

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 COG PRODUCTION, LLC,	Case No. 22422
for Compulsory Pooling,	Case No. 22459
Lea County, New Mexico	Case No. 22460
	Case No. 22461
	Case No. 22462

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, JANUARY 6, 2022

STATUS CONFERENCE

This matter came on for hearing before the New Mexico Oil Conservation Division, William Brancard, Esq. Hearing Examiner, John Garcia, Technical Examiner, on Thursday, January 6, 2022, via Webex Virtual Conferencing Platform hosted by the New Mexico Energy, Minerals and Natural Resources Department

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

C O N T E N T S .

CASE NOS.	224222, 22459-22452	PAGE
CASE CALLED:		3
SET FOR CONTESTED HEARING ON	04/07/2022	7

1 (Time noted 8:31 a.m.)

2 EXAMINER BRANCARD: All right. With that we'll
3 go to Items 11 through 15. These are Case Nos. 22422,
4 22459, 22460, 22461, 22462, COG Operating.

5 MR. RANKIN: Good morning, Mr. Examiner. Adam
6 Rankin appearing on behalf of the Applicant COG Operating,
7 LLC, with the Santa Fe office of Holland & Hart.

8 EXAMINER BRANCARD: We have an entry for Cimarex
9 Energy.

10 MS. BENNETT: Good morning, Mr. Examiner. Deana
11 Bennett of Modrall, Sperling on behalf of Cimarex Energy.
12 LLC.

13 EXAMINER BRANCARD: Any other interested persons
14 for Cases 22422, 22459, -460, -461, -462?

15 Hearing none, I believe that, Ms. Bennett,
16 Cimarex has objected to these cases going forward by
17 affidavit.

18 MS. BENNETT: That's right, Mr. Examiner.
19 Cimarex is intending ing to file competing applications,
20 so those cases will need to be set for a contested
21 hearing. The goal is I'll be filing the competing
22 applications in the near term, but the earliest the cases
23 could be set for would be the March 17th docket, I think,
24 but you said the earliest cases to go to hearing would be
25 April 21st. And I did check with Cimarex on the April

1 21st docket date and they are available that date, if that
2 is still a possibility, given the cases that have been
3 continued to that date already.

4 EXAMINER BRANCARD: Mr. Rankin?

5 MR. RANKIN: Mr. Examiner, we understand that
6 Cimarex has competing well proposals. We filed our
7 applications. I guess I would like to know, you know,
8 sooner than later what Cimarex -- how Cimarex intends to
9 proceed, what their competing plans are, so that these
10 cases aren't unnecessarily delayed beyond what would be
11 reasonable.

12 So I guess I'm wondering if we could have a
13 more certain time frame for when the Cimarex cases might
14 be filed so we can have an understanding of when they
15 might be ripe, and a special hearing rather than wait till
16 the April docket.

17 EXAMINER BRANCARD: Ms. Bennett, any ideas?

18 MS. BENNETT: Yes. I can file them not this
19 week but next week. But even if I file them next week, as
20 I mentioned, the first docket that I could ask for them to
21 be set on is March 3rd, given the Notice requirement and
22 the application filing requirements.

23 So I did check with Cimarex about earlier
24 days, March 17 and April 7th, and those dates work, as
25 well, for Cimarex.

1 EXAMINER BRANCARD: All right. I think the
2 point more is to get the applications filed so that we
3 can -- so COG has an opportunity to evaluate them, and we
4 can include them in a Prehearing Order.

5 MR. RANKIN: I guess to that point, Mr. Hearing
6 Examiner, the March 17 date would work for COG. Would it
7 be possible to get the date set in a Hearing Order or do
8 you want -- and then once the cases are filed we could add
9 them to the Prehearing Order to have it be set for the
10 firm date on March 17th?

11 EXAMINER BRANCARD: We will set a date today,
12 and then I will probably issue a Prehearing Order early
13 next week. If the cases are in by then, they will be
14 included; if not, let us know when you file them, Ms.
15 Bennett, and that we should amend the Prehearing Order.

16 MS. BENNETT: Thank you. I'll endeavor to get
17 the cases on file as soon as I can.

18 EXAMINER BRANCARD: All right.

19 Why don't we tack this one on April 7th.

20 Any concern? Mr. Rankin, are you okay with
21 that?

22 MR. RANKIN: My only concern, I suppose, would
23 be that it sounds like that may be a holding date and
24 maybe not a date, you know, that we would actually go to
25 hearing on, and I think from COG's perspective, these

1 wells have been proposed for some time, they have their
2 applications filed, they would like to be able to proceed.
3 We have some deadlines looming towards the end of 2022 so
4 we don't want to be in a position where they are up
5 against those deadlines. So to the extent we can hold
6 that date and stick to it for a contested hearing, I think
7 that would avoid prejudice to COG.

8 EXAMINER BRANCARD: I'm hoping you are not
9 reading anything in the intonation of my voice, but that's
10 a real date for the Division. Whether it's a real date
11 for the parties, that's up to them. If you are all in the
12 middle of negotiation or something and want to delay, that
13 happens; if not, we go forward on April 7th on the normal
14 docket.

15 MR. RANKIN: Understood. Thank you.

16 MS. BENNETT: Thank you very much.

17 EXAMINER BRANCARD: All right. So with that
18 Cases 22422, -459, -460, -461, -462 are set for a
19 contested hearing on April 7th, and I will issue a
20 Prehearing Order.

21 MS. BENNETT: Thank you.

22 (Time noted 8:38 a.m.)

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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 Thursday,

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January 6, 2022, the proceedings in the above-captioned

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matter were taken; that I did report in stenographic

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shorthand the proceedings set forth herein, and the

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foregoing pages are a true and correct transcription to

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the best of my ability and control.

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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

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that I have no interest whatsoever in the final

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disposition of this case in any court.

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/s/ Mary MacFarlane

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MARY THERESE MACFARLANE, CCR

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NM Certified Court Reporter No. 122

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License Expires: 12/31/2022

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