

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

IN THE MATTTTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

CASE NOS. 21430, 21431, 21432

APPLICATION OF MEWBOURNE OIL COMPANY
FOR COMPULSORY POOLING IN EDDY COUNTY
NEW MEXICO

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS.

EXAMINER HEARING

THURSDAY, SEPTEMBER 10, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the
New Mexico Oil Conservation Division, Felicia Orth,
Hearing Examiner, Scott Cox Technical Examiner, on
Thursday, September 10, 2020 via Webex Virtual Event
Platform

Reported by: Mary Therese Macfarlane
New Mexico CCR NO. 122
PAUL BACA COURT REPORTERS
500 Fourth Street NW, Suite 105
Albuquerque, New Mexico 87102
(505) 843-9241

1 (Time noted 9:27 a.m.)

2 HEARING EXAMINER ORTH: Let's move on, then, to
3 the next three matters, 21430, 21431 and 21432. The
4 Applicant is Mewbourne Oil. These are compulsory pooling
5 applications relating to a well named Iron Horse.

6 Mr. Bruce, you're here for the Applicant?

7 MR. BRUCE: Yes, I am.

8 HEARING EXAMINER ORTH: All right. When I went
9 to the file I saw only the application, and I did see some
10 email communication about bundling it with two other
11 matters -- what was it, 21379 and 80 for hearing on
12 November 19th -- but I have to confess I was confused by
13 that email. I don't remember discussing these three
14 matters in connection with the other two.

15 So first let me ask if there are other
16 appearances for these three.

17 MR. HOUGH: Madam Examiner, Lance Hough from
18 Modrall, Sperling on behalf of Colgate Operating, LLC.

19 HEARING EXAMINER ORTH: Okay. Any other
20 appearances this morning?

21 No. All right. Mr. Bruce, if you would,
22 please.

23 MR. BRUCE: Yes. Mr. Hough's client Colgate had
24 pooling matters set on the docket for August 6th, I
25 believe, and Mewbourne filed an entry of appearance in

1 those cases 21379 and 21380, so on that date a scheduling
2 conference on August 6th was heard, and Mr. Hough and I
3 preliminarily agreed on a hearing date, so that's why it
4 was moved to -- what was the date, November 19th?

5 HEARING EXAMINER ORTH: Yeah.

6 MR. BRUCE: And a couple of days before that
7 hearing, or right around the hearing date I did file these
8 three applications on behalf of Mewbourne.

9 And so what we have here is Colgate's
10 pooling applications, which are partially overlapped by
11 Mewbourne's applications, and I guess I was just under the
12 impression -- I couldn't find a transcript of what was
13 stated on the record of August 6th -- that these cases
14 were just going along with the Colgate cases; and I wasn't
15 aware that I needed to file a continuance motion, I
16 thought they would just be continued as a matter of
17 course. Obviously a continuance motion wasn't filed, but
18 I believe Mr. Hough and I both believe the cases need to
19 be heard together, and so that's why I filed no exhibits
20 and neither Mr. Hough nor I filed any Prehearing
21 Statements in these cases, these three cases.

22 So what I ask is that the cases be moved to
23 November 19th, whatever the date is in the Prehearing
24 Order on these other two cases, and if you need me to file
25 three continuance motions, I will do so.

1 HEARING EXAMINER ORTH: Okay. Yeah, filing the
2 continuance motions through the fee portal would be
3 necessary.

4 Let me just confirm with Mr. Hough that you
5 agree these are competing applications and need to be
6 heard in connection with 21379 and 21380, because --

7 MR. HOUGH: I do.

8 HEARING EXAMINER ORTH: You do.

9 I'm sorry, because the Prehearing Order
10 that was admitted in -- this is what confused me. The
11 Prehearing Order in 21379 and -80 didn't mention these
12 three.

13 MR. BRUCE: Yeah. And I think that's because as
14 of the date that Mr. Hough put together the Scheduling
15 Order, the Prehearing Order, I don't know that I had case
16 numbers for these matters yet.

17 MR. HOUGH: Madam Examiner this is Lance Hough.

18 Just wanted to add, you know, we agree with
19 Mr. Bruce's representations, and, you know, if it's
20 helpful we can submit an amended Prehearing Order that
21 would consolidate those, you know, as a matter of ease for
22 the Division.

23 HEARING EXAMINER ORTH: All right. Well, thank
24 you for that.

25 So Mr. Bruce, if you would please file

1 through the portal, --

2 MR. BRUCE: I will.

3 HEARING EXAMINER ORTH: -- and request November
4 19th.

5 And, Mr. Hough, if you would please send us
6 an Amended Prehearing Order just to keep us straight with
7 everything that we will be doing on November 19th.

8 MR. BRUCE: Thank you.

9 MR. HOUGH: Thank you.

10 HEARING EXAMINER ORTH: Thank you, Mr. Bruce and
11 Mr. Hough.

12 (Time noted 9:31 a.m.)

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1 STATE OF NEW MEXICO)

2 : SS

3 COUNTY OF TAOS)

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REPORTER'S CERTIFICATE

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I, MARY THERESE MACFARLANE, New Mexico Reporter

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CCR No. 122, DO HEREBY CERTIFY that on Thursday, September

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10, 2020, the proceedings in the above-captioned matter

9

were taken before me; that I did report in stenographic

10

shorthand the proceedings set forth herein, and the

11

foregoing pages are a true and correct transcription to

12

the best of my ability and control.

13

I further certify that I am neither employed by

14

nor related to nor contracted with (unless excepted by the

15

rules) any of the parties or attorneys in this case, and

16

that I have no interest whatsoever in the final

17

disposition of this case in any court.

18

/s/ Mary Macfarlane

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MARY THERESE MACFARLANE, CCR

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