

SEPTEMBER 11, 2014
MINUTES OF THE HEARING EXAMINATION
DOCKET NO. 2014-032 CAUSE NO. 139-122
BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH



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A public meeting was held on Thursday, September 11, 2014, at 1:30 p.m. in the room 112 at the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

ATTENDEES:

HEARING EXAMINER:

John C. Rogers, Hearing Examiner, Assoc. Director, Oil & Gas
Steven F. Alder, AAG, representing the Hearing Examiner

DIVISION OF OIL, GAS, AND MINING:

Douglas J. Crapo, AAG, representing the Division
John Robinson Jr., O'Hara Honors Scholar
Clinton Dworshak, Hearings and Enforcement
Dustin Doucet, Petroleum Engineer
Julie Ann Carter, Board Secretary
Michelle Mallonee, CSR

NEWFIELD PRODUCTION COMPANY:

Thomas W. Clawson, Van Cott, Bagley, Cornwall & McCarthy, Attorney for Newfield
Production Company
Mike Jensen, Engineering Advisor, Newfield Production Company
Robbie Miller, Landman, Newfield Production Company
Thomas Dalbec, Land Department, Newfield Production Company

MEMBERS OF THE PUBLIC:

Denis Lunt, Leased Mineral Interest Owner
Richard Isom, Leased Mineral Interest Owner

The Board of Oil, Gas and Mining ("Board"), State of Utah, pursuant to Utah Administrative Code R641-113-100, has designated a hearing examiner to conduct the hearing. The Hearing Examiner heard the following Matter at 1:30 p.m.:

Please note: The transcript will be available for review at the Division offices approximately fifteen business days after the hearing date. Copies of the transcript may be purchased by calling Atkinson-Baker at (800) 288-3376 and requesting Job No. A809317, and the docket number.

1. [Docket No. 2014-032 Cause No. 139-122](#) – In the Matter of the Request for Agency Action of NEWFIELD PRODUCTION COMPANY for an Order pooling all Interests in two

1,280-Acre (or substantial equivalent) drilling units established by the Board's Orders in Causes Nos. 139-98 and 139-103, in Sections 15 and 22, Township 3 South, Range 2 West, U.S.M., Duchesne County, Utah

(The Board will consider the recommended findings of fact and conclusions of law generated by the hearing examiner at the September 24, 2014, Board Hearing.)

Hearing Examiner – John C. Rogers, Hearing Examiner, Assoc. Director, Oil & Gas.

Counsel for the Hearing Examiner – Steven F. Alder, Assistant Attorney General, Natural Resources.

Counsel for the Petitioner - Thomas W. Clawson, Van Cott, Bagley, Cornwall & McCarthy.
Witness: Mike Jensen.

Counsel for the Division - Douglas J. Crapo, Assistant Attorney General, Natural Resources.
Witnesses: Dustin Doucet, and Clinton Dworshak.

The Division raised concerns about whether one mineral owner, Mr. Kenneth Maue, had received a written offer to participate in the wells. Newfield argued that Mr. Maue had effectively waived his right to the written offer. The Division did not object to the 300% non-consent penalty, but argued that the penalty should not be applied to Mr. Maue's interests without more evidence of Mr. Maue having waived his right to a written offer to participate or without evidence that Mr. Maue received a written offer to participate. The Hearing Examiner took the matter under advisement.

The hearing adjourned at 3:31 p.m.