

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: 21100

APPLICATION OF MARATHON OIL PERMIAN LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

EXAMINER HEARING

JANUARY 21, 2021

SANTA FE, NEW MEXICO

This matter came on for virtual hearing before the New Mexico Oil Conservation Division, HEARING OFFICER BILL BRANCARD and TECHNICAL EXAMINER KATHLEEN MURPHY on Thursday, January 21, 2021, 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:

DEANA BENNETT
MODRALL SPERLING ROEHL HARRIS & SISK PA
500 4th Street, NW, Suite 1000
Albuquerque, NM 87102
505-848-9710

FOR COG:

KAITLYN LUCK
HOLLAND & HART
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Santa Fe, NM 87501
505-954-7286

I N D E X

CASE CALLED	03
CONTINUANCE GRANTED	06
REPORTER CERTIFICATE	07

1 HEARING OFFICER BRANCARD: We will move on to 3
2 on the spreadsheet, 21100, Marathon Oil. And I believe the
3 attorneys are from Modrall Sperling.

4 MS. BENNETT: (Inaudible.)

5 HEARING OFFICER BRANCARD: I see lips moving,
6 Deana, but no sound.

7 MS. BENNETT: (Inaudible.)

8 HEARING OFFICER BRANCARD: We can hear you.
9 Thank you.

10 MS. BENNETT: Okay, great. I was double muted,
11 so I was being extra careful to mute in two different
12 places, so I apologize for that.

13 Good morning. This is Deana Bennett on behalf of
14 Marathon Oil Permian LLC, and I would like to throw myself
15 on the mercy of OCD this morning and ask that I be allowed
16 to file a late continuance for this case, 21100.

17 The Blue Ridge case, 21100, is part of a larger
18 set of cases. There are five or six total cases that
19 compete with COG cases, and I had intended to file the
20 motion for continuance for all of the cases, but I
21 overlooked this one.

22 And I have confirmed with COG's counsel that the
23 intent was for all of these cases, the Blue Ridge cases and
24 the competing cases to all be continued. So at this time I
25 would like to request that I be allowed to file a late

1 continuance for Case Number 21100.

2 HEARING OFFICER BRANCARD: Did you file anything
3 in writing, or are you just doing this verbally?

4 MS. BENNETT: I did e-mail the Division on
5 Tuesday as soon as I realized I had omitted this case, and
6 was informed that I should raise it today with the examiner,
7 and that a decision would be rendered today on whether I
8 file a continuance today or not.

9 HEARING OFFICER BRANCARD: Sorry. I have the
10 double mute problem, too. Anyone here from Holland & Hart
11 on this case?

12 MS. LUCK: Kaitlyn Luck with the Santa Fe office
13 of Holland & Hart, and we are appearing in these cases for
14 COG, and it was the agreement of the parties that all of
15 these cases would be continued. We understand it was an
16 oversight in terms of this one case.

17 HEARING OFFICER BRANCARD: Okay. And first give
18 me some numbers of the other cases and then tell me when
19 they have been continued to.

20 MS. BENNETT: The other cases by way of example
21 are Marathon case 21101, and it's continued to April 22,
22 2021. That's the Blue Ridge case. 21102, 21104, 21105 and
23 21106 are the Marathon case numbers that I filed
24 continuances for, and those were all continued to April 22,
25 2021. I don't have the COG cases in front of me, but those

1 were also continued to April 22, 2021.

2 MS. LUCK: I can provide those case numbers.

3 HEARING OFFICER BRANCARD: Ms. Luck, any
4 objection to April 22?

5 MS. LUCK: No objection.

6 HEARING OFFICER BRANCARD: All right. Well, we
7 will continue this case to April 22, and maybe you can -- I
8 assume we have in the record what the other cases are so we
9 know what, what will all be heard together at the same time.

10 MS. BENNETT: That's right.

11 MS. LUCK: Yeah.

12 MS. BENNETT: Go ahead, Kaitlyn, or I can fill
13 you in. All the continuance motions we filed cross
14 reference the parties' cases, so they all -- all of my
15 continuance motions cross reference COG's case numbers, and
16 all of COG's continuance motions cross reference all of
17 Marathon case numbers. And I will today, as soon as the
18 hearings are over, I will file a second continuance motion
19 through the fee portal to make sure it's formally in the
20 case file.

21 HEARING OFFICER BRANCARD: Excellent. Okay,
22 thank you. So case --

23 MS. BENNETT: Thank you very much.

24 HEARING OFFICER BRANCARD: I'm sorry, Ms. Luck?

25 MS. LUCK: I was just going to mention the COG

1 case numbers are 20738 through 20743.

2 HEARING OFFICER BRANCARD: Thank you. There
3 being no objection, case 21100 will be continued to April
4 22.

5 MS. BENNETT: Thank you very much.

6 (Case continued.)

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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 21st day of January 2021.

18

/s/ Irene Delgado

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Irene Delgado, NMCCR 253
License Expires: 12-31-21

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