

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

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

APPLICATION OF OCEAN ENERGY RESOURCES, )  
INC., FOR COMPULSORY POOLING AND FOUR )  
NONSTANDARD OIL AND GAS SPACING AND )  
PRORATION UNITS, LEA COUNTY, NEW MEXICO )

APPLICATION OF OCEAN ENERGY RESOURCES, )  
INC., FOR COMPULSORY POOLING AND FOUR )  
NONSTANDARD OIL AND GAS SPACING AND )  
PRORATION UNITS, LEA COUNTY, NEW MEXICO )

AMENDED APPLICATION OF YATES PETROLEUM )  
CORPORATION FOR COMPULSORY POOLING AND )  
A NONSTANDARD GAS SPACING AND PRORATION )  
UNIT, LEA COUNTY, NEW MEXICO )

APPLICATION OF YATES PETROLEUM )  
CORPORATION FOR COMPULSORY POOLING AND )  
A NONSTANDARD GAS SPACING AND PRORATION )  
UNIT, LEA COUNTY, NEW MEXICO )

CASE NOS. 12,567

FEB 22

12,535

8:01

12,590

and 12,569

(Consolidated)

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
EXAMINER HEARING

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

ORIGINAL

February 8th, 2001  
Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Thursday, February 8th, 2001, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

## I N D E X

February 8th, 2001  
Examiner Hearing  
CASE NOS. 12,567, 12,535, 12,590, 12,569 (Consolidated)

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APPEARANCES	3
REPORTER'S CERTIFICATE	11

\* \* \*

## E X H I B I T S

Ocean	Identified	Admitted
Exhibit A	8	9
Exhibit B	8	9

\* \* \*

Yates	Identified	Admitted
Exhibit A	9	9
Exhibit B	9	9

\* \* \*

## A P P E A R A N C E S

FOR OCEAN ENERGY RESOURCES:

JAMES G. BRUCE, Attorney at Law  
3304 Camino Lisa  
Santa Fe, New Mexico 87501  
P.O. Box 1056  
Santa Fe, New Mexico 87504

FOR YATES PETROLEUM CORPORATION  
and DAVID H. ARRINGTON OIL AND GAS:

HOLLAND & HART, LLP, and CAMPBELL & CARR  
110 N. Guadalupe, Suite 1  
P.O. Box 2208  
Santa Fe, New Mexico 87504-2208  
By: WILLIAM F. CARR

\* \* \*

1           WHEREUPON, the following proceedings were had at  
2   8:20 a.m.:

3           EXAMINER STOGNER: This hearing will come to  
4   order for Docket Number 4-01. Please note today's date,  
5   Thursday, February the 8th, 2001. I'm Michael Stogner,  
6   appointed Hearing Examiner for today's cases.

7           And the first order of business will be to call  
8   Case Number 12,567, which is the Application of Ocean  
9   Energy Resources, Inc., for compulsory pooling and four  
10   nonstandard oil and gas spacing and proration units in Lea  
11   County, New Mexico.

12          I'll call for appearances.

13          MR. BRUCE: Mr. Examiner, I'm James Bruce of  
14   Santa Fe, representing the Applicant.

15          MR. CARR: May it please the Examiner, my name is  
16   William F. Carr with the Santa Fe office of Holland and  
17   Hart. We represent Yates Petroleum Corporation.

18          MR. BRUCE: Mr. Examiner, I think there are  
19   related cases: 12,535, which is also an Application of  
20   Ocean Energy Resources, Inc.; 12,569, which is the  
21   Application of Yates Petroleum Corporation, which should be  
22   consolidated; and I believe Mr. Carr has a request  
23   regarding 12,590 also.

24          MR. CARR: May it please the Examiner, Case  
25   Number 12,590 is a new Application of the Yates Petroleum

1 Corporation addressing pooling the same acreage, and we  
2 request that case also be consolidated with the other three  
3 and that the record made four weeks ago be incorporated  
4 into that matter so that all issues raised in these cases  
5 can be addressed in this one case or one hearing, and that  
6 an appropriate order can be entered.

7 EXAMINER STOGNER: Okay, just for the record, at  
8 this time I'm calling Case Number 12,535, which is the  
9 Application of Ocean Energy Resources, Inc., for compulsory  
10 pooling and four nonstandard oil and gas spacing and  
11 proration units, Lea County.

12 I'll also call Case 12,590, which is the  
13 Application of Yates Petroleum Corporation for compulsory  
14 pooling and a nonstandard gas spacing and proration unit,  
15 Lea County.

16 And Case 12,569, which is an amended Application  
17 of Yates Petroleum Corporation for compulsory pooling and a  
18 nonstandard gas spacing and proration unit, Lea County, New  
19 Mexico.

20 Other than Mr. Carr for Yates and Mr. Jim Bruce  
21 for Ocean Energy Resources, are there any appearances in  
22 any of these four consolidated matters?

23 MR. CARR: Mr. Stogner, I also need to enter an  
24 appearance in all cases for David H. Arrington Oil and Gas,  
25 who appeared in the original proceedings for Arrington.

1 EXAMINER STOGNER: Okay. Are there going to be  
2 any witnesses today?

3 MR. BRUCE: No, sir.

4 EXAMINER STOGNER: Okay. Well, who would like to  
5 go first?

6 MR. BRUCE: I'll go first, Mr. Examiner. I  
7 simply have today marked as Exhibit A -- If you'll recall,  
8 these cases were, all of them except for the recently filed  
9 Yates case, were all filed for pooling to the base of the  
10 Morrow, and in fact the parties were all seeking to test  
11 the Mississippian, and therefore the cases were  
12 readvertised.

13 All I have today are notice affidavits showing  
14 that new notice letters went out to the interest owners in  
15 the well units, showing that the pooling Applications were  
16 amended, my clients' pooling Applications were amended to  
17 show that they would test the base -- or would test the  
18 Mississippian formation.

19 Other than that, I believe by Monday Mr. Carr and  
20 I are to file proposed orders. I will also be filing a  
21 Motion to Dismiss the Yates cases with my proposed orders.

22 MR. CARR: Ma it please the Examiner, as you will  
23 recall when the cases were presented four weeks ago, all of  
24 us were seeking orders pooling only to the Morrow, and it  
25 became apparent we needed to go down to the Mississippian.

1 All of us filed amended or new Applications that  
2 address taking the well to the Mississippian. We have  
3 provided notice to all affected interest owners, and I like  
4 Mr. Bruce have notice affidavits to provide to you  
5 confirming that we have properly notified all affected  
6 parties of the amended Applications. We will be filing  
7 proposed orders on Monday.

8 EXAMINER STOGNER: I believe at the close of --  
9 Let's see, this matter was originally heard on January  
10 11th; is that right?

11 MR. CARR: Yes, sir.

12 EXAMINER STOGNER: I believe there was also  
13 mention at that time of -- bring a status or an update on  
14 any further negotiations, if any. Do either one of you  
15 know the status of those?

16 MR. BRUCE: The parties did correspond back and  
17 forth, and I believe they also spoke over the phone, but  
18 they have not been able to reach agreement on a well  
19 location for this -- testing this unit.

20 MR. CARR: Following the hearing, Mr. Robert  
21 Bullock from Yates did write -- contact Ocean, and they  
22 have talked by phone and they have still been unable to  
23 reach agreement for the voluntary development of the  
24 acreage.

25 Yates has continued to propose that they even

1 approach the Division about each developing the 160 with a  
2 well, trying to be consistent with a well, trying to be  
3 consistent with the State's current, in fact, development  
4 pattern, but no agreement has been reached.

5 I could provide copies of the correspondence, if  
6 that would be helpful, for the file.

7 EXAMINER STOGNER: I think that would be helpful.

8 MR. CARR: I don't have it marked, but I will  
9 provide it.

10 EXAMINER STOGNER: Just make it a part of the  
11 record in this matter --

12 MR. CARR: Yes, sir.

13 EXAMINER STOGNER: -- if you would. And that  
14 will be filed Monday, along with --

15 MR. CARR: Yeah, I will file it with the proposed  
16 order, and Mr. Bruce --

17 EXAMINER STOGNER: Does anybody else have  
18 anything further in any of these four cases? Then the  
19 fourth case is --

20 MR. BRUCE: Mr. Examiner, we would like to submit  
21 our --

22 EXAMINER STOGNER: I'm sorry.

23 MR. BRUCE: -- notice affidavits.

24 MR. BRUCE: Mine are marked Ocean Exhibits A and  
25 B.



1 EXAMINER STOGNER: Okay, I've been handed  
2 Exhibits A and B, Ocean.

3 MR. CARR: I will mark mine also Yates A and B,  
4 to keep it consistent.

5 EXAMINER STOGNER: I'll take Ocean's Exhibits A  
6 and B, accepted and made a part of the record.

7 MR. CARR: And I move the admission of Yates A  
8 and B.

9 EXAMINER STOGNER: And Yates' Exhibits A and B in  
10 these consolidated matters are accepted.

11 Also gentlemen, it just dawned on me too, at that  
12 time I believe there was mention of a previous order and a  
13 previous memorandum concerning contested cases?

14 MR. BRUCE: I did mail to you -- I forget the  
15 order numbers -- R-10,731-B and -- I will submit additional  
16 copies, Mr. Examiner.

17 EXAMINER STOGNER: I probably have that in here,  
18 but if you would.

19 MR. BRUCE: R-10,977. I did mail those, but I  
20 will resubmit that with the order. And I believe Mr. Carr  
21 was going to submit --

22 EXAMINER STOGNER: Some sort of a memorandum?

23 MR. CARR: Yes, sir, I have the memorandum. I  
24 will present that also with the proposed order.

25 EXAMINER STOGNER: Okay. Thank you, gentlemen.

1 If there's nothing further in consolidated Cases 12,567,  
2 12,535, 12,590 and 12,569, then I'll hold the record open  
3 till Monday.

4 Other than that, this matter will be taken under  
5 advisement.

6 MR. CARR: Thank you, Mr. Examiner.

7 (Thereupon, these proceedings were concluded at  
8 8:27 a.m.)

9 \* \* \*

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18 I am hereby certifying that the foregoing is a true and correct  
19 copy of the transcript of the proceedings of the hearing held on  
20 April 11, 1968.

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## CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                                  )   ss.  
COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Division was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL February 9th, 2001.



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STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 14, 2002