

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

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

7 APPLICATION OF WPX ENERGY  
8 PRODUCTION, LLC FOR COMPULSORY  
9 POOLING AND APPROVAL OF AN  
10 UNORTHODOX WELL LOCATION,  
11 SAN JUAN COUNTY, NEW MEXICO.

CASE NO. 15261

ORIGINAL

12 REPORTER'S TRANSCRIPT OF PROCEEDINGS

13 EXAMINER HEARING

14 January 22, 2015

15 Santa Fe, New Mexico

16 BEFORE: WILLIAM V. JONES, CHIEF EXAMINER  
17 GABRIEL WADE, LEGAL EXAMINER

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18 This matter came on for hearing before the  
19 New Mexico Oil Conservation Division, William V. Jones,  
20 Chief Examiner, and Gabriel Wade, Legal Examiner, on  
21 Thursday, January 22, 2015, at the New Mexico Energy,  
22 Minerals and Natural Resources Department, Wendell Chino  
23 Building, 1220 South St. Francis Drive, Porter Hall,  
24 Room 102, Santa Fe, New Mexico.

25 REPORTED BY: Mary C. Hankins, CCR, RPR  
New Mexico CCR #20  
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1 APPEARANCES  
 2 FOR APPLICANT WPX ENERGY PRODUCTION, LLC:  
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1 (8:19 a.m.)

2 EXAMINER JONES: Let's call Case 15261,  
3 application of WPX Energy Production, LLC for compulsory  
4 pooling and approval of an unorthodox well location, San  
5 Juan County, New Mexico.

6 Call for appearances.

7 MS. KESSLER: Jordan Kessler for the  
8 Applicant. And I have two witnesses today.

9 EXAMINER JONES: Any other appearances?  
10 Will the witnesses please stand, and will  
11 the court reporter -- state your names.

12 MR. WEST: Brennan Philip West.

13 MS. PICKUP: Barbara Elizabeth Pickup.

14 EXAMINER JONES: Will the court reporter  
15 please swear the witnesses?

16 (Mr. West and Ms. Pickup sworn.)

17 MS. KESSLER: And I'd like to call my first  
18 witness, please.

19 BRENNAN P. WEST,  
20 after having been previously sworn under oath, was  
21 questioned and testified as follows:

22 DIRECT EXAMINATION

23 BY MS. KESSLER:

24 Q. Can you please state your name for the record  
25 and tell the Examiners by whom you are employed and in

1     what capacity?

2           A.     My name is Brennan Philip West, and I work for  
3     WPX as a landman in the San Juan Basin.

4           Q.     Have you previously testified before the  
5     Division?

6           A.     Yes, I have.

7           Q.     And were your credentials as a petroleum  
8     landman accepted and made a matter of public record at  
9     that time?

10          A.     Yes, they were.

11          Q.     Are you familiar with the application that's  
12     been filed in this case?

13          A.     I am.

14          Q.     And are you familiar with the status of the  
15     lands that are the subject of the application?

16          A.     Yes.

17          Q.     Has an APD been approved for this well?

18          A.     It has.

19                   MS. KESSLER:  Mr. Examiner, I tender  
20     Mr. West as an expert in petroleum land matters.

21                   EXAMINER JONES:  He is so qualified.

22                   MS. KESSLER:  Thank you.

23          Q.     (BY MS. KESSLER) Mr. West, can you turn to  
24     Exhibit Number 1 and identify what WPX seeks under this  
25     application?

1           A.    We are seeking to create a standard project  
2    area of 320 acres consisting of the north half of  
3    Section 33, 24 North, 8 West.  Additionally, we're  
4    looking to apply for an NSL for the Chaco 113H.

5           Q.    And do you seek to pool all mineral interests  
6    in the Mancos Formation?

7           A.    We do.

8           Q.    What is the API number for this well?

9           A.    It is 30-45-35602.

10          Q.    And what pool is involved with this  
11   application?

12          A.    It's the Basin-Mancos gas pool.

13          Q.    And what is the character of the lands that are  
14   the subject of this application?

15          A.    I'm sorry.  Can you repeat that?

16          Q.    What is the character of the lands?

17          A.    The lands are all federal BLM acreage.

18          Q.    If you could turn to WPX Exhibit Number 2.  Do  
19   special pool rules apply to this location?

20          A.    Yes, they do.

21          Q.    And is that because this is the Basin-Mancos  
22   gas pool?

23          A.    It is.  So we're required -- or 320 acres  
24   spacing and then 660-foot setbacks.

25          Q.    This is a standard proration unit because it's

1 320 acres?

2 A. That is correct.

3 Q. But are you seeking a nonstandard location?

4 A. We are.

5 Q. And who are the affected parties for the  
6 nonstandard location?

7 A. The affected parties are ConocoPhillips in the  
8 north half of Section 32, R&R Royalty in the south half  
9 of Section 33 and then Encana in the north half of  
10 Section 34, all of 24 North, 8 West.

11 Q. And are these affected parties outlined in blue  
12 on Exhibit Number 2?

13 A. Yes, they were.

14 Q. Did you provide notice of this application, of  
15 a nonstandard location to the 320-acres parties who are  
16 affected?

17 A. We did.

18 Q. And is this notice reflected in a later  
19 exhibit?

20 A. It is.

21 Q. If you can turn to Exhibit Number 3, does this  
22 exhibit show the ownership of the north half of Section  
23 33 by tract?

24 A. It does.

25 Q. What interests do you seek to pool?

1           A.    We seek to pool the uncommitted acreage -- or  
2 uncommitted party, which is R&R Royalty in this case.

3           Q.    And are they a working interest owner?

4           A.    They are.

5           Q.    And is that highlighted in yellow?

6           A.    It is.

7           Q.    Is Exhibit Number 4 a well-proposal letter that  
8 you sent to R&R Royalty?

9           A.    Yes, it is.

10          Q.    What is the date of that letter?

11          A.    November 19th, 2014.

12          Q.    And what additional efforts did you undertake,  
13 in addition to sending this letter, to reach a voluntary  
14 agreement with R&R Royalty?

15          A.    Subsequent to sending this letter, we -- I made  
16 multiple phone calls to them and then followed up with  
17 an e-mail to which I did not receive any response.

18          Q.    Did the well-proposal letter that you sent to  
19 R&R also contain an AFE?

20          A.    It did.

21          Q.    And is this shown as Exhibit Number 5?

22          A.    Yes, it is.

23          Q.    Are the costs reflected on this AFE consistent  
24 with what WPX has incurred for drilling similar  
25 horizontal wells in this area?

1           A.    It is.

2           Q.    What are the typical costs for drilling and  
3           producing that you include in a JOA for this area?

4           A.    Typically, WPX will lead and negotiate a JOA of  
5           10,000 producing and then -- I'm sorry -- 10,000  
6           drilling and 1,000 producing.

7           Q.    And is that typical for other operators in the  
8           Basin area?

9           A.    It varies among the parties, but that's pretty  
10          much the given range of what we've been seeing lately.

11          Q.    Do you understand that the Division typically  
12          allocates a lower rate for drilling and producing  
13          overhead costs?

14          A.    That is my understanding.

15          Q.    So what rates are you requesting today?

16          A.    I'm seeking to get 7,000 drilling rate and 700  
17          producing rate.

18          Q.    Do you also ask that these administrative and  
19          overhead costs be incorporated into any order resulting  
20          from this hearing?

21          A.    We do.

22          Q.    And do you ask that they be adjusted in  
23          accordance with the appropriate accounting procedures?

24          A.    Yes.

25          Q.    With respect to that uncommitted interest

1 owner, R&R Royalty, do you request that the Division  
2 impose a 200 percent risk penalty?

3 A. Yes, we do.

4 Q. And with respect to the unit formation, you  
5 mentioned that this 320-acre unit is standard under the  
6 Basin-Mancos special pool rules, correct?

7 A. Correct.

8 Q. Okay. So it was not necessary to provide  
9 notice to the offset operators for a standard spacing  
10 unit?

11 A. That is correct.

12 Q. Were affected parties for the  
13 nonstandard location provided notice?

14 A. Yes, they were.

15 Q. Is that reflected in Exhibit Number 6?

16 A. Yes.

17 Q. So Exhibit 6 is an affidavit signed by me and  
18 also letters to the pooled party and to the affected  
19 parties for the nonstandard location?

20 A. Correct.

21 Q. Was it necessary to publish notice, or were all  
22 interests to be pooled locatable?

23 A. We were able to locate all the interests.

24 Q. And were Exhibits 1 through 5 prepared by you  
25 or compiled under your direction or supervision?

1           A.     Yes, they were.

2                   MS. KESSLER:  Mr. Examiner, I would move  
3     the admission into evidence of WPX Exhibit Numbers 1  
4     through 6, which includes my affidavit.

5                   EXAMINER JONES:  Exhibits 1 through 6 are  
6     admitted.

7                   (WPX Energy Production, LLC Exhibit Numbers  
8                   1 through 6 were offered and admitted into  
9                   evidence.)

10                  MS. KESSLER:  Thank you.

11                               CROSS-EXAMINATION

12     BY EXAMINER JONES:

13           Q.     So this is going to be a north half, and  
14     already permitted that way through the BLM; is that  
15     correct?

16           A.     Can you repeat that?

17           Q.     Is it permitted as a north-half spacing unit,  
18     and do you have any intentions of splitting this up into  
19     two stand-ups?

20           A.     No, not at this time.  We're going to do north  
21     half-south half development for this section.

22           Q.     So if you change that, you would have to come  
23     back to hearing for the compulsory pooling part?

24           A.     That's correct.

25           Q.     And you said you didn't hear back from R&R at

1 all?

2 A. I called them a few times. They did respond  
3 once when they were at a conference, and then they said  
4 they'd call me the next week, which I followed up with  
5 them; no response. And then I e-mailed them after that  
6 and just really, in general, did not get a response back  
7 from them.

8 Q. They didn't indicate whether they wanted to  
9 sign at all for this well?

10 A. They weren't very responsive to any indications  
11 on what their plans were.

12 Q. No reaction to the drilling costs or any of  
13 that?

14 A. No. To be honest, I've had earlier  
15 discussions, you know, back in the summer, but then once  
16 the oil prices crashed, they seemed to be pretty  
17 nonresponsive. You know, I think that they figured that  
18 we would just go down the force-pooling route.

19 Q. And WPX is willing to go ahead and carry them  
20 on this well?

21 A. Yes.

22 Q. But when you sent the notice for nonstandard  
23 location, they did sign, correct? They signed that they  
24 received it at least?

25 A. Right.

1 Q. Can you tell us the affected 160 spacing units  
2 that would have noticed around them for the nonstandard  
3 location?

4 A. For the nonstandard location?

5 Q. Yeah. Which directions --

6 A. Well, for 330 feet -- we need to be 660 feet in  
7 the Basin Mancos. And if we go to 330 feet, the  
8 offsetting spacing unit, whether it's a stand-up or  
9 lay-down, we would notify them. A lot of the acreage we  
10 own, but in those particular ones that I outlined, there  
11 were other parties, and those are parties we noticed.

12 Q. Did you feel a need to notice people in the  
13 southwest -- southwest of this spacing unit, or did it  
14 not fall under the rules to notify them?

15 A. Which ones?

16 Q. To the southwest of the --

17 A. So you mean the south half of Section 32?

18 Q. Actually, it would be the south half of Section  
19 32. Did you --

20 A. Yeah. We own 100 percent of that, but if there  
21 was another party in that, we would have noticed them.

22 Q. Well, okay. Okay. I just wanted to ask about  
23 that.

24 A. I'm sorry. Let me back up just a second.  
25 Since the producing interval did not -- you know, with

1 the Pythagorean theorem for the corner, it did not go to  
2 the south half. We would not notice the southwest  
3 quarter of Section 32.

4 Q. There you go. That's what I was asking about.

5 A. Okay.

6 Q. And what's the -- what's the OGRID for WPX  
7 Energy? Do you know that?

8 A. I'm sorry?

9 Q. Can you look that up? The OGRID?

10 A. Yeah. I can get that for you. I don't know  
11 that off the top of my head.

12 MS. KESSLER: Mr. Examiner, I have that.  
13 That's something I can provide for you.

14 EXAMINER JONES: Sure, if you have it.

15 MS. KESSLER: I'm sorry. I did speak too  
16 soon. Oh, here it is. 120782.

17 Q. (BY EXAMINER JONES) Is this location going to  
18 be -- going to fall into the area that may change to  
19 Basin-Mancos oil pool -- horizontal oil pool?

20 A. I'm not privy to what those discussions are. I  
21 know that there was some talk about it last year, but --

22 Q. Okay. I don't have any more questions.

23 EXAMINER WADE: I don't have any questions.

24 EXAMINER JONES: Thank you very much.

25 THE WITNESS: Thank you, guys.

1 MS. KESSLER: We'd like to call our next  
2 witness.

3 BARBARA E. PICKUP,  
4 after having been previously sworn under oath, was  
5 questioned and testified as follows:

6 DIRECT EXAMINATION

7 BY MS. KESSLER:

8 Q. Can you please state your full name for the  
9 record and tell the Examiners by whom you are employed  
10 and in what capacity?

11 A. My name is Barbara Elizabeth Pickup. I'm  
12 employed by WPX Energy as a senior geoscientist for the  
13 San Juan Basin.

14 Q. Have you previously testified before the  
15 Division?

16 A. No, I have not.

17 Q. Could you please outline your educational  
18 background?

19 A. Yes. I received my bachelor of science in 1999  
20 from the University of Notre Dame and my master of  
21 science in geology in 2001 from Oklahoma State  
22 University.

23 Q. What has been your work experience?

24 A. I became a petroleum geologist in 2006. I  
25 joined Williams in 2011 in the San Juan Basin, and I

1 have worked in the San Juan Basin since that point  
2 except a six-month period when I was on our asset team.

3 Q. And are you a member of any professional  
4 associations?

5 A. I am. I'm a member of the American Association  
6 of Petroleum Geologists.

7 Q. And are you familiar with the application  
8 that's been filed in this case?

9 A. Yes, I am.

10 Q. And have you conducted a geologic study of the  
11 lands that are the subject of this application?

12 A. Yes, I have.

13 MS. KESSLER: Mr. Examiner, I would tender  
14 Ms. Pickup as an expert witness in petroleum geology.

15 EXAMINER JONES: Would you spell your last  
16 name?

17 THE WITNESS: P-I-C-K-U-P, just like the  
18 truck.

19 EXAMINER JONES: What did you do before  
20 2006?

21 THE WITNESS: I worked for the U.S.  
22 Geological Survey as a hydrologist.

23 EXAMINER JONES: Oh.

24 THE WITNESS: Then I actually began a Ph.D.  
25 I'm a doctoral candidate at the University of Arkansas,

1 and I just need to finish writing a dissertation.

2 EXAMINER JONES: Ms. Pickup is qualified as  
3 an expert in petroleum geology.

4 Q. (BY MS. KESSLER) Ms. Pickup, could you please  
5 turn to Exhibit Number 7? And identify this exhibit and  
6 walk us through it.

7 A. Yes, ma'am. This is a structure map on the top  
8 of our projected target interval. On this map, WPX  
9 acreage is represented in yellow. In the center of the  
10 map is a purple rectangle, and that is the proposed  
11 spacing unit.

12 Inside that proposed spacing unit -- I'm  
13 sorry; it's fairly faint and fairly difficult to see --  
14 is a green line moving from west to east, and that is  
15 our proposed horizontal well in this spacing unit. This  
16 map is a structure map on the -- as I said, on the top  
17 of our target intervals. It's a 20-foot contour  
18 interval map that is dipping to the northeast, downdip.  
19 Its dip is fairly consistent across the area and  
20 especially across our spacing unit.

21 We see no indication of faults or  
22 stratigraphic pinch-outs at the formation across the  
23 proposed spacing units, so we see no geologic  
24 impediments to drilling a horizontal well.

25 Q. And did you say this is a 20-foot contour?

1 A. Yes, ma'am, 20-foot contour interval.

2 Q. If you could turn to Exhibit Number 8, please,  
3 the cross-section map.

4 A. Yes.

5 Q. And walk us through this exhibit.

6 A. This is the same map as before just without  
7 the -- without the structure on it. So, again, WPX  
8 acreage is in yellow. Our proposed spacing unit is the  
9 purple rectangle, and our proposed horizontal well is  
10 the green line inside the spacing unit. The red line,  
11 from A to A prime, is a structural cross section, that  
12 we'll see in a moment, running from southwest to  
13 northeast, moving downdip.

14 Q. Do you consider the wells shown in the next  
15 exhibit that are on the line A to A prime representative  
16 of wells in this area?

17 A. Yes, ma'am, I do.

18 Q. If you can turn to Exhibit 9, please, and these  
19 are cross sections shown on the previous map, correct?

20 A. Yes, ma'am.

21 Q. Could you identify the formations shown on  
22 these cross sections?

23 A. Yes. So, again, this is a structure map -- or  
24 a cross section, rather, moving from southwest to  
25 northeast, so it's moving down structural dip. And this

1 cross action is zoomed in on the target interval, which  
2 is the Mancos interval. So the Mancos is the base of  
3 the Mesaverde Formation and -- so the Mancos Formation  
4 top and then the Gallup subsection of the Mancos is also  
5 shown on this cross section.

6 Our target interval is the top -- the two  
7 green lines are the top and base of our target interval.  
8 So more specifically, our target in here is the Gallup  
9 porous sands within the Mancos interval and is  
10 represented -- located based on -- generally, it's  
11 spontaneous potential, or SP, signature on an electric  
12 log, which is seen in Tract 1, especially on the far  
13 right well. And this is the same target or similar  
14 stratigraphic target that has been -- that we have  
15 drilled in many of the wells in the area.

16 And as you can see from the thickness  
17 between the two green lines, there is fairly consistent  
18 stratigraphic thickness across the proposed spacing  
19 unit.

20 Q. What conclusions have you drawn based on your  
21 geologic study?

22 A. First off, I believe there are no geologic  
23 impediments to developing this area using a horizontal  
24 well. Second, I believe that horizontal -- I've  
25 concluded that horizontal drilling will efficiently and

1 economically produce the reservoir and also believe that  
2 this unit should, for the most part, contribute equally  
3 to the production of the well.

4 Q. And am I correct that WPX is seeking a  
5 nonstandard location for this well?

6 A. Yes, we are.

7 Q. Why is WPX requesting that nonstandard  
8 location?

9 A. We are requesting 330 setback for this spacing  
10 unit and for this well in particular to minimize waste  
11 of resources and protect correlative rights of our  
12 interest holders.

13 Q. And is the proposed nonstandard location shown  
14 on Exhibit 10, the well diagram?

15 A. Yes, it is.

16 Q. In your opinion, will the granting of WPX's  
17 application be in the best interest of conservation, for  
18 the prevention of waste and for the protection of  
19 correlative rights?

20 A. I do [sic].

21 Q. And were Exhibits 7 through 10 prepared by you  
22 or compiled under your direction or supervision?

23 A. They were.

24 MS. KESSLER: Mr. Examiner, I'd move the  
25 admission of WPX Exhibits 7 through 10.

1 EXAMINER JONES: Exhibits 7 through 10 will  
2 be admitted.

3 (WPX Energy Production, LLC Exhibit Numbers  
4 7 through 10 were offered and admitted into  
5 evidence.)

6 CROSS-EXAMINATION

7 BY EXAMINER JONES:

8 Q. So why -- did you pick the target load zone  
9 here?

10 A. Yes.

11 Q. Okay. So why are you going so low in the  
12 Mancos?

13 A. Well, this is the interval based on formation  
14 tops that might be known by the state. This would be  
15 the interval called the Lower Gallup.

16 Q. Oh, okay.

17 A. So, you know, the Upper Gallup -- this is where  
18 the -- the historical vertical target existed, and so  
19 that target has been targeted in horizontal wells and  
20 the porous rocks below. So that's what's represented on  
21 here.

22 Q. Okay. So you're going to start at a location.  
23 You're going to drill down over into the other section  
24 and then --

25 A. Uh-huh.

1 Q. -- turn the well around and come back?

2 A. Right. That's how all of our wells are  
3 drilled, for the most part, because you --

4 Q. It costs more to do that.

5 A. Pardon?

6 Q. It costs more to do that.

7 A. Well, it does cost more to do that, but it also  
8 allows the lateral to penetrate 330 feet from the  
9 section line on one end and TD 330 feet from the section  
10 line on the other end, so we get the full section's  
11 worth of the producible lateral.

12 Q. So when they frack the well, based on your  
13 assumed stress regime, which way you think those fracks  
14 are going to go?

15 A. East-northeast -- or north-northeast.

16 Q. North?

17 A. Yeah. The general fracture -- the main stress  
18 fracture -- we drilled these wells across the main  
19 stress fraction, which is to the east of northeast. So  
20 that's why we drill our wells west to east.

21 Q. Okay. And so you might drill another well if  
22 this one works out in the north part of the spacing  
23 unit?

24 A. Potentially, yes.

25 Q. The 330 is a standard for oil, but we have

1 people requesting exceptions to that all the time in the  
2 southeast.

3 A. Uh-huh.

4 Q. So as a geologist, you don't want to get even  
5 closer to the boundary?

6 A. Well, I tend to defer to my reservoir engineers  
7 to answer a lot of those types of questions, as to frack  
8 growth and how far it's moving and the appropriate  
9 distance from section lines.

10 Q. What about logging? Are you going to log while  
11 drilling?

12 A. Yes. We -- well, we log simply with gamma ray,  
13 and that's how we identify where we are in the  
14 formation.

15 Q. In a mud log?

16 A. In a mud log, yes. The mud log will help us  
17 identify east. There is a very nice correlation, at  
18 least from what I have seen, between porosity and gas.  
19 So we can identify where we are in the formation,  
20 identify the porous sands based on our mud log curve,  
21 and then we can identify where we are in the lateral  
22 based on our gamma ray.

23 Q. It's one spacing unit, so I won't have to ask  
24 you the question about are all spacing units going to  
25 contribute to the well or not.

1 EXAMINER JONES: Gabe, do you have any  
2 questions?

3 EXAMINER WADE: No questions.

4 EXAMINER JONES: Thank you very much.

5 MS. KESSLER: Thank you, Mr. Examiner.

6 EXAMINER JONES: With that, we'll take case  
7 15261 under advisement.

8 (Case Number 15261 concludes, 8:43 a.m.)

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I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. \_\_\_\_\_  
heard by me on \_\_\_\_\_  
\_\_\_\_\_, Examiner  
Oil Conservation Division

1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

3

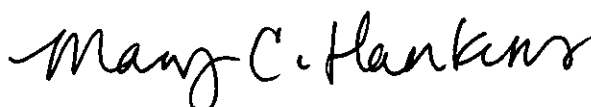
4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, New Mexico Certified  
6 Court Reporter No. 20, and Registered Professional  
7 Reporter, do hereby certify that I reported the  
8 foregoing proceedings in stenographic shorthand and that  
9 the foregoing pages are a true and correct transcript of  
10 those proceedings that were reduced to printed form by  
11 me to the best of my ability.

12 I FURTHER CERTIFY that the Reporter's  
13 Record of the proceedings truly and accurately reflects  
14 the exhibits, if any, offered by the respective parties.

15 I FURTHER CERTIFY that I am neither  
16 employed by nor related to any of the parties or  
17 attorneys in this case and that I have no interest in  
18 the final disposition of this case.

19



20

21 MARY C. HANKINS, CCR, RPR  
22 Paul Baca Court Reporters, Inc.  
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24 Date of CCR Expiration: 12/31/2015  
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