

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

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PRE-HEARING TRANSCRIPT

BEFORE: WILLIAM V. JONES, Technical Examiner  
DAVID K. BROOKS, Legal Examiner

January 5, 2012

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, WILLIAM V. JONES, Technical Examiner, and DAVID K. BROOKS, Legal Examiner, on January 5, 2012, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis, Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: Irene Delgado, NM CCR 253  
Paul Baca Professional Court Reporters  
500 Fourth Street, NW, Suite 105  
Albuquerque, New Mexico 87102

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2012 JAN 18 P 1:12

1           EXAMINER BROOKS: Good morning, Ladies and  
2   Gentlemen -- on the record. This is the Docket Number 1-12  
3   of the New Mexico Oil Conservation Division, and the first  
4   order of business is to read the continuances and dismissals,  
5   which there are many.

6           On Page 1 of the docket, Case Number 14776 is  
7   continued to January 19. Case Number 14777 is continued to  
8   January 19.

9           On Page 2, Case Number 14778 is dismissed. Case  
10   Number 14754 is continued to February 2. Case Number 14764  
11   is continued to January 19. Case 14779 is continued to  
12   February 2. Case 14780 is continued to February 2.

13           Case 14781 is continued to January 19. Case 14686  
14   is continued to February 2 -- and this is -- we are on Page 3  
15   now. Case Number 14787 -- I'm sorry -- Case Number 14686 is  
16   continued to February 2. Case Number 14687 is continued to  
17   February 2. Case Number 14659 is continued to February 2.  
18   Case Number 14743 is continued to January 19.

19           On Page 4, Case Number 14782 is continued to January  
20   19. Case Number 14783 is continued to January 19. Case  
21   Number 1464 -- Case Number 14671 is continued to February 2.  
22   Case Number ~~14746~~ is continued to January 19. Case Number  
23   14729 is continued to January 19.

24           Case Number 14736 is -- now we are on Page 5 -- Case  
25   Number 14736 is dismissed. Case Number 14745 is continued to

1 January 19. Case Number 8352, reopened, is dismissed.

2 And finally on the last page, Case Number 13940 is  
3 continued to March 1.

4 Are there any corrections or additions?

5 (No response.)

6 EXAMINER BROOKS: Very well. There hearing none, I  
7 will at this time call Case Number 14763.

8 I will at this time call Case Number 14763,  
9 Application of Mack Energy Corporation for compulsory  
10 pooling, Lea County, New Mexico. Call for appearances.

11 MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe  
12 representing the applicant. I have two witnesses. This is  
13 an opposed case. I just bring that up in case -- or are they  
14 both opposed?

15 MR. FELDEWERT: I don't believe our case is opposed.

16 MR. BRUCE: Are you going to consolidate?

17 MR. FELDEWERT: Actually, Mr. Examiner, with respect  
18 to Nadel and Gussman COG admitted applications, one of the  
19 two cases we can now dismiss. The parties -- COG has been  
20 able to reach a good-faith resolution with all the parties on  
21 one of the cases, pooling cases, so we really only have a  
22 single pooling case to present.

23 EXAMINER BROOKS: Which is the one to be dismissed?

24 MR. FELDEWERT: It would be the initial one. Give  
25 me a minute, Mr. Examiner. 14627 --

1 EXAMINER BROOKS: Okay.

2 MR. FELDEWERT: -- we are able to dismiss at this  
3 time, so we just have 14628 to present.

4 EXAMINER BROOKS: Very good. Okay. Thank you.  
5 That will be a correction to the continuances and dismissals.  
6 And so let us proceed then with Case Number 14763. I believe  
7 Mr. Bruce had announced an appearance. Is there other  
8 appearances in this case?

9 \* \* \* \* \*

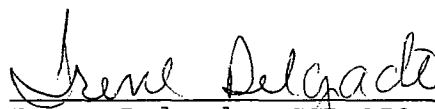
10  
11  
12  
13  
14 I do hereby certify that the foregoing is  
15 a complete record of the proceedings in  
16 the Examiner hearing of Case No. \_\_\_\_\_  
17 heard by me on Jan 5, 2012  
18 David K. Booth Examiner  
19 Oil Conservation Division  
20  
21  
22  
23  
24  
25

## REPORTER'S CERTIFICATE

I, IRENE DELGADO, New Mexico CCR 253, DO HEREBY  
CERTIFY THAT ON January 5, 2012, proceedings in the  
above-captioned case were taken before me and that I did  
report in stenographic shorthand the proceedings set forth  
herein, and the foregoing pages are a true and correct  
transcription to the best of my ability.

I FURTHER CERTIFY that I am neither employed by nor  
related to nor contracted with any of the parties or  
attorneys in this case and that I have no interest whatsoever  
in the final disposition of this case in any court.

WITNESS MY HAND this \_\_\_\_\_ day of January 2012.

  
Irene Delgado, CCR 253  
Expires: 12-31-2012

## **Jones, William V., EMNRD**

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**From:** jamesbruc@aol.com  
**Sent:** Wednesday, January 18, 2012 11:58 AM  
**To:** Jones, William V., EMNRD; mfeldewert@hollandhart.com; AGRankin@hollandhart.com; WCarr@hollandhart.com; epadillapl@qwestoffice.net  
**Cc:** Davidson, Florene, EMNRD; Duran-Saenz, Theresa, EMNRD  
**Subject:** Re: Docket for 1/19

Will: Its your lucky day. I just found out this morning about the following cases:

14786 Mewbourne -- DISMISS  
14746 Strata - CONTINUE TO 2/2  
14787 Nearburg - CONTINUE TO 2/2  
14743 Endeavor - DISMISS  
14729 Nadel and Gussman - DISMISS

Jim

-----Original Message-----

**From:** Jones, William V., EMNRD, EMNRD <William.V.Jones@state.nm.us>  
**To:** mfeldewert <mfeldewert@hollandhart.com>; Adam Rankin <AGRankin@hollandhart.com>; William Carr <WCarr@hollandhart.com>; jamesbruc <jamesbruc@aol.com>; 'Ernest Padilla' <epadillapl@qwestoffice.net>  
**Cc:** Davidson, Florene, EMNRD, EMNRD <florene.davidson@state.nm.us>; Duran-Saenz, Theresa, EMNRD, EMNRD <Theresa.Duran-Saenz@state.nm.us>  
**Sent:** Wed, Jan 18, 2012 11:50 am  
**Subject:** Docket for 1/19

Gentlemen;  
I have these 9 Cases remaining...  
I'm not really attached to any of them... so let me know of any other changes?

**Jim Bruce**  
14786 Mewbourne  
14746 Strata  
14787 Nearburg  
14743 Endeavor  
14729 Nadel and Gussman