

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

**RECEIVED**

JUN 13 2003

Oil Conservation Division

CONTINUED AND DISMISSED CASES

**ORIGINAL**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

June 5th, 2003

Santa Fe, New Mexico

These matters came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Thursday, June 5th, 2003, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

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## I N D E X

June 5th, 2003  
Continued and Dismissed Cases

PAGE

REPORTER'S CERTIFICATE

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\* \* \*

1 WHEREUPON, the following proceedings were had at  
2 8:20 a.m.:

3 EXAMINER STOGNER: This hearing will come to  
4 order. I'm Michael Stogner, appointed Hearing Examiner  
5 for today's docket, which is 17-03. Please note today's  
6 date, June 5th, 2003.

7 I'll refer to an earlier memorandum and Internet  
8 message that I had sent to everybody. I thought we were  
9 going to be pre-empted today by the Commission docket, and  
10 what we -- we'll call this hearing today but recess until  
11 Tuesday, June the 10th, to hear any cases that are on the  
12 docket.

13 At this time I will go through the continuances  
14 and dismissals.

15 On page 2, Case Number 13,082, this is the  
16 Application of Concho Oil and Gas Corp. for compulsory  
17 pooling, Lea County, New Mexico. This case will be  
18 continued to July 10th.

19 Next case, 13,075, this is the Application of  
20 Ricks Exploration, Inc., for compulsory pooling, Lea  
21 County, New Mexico. This case will be dismissed.

22 Next case, 13,076, this is the Application of  
23 Ricks Exploration, Inc., for compulsory pooling, Lea  
24 County, New Mexico. This case will be continued to July  
25 the 10th.

1 MR. BRUCE: Mr. Examiner --

2 EXAMINER STOGNER: Yes, Mr. Bruce?

3 MR. BRUCE: Oh, yeah, that is correct. I thought  
4 I had flipped them around, but no --

5 EXAMINER STOGNER: Oh, good.

6 MR. BRUCE: -- the two Ricks cases.

7 EXAMINER STOGNER: I'm going to go now and call  
8 Case Number 13,081. This is the Application of David H.  
9 Arrington Oil and Gas, Inc., for compulsory pooling. Any  
10 appearances? This case has been called but will be called  
11 again on Tuesday, June 10th.

12 13,047, this is Chesapeake Operating, Inc., for  
13 compulsory pooling. Any appearances at this time? I'll  
14 call this case again on Tuesday.

15 Case Number 12,815, this is a reopened case to  
16 consider special pool rules in the North Osudo-Devonian  
17 Pool in Lea County, New Mexico. Any appearances?

18 MR. BRUCE: Mr. Examiner, Jim Bruce on behalf of  
19 Read and Stevens, Inc. My client does plan -- was the  
20 original applicant in this case and does plan on making a  
21 presentation. I do not know, however, if that will be June  
22 10th or July 10th.

23 EXAMINER STOGNER: Would you like me to call this  
24 again on --

25 MR. BRUCE: Yes, sir.

1 EXAMINER STOGNER: -- Tuesday?

2 MR. BRUCE: Yes, sir.

3 EXAMINER STOGNER: Okay. And who is your client  
4 again, I'm sorry?

5 MR. BRUCE: Read and Stevens, Inc.

6 EXAMINER STOGNER: Read and Stevens. I'll call  
7 this case again on Tuesday, and either at that time or  
8 before then you can let me know.

9 Okay, skipping over to page 2, down at the bottom  
10 of the page, Case 13,083, this is the Application of Roca  
11 Production, Inc., for compulsory pooling, Lea County, New  
12 Mexico. Any appearances in this matter at this time?

13 MR. BRUCE: Mr. Examiner, Jim Bruce again,  
14 representing the Applicant. We do -- Please call that  
15 again on Tuesday, we do plan on proceeding with that.

16 EXAMINER STOGNER: And again, I appreciate your  
17 patience, and apologies that -- not getting it off sooner.  
18 But under the circumstances, you understand. We didn't  
19 know what the Commission -- if it was going to leak over  
20 into today.

21 Okay, I'm going to call now Case Number 13,050.  
22 This is the Application of Doyle Hartman, Oil Operator, for  
23 simultaneous dedication and exception to Rule 3 (D) of the  
24 special rules for the Eumont Gas Pool and for various other  
25 exceptions in Lea County, New Mexico. At this time I'll

1 call for appearances.

2 MR. CONDON: Mr. Stogner, I'm Michael Condon with  
3 the Gallegos law firm here in Santa Fe on behalf of the  
4 Applicant, Doyle Hartman, Oil Operator.

5 MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe  
6 on behalf of Kerr-McGee Oil and Gas Onshore, LLC, oil  
7 operator.

8 MR. CONDON: Is that it?

9 EXAMINER STOGNER: Okay.

10 MR. CONDON: Could I have that read back?

11 EXAMINER STOGNER: Okay, what's your pleasure,  
12 Mr. Condon?

13 MR. CONDON: Mr. Stogner, as we've previously  
14 written to you in anticipation of the continuance to June  
15 10th, we have requested that the matter be continued to the  
16 Examiner's docket for June 19th. We understand that that  
17 docket is relatively full and that it may go over to the  
18 July 10 docket, which we understand is the next available  
19 docket after June 10 -- or June 19, I'm sorry.

20 And as we discussed earlier this morning, I will  
21 contact Hartman representatives when I get back this  
22 morning and see what their preference is, whether we  
23 monitor the docket for June 19 or whether we simply ask for  
24 a continuance to the July 10 docket.

25 EXAMINER STOGNER: Anything, Mr. Bruce, to add?

1 MR. BRUCE: No, I don't.

2 EXAMINER STOGNER: Okay. With that, this case,  
3 13,050, will be continued to the June 19th docket. And  
4 also I'll go on record as saying that Doyle Hartman and  
5 anybody else who wishes to appear in this matter is --  
6 waive the Division's policy for three continuances under  
7 the circumstances around this case and around the hearing  
8 date. So don't sweat that.

9 MR. CONDON: Okay, thank you.

10 EXAMINER STOGNER: Okay, with that I'm going to  
11 call Case Number 12,919. This is the Application of the  
12 OCD for a public hearing pursuant to Rule 19.G.(3) to  
13 consider the adequacy of a revised Stage 2 abatement plan,  
14 Lea County, New Mexico. Call for appearances.

15 MR. BROOKS: Mr. Examiner, I'm David Brooks,  
16 assistant general counsel, Energy, Minerals and Natural  
17 Resources Department, appearing for the New Mexico Oil  
18 Conservation Division. Frankly, I'd forgotten this case  
19 was scheduled on this docket, and I haven't conferred with  
20 other counsel, so I'll request that you call this again on  
21 June the 10th.

22 EXAMINER STOGNER: This case will be called once  
23 again on June 10th.

24 MR. BROOKS: I suspect that other counsel may  
25 have forgotten it's on this docket also.

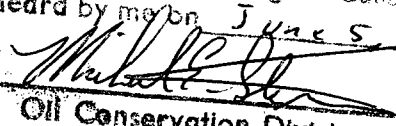
1 EXAMINER STOGNER: Is there anybody else in here  
2 that wishes to comment?

3 (Off the record)

4 EXAMINER STOGNER: With that, the docket for  
5 today will stand in recess, and we will reconvene at 8:15  
6 on Tuesday, June the 10th. Thank you very much.

7 (Thereupon, these proceedings were concluded at  
8 8:29 a.m.)

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16 I do hereby certify that the foregoing is  
17 a complete record of the proceedings in  
18 the Examiner hearing of Case No. 13075,  
19 heard by me on June 5, 2003.  
20  Examiner  
21 Oil Conservation Division  
22  
23  
24  
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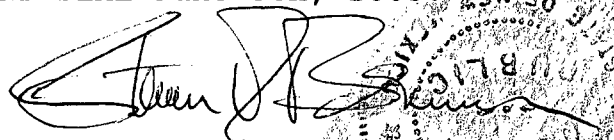
## CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                                  )    ss.  
COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter  
and Notary Public, HEREBY CERTIFY that the foregoing  
transcript of proceedings before the Oil Conservation  
Division was reported by me; that I transcribed my notes;  
and that the foregoing is a true and accurate record of the  
proceedings.

I FURTHER CERTIFY that I am not a relative or  
employee of any of the parties or attorneys involved in  
this matter and that I have no personal interest in the  
final disposition of this matter.

WITNESS MY HAND AND SEAL June 5th, 2003

A handwritten signature of Steven T. Brenner is written over a circular notary seal. The seal contains the text "NOTARY PUBLIC STATE OF NEW MEXICO" and the number "430-20".

STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 16th, 2006