

STATE OF NEW MEXICO  
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

IN THE MATTTTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

REPORTER'S TRANSCRIPT OF PREHEARING PROCEEDINGS

WEDNESDAY, DECEMBER 1, 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 Wednesday, December 1, 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 COURT REPORTERS  
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1 (Time noted 9:00 a.m.)

2 EXAMINER HARWOOD: My computer, clocks says it's  
3 9:00 o'clock, so why don't we go ahead and get started.

4 I'm looking at the list of panelists. It  
5 looks like Mr. Larry Marker has just joined so there's  
6 seven of us here.

7 We are here for the Oil Conservation  
8 Division Notice of Violation hearings, Wednesday,  
9 December 1, 2021.

10 Ms. Macfarlane, are you ready?

11 Okay. So let's go ahead and go on the  
12 record.

13 EXAMINER HARWOOD: We are here for the Oil  
14 Conservation Division Notice of Violation Hearings,  
15 Wednesday, December 1, 2021. My name is Ripley Harwood.  
16 I'm the hearing officer for these cases.

17 Let's see. We have eight cases on this  
18 docket, but my understanding is that the first three  
19 cases, 21982, 22166, and 22170 have been continued by  
20 agreement between the parties

21 Mr. Tremaine, could you speak to that,  
22 please.

23 MR. TREMAINE: (Pause.) I'm mute here.

24 Yes, that's correct. The OCD anticipates  
25 resolutions, hopefully, in each of those cases and

1 believes the hearing will not be necessary, so I did file  
2 motions to continue each of those.

3 We did not specify a time period in that.  
4 I suspected that we would talk about that at hearing,  
5 because I filed those on the date of the Prehearing  
6 Statement deadline. So we expected that you may move  
7 those to the next available regular docket date. Rather  
8 than vacate them completely, I do think we need a next  
9 date on those.

10 EXAMINER HARWOOD: I'm not sure what the  
11 procedure is but I would guess you and opposing counsel  
12 could agree to a form of Motion and Order continuing those  
13 to a mutually agreed date to submit those for filing.

14 MR. TREMAINE: I will do that.

15 EXAMINER HARWOOD: All right. Then racing right  
16 along to, let's see, I guess your first case number, then,  
17 on this docket is going to be Case No. 22220, which is a  
18 Notice of Violation issued to Lease Holders Acquisitions,  
19 Incorporated

20 Can I have appearances for the record in  
21 that case.

22 MR. TREMAINE: This is Jesse Tremaine for the  
23 Oil Conservation Division.

24 EXAMINER HARWOOD: All right. Mr. Tremaine, do  
25 You know if there is counsel for Leaseholders Acquisitions

1 Incorporated?

2 MR. TREMAINE: No. In fact -- I don't want to  
3 go out of order here. Specifically in this case, case  
4 number, there's no appearance. I have had no contact from  
5 Lease Holders Acquisitions or Counsel, and that's also the  
6 case for Case Nos. 22221 and 22222.

7 I know I had contact yesterday from the  
8 operator in Case No. 22223, who I see present here today,  
9 so I would propose for the sake of the opposing parties'  
10 time that we proceed to docket Item No. 8 and then Docket  
11 Item No. 7, and then the cases that I anticipate will not  
12 have a party present could proceed after that, and we can  
13 let those parties go.

14 EXAMINER HARWOOD: Well, that makes perfect  
15 sense to me. I appreciate the suggestion. So the  
16 proposal, then, is to start at the bottom with 22224. Is  
17 that what I'm hearing?

18 MR. TREMAINE: Yes, sir. I believe that we will  
19 probably resolve that one fairly quickly, and I expect  
20 that 22223 is going to taking the longest amount of time  
21 of any of the cases.

22 EXAMINER HARWOOD: Okay. All right. I take it,  
23 Mr. Padilla, you would have no objection to that.

24 MR. PADILLA: No. No objection.

25 (Time noted 9:05 a.m.)

1 STATE OF NEW MEXICO )

2 : ss

3 COUNTY OF TAOS )

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REPORTER'S CERTIFICATE

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I, MARY THERESE MACFARLANE, New Mexico Reporter

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CCR No. 122, DO HEREBY CERTIFY that on Wednesday,

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December 1, 2021, the proceedings in the above-captioned

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matter were taken before me; that I did report in

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stenographic shorthand the proceedings set forth herein,

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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

/s/ Mary MacFarlane

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MARY THERESE MACFARLANE, CCR  
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