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

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
Prehearing Transcript

BEFORE: TERRY G. WARNELL, Technical Examiner  
DAVID BROOKS, Legal Examiner  
RICHARD EZEANYIM, Technical Examiner

May 15, 2008

Santa Fe, New Mexico

This matter came for hearing before the New Mexico Oil Conservation Division, DAVID BROOKS, Legal Examiner, TERRY G. WARNELL, Technical Examiner, and RICHARD EZEANYIM, Technical Examiner, on May 15, 2008, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: JOYCE D. CALVERT, P-03  
Paul Baca Court Reporters  
500 Fourth Street, NW, Suite 105  
Albuquerque, New Mexico 87102

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2008 MAY 28 PM 4:04

1 MR. WARNELL: Let's go on the record here with  
2 Docket 1608. Today is May 15. I'd like to read off the cases  
3 that have been dismissed and or continued, and we'll go from  
4 there.

5 So starting with Case No. 14117, it is continued to  
6 July 10th.

7 Case No. 14005 has been dismissed.

8 On the backside, Case No. 14111 has been dismissed.

9 Down at the bottom of the page, Case No. 14120 has  
10 been dismissed.

11 Next page, Case No. 14024 is continued to May 29th.

12 Case No. 14062 is continued to June 12th.

13 Next page, Case No. 14123, 14124 and Case No. 14099  
14 are all continued to May 29th.

15 At the bottom, Case No. 14127 is dismissed.

16 Next page, Case No. 14100 and 14101 have been  
17 dismissed.

18 And at the bottom there, Case No. 14136, which was an  
19 emergency order, has been continued to June 12th.

20 Are there any other known continuances or dismissals  
21 or anything that we've missed? Anything that --

22 Mr. Bruce, Case 1<sup>3</sup>940, and Ms. Munds-Dry? Is there  
23 anything we need to say about that case maybe on the record?  
24 It's been continued now 17 times, I believe.

25 MR. BRUCE: I'm surprised it's that few. They were

1     awaiting -- I was informed, I think, yesterday, by my client,  
2     that the well has been plugged, which is the relief that Yates  
3     was seeking.

4             Now, I don't think the final plugging report has been  
5     filed, and I don't think Yates would want to dismiss it until  
6     that time.

7             MS. MUNDS-DRY: Mr. Ezeanyim, our only concern is we  
8     want to make sure the plugging report has been filed and the  
9     lands have, in fact, have been claimed so that all the rules  
10    have been complied with, just out of a matter of caution, just  
11    to make sure. So, we would beg your mercy for a continuance  
12    and maybe Mr. Bruce could give us an idea of what would be a  
13    reasonable period of time.

14            MR. BRUCE: Why don't we shoot for a month at this  
15    point. But the well has been plugged. We're just waiting for  
16    the final reports.

17            MR. WARNELL: Very good. We'll go on the record as  
18    being one month out.

19            MS. MUNDS-DRY: Thank you, Mr. Examiner.

20            MR. BROOKS: That would be June the 12th.

21            MS. MUNDS-DRY: I believe that would be June 12th.

22            MR. WARNELL: Thank you. Very well, then, I've done  
23    the math on our docket, and that leaves us with seven cases.  
24    So for the last two cases we hear today, Will Jones will come  
25    down and take care of those two cases. Mr. Bruce, they're not

1 yours.

2 Let me give you the order. The two cases that Will  
3 will be doing are Case -- my crib sheet number two --  
4 Case 14122 and Case 14128. Those two cases Will Jones will do  
5 at the end of the day. And I'm not sure when the end of the  
6 day will be.

7 So let's go back and get in order, then. Let me give  
8 you a rundown of the cases. Case one, two and three, in that  
9 order, will be Case 14121, Case 14118, and Case 14119. We'll  
10 do those three cases and then probably take a short break.

11 And then we'll reconvene, Mr. Bruce, and do your two  
12 Apache cases, the 125 and 126, more or less, together.

13 MR. BRUCE: Okay.

14 MR. WARNELL: And then we'll take another break and  
15 that's when we'll get Mr. Jones down here for the last two  
16 cases.

17 [Hearing concluded.]

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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 \_\_\_\_\_.

TW, Examiner  
Oil Conservation Division

## REPORTER'S CERTIFICATE

I, JOYCE D. CALVERT, Provisional Court Reporter for the State of New Mexico, do hereby certify that I reported the foregoing proceedings in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings and was reduced to printed form under my direct supervision.

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

  
JOYCE D. CALVERT  
New Mexico P-03  
License Expires: 7/31/08

1 STATE OF NEW MEXICO )  
2 )  
3 COUNTY OF BERNALILLO )

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I, JOYCE D. CALVERT, a New Mexico Provisional Reporter, working under the direction and direct supervision of Paul Baca, New Mexico CCR License Number 112, hereby certify that I reported the attached proceedings; that pages numbered 1-4 inclusive, are a true and correct transcript of my stenographic notes. On the date I reported these proceedings, I was the holder of Provisional License Number P-03.

7 Dated at Albuquerque, New Mexico, 15th day of  
8 May, 2008.

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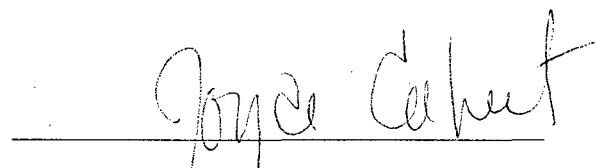
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