

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: 21723

APPLICATION OF MEWBOURNE OIL COMPANY
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
March 4, 2021
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, March 4, 2021, through the Webex Platform.

Reported by: Irene Delgado, NMCCR 253
PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

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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

For Marathon Oil Permian:

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

I N D E X

CASE CALLED	
SUMMARY OF CASE AND EXHIBITS	03
TAKEN UNDER ADVISEMENT	05
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E X H I B I T I N D E X

	Admitted
All Exhibits and Attachments	05

1 HEARING EXAMINER ORTH: Move to Case 21723,
2 Mewbourne Oil is the applicant, compulsory pooling
3 application. Park Chester is the name of the well.

4 Mr. Bruce, you are here for the applicant.

5 MR. BRUCE: Yes, I am.

6 HEARING EXAMINER ORTH: I saw an entry of
7 appearance for Marathon. Ms. Bennett?

8 MS. BENNETT: Good morning, again, Madam
9 Examiner. This is Deana Bennett on behalf of Marathon Oil
10 Permian, and Marathon does not object to the case being
11 heard by affidavit.

12 HEARING EXAMINER ORTH: Thank you very much for
13 that. Mr. Bruce, if you would.

14 MR. BRUCE: Yes. In this case submitted as
15 Exhibit 1 is the application. Mewbourne seeks to force pool
16 the S/2 N/2 of Section 24, and S/2 N/2 of Section 25 in 19
17 South, 28 East, as to the Bone Spring formation for the
18 purpose of drilling a Second Bone Spring well and a Third
19 Bone Spring well, the Park Chester wells.

20 Exhibits 2 and 3 are the land affidavit and
21 geology affidavit. They are by the same witnesses, Josh
22 Anderson and Charles Crosby who submitted data in the last
23 matter. And they contain all the usual information. Again
24 there is -- Mr. Anderson has included a plat showing the
25 tracts involved, the ownership involved in each tract, and

1 the overall working interest involved.

2 The two parties who Mewbourne seeks to pool in
3 this matter are Marathon and EOG Resources, Inc. And his
4 affidavit also contains as attachment D the summary of
5 contacts with these parties. As you will be able to see,
6 they have been -- the contacts have been ongoing since
7 February of 2020, so contacts, there have been a number of
8 contacts between the parties.

9 And again the geologist affidavit contains all
10 the same structure map, land plat, cross section and other
11 data as requested by the Division.

12 Exhibit Attachment A is my affidavit of notice.
13 Again, I did not receive green cards back. Of course,
14 Marathon did enter an appearance. And I did go to the --
15 the US Postal Service website and notice was received by
16 EOG, but I haven't gotten the green cards back. And if you
17 look at the notice letter, the tracking data is on both of
18 the white slips that I sent out with the certified notice.

19 And Exhibit 5 is the pooling checklist. I
20 believe -- I think on one of these, at least of the mailings
21 went out during that Texas storm. I'm looking at the OCD or
22 postal services website. It took nine days for a letter to
23 get from Albuquerque to Midland, so if it took that long,
24 God knows where it is in postal service system right now.

25 But I would move the admission of Exhibits 1

1 through 5 and ask that the matters -- the matter be taken
2 under advisement.

3 HEARING EXAMINER ORTH: Thank you, Mr. Bruce.
4 Ms. Bennett, do you have any questions?

5 MS. BENNETT: No questions. Thank you.

6 HEARING EXAMINER ORTH: Thank you. Mr. Lamkin?

7 TECHNICAL EXAMINER LAMKIN: I just have one
8 question. Other than the -- the self-affirmed statement
9 from Mr. Anderson, the first line states that Mitch Robb
10 being duly sworn upon his oath states --

11 MR. BRUCE: Oh, yeah, I can correct that if
12 necessary. I was using a form for another landman to
13 prepare an affidavit for Mr. Anderson, and I missed that, so
14 there is a typo. If you want, I can correct that.
15 Otherwise, you can cross that out and put Josh Anderson.

16 TECHNICAL EXAMINER LAMKIN: I just wanted to make
17 sure I wasn't going crazy. Thank you.

18 MR. BRUCE: No, I'm the one.

19 HEARING EXAMINER ORTH: All right. Thank you,
20 Mr. Lamkin and Mr. Bruce. Exhibits 1 through 5 are admitted
21 and the matter will be taken under advisement.

22 MR. BRUCE: Thank you.

23 (Exhibits admitted.)

24 (Taken under advisement.)

25

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 4th day of March 2021.

18

/s/ Irene Delgado

19

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

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