a defect in title or a title dispute. COG seeks to pool
 10 these mineral interests out of an abundance of caution
 11 in the event it is presented that they do, in fact, own
 12 an interest in the proposed spacing unit.
 13 And with that, COG would ask that Exhibits
 14 4 and 5 be admitted into the record and the case be
 15 taken under advisement.
 16 EXAMINER LOWE: Okay. Exhibits 4 and 5
 17 will be accepted in this case, and we will take it under
 18 advisement.
 19 Oh, you have questions?
 20 EXAMINER BROOKS: No.
 21 (COG Operating, LLC Exhibit Numbers 4 and 5
 22 are offered and admitted into evidence.)
 23 EXAMINER LOWE: We will take it under
 24 advisement.
 25 MS. LUCK: Thank you.

Page 3

1 (9:11 a.m.)
 2 EXAMINER LOWE: All righty then. We will
 3 continue with Case Number 20417, COG Operating for
 4 compulsory pooling, Eddy County, for the Boone 16 State
 5 Com.
 6 Call for appearances.
 7 MS. LUCK: Good morning. Kaitlyn Luck with
 8 the Santa Fe office of Holland & Hart.
 9 This is a notice case.
 10 If you wouldn't mind holding on just a
 11 moment.
 12 This case was originally heard at the first
 13 docket in May, and it was continued for the purpose of
 14 providing notice. So under Tab 5, you'll see an
 15 affidavit reflecting that notice was provided of the
 16 hearing date today. The letter was mailed on April
 17 24th. And behind that there is also an Affidavit of
 18 Publication for all of mineral interest owners because
 19 one of the letters was not delivered.
 20 And under Tab 4 is the supplemental of Luke
 21 Bedrick, and that was requested by the hearing examiners
 22 at the last hearing to clarify what was meant by
 23 unmarketable title owners.
 24 And Exhibit 1B, following the affidavit, is
 25 also a revised Exhibit 1B reflecting all of the working

Page 5

1 MR. FELDEWERT: Thank you.
 2 (Case Number 20417 concludes, 9:15 a.m.)
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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 30th day of May 2019.

21
22 MARY C. HANKINS, CCR, RPR
23 Certified Court Reporter
24 New Mexico CCR No. 20
25 Date of CCR Expiration: 12/31/2019
Paul Baca Professional Court Reporters