

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. 12,753

APPLICATION OF DAVID H. ARRINGTON OIL)
 AND GAS, INC., FOR COMPULSORY POOLING,)
 LEA COUNTY, NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID K. BROOKS, Hearing Examiner

November 15th, 2001

Santa Fe, New Mexico

01 DEC -4 AM 9:57

01 DEC -4 AM 9:57

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID K. BROOKS, Hearing Examiner, on Thursday, November 15th, 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

November 15th, 2001
Examiner Hearing
CASE NO. 12,753

PAGE

REPORTER'S CERTIFICATE

5

* * *

A P P E A R A N C E S

FOR THE APPLICANT:

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:

HOLLAND & HART, L.L.P., 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 8:15 a.m.:

3 EXAMINER BROOKS: Okay, I guess we need to go on
4 the record at this point, to figure out what we're going to
5 do on that case.

6 This is Thursday, November 15th, 2001, Docket
7 Number 37-01.

8 At this time we'll call Case Number 12,753,
9 Application of David H. Arrington Oil and Gas, Inc., for
10 compulsory pooling, Lea County, New Mexico.

11 And call for appearances.

12 MR. BRUCE: Mr. Examiner, James Bruce of Santa
13 Fe, representing the Applicant.

14 MR. CARR: And may it please the Examiner,
15 William F. Carr with the Santa Fe office of Holland and
16 Hart, L.L.P., representing Yates Petroleum Corporation.

17 EXAMINER BROOKS: Very good.

18 Mr. Bruce, would you restate your request for
19 continuance?

20 MR. BRUCE: Mr. Examiner, this matter was
21 originally scheduled for two weeks ago. We requested a
22 continuance because my clients informed me they wanted to
23 continue negotiations with the Yates Petroleum group. I
24 received a call yesterday again asking that it be continued
25 because they hope to continue negotiating with Yates over

1 the next couple of weeks in the hopes of resolving this
2 matter.

3 Because of hearings that were held the last
4 couple of days, I was unable to get a written request in,
5 so --

6 EXAMINER BROOKS: Yes, I recall those hearings.

7 (Laughter)

8 EXAMINER BROOKS: Mr. Carr, what is your
9 position?

10 MR. CARR: We do not object to the continuance
11 and are interested in attempting to negotiate a voluntary
12 resolution of this matter with Arrington.

13 EXAMINER BROOKS: Very good, Case Number 12,753
14 will be continued until December the 6th.

15 (Thereupon, these proceedings were concluded at
16 8:20 a.m.)

17 * * *

18
19
20
21
22
23
24
25

Copy certified and filed in
the case of *David K. Carr* vs. *State of Texas*
under hearing of Case No. 12753
dated *Nov 15, 2001*
David K. Brooks, Examiner
Investigation Division

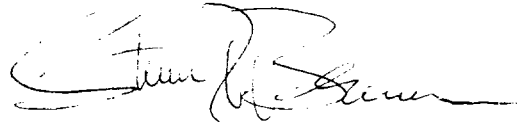
CERTIFICATE OF REPORTER

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 November 26th, 2001.



STEVEN T. BRENNER
 CCR No. 7

My commission expires: October 14, 2002