

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:

Application of MEWBOURNE OIL COMPANY
for Compulsory Pooling and
Eddy County, New Mexico

Case No. 22245

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, NOVEMBER 4, 2021

EXAMINER HEARING

This matter came on for hearing before the
New Mexico Oil Conservation Division, William
Brancard, Esq. Hearing Examiner, Dean McClure
Technical Examiner, on Thursday, November 4, 2021,
via Webex Virtual Conferencing Platform hosted
by the New Mexico Department of Energy, Minerals and
Natural Resources

Reported by: Mary Therese Macfarlane
New Mexico CCR #122
PAUL BACA PROFESSIONAL COURT REPORTERS
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A P P E A R A N C E S

FOR MEWBOURNE OIL COMPANY:

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1 (Time noted 10:03 a.m.)

2 EXAMINER BRANCARD: With that I call Case 22245,
3 Mewbourne Oil Company.

4 MR. BRUCE: Jim Bruce on behalf of Mewbourne
5 here.

6 EXAMINER BRANCARD: Are there any other
7 interested persons for Case 22245? (Note: Pause.)

8 Hearing none, please proceed, Mr. Bruce.

9 MR. BRUCE: In this case Mewbourne seeks to
10 force pool the south half/northwest quarter of Section 29
11 and the south half/north half of Section 30, 18 South,
12 29 East, solely for the purpose of pooling a record title
13 owner, a deceased record title owner so that the Bureau of
14 Land Management will approve a communitization agreement
15 for this well.

16 The well has been drilled, and if you go
17 through the landman's affidavit, Exhibit 2, you will see
18 Attachment B to that letter is a Notice from the BLM to
19 Mewbourne stating that Federal Lease NM 056427 as a
20 deceased record title owner, a gentleman named W.T. Wynn,
21 and they required -- they recommended a forced pooling so
22 that they could approve the communitization agreement.

23 And that's it in a nutshell. Mewbourne did
24 send a request to the last-known address of Mr. Wynn, it
25 was returned as -- I sent it Certified Mail to that

1 address. Never got a green card back, and I did publish
2 Notice. And once again a day late and a dollar short
3 here. This one also was published on October 23rd.

4 So I would ask that Exhibits 1 through 5
5 minus the Pooling Checklist be admitted, and continue it
6 to December 2nd solely to let the Notice period play out.

7 EXAMINER BRANCARD: Thank you.

8 Mr. McClure, any questions?

9 EXAMINER McCLURE: Yeah. I guess can you detail
10 any of what went on to try to find descendents of Mr.
11 Wynn's estate?

12 MR. BRUCE: Uh, yeah. And if you would like
13 more info on that, I can get more to supplement the record
14 on that.

15 But one problem, though, is that when it
16 comes to a record title owner like this, unless the family
17 goes and does a probate and gets named the record title
18 owners, it's still in the name of W.T. Wynn and not his
19 estate, and so that is -- you know, even if they could
20 find some relatives there would have to be a probate,
21 which could take a while to prove up.

22 And Mr. Wynn does not own any working
23 interest. He has zero net revenue interest in this well.

24 EXAMINER McCLURE: Okay. I was going to say,
25 yeah, if you just wanted to supplement us with just a

1 brief summary of what effort was taken.

2 MR. BRUCE: I will.

3 EXAMINER McCLURE: That would be the only
4 additional thing I would be looking at for this case.

5 No other questions. Thank you.

6 MR. BRUCE: Thank you.

7 EXAMINER BRANCARD: Thank you. I had similar
8 questions. How do you know he's dead? I assume somebody
9 must have figured that out somehow.

10 MR. BRUCE: Uhm, I think the BLM knew through
11 itself, just because -- and I did not go look at the BLM
12 lease file or check out the date of this lease, but this
13 is a rather old federal lease. Any lease beginning with
14 the number zero tends to be decades and decades old, and
15 his W-10 (phonetic), for instance if he was the lessee of
16 record in 1950, I'm thinking it's reasonable.

17 And I can check on that with respect to the
18 other info I'm going to provide the Division.

19 EXAMINER BRANCARD: So just educate me here,
20 then, Mr. Bruce.

21 A record title owner, that means he's the
22 name on the lease but somebody else has the working -- he
23 farmed out his interest? Or did at some point.

24 MR. BRUCE: Yeah, at some point. He was the
25 original lessee but he assigned out here and there various

1 operating rights to the point where at least in the Bone
2 Spring Formation he owns no leasehold rights other than
3 what is called bare record title.

4 EXAMINER BRANCARD: So even though he has no
5 interest really, BLM is not willing to clean up its own
6 records, they just want us to --

7 MR. BRUCE: That's pretty much it.

8 EXAMINER BRANCARD: -- have a hearing and make
9 sure nobody shows up.

10 MR. BRUCE: Yeah.

11 EXAMINER BRANCARD: Okay. All right. Are there
12 any other interested persons in Case 22245? (Note:
13 Pause.)

14 Hearing none, we will admit the exhibits
15 into the record. If you could provide just a little more
16 clarification about what you-all know about Mr. Wynn, that
17 would be helpful. And other than we will continue this
18 case to December 2nd to run the clock on the Notice, and
19 hopefully that will be it.

20 MR. BRUCE: Thank you.

21 (Time noted 10:10 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 November 4, 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

19 /s/Mary Macfarlane_____

20 MARY THERESE MACFARLANE, CCR
21 NM Certified Court Reporter No. 122
License Expires: 12/31/2021

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