

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

PRE-HEARING TRANSCRIPT

June 13, 2019

Santa Fe, New Mexico

BEFORE: SCOTT DAWSON, CHIEF EXAMINER
DAVID K. BROOKS, LEGAL EXAMINER

This matter came on for hearing before the New Mexico Oil Conservation Division, Scott Dawson, Chief Examiner, and David K. Brooks, Legal Examiner, on Thursday, June 13, 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 (8:17 a.m.)

2 EXAMINER DAWSON: Good morning, ladies and
3 gentlemen. Today is June 13th, 2019. We are here in
4 Porter Hall, 1220 South Saint Francis, in the Wendell
5 Chino Building.

6 My name is Scott Dawson. I'm the examiner
7 today. To my right is David Brooks. He's our attorney.
8 Marlene Salvidrez also works for OCD, and Marilyn
9 Gruebel is over here to our right.

10 Today we're going over Docket 20-19, and
11 here in the beginning, we'll go over the continuances
12 and dismissals.

13 And going down the list: Number one's
14 continued; two, dismissed; three, continued; four,
15 continued; five, continued; six, continued; seven,
16 continued; eight, continued.

17 Second page: 22, continued; 23, continued.
18 24, 25, 26, 27, 28 and 29, all those are continued.

19 Page 3 of 6: 42, 43 and 44 are continued.
20 47 and 48 are continued.

21 Going down to page 5 of 6: 83, 84, 85, 86,
22 87, 88, 89, 90 and 91 are continued. 97 is dismissed.

23 Page 6 of 6: 101 and 102 are both
24 continued.

25 Are there any other continuances or

1 dismissals that I might have missed that anybody has?

2 MR. DeBRINE: Mr. Examiner, Earl DeBrine
3 with the Modrall Sperling firm.

4 Case Number 20560, number 80 on the docket,
5 Cimarex Energy, the Parkway case is continued.

6 EXAMINER DAWSON: Continued. Okay.

7 Is that it?

8 Mr. Bruce.

9 MR. BRUCE: Yeah, just one thing. On the
10 first page, cases nine through 13, the Mewbourne Oil
11 Company cases are mine. I've also got the last two of
12 the day. Could I just have those five moved to the end
13 of the day so I do them all at one time?

14 EXAMINER DAWSON: Okay. So nine through
15 13, end of day?

16 MR. BRUCE: End of the day, yeah.

17 EXAMINER DAWSON: And you said the last two
18 were yours, too?

19 MR. BRUCE: Yeah. On page 6, those last
20 two, so I'll do them all at the same time.

21 EXAMINER DAWSON: Okay. So is that it for
22 continuances and dismissals that everybody has? Any
23 more?

24 (The prehearing proceedings conclude, 8:19
25 a.m.)

1 (10:30 a.m.)

2 EXAMINER DAWSON: Next case, 20337. It's
3 application of COG Operating, LLC for compulsory
4 pooling, Eddy County, New Mexico.

5 Call for appearances.

6 MS. LUCK: Kaitlyn Luck with the Santa Fe
7 office of Holland & Hart.

8 And in this case, COG has requested that
9 the Division reset this case for the July 11th docket,
10 as it is a new case, and we had submitted that request
11 to Hearing Examiner Warnell earlier this week.

12 EXAMINER DAWSON: Okay. July 11th. July
13 11th, isn't that for the new cases?

14 EXAMINER BROOKS: It is. That's the
15 general policy that the deputy has set. I don't know
16 that Mr. Warnell has discretion to make exceptions to
17 that -- that policy, but he's not here.

18 MS. LUCK: And if the case may be continued
19 to July 11th, but when it's called at that time and then
20 continued additionally to the July 25th docket, if that
21 would be acceptable to the Division.

22 EXAMINER BROOKS: Have you given notices
23 for the July 11th docket?

24 MS. LUCK: We intend to provide notice for
25 that hearing, and so that's why we're asking that it be

1 continued to that date.

2 EXAMINER BROOKS: Well, actually, I
3 believe, unlike the normal situation, that you do have
4 time to give 20 days' notice still.

5 MS. LUCK: Correct, Mr. Brooks. And that's
6 why we're asking this case be continued to the next
7 available new case docket because it is a new case.

8 EXAMINER BROOKS: Yes. And you would need
9 that because the Division is also required to give
10 20-day notice. And for the purpose of this segregation
11 of cases into original and continued, the Division
12 doesn't have to give notice for the cases that were set
13 on the later docket. So I guess -- my thought would be
14 that it makes sense conforming to the policy to grant
15 the request at sometime. I don't have the authority to
16 do that. So I'm just -- I'm not giving legal advice
17 because there is no rule on the subject.

18 MS. LUCK: Thank you, Mr. Hearing Examiner.
19 We would just ask that it be continued to that date and
20 then ask to be reconsidered at that hearing. We would
21 ask it be called on July 11th, and then it may be
22 continued later.

23 EXAMINER BROOKS: Seems reasonable.

24 EXAMINER DAWSON: Okay. That seems
25 reasonable. We'll continue it to July 11th, and if it

1 needs to be further continued, we will continue it at
2 that time.

3 MS. LUCK: Thank you, Mr. Hearing
4 Examiners.

5 EXAMINER DAWSON: Thank you very much.

6 (The proceedings conclude, 10:33 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 of June 2019.

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

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