

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 NO. 21376

APPLICATION OF WPX ENERGY PERMIAN  
TO RESCIND DIVISION APPROVAL OF  
APPLICATIONS FOR PERMITS TO DRILL  
FILED BY TAP ROCK RESOURCES, LLC,  
EDDY COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

THURSDAY, SEPTEMBER 24, 2020

(MISCELLANOUS APPLICATION)

This matter came on for hearing before the  
New Mexico Oil Conservation Division, Felicia Orth,  
Hearing Examiner, Kathleen Murphy and Scott Cox,  
Technical Examiners, via the Cisco Webex Video  
Conferencing Platform

Reported by: Mary T. Macfarlane, CCR  
PAUL BACA PROFESSIONAL COURT REPORTERS  
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Albuquerque, NM 87102

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A P P E A R A N C E S

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C O N T E N T S

	PAGE
CASE NUMBER 21376	
CASE CALLED	3
REPORTER'S CERTIFICATE:	7

1 (Time noted 9:00 a.m.)

2 HEARING EXAMINER ORTH: Let's move then to  
3 21376. The applicant is WPX Energy Permian. This was a  
4 Miscellaneous Application. The well name is WTG Federal.

5 Mr. Feldewert, is that you from Holland &  
6 Hart for the Applicant?

7 MR. FELDEWERT: Yes, Madam Examiner.

8 HEARING EXAMINER ORTH: Thank you.

9 And, Mr. Bruce, I see you entered an  
10 appearance on behalf of Tap Rock.

11 MR. BRUCE: That is correct.

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

14 TECHNICAL EXAMINER MURPHY: I don't have an  
15 exhibit for that, and I wondered if it was a previous  
16 case.

17 HEARING EXAMINER ORTH: Mr. Feldewert?

18 MR. FELDEWERT: Yes. Sure. Certainly.

19 These -- we are not presenting this matter.  
20 We looked at the file and we actually submitted a request  
21 for a continuance on September 16th, last Wednesday. It  
22 was -- we had requested the October 8th docket because,  
23 uh -- let me get my cases straight. I think it's -- there  
24 are WPX-4 wells which are on that docket. But Ms.  
25 Salvidrez informed us she is unable to continue it to the

1 October 8th docket, and so it would go to the following  
2 docket, whichever one that is, I guess the 20 -- wait a  
3 minute, the 22nd, which is where the cases for the wells  
4 by Tap Rock are currently sitting. So the goal here is to  
5 get this matter, the WPX-4 wells and the Tap Rock pooling  
6 cases for their Welcome To Golden (phonetic) wells on the  
7 same docket so we can then have a status conference for  
8 the purpose of setting a contested hearing.

9 So we did file a motion through the portal.  
10 I think it's just a matter of we could not put it on the  
11 October 8th docket. I'm assuming then it would be moved  
12 automatically to the October 22nd docket.

13 MS. SALVIDREZ: So this is Marlene.

14 The reason I denied that was because  
15 continuances are for the second docket of each month, so  
16 it was rejected.

17 So if you wanted, you know, to submit  
18 another continuance with the correct date then I'll  
19 approve it. And I did verify with management that I  
20 cannot put continued cases on the first docket of the  
21 month.

22 HEARING EXAMINER ORTH: Thank you, Ms.  
23 Salvidrez.

24 I'm sorry, Mr. Feldewert.

25 MR. FELDEWERT: Yeah I understand. You know,

1 the reason we were doing that is just to try to get the  
2 cases on the same docket.

3 Jim, did you ask for the 8th, as well.

4 MR. BRUCE: I -- after reading Marlene's email I  
5 continued the Tap Rock case to October 22nd.

6 MR. FELDEWERT: Okay. Okay. Okay.

7 So, Marlene, do we need to file another  
8 request for continuance or can that one be accepted for  
9 the 22nd?

10 MS. SALVIDREZ: Well, I rejected that the same  
11 day that I sent Kaitlyn and Carla an email. So it's  
12 rejected in the system, so you'll need to resubmit a new  
13 one with the correct date, because if I would have  
14 approved that one it would have said October 8th.

15 So because I already rejected it you'll  
16 need to submit a new one with the correct date you want it  
17 continued to.

18 MR. FELDEWERT: Okay. All right.

19 MR. BRUCE: And, Madam Examiner, the parties are  
20 in settlement discussions, and I think fairly serious, and  
21 there is a decent chance that come October 22nd the cases  
22 could be dismissed.

23 HEARING EXAMINER ORTH: All right. Thank you  
24 for that, Mr. Bruce.

25 Is there anything else we want to talk

1 about this morning in relation to 21376? No?

2 MR. FELDEWERT: I don't think so, Madam  
3 Examiner. My plan would be we will file now a second  
4 continuance for October the 22nd.

5 HEARING EXAMINER ORTH: That's what I understand  
6 your task to be.

7 MR. FELDEWERT: Okay.

8 HEARING EXAMINER ORTH: All right. Thank you  
9 both gentlemen and Ms. Salvidrez.

10 We have come to the end of our brief  
11 hearing docket this morning. That was the 14th matter.  
12 Is there anything else before we adjourn? No?

13 All right. I thank you all. I'll talk to  
14 you again in two weeks.

15 MR. FELDEWERT: Thank you.

16 MR. BRUCE: Thank you.

17 (Time Noted 9:08 a.m.)

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1 STATE OF NEW MEXICO )  
2 : SS  
3 COUNTY OF TAOS )

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5 REPORTER'S CERTIFICATE

6 I, MARY THERESE MACFARLANE, New Mexico Reporter  
7 CCR No. 122, DO HEREBY CERTIFY that on Thursday, September  
8 24, 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  
19 \_\_\_\_\_

20 MARY THERESE MACFARLANE, CCR  
21 NM Certified Court Reporter No. 122  
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