

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

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PREHEARING

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

August 21, 2008

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID K. BROOKS, Legal Examiner, TERRY G. WARNELL, Technical Examiner, on Thursday, August 21, 2008, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint 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

1 MR. BROOKS: Good morning, ladies and gentlemen. We  
2 will go on the record this morning in Docket No. 28-08. Today  
3 is August 21st, 2008.

4 I'm David Brooks, presiding Hearing Examiner, and I  
5 will begin by calling the continuances and dismissals.

6 \* \* \*

7 MR. BROOKS: Beginning on page 2, Case No. 14164 is  
8 continued to September 18th.

9 Case No. 14163 is continued to September the 4th.

10 MR. ROBERTS: Mr. Examiner, that's the application of  
11 Merrion Oil and Gas.

12 MR. BROOKS: That's correct.

13 MR. ROBERTS: We're here.

14 MR. BROOKS: Yeah. Case No. 14162 -- well, I'll take  
15 that up later. Let me go on through the continuances and  
16 dismissals.

17 Case No. 14165 -- this is on page 3 -- is continued  
18 to October the 2nd.

19 Case No. 14024 is continued to September the 4th.

20 On page number 4, Case No. 14148 is continued to  
21 September the 4th.

22 Case No. 14155 is continued to September the 4th.

23 Case No. 14166 is dismissed.

24 On page 5, Case No. 14168 is continued to September  
25 the 4th.

1 Case No. 14170 is continued to September the 4th.

2 On page 6, Case No. 14173 is continued to September  
3 the 18th.

4 And I believe that's all. Are there any other  
5 continuances or dismissals?

6 MR. BRUCE: Mr. Examiner, at the bottom of page 4,  
7 could you please continue the last case, 14167, to September,  
8 the 4th, please?

9 MR. BROOKS: Case No. 14167 will be continued to  
10 September 4th.

11 Any other continuances or dismissals?

12 Okay. That Merrion Case No. 14163, you have two  
13 Merrion cases, 14162 and 14163, right?

14 MR. ROBERTS: Yes. They were originally scheduled  
15 for the August 7th docket and we asked that they be continued  
16 until today.

17 MR. BROOKS: Yeah. Well, I don't see any point in  
18 making you come back. This is uncontested, right?

19 MR. ROBERTS: Well, we don't know of any opposition,  
20 but these are cases where we've got 50 and more unleased  
21 mineral interest owners who we don't know how they'll choose to  
22 act in this case or both cases.

23 MR. BROOKS: Okay. Well, I will go ahead and hear  
24 them if there's no opposition.

25 \* \* \*

I do hereby certify that the foregoing is

a complete and

true and correct

transcript of the proceedings

held at the

*David K. Brooks*

8-21-08

## 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.

DATED this 21st of August, 2008.



JOYCE D. CALVERT  
New Mexico P-03  
License Expires: 7/31/09

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 1-3 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, 21st day of  
12 August, 2008.

13  
14 

15  
16 Joyce D. Calvert  
17 Provisional License #P-03  
18 License Expires: 7/31/09

19  
20 

21  
22 Paul Baca, RPR  
23 Certified Court Reporter #112  
24 License Expires: 12/31/08  
25