

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:

CASE NOS: 21379, 21380

APPLICATION OF COLGATE OPERATING LLC  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

EXAMINER HEARING

AUGUST 6, 2020

SANTA FE, NEW MEXICO

This matter came on for virtual hearing before the New Mexico Oil Conservation Division, EXAMINERS FELICIA ORTH, DEAN McCLURE, JOHN GARCIA and KATHLEEN MURPHY on Thursday, August 6, 2020, hosted by the New Mexico Energy, Minerals, and Natural Resources Department, through Cisco Webex electronic platform.

Reported by: Irene Delgado, NMCCR 253  
PAUL BACA PROFESSIONAL COURT REPORTERS  
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505-843-9241

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A P P E A R A N C E S

For the Applicant:

LANCE HOUGH  
MODRALL SPERLING ROEHL HARRIS & SISK PA  
500 4th Street, NW, Suite 1000  
Albuquerque, NM 87102  
505-848-9710  
deana.bennett@modrall.com

For Mewbourne:

JAMES BRUCE  
P.O. Box 1056  
Santa Fe, NM 87504-1056  
505-982-2151  
jamesbruce@aol.com

STATUS CONFERENCE

REPORTER CERTIFICATE

1 HEARING EXAMINER ORTH: Move to cases 21379 and  
2 21380. The applicant is Colgate Operating. These are  
3 compulsory pooling applications for a well named Silver Bar.  
4 Who here is from Modrall Sperling for the applicant?

5 MR. HOUGH: Good morning, Madam Examiner, Lance  
6 Hough from the law firm of Modrall Sperling on behalf of  
7 Colgate Operating LLC.

8 HEARING EXAMINER ORTH: all right. Hello,  
9 Mr. Hough. And we have Mewbourne entering an appearance.  
10 Mr. Bruce, you are here for Mewbourne?

11 MR. BRUCE: Yes, I am -- excuse me -- yes I am.

12 HEARING EXAMINER ORTH: Thank you. Pause a  
13 moment to see if there are any other appearances.

14 (No response.)

15 HEARING EXAMINER ORTH: Hearing nothing. How are  
16 we proceeding on these two cases this morning? Is this a  
17 status conference based on Mr. Bruce's objection to your  
18 proceeding by affidavit? Mr. Hough, what do say?

19 MR. HOUGH: That was my understanding, you know.  
20 We did receive Mewbourne's prehearing statement back on the  
21 28th of July, so we understood that to be their objection  
22 for proceeding by affidavit. So I understand this to be a  
23 status conference for setting a hearing, and really  
24 (inaudible) to be honest, from Colgate's standpoint.

25 HEARING EXAMINER ORTH: All right. Thank you.

1 As you may have heard earlier, we are pushing now deep into  
2 the fall. What I would be looking at -- the earliest I  
3 would be looking at would be October 23, but I'm not certain  
4 that that's possible, again, based on other matters where  
5 there's been requests for that date. So then the next date  
6 would be November 20 -- well, 19 or 20. That would be  
7 following a hearing session on the 19th.

8 So if you would, please, submit a prehearing  
9 order, and I will fill in the earliest date that I can.  
10 Again, that will be, the very earliest would be October 23,  
11 potentially November 20.

12 MR. HOUGH: Thank you.

13 MR. BRUCE: Thank you.

14 HEARING EXAMINER ORTH: Thank you very much.

15 (Adjourned.)  
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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, IRENE DELGADO, New Mexico Certified Court  
7 Reporter, do hereby certify that I reported the foregoing  
8 proceedings in stenographic shorthand and that the foregoing  
9 pages are a true and correct transcript of those proceedings  
10 that were reduced to printed form by me to the best of my  
11 ability.

12 I FURTHER CERTIFY that I am neither employed by  
13 nor related to any of the parties of attorneys in this case  
14 and that I have no interest in the final disposition of this  
15 case.

16 I FURTHER CERTIFY that the Virtual Proceeding was  
17 of fair quality.

18 Dated this 6th day of August 2020.

19

/s/ Irene Delgado

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Irene Delgado, NMCCR 253  
License Expires: 12-31-20

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