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

**ORIGINAL**

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

CASE NO. 14118

APPLICATION OF XTO ENERGY, INC., FOR  
COMPULSORY POOLING, SAN JUAN COUNTY,  
NEW MEXICO

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: CAROL LEACH, Legal Examiner  
WILLIAM V. JONES, Technical Examiner  
TERRY WARNELL, Technical Examiner

June 12, 2008

Santa Fe, New Mexico

This matter came for hearing before the New Mexico Oil  
Conservation Division, CAROL LEACH, Legal Examiner, WILLIAM V.  
JONES, Technical Examiner, and TERRY WARNELL, Technical  
Examiner, on June 12, 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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A P P E A R A N C E S

FOR THE APPLICANT,

W. Thomas Kellahin, Esq.  
KELLAHIN AND KELLAHIN  
706 Gonzales Road  
Santa Fe, New Mexico 87501

Page

EXHIBIT A

3

1 MR. JONES: Let's call the first case. Let's start  
2 first with Case No. 14118, Application of XGO Energy,  
3 Incorporated, for Compulsory Pooling, San Juan County, New  
4 Mexico.

5 Call for appearances.

6 MR. KELLAHIN: Good morning, Mr. Jones. I'm Tom  
7 Kellahin of the Santa Fe law firm of Kellahin & Kellahin,  
8 appearing this morning on behalf of the applicant.

9 MR. JONES: Any other appearances?

10 MR. KELLAHIN: Mr. Examiner, this case was presented  
11 to the Division at a hearing on May 15th. At the conclusion of  
12 that hearing, we asked that it be continued to today's docket  
13 because there was one party that was subject to notification  
14 for which the notice had not yet run the full 20 days. That  
15 has now occurred, and I'm ready to submit to you our Affidavit  
16 of Notification to that party.

17 This is marked as Exhibit A to the hearing today.  
18 The party involved is a company called CEDB Holding, Inc., an  
19 address in Santa Fe, New Mexico. We've got the return receipt  
20 cards back from them, and I've received no communication from  
21 them.

22 With your permission, we would ask you to accept the  
23 exhibit.

24 MR. JONES: Terry, do you have any questions?

25 MR. WARNELL: No. I'll put this in the file.

1 MR. JONES: Okay. Thanks, Tom. Exhibit A will be  
2 admitted.

3 MR. KELLAHIN: Mr. Examiner, that concludes our  
4 presentation.

5 MR. JONES: Okay. With that, we'll take  
6 Case No. 14118 under advisement.

7 [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 \_\_\_\_\_.

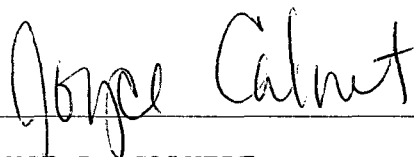
\_\_\_\_\_, Examiner  
Oil Conservation Division

## 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.

Signed this 12th day of June, 2008.

A handwritten signature in cursive script, reading "Joyce Calvert", is written over a horizontal line.

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

1 STATE OF NEW MEXICO )  
2 COUNTY OF BERNALILLO )

3

4 I, JOYCE D. CALVERT, a New Mexico Provisional  
5 Reporter, working under the direction and direct supervision of  
6 Paul Baca, New Mexico CCR License Number 112, hereby certify  
7 that I reported the attached proceedings; that pages numbered  
8 1-4 inclusive, are a true and correct transcript of my  
9 stenographic notes. On the date I reported these proceedings,  
10 I was the holder of Provisional License Number P-03.

11 Dated at Albuquerque, New Mexico, 12th day of  
12 June, 2008.

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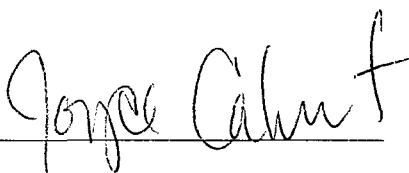
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Paul Baca, RPR  
Certified Court Reporter #112  
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