

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: 21613, 21614

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

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
JULY 15, 2021
SANTA FE, NEW MEXICO

This matter came on for virtual hearing before
the New Mexico Oil Conservation Division, HEARING OFFICER
WILLIAM BRANCARD and TECHNICAL EXAMINER DEAN McCLURE on
Thursday, July 15, 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 EOG:

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

I N D E X

CASE CALLED

CASES CONTINUED

REPORTER CERTIFICATE

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1 HEARING EXAMINER BRANCARD: We are now on --
2 well, we are at the one-hour mark.

3 (Discussion with reporter.)

4 HEARING EXAMINER BRANCARD: With that, I call
5 Case 21613, 21614 Tap Rock Resources.

6 MR. BRUCE: Mr. Examiner, Jim Bruce representing
7 Tap Rock.

8 HEARING EXAMINER BRANCARD: Thank you. I have an
9 entry from EOG Resources.

10 MR. FELDEWERT: May it please the Examiner,
11 Michael Feldewert with the Santa Fe office of Holland & Hart
12 appearing on behalf of EOG Resources Inc.

13 HEARING EXAMINER BRANCARD: Mr. Feldewert, does
14 EOG object to this case going forward by affidavit?

15 MR. FELDEWERT: It's my understanding -- I will
16 leave it to Mr. Bruce -- there may be an effort here to
17 continue these cases in which EOG would not object.

18 MR. BRUCE: Mr. Examiner, if I may, I intended to
19 present these cases, and I kept bugging my client for
20 exhibits, and they finally told me late Tuesday they wanted
21 to continue them.

22 Now, that's past the deadline for filing a motion
23 for a continuance, so probably the correct procedure is to
24 dismiss the two cases and I can refile for early September.

25 HEARING EXAMINER BRANCARD: Okay. You don't want

1 to continuance, you just want --

2 MR. BRUCE: I would continue them, I just don't
3 know if's permissible or not. I didn't want to file a
4 motion for continuance yesterday and then have them denied
5 and have to spend another 500 bucks for filing, refiling the
6 applications.

7 HEARING EXAMINER BRANCARD: That's fine. I mean
8 if you file a late continuance you end up on the agenda and
9 we discuss it. So Mr. Feldewert does EOG consider this a
10 contested case?

11 MR. FELDEWERT: That would be a stronger word
12 than I would use at this point. I mean, I think a
13 continuance is appropriate here and may result in the --
14 hopefully result in the dismissal of EOG as being a pooled
15 party.

16 MR. BRUCE: And Mr. Examiner, that was the head
17 landman at Tap Rock wanted a continuance so they could have
18 another five weeks or so to discuss the matter with EOG.

19 HEARING EXAMINER BRANCARD: Okay. Did you have a
20 date for a continuance, Mr. Bruce?

21 MR. BRUCE: August 19?

22 HEARING EXAMINER BRANCARD: Okay. That's for --
23 well, that's almost five weeks, yeah. Okay, August 19 is
24 your request?

25 MR. BRUCE: Yes.

1 HEARING EXAMINER BRANCARD: So those cases will
2 be continued to August 19. This is Cases 21613 and 21614.
3 Are there any other persons interested in this matter?

4 (No response.)

5 HEARING EXAMINER BRANCARD: Hearing none, the
6 cases will be continued to August 19, and you may now go
7 ahead and file your continuance, Mr. Bruce.

8 (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, 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 15th day of July 2021.

18

/s/ Irene Delgado

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

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