

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: 21543

APPLICATION OF MATADOR PRODUCTION COMPANY  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

EXAMINER HEARING

DECEMBER 3, 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 EXAMINER BAYLEN LAMKIN on  
Thursday, December 3, 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:

KAITLYN LUCK  
HOLLAND & HART  
110 North Guadalupe, Suite 1  
Santa Fe, NM 87501  
505-954-7286

For Flat Creek Resources:

ABADIE & SCHILL, PC  
DARIN C. SAVAGE  
214 McKenzie Street  
Santa Fe, NM 87501  
970-395-4401

I N D E X

CASE CALLED

STATUS CONFERENCE 03

REPORTER CERTIFICATE 06

1 HEARING EXAMINER ORTH: Let's move to 21543,  
2 Matador Production, compulsory pooling application, the well  
3 name is Norris Thornton. I know that you are here for the  
4 applicant as well, Ms. Luck, and Mr. Savage is here for Flat  
5 Creek Resources. As I understand from the case file, we are  
6 going to have a status conference. Would you like to kick  
7 off the discussion, Ms. Luck?

8 MS. LUCK: Yeah, that's correct. I'm here for  
9 Matador Production Company, and it's my understanding Flat  
10 Creek Resources is opposed to Matador's proposed development  
11 in the Wolfcamp with this well in this case, and so I think  
12 we are looking to set this for a contested hearing, but I  
13 will defer to Mr. Savage to explain that.

14 MR. SAVAGE: Flat Creek Resources, they would  
15 like to have a scheduling for an appropriate date for a  
16 competing application to be heard against Matador's  
17 application.

18 HEARING EXAMINER ORTH: All right. Thank you.  
19 Let's see what date counsel can agree to today, and say that  
20 maybe I should have offered this up at the beginning of the  
21 the session.

22 Based on correspondence back and forth last week  
23 around some other matters, what I would like to do with the  
24 status conferences is to generally get a date from counsel,  
25 and then just go ahead and issue the prehearing order that

1 we have well established by way template, just issue that  
2 myself rather than sending counsel away to agree on a date,  
3 sending prehearing orders to one another, then collectively  
4 (unclear). So what date can counsel commit to and then I  
5 will just go ahead and do the prehearing order.

6 MR. SAVAGE: Madam Examiner, what dates are  
7 available?

8 HEARING EXAMINER ORTH: So we've got January and  
9 February full of contested hearings. I did want to say,  
10 because we are going to be having a discussion on other  
11 matters, that I'm not terribly concerned about that case,  
12 the hearings based on my perception, the vast majority have  
13 settled, and of course we have not only the rest of any  
14 Thursday, because these sessions are typically over by 10,  
15 so we have the rest of Thursday and then we have all day  
16 Friday as well for any hearings that actually go.

17 So I'm not terribly concerned about scheduling.  
18 At this moment, the two sessions in March, March 4 and March  
19 18 are open, or we can set one in February, February 4th or  
20 February 18.

21 MR. SAVAGE: March 4 or March 18, Thursday works  
22 well for my clients. I would be open to those two, either  
23 one of those, if Ms. Luck is amenable to that.

24 MS. LUCK: Yeah. Sorry. I think that either  
25 date would work for us. I would say let's go with the

1 earlier one and that gives Mr. Savage plenty of time to file  
2 his application or applications and we can be ready to go  
3 then.

4 HEARING EXAMINER ORTH: Okay. So March 4, and I  
5 will, later today, issue a prehearing order like the ones  
6 you have seen before with that date plugged in and the usual  
7 prehearing deadlines just before then.

8 MS. LUCK: Thank you.

9 MR. SAVAGE: Thank you, Madam Examiner.

10 HEARING EXAMINER ORTH: Thank you very much, both  
11 of you.

12 (Concluded.)

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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

3 REPORTER'S CERTIFICATE

4 I, IRENE DELGADO, New Mexico Certified Court  
5 Reporter, CCR 253, do hereby certify that I reported the  
6 foregoing virtual proceedings in stenographic shorthand and  
7 that the foregoing pages are a true and correct transcript  
8 of those proceedings to the best of my ability.

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

13 I FURTHER CERTIFY that the Virtual Proceeding was  
14 of poor to good quality.

15 Dated this 3rd day of December 2020.

16 /s/ Irene Delgado

17 \_\_\_\_\_  
18 Irene Delgado, NMCCR 253  
19 License Expires: 12-31-20

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