

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

CASE NOS. 12,635, 12,605 and 12,587, 12,601 and 12,698  
(Closing of Session for Deliberation)

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

BEFORE: LORI WROTENBERY, CHAIRMAN  
JAMI BAILEY, COMMISSIONER  
ROBERT LEE, COMMISSIONER

CLERK OF COURT  
01 DEC 23 PM 3:12

December 5th, 2001

Santa Fe, New Mexico

These matters came on for hearing before the Oil Conservation Commission, LORI WROTENBERY, Chairman, on Tuesday, December 4th, 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.

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## I N D E X

December 5th, 2001  
Commission Hearing  
CASE NOS. 12,635, 12,605 and 12,587, 12,601 and 12,698  
(Closing of Session for Deliberation)

## PAGE

REPORTER'S CERTIFICATE

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

FOR THE COMMISSION:

STEPHEN ROSS  
Deputy General Counsel  
Energy, Minerals and Natural Resources Department  
2040 South Pacheco  
Santa Fe, New Mexico 87505

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1 WHEREUPON, the following proceedings were had at  
2 9:06 a.m.:

3 CHAIRMAN WROTENBERY: And at this point we  
4 probably need to close the meeting to deliberate on several  
5 pending cases before the Commission.

6 I'll entertain a motion.

7 CHAIRMAN WROTENBERY: I move that we close the  
8 meeting to consider several issues.

9 COMMISSIONER LEE: Second.

10 CHAIRMAN WROTENBERY: All in favor say aye.

11 COMMISSIONER BAILEY: Aye.

12 COMMISSIONER LEE: Aye.

13 CHAIRMAN WROTENBERY: Aye. Okay, thank you then.  
14 We'll take a short break here.

15 (Off the record at 9:05 a.m.)

16 (The following proceedings had at 10:55 a.m.)

17 CHAIRMAN WROTENBERY: Okay, I'll entertain a  
18 motion that we conclude our closed session and go back on  
19 the record.

20 COMMISSIONER BAILEY: I so move.

21 COMMISSIONER LEE: Second.

22 CHAIRMAN WROTENBERY: All in favor say aye.

23 COMMISSIONER BAILEY: Aye.

24 COMMISSIONER LEE: Aye.

25 CHAIRMAN WROTENBERY: Aye. And for the record,

1 I'll just note that the Commission has deliberated several  
2 cases while in closed session. The cases specifically were  
3 Case 12,635, the Application of McElvain Oil and Gas  
4 Properties, Inc., for compulsory pooling in Rio Arriba  
5 County, New Mexico; Cases 12,605 and 12,587, the two  
6 Applications of Sapient Energy Corporation that we took  
7 testimony in yesterday; Case 12,601, the Application of  
8 Bettis, Boyle and Stovall to re-open Case 12,601 and amend  
9 Order Number R-11,573; and finally Case 12,698, the re-  
10 opened Application of Mewbourne Oil Company for compulsory  
11 pooling in Eddy County, New Mexico.

12 And we do have two final orders to act upon at  
13 this time. One of these is in Case Number 12,635 and Case  
14 Number 12,705. These are the Applications of McElvain Oil  
15 and Gas Properties, Inc., for compulsory pooling and the  
16 Application of D.J. Simmons, Inc., for compulsory pooling  
17 in Rio Arriba County, New Mexico.

18 Commissioners, I believe you've had a chance to  
19 review the draft order that Steve Ross has prepared for our  
20 consideration?

21 COMMISSIONER BAILEY: Yes, I have, and it's my  
22 intent to sign both orders.

23 CHAIRMAN WROTENBERY: And at this time I will  
24 entertain a motion that we adopt the order as drafted.

25 COMMISSIONER BAILEY: I so move.

1 COMMISSIONER LEE: Second.

2 CHAIRMAN WROTENBERY: All in favor say aye.

3 COMMISSIONER BAILEY: Aye.

4 COMMISSIONER LEE: Aye.

5 CHAIRMAN WROTENBERY: And we can sign this order  
6 now, while Commissioner Lee gets out his special pen, we'll  
7 wait just a second.

8 Okay, we've disposed of that matter.

9 And the other draft order is in Case Number  
10 12,698. This is the Application of Mewbourne Oil Company  
11 for compulsory pooling, Eddy County, New Mexico. We heard  
12 the request today of the Applicant in that case for an  
13 amendment to that order.

14 Commissioners, have you had a chance to review  
15 the draft amendment?

16 COMMISSIONER BAILEY: Yes, I have, and I move  
17 that we sign off on it.

18 COMMISSIONER LEE: Second.

19 CHAIRMAN WROTENBERY: All in favor say aye.

20 COMMISSIONER BAILEY: Aye.

21 COMMISSIONER LEE: Aye.

22 CHAIRMAN WROTENBERY: Aye. Okay, that one is  
23 taken care of.

24 Are there any other items of business for today,  
25 Florene?

1 MS. DAVIDSON: Did you want to talk about your  
2 hearing dates for next year?

3 CHAIRMAN WROTENBERY: You have a list of proposed  
4 hearing dates, right? And I would think what we would do,  
5 maybe, is just provide those to the other Commissioners.  
6 And is everybody okay with those dates?

7 MS. DAVIDSON: As far as I know.

8 CHAIRMAN WROTENBERY: Okay, good. In fact, Steve  
9 Brenner was asking about those earlier. So we will just  
10 publish, then, these proposed hearing dates for 2002. And  
11 it may be, especially toward the last half of the year,  
12 that we might need to make some adjustments once some of  
13 the other meetings of various organizations are scheduled  
14 more definitely. But certainly for the first half of the  
15 year, we probably should be able to stick pretty close to  
16 this proposed schedule.

17 COMMISSIONER LEE: I think in realty, probably,  
18 we -- I probably would have a possi- -- a probability to  
19 change one of them. But I will --

20 CHAIRMAN WROTENBERY: Oh, there might be one date  
21 on here you might have to make an adjustment on later?  
22 Okay. I think just --

23 COMMISSIONER LEE: But I'll try to schedule  
24 everything around it --

25 CHAIRMAN WROTENBERY: Okay, great, yeah --

1 COMMISSIONER LEE: -- because --

2 CHAIRMAN WROTENBERY: -- any Commissioner --

3 COMMISSIONER LEE: -- there's some conflicts --

4 CHAIRMAN WROTENBERY: -- that has a conflict that  
5 crops up, if they can just bring it to our attention early  
6 on, we can usually make an adjustment that will work for  
7 everybody.

8 Okay, great. Thank you, Florene.

9 Anything else? Okay, I'll entertain a motion to  
10 adjourn.

11 COMMISSIONER BAILEY: I move we adjourn.

12 CHAIRMAN WROTENBERY: Second, I'll second it.

13 (Laughter)

14 CHAIRMAN WROTENBERY: You were a little slow on  
15 that.

16 All in favor say aye.

17 COMMISSIONER BAILEY: Aye.

18 COMMISSIONER LEE: Aye.

19 CHAIRMAN WROTENBERY: We're adjourned. Thank  
20 you, everybody.

21 (Thereupon, these proceedings were concluded at  
22 11:00 a.m.)

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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 Commission 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 December 17th, 2001.



STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 14, 2002