

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. 12,760
)
APPLICATION OF MEWBOURNE OIL COMPANY)
FOR COMPULSORY POOLING, EDDY COUNTY,)
NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID K. BROOKS, Hearing Examiner

November 15th, 2001

Santa Fe, New Mexico

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.

* * *

01 DEC -4 AM 9:57
CLERK OF COURT DM

I N D E X

November 15th, 2001
Examiner Hearing
CASE NO. 12,760

PAGE

REPORTER'S CERTIFICATE

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* * *

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

ALSO PRESENT:

MICHAEL E. STOGNER
Hearing Examiner
New Mexico Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, NM 87501

* * *

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

3 EXAMINER BROOKS: Call Case Number 12,760,
4 Application of Mewbourne Oil Company for compulsory
5 pooling, Eddy County, New Mexico.

6 Call for appearances.

7 MR. BRUCE: Mr. Examiner, James Bruce of Santa
8 Fe, representing the Applicant. I have no witnesses.

9 EXAMINER BROOKS: Any other appearances?
10 Very good, you may proceed, Mr. Bruce.

11 MR. BRUCE: Mr. Examiner, I have to apologize.
12 Over the hearings of the last couple of days and moving my
13 office, I proceeded to lose my file on this matter.

14 But this matter has been filed under the
15 provisions of Rule 1207, such that in the absence of
16 objection it will be taken under advisement. This case
17 concerns the force pooling of a record title owner of a
18 state oil and gas lease, which is necessary in order for
19 the Commissioner of Public Lands to approve a
20 communitization agreement.

21 The record title owners of that lease died some
22 time ago. The title is extremely -- Well, it's uncertain
23 as to who the successors are. There was one person we did
24 locate, and I gave notice, written notice, of this hearing
25 to that interest owner as to the other numerous unlocatable

1 successors to the record title owners. I had published in
2 the Carlsbad newspaper a notice of this hearing.

3 No interest owner who is being force pooled is
4 subject to a nonconsent penalty because they do not own a
5 working interest, they merely own a record title interest.

6 I would ask the Examiner's permission to give me
7 about two weeks to dig up my file again, and I will submit
8 an affidavit of notice and the notice of publication, which
9 I have misplaced over the last few days.

10 EXAMINER BROOKS: Very good, we will hold the
11 record in suspense until the December 6th hearing. And in
12 the meantime you can supplement the record.

13 MR. BRUCE: Thank you.

14 EXAMINER BROOKS: Case Number 12,760 will be
15 continued until December the 6th in order to permit counsel
16 for Applicant to supplement the record.

17 (Thereupon, these proceedings were concluded at
18 8:27 a.m.)

19 * * *

20 certify that the
21 record of the
22 hearing of Case No. 12760
23 on Nov 15, 2001
24 David K. Brooks, Exam.
25 Oil Conservation 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