

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 Case No. 14055
CONSERVATION DIVISION FOR A COMPLIANCE ORDER
AGAINST C&D MANAGEMENT COMPANY, D/B/A FREEDOM
VENTURES COMPANY, EDDY COUNTY, NEW MEXICO

APPLICATION OF THE BOARD OF COUNTY Case No. 14134
COMMISSIONERS OF RIO ARRIBA COUNTY FOR
CANCELLATION OR SUSPENSION OF APPLICATIONS FOR
PERMITS TO DRILL APDs FILED BY APPROACH OPERATING, LLC,
RIO ARRIBA COUNTY, NEW MEXICO

APPLICATION OF APPROACH OPERATING, LLC, Case No. 14141
FOR APPROVAL OF SIX APPLICATIONS FOR PERMITS
TO DRILL, RIO ARRIBA COUNTY, NEW MEXICO

APPLICATION OF APPROACH OPERATING, LLC, Case No. 14278
FOR APPROVAL OF 14 APPLICATIONS FOR PERMITS TO
DRILL, RIO ARRIBA COUNTY, NEW MEXICO

Case No. 14041: Continued to November 4, 2009

Case No. 14365 and Case No. ~~14366~~ Continued to
December 16, 2009

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REPORTER'S TRANSCRIPT OF PROCEEDINGS
COMMISSIONER HEARING

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

October 7, 2009
Santa Fe, New Mexico

1 This matter came on for hearing before the New
2 Mexico Oil Conservation Commission, MARK E. FESMIRE,
3 Chairman, on Wednesday, October 7, 2009, at the New
4 Mexico Energy, Minerals and Natural Resources Department,
5 1220 South Saint Francis Drive, Room 102, Santa Fe, New
6 Mexico.

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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 MR. HALL: That's all I have. Thank you.

2 CHAIRMAN FESMIRE: Good luck.

3 With this we will -- we've got one more
4 case. The Commission will call Case Number 14365, the De
5 Novo application of COG Operating, LLC, for designation
6 of a nonstandard spacing unit and compulsory pooling in
7 Eddy County, New Mexico, on the Blackhawk 11 Federal Com
8 No. 1H. That case has been continued to the December
9 16th meeting.

10 And, lastly, we have Case Number 14366, the De
11 Novo application of COG Operating, LLC, for designation
12 of a nonstandard spacing unit, unauthorized well location
13 and for compulsory pooling in Eddy County, New Mexico, on
14 the Blackhawk 11 Federal Com No. 2H. That case has also
15 been continued until the December 16th meeting. Is there
16 any further action before the Commission today?

17 COMMISSIONER BAILEY: Don't we have to go
18 into the executive session for one more decision on that
19 first case?

20 CHAIRMAN FESMIRE: Oh, yes. That is
21 correct.

22 CHAIRMAN FESMIRE: At this time the
23 Commission will go into executive session in Case Number
24 14055.

25 (The Commission went into executive session.)

1 CHAIRMAN FESMIRE: Let's go back on the
2 record. The record should reflect that the Commission
3 has emerged from executive session where we considered
4 case Number 14055 -- that is the correct number; right --
5 the compliance or order against C&D Management Company.
6 The Commission has reached a decision, and we have
7 communicated that decision to counsel and instructed him
8 to draft an order reflecting that decision for
9 presentation and signature at the next
10 regularly-scheduled meeting of the New Mexico Oil
11 Conservation Division.

12 With that, is there any further business
13 before the Commission today?

14 COMMISSIONER BAILEY: I move that we
15 adjourn.

16 COMMISSIONER OLSON: I'll second.

17 CHAIRMAN FESMIRE: All those in favor
18 signify by saying aye.

19 Let the record reflect that the Commission
20 meeting was adjourned at 12:30 p.m.

21 * * *

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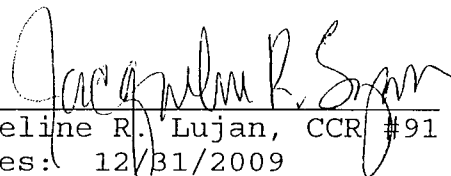
REPORTER'S CERTIFICATE

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I, JACQUELINE R. LUJAN, New Mexico CCR #91, DO
HEREBY CERTIFY that on October 7, 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 21st day of October, 2009.


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