- 1 MR. WARNELL: Call Hearing Docket 26-09 to
- 2 order. We're now on the record. Today's date is July 23,
- 3 2009. I would like to read the dismissals and the
- 4 continuances first. I know of two dismissals. That is Case
- 5 Number 14346 on page 4 of 8 and Case 14339 on page 8. Both
- of those cases have been dismissed.
- 7 MR. BRUCE: Mr. Examiner?
- 8 MR. WARNELL: Yes.
- 9 MR. BRUCE: Did you say 14346?
- 10 MR. WARNELL: 14346.
- 11 MR. BRUCE: That is not dismissed. The
- 12 Mewbourne Oil Company case? No, no. Mr. Examiner, there is
- 13 a letter in the file dismissing two of the pooled parties,
- 14 but there are a number of other people pooled.
- MR. WARNELL: Oh, is that right?
- MR. BRUCE: Yes.
- 17 MR. WARNELL: Well, I stand corrected.
- 18 Excuse me. Are we going to hear that case today?
- 19 MR. BRUCE: Yeah. It's by affidavit. It's
- 20 going to be short.
- MR. WARNELL: All right. So then I know of
- one dismissal case, Case 14339 on page 8. Thank you, Mr.
- 23 Bruce. I apologize for that.
- 24 I think I know of 16 continuances. Starting on
- 25 page 1, Case Number 14321 is continued to September 17.

- 1 Going over to page 4, Case Number 14282, Case
- 2 Number 14343, Case Number 14344, and Case Number 14345,
- 3 those four cases are all continued to August 20.
- On page 5, Case Number 14349, 14350, and 14351,
- 5 all three of those cases are continued to August 20.
- 6 Page 6, Cases 14352, 14353, and Case 14354 are all
- 7 continued to August 20. It's going to be a busy docket.
- Page 7, the first two cases, Case 14290 and Case
- 9 14335 are both continued to September 3.
- Case 14330 is continued to August 20, and Case
- 11 14173 is continued to August 20.
- 12 Last page, page 8, last case, Case 14319 is
- 13 continued to September 17.
- 14 Are there any other continuances or dismissals
- 15 that I don't know about or missed or --
- 16 MR. CARR: May it please the Examiner, on
- 17 page 7 of the docket --
- MR. WARNELL: Yes, sir.
- 19 MR. CARR: -- at the bottom is Case 14311,
- 20 that is a companion case to the case, the next case on the
- 21 docket, 14322. In that case, Mr. Kellahin represents
- 22 Cimarex. I represent Nadel and Gussman Heyco in the first
- 23 case. It is our understanding that the parties have reached
- 24 an agreement and are in the process of executing a voluntary
- 25 agreement that will render these cases unnecessary.

- 1 And so with your permission, I would request that
- 2 Case 14311 be continued for two weeks. So if those two
- 3 cases could be continued for two weeks, we're hopeful that
- 4 we can dismiss them at that time.
- 5 MR. WARNELL: To August 6. We pretty much
- 6 had the afternoon set aside. That is good news. Thank you,
- 7 Mr. Carr. So Case 14311 will be continued to August 6, and
- 8 Case 14322 will also be continued to August 6. That
- 9 shortens our day a little bit. So that leaves us with seven
- 10 cases to hear this morning or today.
- 11 We'll start with Case 14340, application of
- 12 Chesapeake Energy Corporation, LLC, to re-instate Division
- 13 Order R-11993-A for compulsory pooling, Lea County, New
- 14 Mexico. Call for appearances.
- MR. KELLAHIN: Mr. Examiner, I am Tom
- 16 Kellahin of the Santa Fe law firm of Kellahin and Kellahin
- 17 appearing this morning on behalf of the applicant. I have
- 18 no witnesses to be sworn. We're going to present this by
- 19 affidavit.
- 20 MR. WARNELL: All right. Thank you. There
- 21 are no other appearances. Mr. Kellahin, you can proceed.
- 22 MR. KELLAHIN: Thank you, Mr. Examiner. I
- 23 have given to the court reporter the original of the
- 24 affidavit and the original of the newspaper publication so
- 25 that she has that for the official file. Before you are