

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

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

ORIGINAL

APPLICATION OF THE NEW MEXICO OIL Conservation Case No. 14055  
CONSERVATION DIVISION FOR A COMPLIANCE  
ORDER AGAINST C&D MANAGEMENT, d/b/a FREEDOM VENTURES  
COMPANY

DE NOVO APPLICATION OF THE NEW MEXICO Case No. 14041  
OIL CONSERVATION DIVISION FOR A COMPLIANCE  
ORDER AGAINST MARKS & GARNER PRODUCTION LTD. CO.,  
AND A REQUEST FOR DETERMINATION OF NON-COMPLIANCE WITH  
OCD RULE 19.15.5.9 NMAC FOR VIOLATION OF AN ORDER  
REQUIRING CORRECTIVE ACTION.

Case No. 14326; Case No. 14365; Case No. 14366; Case No.  
14382; and Case No. 14323: Continued to January 14, 2010

REPORTER'S TRANSCRIPT OF PROCEEDING  
COMMISSIONER HEARING

2009 DEC 31 A 7:52  
RECEIVED OCD

BEFORE: MARK E. FESMIRE, Chairman  
JAMI BAILEY, Commissioner  
WILLIAM C. OLSON, Commissioner

December 16, 2009  
Santa Fe, New Mexico

This matter came on for hearing before the New  
Mexico Oil Conservation Commission, MARK E. FESMIRE,  
Chairman, on Wednesday, December 16, 2009, at the New  
Mexico Energy, Minerals and Natural Resources Department,  
1220 South Saint Francis Drive, Room 102, Santa Fe, New  
Mexico.

REPORTED BY: Jacqueline R. Lujan, CCR #91  
Paul Baca Professional Court Reporters  
500 Fourth Street, N.W., Suite 105  
Albuquerque, NM 87103 505-843-9241

1 MS. BADA: I'm out until then, so that  
2 would be fine.

3 CHAIRMAN FESMIRE: Let's delay that. We  
4 will require the Tuesday after New Year's for submission  
5 of the findings and fact and conclusions of law and the  
6 proposed order. And with that, is there anything else in  
7 Case Number 14041? Thank you all. Would you be so kind,  
8 when you go upstairs, to tell Florene we've still got the  
9 rest of the meeting?

10 MS. ALTOMARE: Yes. Let's go off the  
11 record until Florene gets here.

12 (A recess was taken.)

13 CHAIRMAN FESMIRE: At this time let's go  
14 back on the record. The next case is Case Number 14326.  
15 It's the de novo application of the New Mexico Oil  
16 Conservation Division for a compliance order against  
17 Nacogdoches Oil and Gas, Inc. That case has been  
18 continued to the January 14th, 2010 Commission meeting.

19 The next case before the Commission is Case  
20 Number 14365. It's the de novo application of COG  
21 Operating LLC for designation of a non-standard spacing  
22 unit and for compulsory pooling, Eddy County, New Mexico.  
23 That case also has been continued to January 14th, 2010  
24 docket.

25 The next case before the Commission is Case

1 14366, the application of COG Operating LLC for  
2 designation of a non-standard spacing unit, unorthodox  
3 well location, and for compulsory pooling in Eddy County,  
4 New Mexico. That case will be continued to the January  
5 14th, 2010 Commission docket.

6 The next case before the Commission is Case  
7 ~~143823~~ the application of Chesapeake Energy Corporation  
8 for cancellation of a permit to drill issued to COG  
9 Operating LLC, Eddy County, New Mexico. That case will  
10 be continued to the January 14th, 2010 docket.

11 The next case before the Commission is Case  
12 Number 14323, application of Chesapeake Energy  
13 Corporation for cancellation of a permit to drill issued  
14 to COG Operating LLC. That case has been continued to  
15 the January 14th, 2010 docket.

16 Is there anything else before the Commission  
17 today? At this time, the Chair would entertain a motion  
18 to adjourn.

19 COMMISSIONER BAILEY: I so move.

20 COMMISSIONER OLSON: Second.

21 CHAIRMAN FESMIRE: All those in favor  
22 signify by saying aye. Let the record reflect that the  
23 Commission meeting was adjourned at 11:35 a.m. on  
24 Wednesday, December 16, 2009.

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\* \* \*

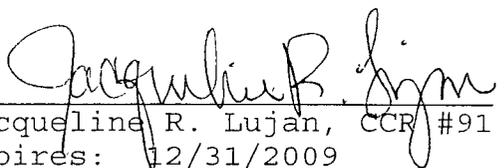
REPORTER'S CERTIFICATE

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I, JACQUELINE R. LUJAN, New Mexico CCR #91, DO  
HEREBY CERTIFY that on December 16, 2009, proceedings in  
the above captioned case were taken before me and that I  
did report in stenographic shorthand the proceedings set  
forth herein, and the foregoing pages are a true and  
correct transcription to the best of my ability.

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

WITNESS MY HAND this 29th day of December,  
2009.

  
Jacqueline R. Lujan, CCR #91  
Expires: 12/31/2009