

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: 21505 21506

APPLICATION OF ASCENT ENERGY LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

EXAMINER HEARING

NOVEMBER 5, 2020

SANTA FE, NEW MEXICO

This matter came on for virtual hearing before the New Mexico Oil Conservation Division, HEARING OFFICER FELICIA ORTH and TECHNICAL EXAMINERS DYLAN ROSE-COSS on Thursday, November 5, 2020, through the Webex Platform.

Reported by: Irene Delgado, NMCCR 253  
PAUL BACA PROFESSIONAL COURT REPORTERS  
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A P P E A R A N C E S

For the Applicant:

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

I N D E X

CASE CALLED

SUMMARY OF CASE 03

TAKEN UNDER ADVISEMENT 05

REPORTER CERTIFICATE 06

E X H I B I T I N D E X

Admitted

Exhibits and All Attachments 05

1 HEARING EXAMINER ORTH: Let's move then to 21505  
2 and 21506. Ascent Energy is the applicant. The well name  
3 is Silver, Silver Fed. Mr. Bruce, you are here for the  
4 applicant.

5 MR. BRUCE: Yes.

6 HEARING EXAMINER ORTH: And I saw an entry of  
7 appearance by Modrall Sperling for Marathon. Is that you,  
8 Ms. Bennett?

9 MS. BENNETT: Good morning, Madam Examiner. This  
10 is Deana Bennett on behalf of Marathon Permian LLC, and  
11 Marathon does not object to these cases going forward by  
12 affidavit. Marathon is entering its appearance in these  
13 cases just to preserve its right to appeal. Thank you.

14 HEARING EXAMINER ORTH: Thank you very much, Ms.  
15 Bennett. Let me pause for a moment to see if there are any  
16 other appearances this morning.

17 (No audible response.)

18 HEARING EXAMINER ORTH: I hear nothing. Mr.  
19 Bruce, please go ahead.

20 MR. BRUCE: Yes, in these two cases Ascent again  
21 seeks to force pool the Bone Spring and Wolfcamp formations  
22 underlying the W/2 W/2 of Section 4 and W/2 W/2 of  
23 Section 9, 20 South, 33 East. This is -- these -- that  
24 land immediately abuts the property which was pooled in the  
25 prior four cases. Yes, these are the Silver Fed Com wells,

1 family of wells.

2 Other, other than having different, different  
3 ownership and the different acreage, the exhibit packages  
4 are virtually the same. The landman's package contains all  
5 the usual information required by the Division to see that  
6 an effort was made to obtain voluntary joinder of the  
7 parties, and it gives the overhead rates, et cetera.

8 Again, the geologist exhibits are broken down  
9 into Bone Spring exhibits for Exhibit 3-A, and then Wolfcamp  
10 exhibits for Exhibit 3-B, but the geology is exactly the  
11 same as for the prior four cases, so that when I e-mail Mr.  
12 Rose-Coss the exhibits, the one package covers -- he will  
13 get just one package of exhibits that will cover everything  
14 so that he doesn't need to review it six times.

15 The affidavit of notice is attached. Everyone  
16 who was pooled received actual notice, and therefore notice  
17 was not published in the newspaper.

18 And the pooling checklist for the two cases are  
19 marked Exhibits 5 and 6.

20 And with that, I would move the admission of te  
21 exhibits and ask that the matters be taken under advisement.

22 HEARING EXAMINER ORTH: Thank you, Mr. Bruce.  
23 Ms. Bennett, do you have questions?

24 MS. BENNETT: No questions. Thank you.

25 HEARING EXAMINER ORTH: All right. Mr.

1 Rose-Coss, any questions?

2 TECHNICAL EXAMINER COSS: No, I will thank Mr.  
3 Bruce for sending along the color exhibits, but I don't have  
4 any specific questions about the case at this time.

5 HEARING EXAMINER ORTH: All right, thank you.  
6 Mr. Bruce, your exhibits are admitted, and matters 21505 and  
7 21506 are taken under advisement.

8 MR. BRUCE: Thank you.

9 (Exhibits admitted.)

10 (Taken under advisement.)

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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, CCR 253, do hereby certify that I reported the  
8 foregoing virtual proceedings in stenographic shorthand and  
9 that the foregoing pages are a true and correct transcript  
10 of those proceedings to the best of my ability.

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

15 I FURTHER CERTIFY that the Virtual Proceeding was  
16 of poor to good quality.

17 Dated this 5th day of November 2020.

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/s/ Irene Delgado

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

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