

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: 21659, 21660  
21661, 21662

APPLICATION OF COG OPERATING LLC  
FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

CASE NOS: 21568, 21572,  
21771

APPLICATION OF TAP ROCK RESOURCES,  
LLC FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS  
EXAMINER HEARING  
MAY 20, 2021  
SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, HEARING EXAMINER WILLIAM BRANCARD and TECHNICAL EXAMINER KURT SIMMONS, on Thursday, May 20, 2021, through the Webex Virtual Platform.

REPORTED BY: Carrie Hewerdine, RDR, NMCCR #512  
PAUL BACA COURT REPORTERS  
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Albuquerque, New Mexico 87102

1 A P P E A R A N C E S

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22 I N D E X

23 CASE CALLED

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25 SUMMARY OF CASE AND EXHIBITS

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CASE CONTINUED

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REPORTER CERTIFICATE

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1 HEARING EXAMINER BRANCARD: With that, we have  
2 Cases Number 11 through 14 -- well, through 17, I  
3 believe.

4 COG Operating, Cases 21659, 21660, 21661,  
5 21662.

6 And Tap Rock Resources, Cases 21568, 21572,  
7 and 21771 which, I believe, is a replacement for 21573.

8 With that, COG?

9 MICHAEL RODRIGUEZ: Good morning.  
10 Michael Rodriguez with Hinkle Shanor on behalf of COG  
11 Operating, LLC.

12 HEARING EXAMINER BRANCARD: Okay. Tap Rock?

13 JAMES BRUCE: Jim Bruce representing Tap Rock,  
14 Mr. Examiner.

15 HEARING EXAMINER BRANCARD: Thank you.

16 And, Mr. Bruce, did I get the case numbers  
17 correct, 568, 572, and 771?

18 JAMES BRUCE: Yes. You were absolutely  
19 correct about the replacement case.

20 HEARING EXAMINER BRANCARD: Okay. And I think  
21 I see some other entries here. Cimarex.

22 LANCE HOUGH: Good morning, again.  
23 Lance Hough from Modrall Sperling on behalf of Cimarex  
24 and as well as for Chevron USA.

25 HEARING EXAMINER BRANCARD: Okay. I think

1 that's it.

2 Any other entries of appearances in these  
3 seven cases?

4 Hearing none, who would like to go first?  
5 Mr. Rodriguez? Mr. Bruce?

6 MICHAEL RODRIGUEZ: Oh, I can kick off the  
7 conversation. It's fairly straightforward.

8 The parties have been involved in productive  
9 conversations about trade concepts and the -- and  
10 regarding the competing acreage.

11 And I think further time would be warranted  
12 for the event that the parties don't reach voluntary  
13 agreement. And COG would look -- would like to have an  
14 August date, as well, but it sounds like that  
15 timeframe, mid-August, is getting filled.

16 So we'd request something that would be open  
17 around that mid-August date.

18 HEARING EXAMINER BRANCARD: Thank you.

19 Mr. Bruce?

20 JAMES BRUCE: Well, once again, Tap Rock wants  
21 to move along more quickly. These cases have been  
22 filed even longer than the ones that Ms. Shaheen is  
23 representing them in. And I would prefer to get this  
24 done much sooner.

25 I mean, COG says it's unavailable on

1 June 15th, but -- July 15th, but, on the other hand --  
2 I mean, sometimes a replacement witness has to stand in  
3 and go for it. And I would much prefer July. I would  
4 much prefer June 17th.

5 HEARING EXAMINER BRANCARD: Mr. Hough, do you  
6 have an opinion about any of that?

7 LANCE HOUGH: No, Your Honor. Either one  
8 would be fine.

9 HEARING EXAMINER BRANCARD: And --

10 JAMES BRUCE: Mr. Examiner, you know, I was  
11 figuring it would be August, but now that there's more  
12 cases schlepped onto that docket, I think the only  
13 choices are September or sometime in July.

14 And I do not want to go to September. Neither  
15 does my client.

16 HEARING EXAMINER BRANCARD: Okay. Marlene, do  
17 we have any room in July?

18 MARLENE SALVIDREZ: Yes, we do.

19 HEARING EXAMINER BRANCARD: Okay. All right.  
20 I will go with Mr. Bruce on this one. July 15,  
21 possibly July 16.

22 JAMES BRUCE: Thank you.

23 HEARING EXAMINER BRANCARD: And so, with that,  
24 I will ask the parties to file continuances, and I will  
25 prepare a pre-hearing order for Cases 21659, 21660,

1 21661, 21662, 21568, 21572, and 21771.

2 Is there anything else that could be useful  
3 for the hearing?

4 JAMES BRUCE: I have nothing.

5 MICHAEL RODRIGUEZ: Nothing further,  
6 Mr. Examiner.

7 LANCE HOUGH: Nothing for me.

8 HEARING EXAMINER BRANCARD: Thank you.

9 (Hearing concluded)

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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, CARRIE HEWERDINE, RDR, New Mexico Certified  
7 Court Reporter, CCR 521, do hereby certify that I  
8 reported the foregoing virtual proceedings in  
9 stenographic shorthand and that the foregoing pages are  
10 a true and correct transcript of those proceedings to  
11 the best of my ability.

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

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

18 Dated this 24th day of May, 2021.

19

20

21 /s/ Carrie Hewerdine

22 Carrie Hewerdine, RDR, NMCCR 521  
23 License Expires: 12-31-21

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