

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: )

) CASE NO. 13,738

APPLICATION OF DEVON ENERGY PRODUCTION )  
COMPANY, L.P., FOR COMPULSORY POOLING, )  
EDDY COUNTY, NEW MEXICO )

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

August 17th, 2006

Santa Fe, New Mexico

2006 AUG 31 AM 10 27

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID R. CATANACH, Hearing Examiner, on Thursday, August 17th, 2006, 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

August 17th, 2006  
Examiner Hearing  
CASE NO. 13,738

## PAGE

REPORTER'S CERTIFICATE

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## E X H I B I T

Applicant's

Identified

Admitted

Exhibit 2

4

4

\* \* \*

## A P P E A R A N C E S

## FOR THE DIVISION:

GAIL MacQUESTEN  
Deputy General Counsel  
Energy, Minerals and Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

## FOR THE APPLICANT:

JAMES G. BRUCE  
Attorney at Law  
P.O. Box 1056  
Santa Fe, New Mexico 87504

\* \* \*

1           WHEREUPON, the following proceedings were had at  
2   9:06 a.m.:

3           EXAMINER CATANACH: Okay, at this time I'll call  
4   Case 13,738, which is the Application of Devon Energy  
5   Production Company, L.P., for compulsory pooling, Eddy  
6   County, New Mexico. Call for appearances.

7           MR. BRUCE: Mr. Examiner, Jim Bruce of Santa Fe,  
8   representing the Applicant. I just have a brief statement.

9           EXAMINER CATANACH: Okay, let the record show  
10   there are no additional appearances in this case.

11          MR. BRUCE: Mr. Examiner, this case was heard by  
12   Mr. Ezeanyim. I don't even remember the date, but it was  
13   heard some time ago. The only -- It was heard on July 6th,  
14   I think.

15          The only three people noticed -- notified of the  
16   hearing, were the Carlsbad Municipal School District and  
17   the Federal Deposit Insurance Corporation. They were given  
18   written notice. Subsequent to the Application being filed,  
19   both of those parties leased to Devon Energy. There was  
20   one additional person who could not be located, a Mr. H.L.  
21   Boyd.

22          And as I previously informed you, I was trying to  
23   get a notice published in the newspaper, and it took me  
24   about three or four attempts for the Carlsbad newspaper to  
25   respond, and so I kept continuing the case until I finally

1 got an affidavit of publication.

2 And so submitted as Exhibit 2 is the affidavit of  
3 publication against Mr. Boyd, and I would ask that this  
4 matter be taken under advisement.

5 EXAMINER CATANACH: Okay, Exhibit Number 2 will  
6 be admitted in this case.

7 And there being nothing further, Case 13,738 will  
8 be taken under advisement.

9 Thank you, Mr. Bruce.

10 (Thereupon, these proceedings were concluded at  
11 9:08 a.m.)

12 \* \* \*

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16  
17 I do hereby certify that the foregoing is  
18 a complete record of the proceedings in  
the Examiner hearing of Case No. 13738  
19 heard by me on August 17, 2006.  
20 David R. Catnach, Examiner  
Oil Conservation Division  
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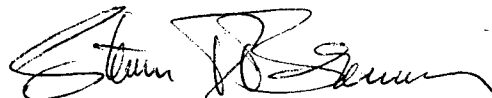
## CERTIFICATE OF REPORTER

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 August 17th, 2006.



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STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 16th, 2006