

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

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

CASE NOS. 22287-22289

APPLICATION OF V-F PETROLEUM INC.
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
DECEMBER 16 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 KATHLEEN MURPHY on
Thursday, December 16, 2021, through the Webex Platform.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

For V-F Petroleum
Dana S. Hardy
Michael Rodriguez
P.O. Box 2068
Santa Fe, NM 87504-2068

For Tap Rock Resources

SHARON SHAHEEN
MONTGOMERY & ANDREWS
325 Paseo de Peralta
Santa Fe, NM 87501

I N D E X

CASE CALLED

STATUS CONFERENCE

03

REPORTER CERTIFICATE

07

1 HEARING EXAMINER BRANCARD: With that, I'm
2 calling Cases 21, 22 and 23 on the worksheet. These are
3 Case Numbers 22287, 22288, 22289 and V-F Petroleum.

4 MS. HARDY: Good morning. Dana Hardy with the
5 Santa Fe office of Hinkle Shanor on behalf of V-F Petroleum.

6 HEARING EXAMINER BRANCARD: I have an entry for
7 Tap Rock LLC.

8 MS. SHAHEEN: Good morning again. This is Sharon
9 Shaheen of Montgomery and Andrews on behalf of Tap Rock.

10 HEARING EXAMINER BRANCARD: Thank you. Are there
11 any other interested parties for Cases 22287, 88 or 89?

12 (No audible response.)

13 HEARING EXAMINER BRANCARD: Hearing none, where
14 are we? I think -- is Tap Rock going to file additional
15 cases, Ms. Shaheen?

16 MS. SHAHEEN: That depends, Mr. Examiner. I
17 spoke with Ms. Hardy -- the issue here, there is a title
18 issue with respect to Tap Rock's interest. And once that
19 title issue has been resolved, then they will then decide
20 whether they will be filing a competing application.

21 HEARING EXAMINER BRANCARD: Ms. Hardy, what are
22 your thoughts?

23 MS. HARDY: V-F Petroleum has been working on
24 this development for quite some time and would like to
25 proceed to hearing notwithstanding the title issues. I note

1 parties are talking and trying to get these matters
2 resolved. But at this point V-F would really like to have
3 it set as soon as possible.

4 HEARING EXAMINER BRANCARD: So it looks like we
5 have some real contested issues, both title and otherwise?

6 MS. HARDY: I don't think the title issues would
7 be addressed here in the pooling case.

8 HEARING EXAMINER BRANCARD: Hopefully not.

9 MS. HARDY: Right. I hope not.

10 HEARING EXAMINER BRANCARD: March 17?

11 MS. HARDY: If that's the earliest date
12 available, then --

13 HEARING EXAMINER BRANCARD: At this point that
14 may be.

15 MS. HARDY: Okay. I will verify with my client
16 that that date works, but at this point that sounds
17 workable.

18 MS. SHAHEEN: If I may, I would suggest that it
19 be in April just simply because I just set three other cases
20 for the March 17 docket, so that would be a personal
21 request. And I also have not yet gotten any information
22 from Tap Rock about its availability, so any date that we
23 talk about today, I'm going to have to run by them and I can
24 let you know as soon as I hear back from them.

25 HEARING EXAMINER BRANCARD: That's true, we have

1 set 16 cases today, and you are on all of them, Ms. Shaheen.

2 MS. SHAHEEN: Yes, I'm fully aware.

3 HEARING EXAMINER BRANCARD: So the next date
4 after that is April 7.

5 MS. HARDY: Mr. Examiner, I know we've set quite
6 a few cases on March 3, but would that be possible because
7 April is getting late for V-F Petroleum. They were hoping
8 to get this resolved much sooner than that.

9 HEARING EXAMINER BRANCARD: Well, we think this
10 may go to a real contested hearing; is that correct?

11 MS. SHAHEEN: That's correct. There may be
12 competing applications, and it would be difficult to have
13 competing applications ready to go by March 3 in light of
14 the title issue.

15 HEARING EXAMINER BRANCARD: Just first ask, are
16 there any other, again, any other persons for 22287, 88 or
17 89?

18 (No audible response.)

19 HEARING EXAMINER BRANCARD: Hearing none, we are
20 going to set this for April 7 just to avoid too many
21 collisions here.

22 MS. SHAHEEN: Thank you, Mr. Examiner.

23 MS. HARDY: Thank you.

24 HEARING EXAMINER BRANCARD: And while V-F's cases
25 have been around for a while, the previous cases have been

1 around for almost two years.

2 MS. HARDY: That is true.

3 HEARING EXAMINER BRANCARD: We need to get them
4 out of the way one way or the other. Thank you. So I think
5 that ends our fabulous status conference docket today, and
6 so we can move on to some hearings.

7 (Concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

3

4 REPORTER'S CERTIFICATE

5

6 I, PAUL BACA, New Mexico Certified Court
7 Reporter, do hereby certify that I reported the foregoing
8 virtual proceedings in stenographic shorthand and that the
9 foregoing pages are a true and correct transcript of those
10 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 reasonable quality.

17 Dated this 16th day of December 2021.

18

/s/ Paul Baca

19

Paul Baca
License Expires: 12-31-22

20

21

22

23

24

25