

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:) CASE NO. 12,634
)
APPLICATION OF McELVAIN OIL AND GAS)
PROPERTIES, INC., FOR AMENDMENT OF)
DIVISION ORDER NO. R-11,392 FOR)
COMPULSORY POOLING OF ADDITIONAL)
FORMATIONS FOR AN INFILL WELL,)
RIO ARriba COUNTY, NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

May 3rd, 2001

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID R. CATANACH, Hearing Examiner, on Thursday, May 5th, 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.

* * *

OIL CONSERVATION DIV.
01 MAY 18 PM 1:37

I N D E X

May 3rd, 2001
Examiner Hearing
CASE NO. 12,634

PAGE

REPORTER'S CERTIFICATE

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* * *

E X H I B I T

Applicant's

Identified

Admitted

Exhibit 10

4

4

* * *

A P P E A R A N C E S

FOR THE APPLICANT:

HOLLAND & HART, L.L.P., and CAMPBELL & CARR
110 N. Guadalupe, Suite 1
P.O. Box 2208
Santa Fe, New Mexico 87504-2208
By: MICHAEL H. FELDEWERT

* * *

1 WHEREUPON, the following proceedings were had at
2 9:38 a.m.:

3 EXAMINER CATANACH: At this time I'll call Case
4 12,634, the Application of McElvain Oil and Gas Properties,
5 Inc., for amendment of Division Order Number R-11,392 for
6 compulsory pooling of additional formations for an infill
7 well, Rio Arriba County, New Mexico.

8 Call for appearances in this case.

9 MR. FELDEWERT: May it please the Examiner,
10 Michael Feldewert with the Santa Fe office of Holland and
11 Hart and Campbell and Carr, for the Applicant, McElvain Oil
12 and Gas Properties, Inc. I do not have any witnesses, just
13 a short statement.

14 EXAMINER CATANACH: Any additional appearances?
15 Okay, Mr. Feldewert?

16 MR. FELDEWERT: Mr. Examiner, this case was heard
17 and evidence was presented by McElvain on April 5th of this
18 year. At that time we asked that the case be continued to
19 allow notice to royalty owners. We were concerned that
20 some of the older leases that were involved did not contain
21 a pooling clause.

22 We have attempted to then notify all the royalty
23 interest owners of record, the addresses that we could
24 locate. The affidavit showing that notice was presented
25 has been given to you and marked as McElvain Exhibit Number

1 10.

2 In light of this recent notification effort, we
3 now think that the case is ready for a decision.

4 EXAMINER CATANACH: Okay, Mr. Feldewert, is
5 this -- This is Exhibit Number 10?

6 MR. FELDEWERT: Yes, so I'd ask for the admission
7 of McElvain Exhibit Number 10 to be incorporated into the
8 record that was made at the April 5th hearing.

9 EXAMINER CATANACH: Okay, Exhibit Number 10 will
10 be admitted in Case 12,634.

11 Anything further?

12 MR. FELDEWERT: That's all.

13 EXAMINER CATANACH: Okay, there being nothing
14 further, Case 12,634 will be taken under advisement.

15 (Thereupon, these proceedings were concluded at
16 9:40 a.m.)

17 * * *

18
19
20
21 I hereby certify that the foregoing is
22 a complete record of the proceedings in
the Examiner hearing of Case No. 12634
heard by me on 8/3/72
23 David R. Catnach 12634
24 Oil Conservation Division
25

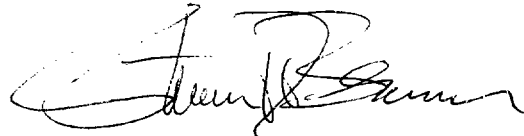
CERTIFICATE OF REPORTER

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 May 4th, 2001.



STEVEN T. BRENNER
 CCR No. 7

My commission expires: October 14, 2002