

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. 21599

Application of Marathon Oil Permian, LLC  
to Amend OCD Order R-21132,  
Eddy County, New Mexico

THURSDAY, JANUARY 7, 2020

This matter came on for hearing before the  
New Mexico Oil Conservation Division, William  
Brancard, Hearing Examiner, Dylan Rose-Coss,  
Technical Examiner, Dean McClure, Techical  
Examiner, via Cisco Webex Virtual Meeting Platform

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

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A P P E A R A N C E S

FOR MARATHON OIL PERMIAN, LLC:

Deana Bennett, Esq.  
Modrall, Sperling  
500 4th Street NW  
Suite 1000  
Albuquerque, NM 87102  
(505) 848-1834  
deana.bennett@modrall.com

C O N T E N T S

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

MARATHON PERMIAN OIL, LLC, EXHIBITS	ADMITTED
1    OCD letter of April 9, 2020	5
2    Notice Affidavits	5

1 (Time noted 9:10 a.m.)

2 HEARING EXAMINER BRANCARD: Moving on now to  
3 Case 19, 21599. And this is also Marathon.

4 MS. BENNETT: Good morning, again. Deana Bennett  
5 on behalf of Marathon Oil Permian, LLC.

6 This is a single case I would like to  
7 present today, 21599.

8 This is a unit of Marathon's called Honey  
9 Mustard, and again, this is -- Marathon is seeking in this  
10 Application to reopen the Order that the Division  
11 previously entered designating Marathon as the operator  
12 for two purposes: 1, to extend the time for drilling; and  
13 2, to conform this Order to the new Order template.

14 And as with the prior packets I've included  
15 behind Tab 1 the application of Clayton Rule. And Mr.  
16 Rule is a landman with Marathon who has previously been  
17 qualified to testify before the Division. In his  
18 affidavit he sets forth the reasons for the request for an  
19 extension of time.

20 Exhibit 1 to his affidavit is the OCD  
21 April 9, 2020 letter that discusses the need for changing  
22 or conforming the Interim Order template to the new Order  
23 template.

24 And Exhibit 2 is the Notice Affidavit. And  
25 again my Notice affidavit includes the letter that was

1 sent out, which was sent out 20 days before the hearing  
2 date. And it also includes the status of the mailings,  
3 whether they were received or not, and it includes an  
4 Affidavit of Publication.

5 And in this case there was also an  
6 undelivered letter, but we did publish, out of an  
7 abundance of caution, and the Affidavit of Publication is  
8 included.

9 And publication was done timely, as well.

10 Then behind Tab 2 are the applications that  
11 we filed in these two matters -- or, I'm sorry, the  
12 application that I filed in this matter seeking to reopen  
13 this Order for these limited purpose of extending the time  
14 to drill and conforming the form of Order to the new Order  
15 template.

16 With that I would ask the admission of  
17 Exhibit Tab 1 and Tab 2 in case No. 21599 and ask that  
18 Case No. 21599 be taken under advisement.

19 EXAMINER ROSE-COSS: are you with us, Bill?

20 HEARING EXAMINER BRANCARD: Ah, technology.

21 Do we have any other interested persons  
22 wishing to comment on Application -- Case 21599?

23 Hearing none, we will proceed to the  
24 examiners.

25 EXAMINER McCLURE: You're muted Dylan.

1                   Examiner McClure here. I have no question.

2                   EXAMINER ROSE-COSS: Thanks Dean. Examiner Coss  
3 here.

4                   It just jogged my memory, Ms. Bennett --  
5 this is an aside more than a comment.

6                   It was this time last year that we had an  
7 issue over timely publication, which is why we need to ask  
8 that question

9                   My how time time flies

10                  But no questions on this case. Thank you.

11                  HEARING EXAMINER BRANCARD: Okay. At this point  
12 we will admit the exhibits in Case 21599 and take the case  
13 under advisement.

14                  (Time noted 9:12 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,  
8 January 7, 2021, the proceedings in the above-captioned  
9 matter were taken before me; that I did report in  
10 stenographic shorthand the proceedings set forth herein,  
11 and the foregoing pages are a true and correct  
12 transcription to 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  
License Expires: 12/31/2021  
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