

1 STATE OIL AND GAS BOARD OF ALABAMA

2 Tuscaloosa, Alabama

3 August 2, 2012

4 Testimony and proceedings before the State Oil and  
5 Gas Board in Regular Session in the Board Room of the  
6 State Oil and Gas Board Building, University of Alabama  
7 Campus, Tuscaloosa, Alabama, pursuant to adjournment, on  
8 this 2nd day of August, 2012.

**ORIGINAL**

9 BOARD

10 Mr. James "Jim" Griggs.....Chairman

11 Mr. Charles "Ward" Pearson.....Member

12 Mr. Barnett Lawley.....Member

13 STAFF

14 Dr. Berry H. (Nick) Tew, Jr.....Secretary and  
15 Supervisor

16 Dr. David E. Bolin.....Deputy Director

17 Mr. Kirk A. McQuillan..Geologic Evaluations Manager

18 Mr. Butch Gregory.....Engineering Evaluations Manager

19 Mr. Jacques Chasse.....Geologist

20 Mr. Elbert Patterson.....Geologist

21 Mr. Bob Roark.....Geologist

22 Mr. Randy Oglesby.....Geologist

23 Mr. S. Marvin Rogers.....Attorney

24 Ms. April Walker.....Staff Attorney

25 Ms. Katie Henson.....Student Aide

*Handwritten:* JH 8/13/2012 MR

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1 P R O C E E D I N G

2 CHAIRMAN GRIGGS: Let the record reflect the  
3 State Oil and Gas Board is now in session. Dr. Tew, have  
4 the items for this meeting been properly noticed?

5 DR. TEW: Chairman Griggs, Mr. Pearson,  
6 Mr. Lawley, the items have been properly noticed. The Staff  
7 prepared a docket for the Board's July 31st and August 2nd,  
8 2012 meetings and that docket was admitted into the record  
9 at the Hearing Officer meeting on July 31st, 2012. Marvin  
10 Rogers, acting as Hearing Officer, and the Staff heard  
11 various items at the Hearing Officer meeting on July the  
12 31st. At this time, Mr. Rogers will make his report to the  
13 Board.

14 MR. ROGERS: Chairman Griggs, Mr. Pearson and  
15 Mr. Lawley, I have a written report of the items heard by  
16 the Hearing Officer and the Staff on Tuesday, July 31, 2012.  
17 Copies of that report are available for members of the  
18 public to review and study. I submit this Hearing Officer  
19 report to the Board for approval.

20 CHAIRMAN GRIGGS: Is there a motion on the  
21 Hearing Officer's report?

22 MR. LAWLEY: I so move.

23 MR. PEARSON: Second.

24 CHAIRMAN GRIGGS: We've got a motion and a  
25 second to approve the Hearing Officer's report. All in

1 favor say "aye."

2 MR. PEARSON: Aye.

3 MR. LAWLEY: Aye.

4 CHAIRMAN GRIGGS: Ayes have it. The Hearing  
5 Officer's report is approved.

6 MR. ROGERS: Mr. Chairman, I would recommend the  
7 report be admitted into the record.

8 CHAIRMAN GRIGGS: It is admitted into the  
9 record.

10 (Whereupon, July 31, 2012 Hearing Officer's  
11 report was received into evidence.)

12 DR. TEW: The Staff would recommend approval of  
13 the minutes of the following meetings: June 18, 2012,  
14 Hearing Officer meeting; and June 20th, 2012, regular Board  
15 meeting.

16 CHAIRMAN GRIGGS: Is there a motion to approve  
17 the subject minutes?

18 MR. LAWLEY: So move.

19 MR. PEARSON: Second.

20 CHAIRMAN GRIGGS: We've got a motion and a  
21 second. All in favor say aye.

22 MR. PEARSON: Aye.

23 MR. LAWLEY: Aye.

24 CHAIRMAN GRIGGS: Ayes have it. The minutes are  
25 approved.

1 (Whereupon, minutes of the June 18, 2012,  
2 Hearing Officer meeting; and June 20th, 2012,  
3 regular Board meeting were received into  
4 evidence.)

5 DR. TEW: Mr. Chairman, Mr. Lawley, Mr. Pearson,  
6 the Staff has prepared an agenda for items to be heard by  
7 the Board today. At this time, Mr. Rogers, would you please  
8 call the first item?

9 MR. ROGERS: Yes, sir. The first item is Item  
10 4, Docket No. 6-18-12-17, petition by Delphi Oil,  
11 Incorporated requesting the Board to enter an order  
12 extending the temporarily abandoned status for two wells,  
13 the JV-P Jordan 33-8 Well and the JV-P Hill 34-3 Well in  
14 Monroe County.

15 CHAIRMAN GRIGGS: All right. Mr. Tyra.

16 MR. TYRA: Mr. Tyra here on behalf of Delphi. I  
17 hate to start the meeting with asking for a break for just a  
18 second, but Mr. Armbrecht wanted to address the Board before  
19 we do this matter.

20 CHAIRMAN GRIGGS: Certainly.

21 MR. TYRA: May I find him?

22 CHAIRMAN GRIGGS: Yes.

23 (Brief pause.)

24 CHAIRMAN GRIGGS: Mr. Armbrecht, we are  
25 delighted to have you in North Alabama.

1                   MR. ARMBRECHT: Oh, well, thank you. I don't  
2                   think I've made it all the way North, but Middle Alabama is  
3                   appreciated also.

4                   All right. I had talked to John, he's on the  
5                   docket item ahead of me and he has gracefully consented that  
6                   the Sklar petition go ahead of his, if that is all right  
7                   with y'all.

8                   CHAIRMAN GRIGGS: Any problem with hearing it  
9                   out of order?

10                  DR. TEW: No, sir.

11                  CHAIRMAN GRIGGS: We will hear Item Number 10,  
12                  if you will call that.

13                  MR. ROGERS: Yes, sir. Item 10, Docket No.  
14                  7-31-12-06 is a petition by Sklar Exploration to establish a  
15                  proposed Southwest Uriah Field in Monroe County.

16                  Item 11, Docket No. 7-31-12-07 is somewhat  
17                  related, that is the petition by Sklar to establish a  
18                  200-acre unit for the Coley 24-16 #1 Well.

19                  MR. TYRA: Thank you, Mr. Griggs.

20                  CHAIRMAN GRIGGS: Mr. Armbrecht, is there a  
21                  reason that we could not consolidate these two items for  
22                  hearing purposes?

23                  MR. ARMBRECHT: There is no reason.

24                  CHAIRMAN GRIGGS: Okay. We will consolidate  
25                  those for the hearing purposes then.

1 MR. ARMBRECHT: Thank you. Would you hand those  
2 out?

3 CHAIRMAN GRIGGS: Before we begin, is there  
4 anyone in opposition to these two items, anyone present in  
5 opposition to these two items?

6 Will you state your full name for the record?

7 MR. CARDWELL: Yes, I'm Joe Cardwell and  
8 actually, I'm representing my mother and her sister, Ms.  
9 Lois Cardwell and Jewel Caylor.

10 CHAIRMAN GRIGGS: Okay. If you will, take a  
11 seat there, Mr. Cardwell.

12 Mr. Armbrecht.

13 MR. ARMBRECHT: Mr. Chairman, we have two  
14 petitions here today, one to establish Special Field Rules  
15 for a new discovered reservoir in Monroe County. The second  
16 is to expand the proposed unit for the well for that  
17 reservoir from 160 to 200 acres.

18 It's interesting. When we get into it, you  
19 will notice this well was drilled right next to a dry hole  
20 on the same unit as the dry hole, and some geologist had a  
21 better idea about how to go about drilling the well into  
22 this formation, both went to the same formation and now we  
23 have a discovery. It's not a very strong discovery these  
24 days, production has gone down, but it is producing oil.

25 We would like to request in connection with

1           this hearing that the Board take official notice of and make  
2           a part of the record of this hearing the materials in its  
3           files regarding Sklar's Coley 24-16 #1 Well, which is Permit  
4           No. 16634, and also the COBRA Blacksher 24-16 #1 Well, which  
5           is Permit No. 10434. That last well is the dry hole I  
6           mentioned.

7                           CHAIRMAN GRIGGS: The Board's files for those  
8           two wells will be incorporated into the record.

9                           (Whereupon, the Board's files were incorporated  
10          into the record.)

11                          MR. ARMBRECHT: Thank you. I have filed  
12          Affidavits of Notice in both of these items and I request  
13          those be part of the record also.

14                          (Whereupon, (ITEMS 10 & 11) Affidavits of  
15          Notice were offered into evidence.)

16                          CHAIRMAN GRIGGS: They are admitted into the  
17          record.

18                          (Whereupon, (ITEMS 10 & 11) Affidavits of  
19          Notice were received into evidence.)

20                          MR. ARMBRECHT: I have two witnesses for the  
21          hearing and if they could be sworn at this time.

22                          CHAIRMAN GRIGGS: Proceed.

23                          MR. ROGERS: You gentlemen state your names and  
24          addresses.

25                          MR. HANBY: Ken Hanby, Northport, Alabama.

1 MR. ROGERS: All right.

2 MR. EUSTES: Don Eustes, Shreveport, Louisiana.

3 (Whereupon, the Hearing Officer swears in the

4 witnesses.)

5 MR. ROGERS: Thank you.

6 MR. ARMBRECHT: My first witness is Don Eustes.

7 Don, would you tell the Board by whom you are employed and  
8 what your job is?

9 MR. EUSTES: I am employed by Sklar Exploration  
10 Company and my job is geophysicist.

11 MR. ARMBRECHT: All right. Have you previously  
12 testified before the Board as an expert witness?

13 MR. EUSTES: No, sir.

14 MR. ARMBRECHT: All right. Would you briefly  
15 describe your educational background and your employment  
16 background?

17 MR. EUSTES: I have graduated from Louisiana  
18 Tech University with a bachelor of science degree in geology  
19 in 1980, went to work for Cities Service, and I have worked  
20 also for Placid Oil Company. I have done many years of  
21 consulting for various companies all in the capacity as  
22 geophysicist, companies such as Snyder out of Ft. Worth,  
23 then ARKLA Oil and Gas Exploration out of Shreveport.

24 I now currently work for Sklar Exploration. I  
25 went to work for Sklar '96/'97 when they were Sklar &

1 Phillips and then became Sklar Exploration, and have been  
2 there ever since. Again, everything in the capacity as a  
3 geophysicist.

4 MR. ARMBRECHT: Mr. Chairman, we have also filed  
5 an affidavit of Don's qualifications which list in more  
6 detail his employment background and his educational  
7 background, and we would request that be made part of the  
8 record also.

9 (Whereupon, (ITEMS 10 & 11) affidavit of Don  
10 Eustes' qualifications was offered into  
11 evidence.)

12 CHAIRMAN GRIGGS: That affidavit is part of the  
13 record and the Board recognizes Mr. Eustes as an expert  
14 geophysicist.

15 (Whereupon, (ITEMS 10 & 11) affidavit of Don  
16 Eustes' qualifications was received into  
17 evidence.)

18 MR. ARMBRECHT: All right.

19

20

DON EUSTES,

21 having been first duly sworn, was examined and testified

22 as follows:

23

24 (ITEMS 10 & 11) DIRECT EXAMINATION BY MR. ARMBRECHT:

25

Q. Don, we have the exhibit book that is in Docket No.

1 7-31-12-06, on the front has Exhibit Numbers 1 through 8.  
2 Would you turn to Exhibit Number 1 in that booklet and  
3 explain --

4 DR. TEW: Mr. Armbrecht, we need copies of the  
5 booklet.

6 MR. ARMBRECHT: I'm sorry, I thought Ken took  
7 care of handing those up. That is the signed copy.

8 CHAIRMAN GRIGGS: Mr. Cardwell, do you have  
9 copies of both of these?

10 MR. CARDWELL: Isn't this the same thing you  
11 have?

12 DR. TEW: There is one other one.

13 MR. CARDWELL: I don't have but one I believe.

14 CHAIRMAN GRIGGS: There are going to be three of  
15 them.

16 MR. ARMBRECHT: Three exhibit booklets. And  
17 these I have handed up, this last book is a book that  
18 contains two seismic exhibits in it. We have filed a  
19 request that that -- the exhibits in that book be kept  
20 confidential and we filed an affidavit with that request.

21 MR. ROGERS: Let's see if we can find that  
22 affidavit.

23 MR. ARMBRECHT: So the first booklet I go to has  
24 Exhibit Numbers 1 through 8 on the bottom. That is the  
25 easiest way, the first page. And if you open to the first

1 exhibit, it is a topographical map.

2 CHAIRMAN GRIGGS: Mr. Armbrecht, we have the  
3 affidavit that you referred to as far as confidentiality and  
4 we will make that affidavit a part of the record and we will  
5 declare the items the subject of that affidavit to be  
6 confidential.

7 MR. ARMBRECHT: Thank you. Now, I'm sorry, I  
8 thought these exhibits had been handed up, but we will start  
9 one more time.

10 Q. (BY MR. ARMBRECHT:) Don, if you would now turn to  
11 Exhibit 1, the topographical map, and explain briefly what is  
12 shown on that exhibit?

13 A. First, let me just say thank you for letting me  
14 testify, first time I have done this, and I ask your  
15 indulgence if I wander. I'll try not to.

16 The first map you see is a topographic map of  
17 the area where the Coley Well was drilled. You can see that  
18 we are Southwest of the town of Uriah. And on that map, you  
19 see three items noted. One is where the well actually was  
20 drilled, the little yellow dot; and then you see a blue  
21 outline, and that is the existing drilling unit, the 160-acre  
22 drilling unit; and then outside of that, you will see  
23 outlined also the proposed field limits, the proposed  
24 reformed unit of 200 acres encompassing small parts of  
25 Section 19.

1 Q. Now, if you would turn to Exhibit Number 2 and  
2 explain to the Board what is shown on that exhibit, and also  
3 explain the information that was used in preparing the  
4 exhibit, the data.

5 A. Gladly. The map on Number 2 is a map, the structural  
6 map at the top of the Smackover formation. The contour  
7 interval is 25 feet. The depths are subsea. This map was  
8 created using well control to tie into the three-dimensional  
9 seismic that we have over the area, and so this map is made  
10 from a combination of those two.

11 On the map, you will see it again, the existing  
12 unit, the 160 acres, in blue, and then the outline of the  
13 proposed field limit and proposed reformed unit of 200 acres  
14 going over into Section 19. On the map also are the  
15 locations of the wells. The first well that was drilled many  
16 years ago was the COBRA Oil & Gas Blacksher and it was  
17 drilled in the center and top of the feature which was tight.  
18 And we can show you, there is logs and the seismic data that  
19 indicate that's tight.

20 We drilled off onto the flank in what we  
21 believed was porosity and indeed was porosity, and that is  
22 our well in black, the Sklar Exploration Company Coley 24-16  
23 #1.

24 The field -- the oil -- I believe you will see  
25 the lowest proven oil at 14,167 subsea. And then from the

1 seismic and from our mapping using the wells and the seismic,  
2 we believe that the fullest extent of the structure will be  
3 seen out to the spill point of minus 14,180.

4 Q. All right. And I didn't catch -- did you explain the  
5 A - A' line?

6 A. Thank you. A - A' is a cross-section that we have  
7 built and you will see that shortly. We also -- it's in that  
8 confidential seismic exhibit, we built a seismic line that  
9 went exactly along line of the well cross-section. So you  
10 will be able to compare them back and forth to see what we  
11 mapped on and why we mapped.

12 Q. All right. In your opinion, based on the geological  
13 and geophysical data that you have reviewed, are there any  
14 barriers within the productive limits of the field that would  
15 prevent communication of any portion of the reservoir with  
16 the Sklar well shown on the map or that would prevent that  
17 well from efficiently and economically draining and producing  
18 the recoverable hydrocarbons in the proposed Smackover Oil  
19 Pool underlying both the 160 and the 200-acre units shown on  
20 this map?

21 A. No, sir.

22 Q. All right. Would you turn to Exhibit Number 3 and  
23 explain what that is?

24 A. Exhibit Number 3 is the well core analysis for our  
25 well, the Sklar Exploration Coley 24-16 #1, and it's the core

1 through the Smackover formation.

2 Q. All right.

3 A. If we can go through it page by page, if you would  
4 like. Just to let you know, when they have the little (6)  
5 over there under Probable Production on the very second to  
6 the last column, that means low permeability and  
7 nonproductive. And then the descriptions, formation  
8 descriptions out beyond that tell you what kind of rock we  
9 are looking at.

10 And you can see that on the first page, we are  
11 looking at a lot of anhydrite good seal on top of you and low  
12 perm, so it's a good seal. And then by core at 14,510, which  
13 is sample number 24 through sample number 38, which is  
14 14,517, the core describes oil productive.

15 Q. Okay. What are those depths? Are those measured or  
16 true vertical?

17 A. These depths are measured depths, but they are  
18 also -- you have to correlate it back using the gamma ray  
19 from the core to make sure you get back to the exact footage  
20 versus logs versus cores. And I believe there was like a  
21 15-foot shift between the core and the measured depths.

22 Q. Okay. So they won't match up with the depths on the  
23 first exhibit you talked about, those are the subseas?

24 A. No, those are subseas, correct.

25 Q. Thank you.

1 A. This is measured in the core depth by that.

2 Q. Okay.

3 A. Now, that -- again, there is your good stuff, that is  
4 the oil productivity that we are looking at there. It's  
5 about seven, seven-and-a-half foot that you are looking at in  
6 this region.

7 Go to the next page, Page 3, we are back to  
8 probable production (6) which means low perm, no production.  
9 And then Page 4, from sample number 66 down to sample 96 on  
10 Page 5 --

11 Q. That is on the left-hand column?

12 A. On the very, very left-hand column which depth-wise  
13 would be 14,545.4 to 14,575.15, the very bottom of the core,  
14 we hit water. We hit porosity, but it's all wet and  
15 nonproductive.

16 Q. Okay. So you had some porosity above and then it got  
17 tight and then you got porosity, but this lower porosity is  
18 full of water?

19 A. Yes, sir.

20 Q. All right. Now, would you turn to your next exhibit,  
21 Exhibit Number 4, which is the type log for Sklar's Coley  
22 Well?

23 A. All right. This is -- as Connie said, this is the  
24 Sklar Exploration Coley 24-16 #1 type log showing the KB of  
25 355. This log is a TVD. It's been adjusted. There was a

1           slight -- I won't say -- we steered the well to hit the exact  
2           spot we wanted to hit and there is about 12, 13 foot of  
3           difference between measured depth and TVD.

4                        So this is a TVD log right here and it shows --  
5           or as you come down to the very top of the Smackover, a  
6           little productive interval. This particular log, the first  
7           curve is a gamma ray. The first curve, I mean the curve on  
8           the left. The two curves on the right are your density and  
9           neutron porosity logs.

10                      So our little zone that we are looking at is  
11           right at the very top of the Smackover. I apologize for the  
12           scale, I'm just trying to get all this onto one page.

13           Q.           Smackover is a blue line --

14           A.           Right, blue line.

15           Q.           -- about midway down?

16           A.           Correct, blue line and it's midway down where it says  
17           "Smackover." You can see where we've perf'd by the red box  
18           with the little dot in the middle of it. That is the zone  
19           that was productive by core analysis and by log analysis.

20                      And then as you go down, you see the -- down  
21           there about another 20 foot or so, you see again all the  
22           porosity curves heading off to left, meaning there is  
23           porosity, but that is the part that was the ocean. That is  
24           all water down there. I just wanted you to have the entire  
25           Smackover section to look at.

1 Q. Okay. And so you can see on this log then what we  
2 are proposing be named the Smackover Oil Pool of the  
3 Southwest Uriah Field?

4 A. That is correct.

5 Q. That is what you've referred to as that little  
6 productive interval?

7 A. That is correct.

8 Q. In your opinion, is the proposed definition of the  
9 Smackover Oil Pool as contained in the Field Rules we are  
10 proposing today appropriate from a scientific standpoint?

11 A. Yes, sir.

12 Q. All right. Now, would you turn to the next exhibit  
13 and explain what that is?

14 A. The next exhibit is an OGB-9 which is the first  
15 production or retest report, and this was obviously first  
16 production here. The test date was on February 21st for  
17 24 hours. During that 24-hour period, we tested a rate of  
18 480 barrels per day, 350 Mcf per day, with a gas-liquid ratio  
19 of 729. Our final flowing tubing pressure was 2,250 psi with  
20 no water.

21 Q. Okay. So this started off as a good well, didn't it?

22 A. It started off great.

23 Q. All right. Do you know what it produced, say, last  
24 week?

25 A. Last week, the average was about 25 barrels per day

1 and about 35 barrels per day of water -- excuse me,  
2 25 barrels of oil, 25 barrels -- 35 barrels of water, and  
3 it's on pump and it's been on pump.

4 Q. Okay.

5 MR. ARMBRECHT: All right. Now, we have in  
6 the -- separate book now, Exhibit 7 and 8, the seismic  
7 exhibits, and I would like to turn to those right now and  
8 have Don briefly explain what is shown in those exhibits.

9 Q. (BY MR. ARMBRECHT:) Don, if you will turn to Exhibit  
10 Number 7. And don't put your other book away, we will be  
11 coming back to the other book in just a moment.

12 A. All right. Exhibit Number 7 is a map that shows  
13 in -- the red dotted outline is the proposed 200-acre field  
14 unit we are having. Again, you see on that map the A - A',  
15 the cross-section that goes through the wells, but we have  
16 also in this exhibit, the next page will be the seismic line  
17 that follows exactly along that cross-sectional line.

18 The grid you see underneath there in green is  
19 the grid of the three-dimensional seismic data for lines and  
20 cross-lines telling you where different points are in the  
21 subsurface.

22 Q. Okay. So we have got a line that you have taken out  
23 of the seismic data from A - A'?

24 A. That is correct.

25 Q. And that is called an arbitrary line, isn't that

1           just -- arbitrary mean just that you selected it out of the  
2           seismic that you can make it draw a line wherever you want  
3           once you have the data in the computer?

4           A.           That is correct.

5           Q.           Okay.  And with that in mind, now let's turn to  
6           Exhibit Number 8 which is the label ARB line that was shown  
7           on Exhibit Number 7.  If you would explain what is shown on  
8           that exhibit.

9           A.           All right.  This is a portion of the 3D seismic data  
10          from about 2.5 to 2.8 seconds in depth which is going to  
11          correlate to that where that top Smackover is.  What we have  
12          done to know exactly where the top of the Smackover is is we  
13          have two wells in this area, the two that we have always  
14          talked about here, the COBRA Blacksher and our Sklar Coley  
15          Well.  Both those wells have sonic logs.  And from the sonic  
16          logs, we were able to make synthetic seismograms to go back  
17          and correlate those trace by trace, peak by peak, peaks being  
18          the little blacks on there, and then the troughs being the  
19          reverse of that, the lines that are kicking back to the left,  
20          we were able to correlate that just peak by peak and say  
21          that -- and know with confidence that what we are mapping as  
22          the top of Smackover is the top of Smackover.  And the red  
23          lines that you see on there, the red little traces, we call  
24          those traces, the little red traces you see on there  
25          correlate to that peak, that being -- again, that that from

1 well control back to the seismic, that that is indeed the top  
2 of Smackover.

3 Our mapping horizon -- again, remember the first  
4 map you looked at was a structure map. That mapping horizon  
5 came from that little blue line you see on here where it says  
6 top of Smackover peak blue line. So we mapped on that peak,  
7 using a well control converted it back to depth, and that was  
8 the map you saw earlier.

9 What you see on this line is at the Smackover  
10 which again is that peak with the blue line through it, you  
11 are coming up on to the structure through the Coley 24-16,  
12 the highest point of the structure is the COBRA Blacksher  
13 which also happens to be tight at the very top. And then as  
14 you move towards the right, and that would be Eastward, you  
15 are coming back off the structure. And then it comes up  
16 again but it's coming up again onto regional dip and no trap  
17 there for it.

18 Q. Okay. So you are going down to what you referred to  
19 as the spill point and then it starts coming back up, but  
20 that would not be connected with hydrocarbons where it goes  
21 up?

22 A. There is no trap to it. It just all goes out. You  
23 have got to have something to trap that oil.

24 MR. ARMBRECHT: Okay. Mr. Chairman, I might,  
25 since we consolidated these two hearings, I have two

1           separate exhibit booklets set up and I might just go ahead  
2           and get Don to go through his geophysical exhibits for the  
3           second docket item before I ask Ken Hanby, who is going to  
4           provide some engineering testimony, to testify.

5                         CHAIRMAN GRIGGS: That would be fine,  
6           Mr. Armbrecht.

7                         MR. ARMBRECHT: I apologize for the numerous  
8           books.

9           Q.           (BY MR. ARMBRECHT:) All right. Now, if you would  
10          go, Don, to the book that has the Exhibits Number 1 through 4  
11          on the front bottom of the front page.

12          A.           Okay.

13          Q.           And go to Exhibit Number 1 in that exhibit booklet  
14          and explain what is shown on this exhibit.

15          A.           Gladly. This is the Smackover Oil Pool Net Pay  
16          Isopach Map, contour interval of five foot and we are  
17          contouring footages greater than six percent porosity.

18                         On the map itself, again, you will see the  
19          existing drilling unit of 160 acres in blue. And then in the  
20          orange, you see the field limits and proposed reformed unit  
21          of 200 acres coming out and including part of Section 19.

22          Q.           All right. And this well, as I understand, was  
23          drilled on the blue unit, the 160-acre --

24          A.           Yes, sir.

25          Q.           -- as a Wildcat Drilling Unit, and we are proposing

1           now to establish a production unit which would include 40  
2           additional acres, would be 200-acre production unit; is that  
3           correct?

4           A.           That is correct, sir.

5           Q.           All right. Now, if you would turn over to Exhibit  
6           Number 2 and explain what that is.

7           A.           Exhibit Number 2 -- and I would still have that  
8           seismic line out because these two follow each other exactly.

9           Q.           But to understand it, you don't have to look at both  
10          of them, do you?

11          A.           No. I'm sorry, I'm being the explorationist here.  
12          Exhibit Number 2 is the cross-section A - A' that you saw  
13          outlined on the map.

14          Q.           It follows the same area as the seismic line?

15          A.           Yes, exactly.

16          Q.           Okay.

17          A.           And on this cross-section are two wells, the Sklar  
18          Coley 24-16 and the COBRA Blacksher 24-16. And the object of  
19          this cross-section is to demonstrate the porosity we see in  
20          our well, which is colored in green, is on the flanks of the  
21          feature so that you come up onto the feature from the A side  
22          from the left coming up onto the closure of the feature. And  
23          you see there what we are calling the spill point, SP, and  
24          LPO, lowest proven oil, which is the bottom of the oil zone  
25          in the Coley 24-16.

1                   And coming up onto the feature, on the flanks of  
2           the feature this zone pinches out, it gets tight on the top  
3           of the feature and you have absolutely no porosity in that  
4           upper part of the Smackover in the Blacksher Well.

5                   And then the cross-section turns out to the  
6           Southwest and goes again back through the lowest proven oil  
7           point and through what we believe to be the spill point where  
8           you get back onto regional dip, and that is reflecting the  
9           seismic data, the line which you just saw.

10          Q.           And isn't that actually running in the Southeast  
11          direction?

12          A.           I'm sorry, Southeast.

13          Q.           Okay. So this is a picture of what you are getting  
14          from the seismic data and the well data in this area?

15          A.           That is correct. The well data is the well data and  
16          it is tied and correlated into the seismic. The seismic is  
17          tied into the wells and that is where you are getting the  
18          structural picture of this cross-section is from the seismic  
19          data. Of course, wells are what they are.

20          Q.           Okay. Now, have you read the petitions filed by  
21          Sklar in these two matters?

22          A.           Yes, I have.

23          Q.           To the best of your knowledge, are the allegations  
24          contained in those petitions true and correct?

25          A.           Yes, they are.

1 Q. All right. In your opinion, would the granting of  
2 these two petitions avoid the drilling of unnecessary wells,  
3 prevent waste and protect the correlative rights of the  
4 interested parties?

5 A. Yes, it would.

6 MR. ARMBRECHT: Mr. Chairman, so that I don't  
7 forget --

8 Q. Oh, one more question. Did you prepare Exhibits 1  
9 through 5 -- excuse me, I have gotten out of order here --  
10 Exhibits 1 through 4 and 7 and 8 that are labeled in the  
11 first docket item which is the Special Field Rules hearing,  
12 did you prepare those exhibits?

13 A. Yes, I did.

14 Q. And did you also prepare Exhibits 1 and 2 which are  
15 labeled in the petition to expand the unit?

16 A. Yes, I did.

17 Q. And do those exhibits accurately depict what they are  
18 intended to show?

19 A. Yes, they do.

20 MR. ARMBRECHT: Mr. Chairman, so I don't forget,  
21 I would request that those exhibits be admitted at this  
22 time.

23 (Whereupon, (ITEMS 10 & 11) Eustes exhibits  
24 were offered into evidence.)

25 CHAIRMAN GRIGGS: Mr. Cardwell, if you have no

1 objection, we will admit into the record Exhibits 1 through  
2 8 in the booklet titled Petition to Establish Field and we  
3 will admit Exhibits 1 and 2 in the booklet entitled Petition  
4 to Establish and Enlarge the 200-Acre Unit. Do you have any  
5 objection to just admitting these into the record?

6 MR. CARDWELL: No, sir.

7 CHAIRMAN GRIGGS: Okay. They are admitted,  
8 Mr. Armbrecht.

9 (Whereupon, (ITEMS 10 & 11) Exhibits 1-8 in  
10 the booklet titled Petition to Establish  
11 Field and Exhibits 1 and 2 in the booklet  
12 entitled Petition to Establish and Enlarge  
13 the 200-Acre Unit were received into  
14 evidence.)

15 MR. ARMBRECHT: Thank you. Now, I have my next  
16 witness and I apologize if I'm a little confusing, but I set  
17 this up for two hearings so I am consolidating my exhibits  
18 on the fly.

19 CHAIRMAN GRIGGS: That is fine, Mr. Armbrecht.

20 Mr. Cardwell, we will hear from both of these  
21 witnesses and then you will have an opportunity to ask  
22 either of the witnesses any questions that you may have as  
23 well as make a statement of your position.

24 MR. CARDWELL: Yes, sir, thank you.

25 MR. ARMBRECHT: All right.

1

2

KEN HANBY,

3 having been first duly sworn, was examined and testified

4 as follows:

5

6 (ITEMS 10 & 11) DIRECT EXAMINATION BY MR. ARMBRECHT:

7

Q. Ken, turning first in the book that is the Special

8

Field Rules hearing book, it's ends in 06 in the docket item,

9

if you would turn to Exhibit Number 6 in that booklet --

10

A. Yes, sir.

11

Q. -- and explain what is shown on that exhibit.

12

A. Exhibit Number 6 is a plot of the daily production

13

from the Coley 24-16 #1 Well from February 20th through

14

July 8th of 2012. It shows the oil production daily rate in

15

green, the gas production rate in red, water production rate

16

in blue, and then the flowing tubing pressure and then, of

17

course, the stabilized tubing pressure that is there because

18

of the pump and is shown in black.

19

The oil that is produced is 40 degree API

20

gravity. The initial test on this well had a gas-oil ratio

21

of 729 cubic feet per barrel of oil. And this well is

22

clearly an oil well. The cumulative gas-oil ratio that has

23

occurred from initial production is 933. And approximately

24

July the 3rd the gas production ceased and still today is

25

producing no gas since that time.

1 Q. All right. Let me see if I understand. In your  
2 opinion, the Smackover Oil Pool of the Southwest Uriah Field  
3 which we are proposing today is an oil pool?

4 A. Yes, sir, it is black oil.

5 Q. Thank you. All right. In your opinion, can the  
6 existing Sklar well efficiently and economically drain and  
7 produce the recoverable hydrocarbons in the Smackover Oil  
8 Pool underlying the 160-acre unit on which this well was  
9 drilled?

10 A. Yes, sir, it will be capable. And I will point out  
11 one of the main parameters involved is the permeability. And  
12 even though it's thin, the permeability is good. The  
13 arithmetic average of the permeability for that  
14 seven-and-a-half feet is 277 milladarcies. The geometric  
15 average which is really a true measure of the flow within the  
16 reservoir is 127 milladarcies.

17 Q. All right. In your opinion, would this well also be  
18 able to drain the additional 40 acres that we are proposing  
19 be added to the unit?

20 A. Yes, sir, it is capable of recovering the recoverable  
21 hydrocarbons within the 200 acres as shown on the Isopach map  
22 by Mr. Eustes.

23 Q. In your opinion, is the proposed allowable of  
24 200 barrels per day that is proposed in Rule 7 of the Special  
25 Field Rules that we have submitted to the Board appropriate

1 for this reservoir and for the Sklar Well?

2 A. Yes, sir, it's reasonable and would be appropriate  
3 for the rate that this well is producing as a maximum  
4 allowable.

5 Q. Okay. Now, again, apology for shifting booklets, but  
6 we are going to the booklet that has Exhibits 1 through 4 in  
7 it. And turn to Exhibit Number 3 in that booklet which at  
8 the top of the page says Reserves East of Existing Unit.  
9 And, Ken, would you explain what is shown on that exhibit?

10 A. Yes, sir. What I have shown here is the reserves  
11 shown in the structure within Section 19. It's the 40 acres  
12 East of the 160-acre unit. The volume from Exhibit 1 was  
13 determined from Exhibit 1, the Isopach, and it is 95.16 acre  
14 feet. Using from the logs and core analysis, I determined  
15 the average porosity of 13 percent, average water saturation  
16 of 20 percent. And then using the initial flow  
17 characteristics oil-gas, gas-oil ratio and gravities of oil  
18 and gas, determined the volume factor is 1.38618 reservoir  
19 barrels per stock tank barrels. And using that, the oil in  
20 place is calculated at 8,204 stock tank barrels using a  
21 recovery factor of 14 percent -- excuse me, 15 percent.

22 The estimated cost to drill another well in this  
23 area to -- in Section 19 to try to recover these 8,204 stock  
24 tank barrels would be 1.5 million dollars reasonable estimate  
25 cost, far exceeding the value of the oil that is recoverable

1 in place in Section 19, and that is to the East of the  
2 existing 160-acre unit.

3 Q. In other words, you are saying that the total we  
4 think we will be able to recover out of that area East of the  
5 unit, 8,204 barrels; is that right?

6 A. That is the recovery -- recoverable oil at a  
7 15 percent recovery factor.

8 Q. Yeah. And that, in your opinion, is an appropriate  
9 recovery factor?

10 A. It is appropriate. It's probably higher than will  
11 actually come, but it is a typical recovery factor we have  
12 used for this type of oil reservoir.

13 Q. So if someone drilled a well out there and they could  
14 recover the oil under that property out there and sell it at  
15 a hundred dollars a barrel, if I can do my math right, they  
16 would recover from that well \$820,000 plus a few?

17 A. Well, that would be the gross value.

18 Q. That would be the gross value?

19 A. Not the net value that the working interest would  
20 have. It wouldn't pay operating costs, so that would be  
21 gross value, not the net income from production. It would be  
22 somewhat less than that.

23 Q. All right. And they would have had to have spent  
24 \$1,500,000 to drill that well and then put in some tanks and  
25 then get some infrastructure to make sure that they could

1 truck that oil out; is that correct?

2 A. Yes, sir. They would have to complete the production  
3 facility.

4 Q. So basically what we are saying is nobody could  
5 afford to drill a well out there to recover the oil that we  
6 believe is out there; is that correct?

7 A. That is correct. You know, anybody that was going to  
8 drill in that area and had this reserve calculated, they  
9 would not drill the well.

10 Q. Okay. If you will turn over now to Exhibit Number 4  
11 and explain briefly what that is.

12 A. Exhibit Number 4 is the Engineering Service's plat  
13 for the Coley Well that has been shown, both the 160-acre  
14 existing unit in green and the proposed expanded 200-acre  
15 unit in red.

16 Q. Okay. So this just shows from a survey standpoint,  
17 the expanded -- the existing unit and the expanded unit; is  
18 that correct?

19 A. Yes, sir, and that has been filed with the Board in  
20 the event they grant this along with the amended OGB-1 and  
21 OGB-2 that would be required for an enlarged unit.

22 Q. Have you read the petitions filed by Sklar in these  
23 two docket items?

24 A. Yes, sir, I have.

25 Q. To the best of your knowledge, are the allegations

1 contained in those petitions true and correct?

2 A. Yes.

3 Q. In your opinion, would the granting of this petition  
4 prevent the drilling of unnecessary wells, protect the  
5 correlative rights of the interested party and prevent waste?

6 A. Yes, sir.

7 MR. ARMBRECHT: Mr. Chairman, I would request  
8 that -- excuse me.

9 Q. Exhibit Number 6 in the docket item ending in 06, the  
10 Exhibit Numbers 3 and 4 in the docket item ending in number  
11 07, were all those prepared by you or under your direct  
12 supervision and control?

13 A. Yes, sir.

14 Q. And do they accurately show what they are intended to  
15 depict?

16 A. Yes, sir.

17 MR. ARMBRECHT: Mr. Chairman, I would request  
18 that those exhibits be admitted also.

19 (Whereupon, (ITEMS 10 & 11) Exhibit Number 6,  
20 docket ending in 06; Exhibit Numbers 3 and 4,  
21 docket ending in 07 were offered into  
22 evidence.)

23 CHAIRMAN GRIGGS: They are admitted into the  
24 record.

25 (Whereupon, (ITEMS 10 & 11) Exhibit Number 6,

1 docket ending in 06; Exhibit Numbers 3 and 4,  
2 docket ending in 07 were received into  
3 evidence.)

4 MR. ARMBRECHT: I have no further questions at  
5 this time and would tender the witness to questions by  
6 Mr. Cardwell or the Board.

7 CHAIRMAN GRIGGS: Mr. Cardwell, if you will,  
8 would you explain your connection to this petition and what  
9 your position is --

10 MR. CARDWELL: Yes, sir.

11 CHAIRMAN GRIGGS: -- as far as the subject  
12 matter of this petition, these two petitions.

13 MR. CARDWELL: First of all, Mr. Chairman, I  
14 appreciate the opportunity to come and represent my mother  
15 and her sister on their behalf and the rest of the oil Board  
16 members and also the people with Sklar Exploration.

17 I am the son of Lois Cardwell and my aunt is  
18 Jewel Davis Cardwell and because of their health, they asked  
19 me to represent them today. And I can assure you my  
20 presentation would be much -- will not be very lengthy at  
21 all. I do not have nearly the technical understanding,  
22 although I have been trying to do some research on this in  
23 the last few weeks, that these gentlemen do and I respect  
24 them very, very much. Sklar has a tremendous reputation and  
25 I'm sure the geologists have done their homework.

1                   What I do intend today to do is to present some  
2                   common sense questions. And also, I have a letter here that  
3                   has been sent to the Gas and Oil Board. And I'm sorry, I  
4                   might not have enough copies, but if you don't have a copy  
5                   of that, I would like for you to at least have one for the  
6                   Board members.

7                   CHAIRMAN GRIGGS: Mr. Armbrecht, have you seen  
8                   the letter?

9                   MR. ARMBRECHT: I have seen the letter.

10                  MR. CARDWELL: Would you like another one?

11                  MR. ARMBRECHT: If you wouldn't mind, I would  
12                  like a copy.

13                  CHAIRMAN GRIGGS: Mr. Armbrecht, do you have any  
14                  objection to our admitting this into the record?

15                  MR. ARMBRECHT: No, not at all.

16                  CHAIRMAN GRIGGS: Mr. Cardwell, we will admit  
17                  this into the record.

18                  (Whereupon, (ITEMS 10 & 11) Cardwell letter  
19                  was received into evidence.)

20                  MR. CARDWELL: Would you like for me to read  
21                  that?

22                  CHAIRMAN GRIGGS: You can comment on it. I'm  
23                  not sure that it's necessary to read it since we have all  
24                  read it. It was addressed to the Board.

25                  MR. CARDWELL: Very good. Very good. Well,

1           certainly if you have all read it, there is no reason for me  
2           to read it. I do have three more just basic common sense  
3           questions that I would like to address today if you would  
4           allow me.

5                         CHAIRMAN GRIGGS: Certainly. Proceed.

6                         MR. CARDWELL: If I am not misinterpreting the  
7           first legal description that we received, Sklar Exploration  
8           petition lists the legal description as the West half of the  
9           Southwest Quarter of Section 19 to be added. Should it not  
10          have read the West half of the West half of the Southwest  
11          Quarter of 19 as it -- as we interpreted the reading when we  
12          first read the petition, it would allow an additional  
13          80 acres.

14                        I am satisfied after the gentlemen's  
15          explanation, I do indeed after hearing him believe that it  
16          is 40 acres, but I did want to clear that up and make sure  
17          that we are not talking about two different petitions and an  
18          additional 40 acres here.

19                        CHAIRMAN GRIGGS: Mr. Cardwell, the notice that  
20          was published did reflect the West half of the West half of  
21          the Southwest Quarter.

22                        MR. ARMBRECHT: To answer your question, no,  
23          sir, we are not proposing 80 acres, have no plans for that.  
24          We are just asking for the 40 acres in the West half West  
25          half.

1                   MR. CARDWELL: Yes, sir. Thank you very much  
2                   for that clarification. The second question I have is the  
3                   geological information that is presented by Sklar concrete  
4                   proof of drainage from or on to Section 19 or is it based  
5                   upon seismographic and technological readings that have some  
6                   margin for error that I, not being a geologist, and maybe  
7                   some of the rest of us not being trained as geologists there  
8                   is some room for error in there, and is there room to be --  
9                   for interpretation in and of the direction?

10                   We ask this question due to the fact that so  
11                   many holes like the one -- the Blacksher hole, so many holes  
12                   that are drilled come up dry. They were drilled with the  
13                   same geological information which is being presented here  
14                   today. I believe they had the same basic geological  
15                   information.

16                   CHAIRMAN GRIGGS: Mr. Armbrecht, which of your  
17                   witnesses would be best to respond to that question?

18                   MR. ARMBRECHT: I don't know if it would be. I  
19                   know that what we have offered today is opinions of experts.  
20                   And I guess in any proceeding like this, no one has  
21                   physically been down 14,000 feet below the surface to know  
22                   exactly what is there, nobody has sent tools other than in a  
23                   small wellbore, so they have only seen a very small portion  
24                   of it.

25                   What we do, is we rely on the opinions of these

1 experts to give us the best estimate available as to what is  
2 there and what is not.

3 You are right, the COBRA experts had an opinion  
4 that they should drill at the top of the structure and that  
5 they would get production. They were wrong. They did hit  
6 the top of the structure where they thought it was, that  
7 part was right. They knew where the rocks underground with  
8 the Smackover formation was located. What they didn't know  
9 and what you cannot really see on seismic, you can see a  
10 little bit of porosity, but not a hundred percent clearly,  
11 and you can't tell whether that porosity is filled with  
12 water or oil.

13 Sklar's experts looked at it and had an opinion  
14 that yes, that Coley -- the COBRA Well was a dry hole, but  
15 that there was some porosity out from there and they  
16 mapped -- did their maps, they drilled their well, the well  
17 came in as mapped, and the formation came in as mapped. So  
18 it's not just off-the-cuff opinion, it is opinions that are  
19 well reasoned and have been tested.

20 And we have seen from the wells that Sklar  
21 drilled that their estimation of what was down there was  
22 correct. So there is no hundred percent guarantee on any  
23 geological estimation of what is a hundred -- two miles  
24 beneath the earth or two and a half miles beneath the earth,  
25 but I think we have given a well-tested opinion as to what

1 is down there, and so we think we know what we are doing.

2 CHAIRMAN GRIGGS: Mr. Cardwell, you had another  
3 question I believe.

4 MR. CARDWELL: Yes, sir, one more and that will  
5 finish me. And I am addressing this to the -- and in no way  
6 I want to think that the Gas and Oil Board thinks that I am  
7 trying to do their job, I am just bringing these questions  
8 up because you gentlemen are experts in this and I'm  
9 certainly not, but I do want to ask this question: Would it  
10 be unfair to include an extra 40 acres due to the  
11 uncertainty of this being a new well and not knowing how  
12 well it will produce or the longevity of production? We are  
13 talking about the new well being the Coley 24 which is now  
14 existing, and I think after the testimony there that there  
15 is a lot of doubt as to -- it's certainly not as good as it  
16 started, it's been dwindling, they are having to pump right  
17 now to get anything out of there, over half of it is water.  
18 It sounds to me, from a common sense point of view, that  
19 there is very little there. And to be -- you have got very  
20 little to begin with, the pie is pretty doggone small, and  
21 then it sounds like it's going to get a heck of a lot  
22 smaller or 20 percent smaller anyway with the addition of  
23 another 40 acres.

24 CHAIRMAN GRIGGS: Thank you, Mr. Cardwell. I  
25 believe Dr. Tew's Staff does indeed have some questions that

1           they would like to ask the witnesses.

2                       MR. ARMBRECHT: One more thing before we leave,  
3           Mr. Cardwell. As I understand, tell me if this is correct,  
4           your mother owns property in the Northwest Quarter of the  
5           Southeast Quarter of Section 24, is that --

6                       MR. CARDWELL: I believe that is correct. She  
7           is within the 160 acres but not sitting right on top of it.

8                       MR. ARMBRECHT: She is in the top left part of  
9           it?

10                      MR. CARDWELL: Yes, sir, that is correct.

11                      MR. ARMBRECHT: Now for the Staff, I understand  
12           has some questions.

13                      MR. ROGERS: Mr. Chairman, first, we would like  
14           to place in the record the production reports from February  
15           to June 2012, an attachment sent to Mr. Gregory that states  
16           daily production through July 12th, and then a survey that  
17           shows the bottomhole location of the well to be 811 feet  
18           from the East line, we would request that those items be  
19           admitted into the record.

20                      (Whereupon, (ITEMS 10 & 11) production  
21           reports from February to June 2012, an  
22           attachment sent to Mr. Gregory that states  
23           daily production through July 12th, and then  
24           a survey that shows the bottomhole location  
25           of the well to be 811 feet from the East line

1                   were offered into evidence.)

2                   CHAIRMAN GRIGGS: All of those items that are in  
3                   the files of the Oil and Gas Board, have you seen those  
4                   items, Mr. Armbrecht?

5                   MR. ARMBRECHT: These are the production  
6                   records?

7                   MR. ROGERS: The production reports.

8                   MR. ARMBRECHT: I think we have already admitted  
9                   the entire files into the record, so --

10                  MR. ROGERS: You have.

11                  CHAIRMAN GRIGGS: I think we have, but those  
12                  specifically are admitted.

13                  MR. ARMBRECHT: So those specific, that is fine.

14                  (Whereupon, (ITEMS 10 & 11) production  
15                  reports from February to June 2012, an  
16                  attachment sent to Mr. Gregory that states  
17                  daily production through July 12th, and then  
18                  a survey that shows the bottomhole location  
19                  of the well to be 811 feet from the East line  
20                  were received into evidence.)

21                  MR. ROGERS: Thank you.

22                  CHAIRMAN GRIGGS: Dr. Tew.

23                  DR. TEW: Mr. Chairman, Dr. Bolin is going to  
24                  ask some questions on behalf of the Staff.

25                  CHAIRMAN GRIGGS: Okay.

1 DR. BOLIN: Mr. Eustes, I have a couple of  
2 questions for you, if you will. In referring to your  
3 Isopach map on Exhibit 1, I think I heard your testimony as  
4 well as Mr. Hanby's indicate that the Coley Well contained  
5 seven and a half feet of net pay. I see on the map that  
6 there is -- just to the North of that well a figure of seven  
7 foot. Could you explain that apparent discrepancy?

8 MR. EUSTES: Yeah, I see what you are talking  
9 about on the seven. You know, again, looking at the core  
10 reports, if I said seven and a half, probably too much  
11 rounding. It looks like from 14,510 to 14,517.2, so that  
12 would be 7.1 feet versus 7.5. Excuse me for rounding that.

13 DR. BOLIN: Okay. And also on your Isopach map  
14 you indicate a surface location and a bottomhole location.  
15 And if I gather from looking at the directional survey that  
16 the bottom -- and also, your map also indicates that the  
17 bottomhole location was approximately 90 feet Southwest of  
18 the surface location; is that correct?

19 MR. EUSTES: Yes, sir.

20 DR. BOLIN: Okay. And in constructing your Net  
21 Pay Isopach, was the lowest proven oil line used for your  
22 zero contour line of the Isopach, or what line was used to  
23 establish the 0.0 line?

24 MR. EUSTES: I believe so, sir. I believe that  
25 is what we used. (Reviewing document.)

1                   MR. ARMBRECHT: You want to look at the  
2                   structure map?

3                   MR. EUSTES: I was just checking on the  
4                   structure map. I have slept since then so I'm trying to  
5                   remember, but I believe you are right. Yes, sir, I believe  
6                   that is what we used.

7                   DR. BOLIN: Okay. I believe it was also your  
8                   testimony in regard to these exhibits that they were  
9                   constructed based on the well control of the two wells  
10                  depicted as -- and the well control was tied into the  
11                  seismic information. Was there any other data or control  
12                  points used besides the seismic and well control of the two  
13                  wells?

14                  MR. EUSTES: Yes, sir. There is one other well  
15                  that is off this map. It's kind of down out to the  
16                  Southwest. I'm drawing a blank on the name of it right now,  
17                  but it was on the edge of the 3D survey. And we also made  
18                  sure that that well reflected that we were mapping on the  
19                  correct top of Smackover. It's not on the structure. It's  
20                  on something else, but it was within the four square miles  
21                  3D and we wanted to make sure that every well under that 3D  
22                  was correlated back with the data. So, yes, sir, there was  
23                  one more well.

24                  DR. BOLIN: Okay. Very good. Thank you.

25                                I have some questions now for Mr. Hanby. In

1           regard to Exhibit 3, you calculated reserves East of the  
2           existing unit. What methodology was used in determining the  
3           acre feet of reservoir?

4                       MR. HANBY: The Isopach was planimetered. Of  
5           course, to start off with a zero contour, you get the acres  
6           of the zero and then the five-foot contour, ten-foot  
7           contour. And, of course, you have got two of each, so those  
8           were contoured plus the outline of the tight zone. And then  
9           the volume was calculated based on the pyramid relationship  
10          in calculating with a thickness between the contour and the  
11          areas to come up with the acre feet.

12                     DR. BOLIN: So you did use the pyramidal formula  
13          instead of trapezoidal formula in calculating the volumes?

14                     MR. HANBY: Yes.

15                     DR. BOLIN: Okay. And using your numbers of  
16          8,204 stock tank barrels of recoverable oil contained in  
17          95.16 acre feet, if my division is correct, that would  
18          compute to an average of 86.2 stock tank barrels per acre;  
19          does that sound right?

20                     MR. HANBY: You know, it probably is. I haven't  
21          run that correlation to stock tank per barrels. I would  
22          have to work it out.

23                     DR. BOLIN: But basically you are just taking  
24          your total recoverable oil and dividing by the acre feet to  
25          find out the amount per acre foot?

1 MR. HANBY: Well, sure, yeah.

2 DR. BOLIN: Okay.

3 MR. HANBY: That is at 15 percent recovery.

4 DR. BOLIN: Correct.

5 MR. HANBY: The 95.16 has a hundred percent of  
6 the acre feet.

7 DR. BOLIN: Thank you. Did you compute the  
8 reservoir acre feet or the recoverable reserves in the  
9 existing 160-acre unit?

10 MR. HANBY: Yeah, I have got the entire  
11 reservoir. There is 364.17 acre feet in the entire  
12 reservoir which has recoverable oil of 31,398 stock tank  
13 barrels.

14 DR. BOLIN: Okay. So your total recoverable is  
15 31,398?

16 MR. HANBY: Yes, sir, that is for the entire --

17 DR. BOLIN: That is the entire --

18 MR. HANBY: That is the entire structure. The  
19 difference between them would be to map this in the  
20 160 acres. I can do that.

21 DR. BOLIN: So basically if you subtract out the  
22 8,204 you would have what would be in the existing 160  
23 acres?

24 MR. HANBY: That is correct, yes, sir.

25 DR. BOLIN: Okay. And what is the cumulative

1 oil production for the Coley Well?

2 MR. HANBY: As of the plot that I had on  
3 Exhibit 6 in the Docket 06, it was 12,000 -- over  
4 12,000 barrels of oil. I don't remember the exact. I've  
5 got it in here in my notes, but it's over 12,000 barrels.  
6 That is -- (Reviewing documents.) 12,088 or 89 barrels of  
7 oil, 11,278 Mcf of gas, and 8,244 barrels of water.

8 (Brief pause.)

9 DR. BOLIN: You think it's just somewhere in the  
10 approximately 12,000 barrels of oil that has been produced  
11 approximately?

12 MR. HANBY: Yes, sir, that would be the data I  
13 have got. That is the only daily number. And, of course,  
14 those daily gauges don't precisely equal the monthly report  
15 coming from the purchaser because BS&W has been taken out  
16 and that is actually when they get it to the market to  
17 determine the total volume and not on the daily gauge.

18 DR. BOLIN: Okay. In looking at the Isopach  
19 map, you have given the fact that the Coley Well has seven  
20 feet of net pay. In looking at the productive area in the  
21 existing 160-acre unit, it would appear that the -- that  
22 area would indicate a large percentage of the productive  
23 area that would be greater than seven feet. Do you have any  
24 estimation as to what you think the average net pay is in  
25 the 160 acres?

1                   MR. HANBY: I haven't made that computation. It  
2                   can be made.

3                   DR. BOLIN: Okay. You don't have to make a  
4                   computation. But just looking at it, would you say that of  
5                   the productive area in the 160 acres that it would be at  
6                   least seven foot or greater on average?

7                   MR. HANBY: I would -- looking at this, I would  
8                   say it probably averages greater than seven feet, yes, sir.

9                   DR. BOLIN: Okay. Mr. Chairman, that is all the  
10                  questions we have.

11                  CHAIRMAN GRIGGS: Thank you.

12                  MR. ARMBRECHT: I would like to say one other  
13                  thing just from a title standpoint. Sklar has leases inside  
14                  the existing 160 and of the additional 40 acres we are  
15                  proposing. It doesn't make any difference to Sklar whether  
16                  this unit is expanded or not.

17                  CHAIRMAN GRIGGS: Before I call on Mr. Pearson,  
18                  I would like the record to reflect that Mr. Hanby is  
19                  recognized as an expert petroleum engineer.

20                  MR. ARMBRECHT: Thank you.

21                  CHAIRMAN GRIGGS: Mr. Pearson.

22                  MR. PEARSON: I was going to ask, who owns the  
23                  West Half of the West Half of the Southwest Quarter as far  
24                  as working interest?

25                  MR. ARMBRECHT: Working interest is Sklar.

1                   MR. PEARSON:  And I take it the underlying  
2                   royalty interest is somewhat different than --

3                   MR. ARMBRECHT:  It is.  One 20 acres, there is  
4                   some overlap with ownership in the existing unit and that  
5                   20 acres.  The other 20 acres is just new.

6                   MR. PEARSON:  But it is a Sklar lease?

7                   MR. ARMBRECHT:  Lease, yes.

8                   MR. PEARSON:  Okay.  Is there a joint operating  
9                   agreement on this well, on the existing well?

10                  MR. ARMBRECHT:  I believe there is.  Don, this  
11                  well was brought to Sklar by an independent geophysicist and  
12                  so there was an agreement made and I know that individual  
13                  has an interest in the well, but I don't know the details of  
14                  it, and I am sure Sklar has other partners in the well which  
15                  would then necessitate there be a joint operating agreement.  
16                  The leases are all commonly owned.  They are not one party  
17                  contributing some leases and another party contributing  
18                  other leases, but the leases are owned by more than just  
19                  Sklar.

20                  MR. PEARSON:  And my follow-up question is going  
21                  to be, if there is a joint operating agreement, which I  
22                  assume by your nodding in agreement, there is?

23                  MR. EUSTES:  I believe there is, yes, sir.

24                  MR. PEARSON:  And do you know what the unit  
25                  description is under the joint operating agreement?  Is it

1 the 160 or the 200?

2 MR. EUSTES: Probably would be the 160, but I'm  
3 off the top of my head there.

4 MR. PEARSON: All right. If you would,  
5 Mr. Armbrrecht, do you agree that this particular request for  
6 the 200-acre unit is covered by 9-17-12, Section 9-17-12?

7 MR. ARMBRECHT: Yes, sir.

8 MR. PEARSON: There is a couple of different  
9 bases under 9-17-12.

10 Mr. Cardwell, I agree that -- I have listened  
11 to your comments. Do you agree that your mother and your  
12 aunt's acreage is in the Northwestern part of the 200-acre  
13 unit that is proposed?

14 MR. CARDWELL: Yes, sir, I believe so.

15 MR. PEARSON: And it's all over in the  
16 Northwestern part of the Southeast Quarter of Section 24?

17 MR. CARDWELL: I believe so.

18 MR. PEARSON: And I take it from your presence  
19 here, you are not in agreement with the 200-acre unit. You  
20 haven't said that specifically, but is that the reason you  
21 are here?

22 MR. CARDWELL: Yes, sir, that is -- the letter  
23 that I did not read, it read in there, but yes, sir, we were  
24 here to try to maintain the 160 instead of increasing to  
25 200 acres, yes, sir.

1                   MR. PEARSON: Other than who Mr. Cardwell  
2                   represents is there any other party that you know of that  
3                   objects to the 200 acres?

4                   MR. ARMBRECHT: No.

5                   MR. PEARSON: Okay. This question is for Mr.  
6                   Eustes and Mr. Hanby. Mr. Hanby, you have done some  
7                   calculations as to the size of this productive reservoir,  
8                   did I understand your testimony correctly?

9                   MR. HANBY: Yes, sir.

10                  MR. PEARSON: Do you believe as of today and the  
11                  production as of today, do you believe that the Coley 24-16  
12                  Well is currently draining oil or gas from the West Half of  
13                  the West Half of the Southwest Quarter of 19?

14                  MR. HANBY: I have an opinion that ever since  
15                  the well start producing that there has been first pressure  
16                  effects. Within this, the permeability is well sufficient  
17                  for the pressure effects to be out at the limits of this  
18                  reservoir and hydrocarbons have moved from the -- where they  
19                  were initially located when production throughout this  
20                  entire structure. Whether an actual molecule that actually  
21                  came from Section 19 is actually traversed the wellbore at  
22                  this time, you know, I -- probably, but I can't say for  
23                  assurance.

24                  I do know that one of the reasons that this  
25                  well has performed so poorly is water, which is, if you will

1 notice on my Exhibit 6 you will see initially you didn't  
2 have it and then all of a sudden the water came in, that is  
3 about the time they had to go to a pump, but at 2,200 pounds  
4 flowing tubing pressure and I think that has had, more than  
5 anything else, an effect on the loss of productivity. This  
6 well produced some days at 500 barrels a day rate.

7 MR. PEARSON: Again, my question is on drainage.  
8 Let me, I guess, tighten it down a little bit. Do you  
9 believe that any of the oil that has been produced from the  
10 Coley Well today or hydrocarbons that have been produced in  
11 that well, do you believe that those have been drained as of  
12 yet from the West Half, West Half, Southwest Quarter of 19?

13 MR. HANBY: There have been drainage from the  
14 West Half, West Half of Section 19.

15 MR. PEARSON: And what is the basis for your  
16 answer on that?

17 MR. HANBY: Well, it's the fact that the  
18 continuity of the seismic, as testified to by the  
19 geophysicist, by Don; the fact that this Smackover reservoir  
20 has the permeability that it has to allow fluids to flow  
21 this distance. In the Smackover, the porosity is good in  
22 this section and it is good permeability to allow these  
23 fluids to move, and there is adequate pressure in this  
24 reservoir to move with the initial pressure of 2,200 pounds  
25 flowing tubing pressure initially.

1                   MR. PEARSON:  And I direct this question to you.  
2           What is the control for your Exhibit 2 as to the West Half  
3           of the West Half of the Southwest Quarter of 19?  What are  
4           you basing that mapping on?

5                   MR. EUSTES:  The Exhibit 2, the structure map?

6                   MR. PEARSON:  Yes.

7                   MR. EUSTES:  At the top of the Smackover?

8                   MR. PEARSON:  Yes.

9                   Mr. EUSTES:  That is based off of the  
10           three-dimensional seismic data in the area.  We have mapped  
11           on the horizon and correlated it, that horizon, to the well  
12           control, tied it into the well control, and it's based off  
13           of what we see on the structure map again from the seismic  
14           data itself.

15                  MR. PEARSON:  And I am looking again at your  
16           Exhibit 2.  You have a blue dash line that is A - A'?

17                  MR. EUSTES:  Yes, sir.

18                  MR. PEARSON:  Does the true A - A' line merely  
19           extend from the Coley 24-16 to the Blacksher 24-16?

20                  MR. EUSTES:  No, sir.  That is why we drew it to  
21           the extent we did.  If you will go and look at the actual  
22           cross-section which is in the other book where it says  
23           Docket No. 07, and I believe that is --

24                  MR. PEARSON:  Exhibit 2 from this document.

25                  MR. EUSTES:  Exhibit 2, yes, sir.  You will

1 notice on that the cross-section is wider than the wells.  
2 You extend about a thousand feet to the Southwest of the  
3 Coley Well and you are extending about 2,400 foot Southeast  
4 of the Blacksher COBRA Well. And the idea of the  
5 cross-section extending that far was I'm trying to reflect  
6 what the seismic is showing as to where the structure ends  
7 and you go back on a regional dip. So it's a combination of  
8 the wells from in between the two wells and then the full  
9 extent of the dotted line is the full extent of the  
10 cross-section.

11 MR. PEARSON: Okay. Thank you. I don't have  
12 any further questions.

13 Oh, Mr. Armbrecht, I'm not sure this is in any  
14 way intended, the Special Field Rules appear to request that  
15 this be a one-unit field, just the acreage that you are  
16 asking for in the 200-acre unit?

17 MR. ARMBRECHT: The 200 acre -- we drew the  
18 field limits for 200 acres. It was awkward to say what to  
19 do, we are proposing a 200-acre unit, so I didn't want to  
20 draw Field Rules at 160 acres. But because we are proposing  
21 a 200-acre unit, I didn't want to draw Field Rules that went  
22 out to 320 acres and include property in that would not fit  
23 any spacing pattern for drilling in the future. So I opted  
24 to go with the 200 acres as the field limit and also as the  
25 unit limit our -- all of our mapping indicates that that

1           would include the entire reservoir in one unit and one  
2           field.

3                       MR. PEARSON:   And the spacing of wells that's  
4           indicated in the Special Field Rules then is really to be  
5           read in conjunction with the second petition for 200  
6           acres --

7                       MR. ARMBRECHT:   Yes, sir.

8                       MR. PEARSON:   -- because we are still at  
9           160-acres in the Special Field Rules?

10                      MR. ARMBRECHT:   Yes, yes.   And what I am asking  
11           is I just set the Field Rules up as standard what you would  
12           normally do and filed a separate petition to address this  
13           unit to meet the special requirements for establishing a  
14           200-acre unit under a separate docket item.   But that is why  
15           it comes out -- if I had started off in the beginning, I  
16           would have written it as one docket item, I would have  
17           written it all consistent.

18                      MR. PEARSON:   Mr. Eustes.

19                      MR. EUSTES:   Yes, sir.

20                      MR. PEARSON:   In the Special Field Rules, it's  
21           got the Smackover Oil Pool defined.   Do you have that in  
22           front of you by any chance?

23                      MR. ARMBRECHT:   He doesn't have the Field Rules,  
24           but I know that we talked about the definition yesterday.

25                      MR. PEARSON:   Okay.   I may be behind on the

1 subject. You have got it defined as the interval between  
2 14,522 feet and 14,540 feet in the Coley 24-16 as defined by  
3 the Spectral Density Dual Spaced Neutron Log. Is that log  
4 in evidence here?

5 MR. EUSTES: That is measured depth and it's  
6 probably in the files. But I think what you have in  
7 evidence -- the log we used on here is true vertical depth  
8 versus measured depth. So there is about a 13-foot  
9 adjustment. And one second here because I know I scratched  
10 that particular note out on mine.

11 MR. PEARSON: Because I was looking at your  
12 Exhibit 4, and I realize those lines on that log are hard to  
13 read, but when I was trying to look at it, it appeared that  
14 the defined interval from 14,522 to 14,540 would essentially  
15 be below your perforation.

16 MR. EUSTES: Exactly right, sir. So this is in  
17 a TVD log and there is about a 12-foot adjustment. So if  
18 you looked at those same numbers in TVD, it would be 14,510  
19 to 14,528. That is true vertical depth versus measured  
20 depth. We should have put MD on there so that would have  
21 been clearer.

22 MR. PEARSON: All right. No further questions.

23 CHAIRMAN GRIGGS: Do you have anything further,  
24 Mr. Armbrecht?

25 MR. ARMBRECHT: Nothing further.

1                   CHAIRMAN GRIGGS: Mr. Cardwell, do you have  
2           anything further?

3                   MR. CARDWELL: No, sir.

4                   CHAIRMAN GRIGGS: Any comments? Nothing further  
5           from the Staff. Is there a motion on Item 10? We will take  
6           the motions separately.

7                   Let's take about a five-minute recess. The  
8           clock shows that it is 11:20. We will be back in session no  
9           later than 11:30.

10                   (Short break taken.)

11                   CHAIRMAN GRIGGS: The State Oil and Gas Board is  
12           back in session. It's 11:30. Mr. Pearson.

13                   MR. PEARSON: Yes. Mr. Armbrrecht, do I  
14           understand correctly that the working interest ownership  
15           between the Southeast Quarter of 24 and the West Half, West  
16           Half of the Southwest Quarter of 19 is common?

17                   MR. ARMBRECHT: That is correct.

18                   MR. PEARSON: Okay. With that in mind, the  
19           Board has and the Staff has concerns over whether or not  
20           drainage is actually occurring as to the West Half, West  
21           Half of the Southwest Quarter, that the evidence -- what we  
22           would like to see is a little bit more well history on  
23           production. And for that reason, we are at this point not  
24           inclined to include the West Half, West Half of the  
25           Southwest Quarter of 19, but being mindful that we are not

1           prejudicing the rights for the unit to be enlarged at a  
2           later time after some additional history of production.

3                       MR. ARMBRECHT:    Could I add something there?

4                       MR. PEARSON:    Please.

5                       MR. ARMBRECHT:    I do understand that, but there  
6           is -- there is a fair amount of production as we went  
7           through, I think an estimated 12,000 barrels.  Sklar is here  
8           just presenting what they thought were the picture in who  
9           should get the royalties, that is what we are talking about.  
10          If we establish a 160-acre unit, all those revenues for that  
11          will be paid solely to the people in the 160-acre unit,  
12          including, as those maps clearly show, some people who are  
13          doubtfully underlain by any hydrocarbons and you will  
14          exclude the people to the East.

15                      MR. PEARSON:    We understand the normal situation  
16          with respect to that.  Our concerns are at this point that  
17          the available evidence, which witnesses have done a good job  
18          of giving us the data, but the available evidence does not  
19          suggest to the Staff that drainage is occurring yet, not  
20          that it might not given the well's production history.  But  
21          if this well were to go noncommercial in the next few  
22          months, that is what our concern is.  And given that, we are  
23          prepared to make a motion on the petition.

24                      CHAIRMAN GRIGGS:  Is there a motion on Item 10?

25                      MR. PEARSON:    As to Item 10, we move that that

1 petition be granted.

2 MR. LAWLEY: Second.

3 CHAIRMAN GRIGGS: We've got a motion and a  
4 second. All in favor say "aye."

5 MR. PEARSON: Aye.

6 MR. LAWLEY: Aye.

7 CHAIRMAN GRIGGS: Ayes have it, and the item is  
8 granted. Is there a motion as to Item 11?

9 MR. PEARSON: With respect to Item 11, given the  
10 fact that we have granted 10 establishing the unit to be  
11 160 acres for that well that is identified, we move that  
12 Item 11 be denied.

13 CHAIRMAN GRIGGS: Motion that Item 11 be denied.  
14 Is there a second?

15 MR. LAWLEY: Second.

16 CHAIRMAN GRIGGS: Motion and a second. All in  
17 favor say "aye."

18 MR. PEARSON: Aye.

19 CHAIRMAN GRIGGS: Ayes have it. Item 11 is  
20 denied.

21 MR. ARMBRECHT: Thank you.

22 MR. ROGERS: Mr. Chairman, that brings us back  
23 to Item 4. You want to take that up now?

24 CHAIRMAN GRIGGS: Yes.

25 MR. ROGERS: Docket No. 6-18-12-17, petition by

1 Delphi Oil, Incorporated. This is a petition to extend the  
2 temporary abandoned status of two wells located in Monroe  
3 County, Alabama.

4 MR. TYRA: Mr. Chairman, I'm John Tyra here on  
5 behalf of Delphi Oil, Inc. I have one witness that needs to  
6 be sworn in, please.

7 MR. ROGERS: Stand and state your name and  
8 address.

9 MR. BROOKS: My name is Robert Brooks.

10 MR. ROGERS: And what's your address, sir?

11 MR. BROOKS: 7425 Bocage Boulevard, Baton Rouge,  
12 Louisiana.

13 (Whereupon, the Hearing Officer swears in the  
14 witness.)

15 CHAIRMAN GRIGGS: Mr. Land, who do you represent  
16 in opposition to this?

17 MR. LAND: Yes, Mr. Griggs, I represent Mrs.  
18 Laird who is a landowner in the North Excel Field adjacent  
19 to the petitioner's wells that he is asking for a  
20 temporarily abandoned on.

21 CHAIRMAN GRIGGS: Will they be presenting  
22 testimony?

23 MR. LAND: I'm not sure at this point, sir, but  
24 if you would like to swear them in, go ahead.

25 CHAIRMAN GRIGGS: If you would go ahead and

1 swear them.

2 MR. ROGERS: If you would stand, ma'am and sir.

3 State your name and address.

4 MRS. LAIRD: Mary Laird, 1111 Arden Street,

5 Pensacola, Florida 32504.

6 MR. FLOYD: Kenneth E. Floyd, 8919 Burning Tree

7 Road, Pensacola, Florida 32514.

8 (Whereupon, the Hearing Officers swears in the  
9 witnesses.)

10 CHAIRMAN GRIGGS: Mr. Tyra, proceed.

11 MR. TYRA: Yes, sir, Mr. Chairman. This is a  
12 petition by Delphi Oil, Incorporated to extend the temporary  
13 abandoned status of two wells, the 9216 JV-P Jordan 33-8 #1  
14 Well, which is Permit No. 10600, and the 9216 JV-P Hill 34-3  
15 #1 Well, Permit No. 10727-B. Both of those wells are  
16 located on 160-acre units in the North Excel Field in Monroe  
17 County, Alabama.

18 They are on a temporary abandoned status at  
19 this point and we are asking that they be continued in that  
20 manner for an additional year or until the Board meets at  
21 the conclusion of that year.

22 I have the one witness, Mr. Robert Brooks.  
23 Mr. Brooks, you have not previously testified before this  
24 Board, have you not?

25 MR. BROOKS: No.

1 MR. TYRA: Are you president of Delphi Oil?

2 MR. BROOKS: I am.

3 MR. TYRA: And Delphi Oil is the operator of  
4 both of the wells in question; is that correct?

5 MR. BROOKS: It is.

6 MR. TYRA: And as president, are you familiar  
7 with the allegations contained in the petition?

8 MR. BROOKS: I am.

9 MR. TYRA: Are you also familiar with the  
10 operations in the North Excel Field as it pertains to these  
11 two wells?

12 MR. BROOKS: I am.

13 MR. TYRA: I would ask that Mr. Brooks be  
14 recognized to testify as a expert witness.

15 CHAIRMAN GRIGGS: He is so recognized as an oil  
16 and gas operator.

17 MR. TYRA: Yes, sir. Thank you.

18

19 ROBERT BROOKS,

20 having been first duly sworn, was examined and testified  
21 as follows:

22

23 (ITEM 4) DIRECT EXAMINATION BY MR. TYRA:

24 Q. Also, since you haven't previously testified, if you  
25 would, give a brief outline of your experience and also your

1 education, please.

2 A. I was born and raised in the Midwest and I attended  
3 and graduated from Purdue University. I have a BS in  
4 mechanical engineering from Purdue. I spent the next four  
5 years as a commissioned officer in the United States Navy.  
6 And after that, I attended and graduated from a graduate  
7 school of business, University of Chicago in Chicago, and  
8 started working there for a large bank that had an oil and  
9 gas operation and they loaned money to independents. And  
10 after working there for a few years, I went to work for one  
11 of the bank's customers, and that was in 1980, and I have  
12 been in the oil and gas business since.

13 Q. All right, sir. Now, we have previously submitted a  
14 temporary abandoned questionnaire for both wells; is that  
15 correct?

16 A. Correct.

17 MR. TYRA: And I think you have copies of those  
18 among the records; is that right, Mr. Rogers?

19 CHAIRMAN GRIGGS: We do.

20 MR. TYRA: We are going to go over some of the  
21 information on there and then I will ask that they be  
22 admitted at the conclusion of testimony.

23 Q. (BY MR. TYRA:) Let's talk about the Jordan 32-8 Well  
24 first. The cumulative oil production on that is 450,000  
25 barrels; is that correct?

1 A. 459,000 barrels.

2 Q. All right, sir. And what about the cumulative gas  
3 production?

4 A. The cumulative gas was 2.2 billion cubic feet.

5 Q. And this well was pressure tested in October of 2009?

6 A. It was.

7 Q. What about the mechanical integrity, what did you  
8 determine?

9 A. The mechanical integrity of the casing above the  
10 formation is intact and it was pressurized to 1,500 psi.

11 Q. All right, sir. Does this well -- does it have any  
12 hydrogen sulfide?

13 A. No.

14 Q. In your opinion, is the well currently in a safe  
15 condition?

16 A. It is.

17 Q. Let me ask you the same questions concerning the Hill  
18 34-3 Well. The cumulative oil production for that well,  
19 please, sir?

20 A. The Hill produced 238,000 barrels and 1.8 billion  
21 cubic feet of gas.

22 Q. Was it pressure tested as well?

23 A. Yes.

24 Q. At the same time?

25 A. At the same time.

1 Q. All right, sir. What about the mechanical integrity  
2 of that well?

3 A. It was pressure tested 2,000 psi.

4 Q. All right, sir. Any hydrogen sulfide in that well?

5 A. No.

6 Q. And the current state of it, is it in a safe  
7 condition?

8 A. Yes.

9 Q. If you would, explain why production ceased and what  
10 your plans are for those wells, please.

11 A. The whole field produced about 1.1 billion -- or  
12 million, more correctly, barrels of oil from '95 until 2000,  
13 plus or minus. It produced 5.9 Bcf of gas. It was a sealed  
14 reservoir. It was a solution drive, pressure drive reservoir  
15 from natural gas. The reservoir was inappropriately produced  
16 from a reservoir standpoint. It was essentially blown down  
17 and the oil was taken in larger quantities than it should --  
18 it should have been repressurized with the natural gas, but  
19 it wasn't.

20 Long story short, the pressure dropped to  
21 250 pounds in the reservoir and it exists that way today. It  
22 would be like a balloon, if you will, filled with air and  
23 then oil in it, and you let all the air out and the gas or  
24 the oil can't come to the surface, and so it's essentially  
25 dead oil in the reservoir.

1                   And our plan is to -- is just to repressurize  
2           the reservoir with water, saltwater, and we don't need to  
3           repressurize it to its original pressure of 5,500 pounds, but  
4           we do need to repressurize it to 1,500, 2,000 psi, which  
5           requires the addition of the fluids that were taken out  
6           which -- when the fluids taken out were gas and oil and some  
7           water.

8                   So when we get it to like 2,000 psi, we can pump  
9           the well hydraulically with hydraulic pumps and/or beam  
10          pumps. But the wells are deep, they are 12,000-feet deep so  
11          you can't -- beam pumps are not a very effective way to do  
12          this. But they do have hydraulic pumps where you can run the  
13          tubing in the hole and apply pressure at a gas nozzle in the  
14          bottom of the wellbore and it brings the fluid to the  
15          surface, and that is what we plan to do.

16          Q.           All right, sir. We are asking for this temporary  
17          abandoned status to be continued for one year. Would your  
18          timetable for these operations, would that be included within  
19          that year?

20          A.           Yes, and we plan -- and in the calendar year 2013 we  
21          plan to start this work.

22          Q.           All right, sir. Do you have an estimate as to the  
23          production that the unit today soon will result in if it's  
24          successful as far as these two wells are concerned?

25          A.           Yes. These two wells only, we should be able to

1 replicate what was originally produced out of these two wells  
2 in terms of secondary recovery barrels. That would be  
3 459,000 plus 238,000 barrels, whatever that adds up to,  
4 700,000 barrels, I'm not sure on my math here, but close to  
5 it.

6 Q. All right, sir. So around 650 to 700,000 barrels --

7 A. Yes.

8 Q. -- is what you anticipate?

9 A. No gas however.

10 Q. There will be no gas?

11 A. None to sell, I don't think.

12 Q. All right, sir. And so that is the -- what you are  
13 going to attempt to recover, though, your plans are to  
14 recover the oil and you are not really sure if there will be  
15 any gas?

16 A. That is correct.

17 Q. So this request for the temporary abandoned status is  
18 based upon the projected oil production?

19 A. Correct.

20 Q. So is it your testimony that the subject wells have  
21 future utility and should not be plugged at this time?

22 A. Correct.

23 Q. Is it your opinion that the granting of the petition  
24 will prevent waste and protect coequal and correlative rights  
25 of the mineral owners?

1 A. Correct.

2 Q. And if the pressurization is successful, will money  
3 be generated for the mineral owners and the royalty owners  
4 and the State as well?

5 A. Yes. If you use \$100 a barrel -- oil is not a  
6 hundred, but this oil is sweet oil and right now it's selling  
7 for \$90 roughly, that is what we would receive for it. There  
8 would be -- well, \$100 a barrel, it's easy math, it's, you  
9 know, \$104 million, which is a lot of cheese for anybody.  
10 And, of course, you know, there is royalty that will be paid  
11 out of that and employees to run all the business plus  
12 severance taxes.

13 MR. TYRA: We have, as I indicated, pre-filed  
14 those questionnaires. I would ask that they be made a part  
15 of the record at this time.

16 (Whereupon, (ITEM 4) pre-filed questionnaires  
17 were offered into evidence.)

18 CHAIRMAN GRIGGS: They are incorporated into the  
19 record.

20 (Whereupon, (ITEM 4) pre-filed questionnaires  
21 were received into evidence.)

22 MR. TYRA: And I would tender the witness for  
23 any questions that the Board or Staff may have.

24 CHAIRMAN GRIGGS: Mr. Land, do you have any  
25 questions of this witness?

1 MR. LAND: Yes, sir.

2 CHAIRMAN GRIGGS: Before you proceed, it is our  
3 understanding that your clients do not own an interest in  
4 the property made the subject of this petition; is that  
5 correct?

6 MR. LAND: Well, that is correct, Mr. Griggs.  
7 If I may explain their position briefly. Basically, if you  
8 are looking at a map of the North Excel Field, the two wells  
9 that are the subject of this petition are in the two  
10 160-acre units immediately South of her property. She has  
11 her property as located where the old Lilly Well was, Permit  
12 No. 10515. And currently, all of the production facilities  
13 for these wells are on her property, taking up about five  
14 acres of her property. I, just for illustration purposes,  
15 have this aerial photographs, which I'll -- I have a few of  
16 these I'll show to y'all.

17 CHAIRMAN GRIGGS: Give Mr. Tyra a copy.

18 MR. LAND: Yes, sir. All right. And this is an  
19 aerial photograph and you will see in the lower right-hand  
20 corner of the property or the lower part of the photograph,  
21 you will see a road, dirt road leaving the highway and going  
22 West out to a well site in the middle of the field. That is  
23 the Hill Well which is part of this petition.

24 In the upper right-hand corner of the photo,  
25 you will see a large white area approximately five acres in

1 size, that was where the old Lilly Well was which has been  
2 plugged and abandoned. This is the production facility that  
3 is on Mrs. Laird. You can see that basically the Hill Well  
4 takes up very little space and the Jordan Well doesn't take  
5 up much more than that. All of these wells feed into the  
6 production facility up here.

7 These wells, the Hill Well and the Jordan Well  
8 have not produced, according to Oil and Gas Board records,  
9 since November of 2007, nearly five years.

10 Our position is that they should be plugged and  
11 abandoned at this point in time because they have been  
12 sitting there doing nothing but deteriorating since that  
13 time.

14 And as Mr. Brooks says, they may be -- they may  
15 pass a pressure test at this time, but it's time to do  
16 something with them or plug them and abandon them and  
17 reclaim all the property in this field. And for that  
18 reason, we oppose the granting of this petition for  
19 temporary abandonment. My clients have been promised a lot  
20 of things in the past and they don't believe that any of  
21 these promises are going to come to pass either. It's  
22 basically time to go ahead and do something with it. With  
23 \$90 oil, basically there is no reason that this cannot --  
24 Mr. Brooks' plan cannot be implemented immediately. And so  
25 that is our position, let's either go ahead and implement

1 the plan or plug and abandon.

2 CHAIRMAN GRIGGS: Do you have any specific  
3 questions of the witness, Mr. Land?

4 MR. LAND: I would like to ask him why he is  
5 waiting till 2013 since oil prices are at currently \$90 a  
6 barrel in this area to proceed with his plans.

7 MR. BROOKS: Is that a question?

8 MR. LAND: Yes, Mr. Brooks.

9 MR. BROOKS: The answer is easy and obvious. In  
10 every business, you have priorities and limited resources  
11 and assets, including employees and equipment. We own our  
12 own drilling rigs. And right now, we are working on a well  
13 that we have been on since January of this year, 2012, in  
14 South Louisiana. It's a deep well, 14,000-foot well and we  
15 have had lots of problems with it and it's just, you know,  
16 we are kind of stuck there until we finish. And so, you  
17 know, even if I wanted to do this six months ago, I couldn't  
18 because, you know, I am doing other things, so -- and this  
19 is a priority but it's not a priority that trumps other  
20 priorities. In other words, when you speak about priorities  
21 you actually have project one, two, three, I'm going to get  
22 to these things first.

23 Know this about this particular project, the  
24 day we start flooding this reservoir, it will take two years  
25 before we produce the first drop of oil, because it takes

1           that long to repressurize the reservoir, so it is -- this is  
2           not something you can go turn the switch on tomorrow and  
3           have it work.

4                        The other thing, we have to drill a source well  
5           out here for the water. We have to drill a 4 or 5,000-foot  
6           well to pump water into the -- one of the existing wells to  
7           make -- to repressurize the reservoir. So this is not  
8           something that we can turn on tomorrow even if we had a  
9           switch to do that, and this is subject to other priorities  
10          we have. And clearly, there is long-term potential here  
11          and, you know, I don't think that the opposition to this  
12          petition has any substantive argument to dismiss these very  
13          salient points.

14                       CHAIRMAN GRIGGS: Mr. Brooks, are there any  
15          other wells producing into this area on this land into these  
16          batteries?

17                       MR. BROOKS: No.

18                       CHAIRMAN GRIGGS: None?

19                       MR. BROOKS: There hasn't been any production  
20          into these batteries since 2007. Now, we worked on this  
21          well in 2009 and so it's not like we have been sitting on  
22          it. We actually were out here doing something in 2009. Of  
23          course, this is 2012, but --

24                       CHAIRMAN GRIGGS: Have you at any time applied  
25          for secondary recovery?

1                   MR. BROOKS: No, but we have talked to people  
2                   about that, including the ex-oil and gas attorney for the  
3                   board here, Mr. Watson, about that very thing. So, yes, we  
4                   have -- we haven't petitioned yet, but we are -- we know  
5                   what we have to do.

6                   CHAIRMAN GRIGGS: What is the legal basis for  
7                   your maintaining this tank battery in use at this property?

8                   MR. BROOKS: We have abrogated -- there was a  
9                   property lease agreement that required a payment of \$4,000 a  
10                  month -- or a year, rather, and we are not interested. We  
11                  have abrogated that contract. We are also required under  
12                  the terms of the contract to remove the tank battery and  
13                  clean up the site, which we plan to do when we go back out  
14                  there and start work on these --

15                  CHAIRMAN GRIGGS: So short answer, are you  
16                  saying there is no legal basis for you using this property?

17                  MR. BROOKS: At this current time, there is no  
18                  contract. By the terms of the very contract, it's expired  
19                  for nonpayment. We chose not to renew the contract. We  
20                  didn't pay it.

21                  MR. TYRA: And are not using the property?

22                  MR. BROOKS: And not using the property.

23                  MR. LAND: I would like to call it defaulted of  
24                  the contract. They are in breach of the contract right now,  
25                  but that is not an issue here.

1                   CHAIRMAN GRIGGS: Do you have anything further  
2                   of this witness?

3                   MR. LAND: I would like to ask him, Mr. Brooks,  
4                   since you have been involved with these wells since 2009,  
5                   why you have not done anything thus far.

6                   MR. BROOKS: I think I answered that.

7                   MR. LAND: Well, if oil has been over \$100 a  
8                   barrel and now \$90 a barrel, these people have been promised  
9                   things for years, 19 years, and so it's time for him to do  
10                  something --

11                  MR. BROOKS: Well, we will remove --

12                  MR. LAND: -- if he doesn't need the temporary  
13                  abandonment status.

14                  CHAIRMAN GRIGGS: Dr. Tew, do you or the Staff  
15                  have any questions?

16                  DR. TEW: Yes, sir. Mr. Brooks, I do have a  
17                  question for you, and you may have partially answered this.  
18                  But you understand there is a set of proceedings that have  
19                  to go on to unitize this area?

20                  MR. BROOKS: Yes, sir.

21                  DR. TEW: And I think when you were referring to  
22                  commencing operations, you were referring to field  
23                  operations in 2013. I guess my question is: Under what  
24                  time frame are you considering beginning proceedings to  
25                  unitize the area?

1 MR. BROOKS: Obviously prior to that.

2 DR. TEW: When would that be?

3 MR. BROOKS: I would say we could probably do  
4 that at any time, you know, starting now. There is no  
5 reason why we couldn't start the unitization and all that is  
6 required now.

7 MR. TYRA: If we could get the unitization in  
8 place -- and actually, I'm going to ask Mr. Watson to do  
9 that since he's the unitization expert in the State of  
10 Alabama and begin the -- I think you have to consent and  
11 things of that nature which we would be working on, working  
12 toward the first of the year for the actual operations.

13 CHAIRMAN GRIGGS: Mr. Tyra, is it your opinion  
14 that if there were unit operations that included this well,  
15 they would have no right to use this facility on down the  
16 line?

17 MR. TYRA: That is not my opinion right now. It  
18 is my opinion that the contract that we are discussing  
19 actually gives us until November of this year to even worry  
20 about removing that.

21 CHAIRMAN GRIGGS: Does it specifically provide  
22 for that?

23 MR. TYRA: Yes, sir. There is a provision for  
24 the termination by written notice. We have received a  
25 written notice in April of this year. There is a 30-day

1 period if it's not responded to within which the contract  
2 will terminate, and then a six-month period after that date  
3 to remove equipment.

4 MR. LAND: We are in disagreement as to the  
5 contract terms and when it terminated and so forth. And  
6 suffice it to say, we believe they breached the contract and  
7 we will pursue that in another venue. This is not the  
8 appropriate place.

9 CHAIRMAN GRIGGS: I was going to say that is not  
10 before this Board.

11 MR. TYRA: I think we both recognize that is not  
12 in your jurisdiction, right?

13 MR. LAND: We are not asking the Board, of  
14 course, to get involved in that. We are just asking them to  
15 take some action. And there is no reason that they need  
16 this temporary abandonment status for another year if they  
17 are going ahead with the unitization immediately. So  
18 therefore we ask that this matter be tabled or continued or  
19 even dismissed without prejudice.

20 CHAIRMAN GRIGGS: Mr. Pearson.

21 MR. PEARSON: Mr. Brooks -- and I'll remind you  
22 that you are under oath -- do you, as operator of these two  
23 well units that are described in your petition, do you as  
24 operator own or control a hundred percent of the rights to  
25 drill and produce with respect to the oil and gas underlying

1 the lands assigned to the two units?

2 MR. BROOKS: I'm not sure. I don't -- we have a  
3 land department that would know, but I don't know.

4 MR. PEARSON: Mr. Tyra, you have handed up a  
5 questionnaire that you identified in which Mr. Brooks  
6 answered that question yes. Is there a basis for the yes?

7 MR. BROOKS: Well, I don't know. Show me what  
8 you are talking about.

9 MR. PEARSON: The last question on the first  
10 page, the answer yes is given at the top of the second page  
11 that you own or control a hundred percent of the rights to  
12 drill and produce the oil under the lands in the two units,  
13 and I am asking that question now under oath.

14 MR. BROOKS: Yeah, I understand it, and I see  
15 the yes, but I'm going to have to answer I don't -- I'm not  
16 sure.

17 MR. PEARSON: Mr. Tyra, have you by any chance  
18 looked at the title to either of these units?

19 MR. TYRA: I have not. The original units were  
20 drilled in '95; is that correct?

21 MR. BROOKS: Well, we re-leased the properties  
22 and I'm not sure what the terms of those leases were.  
23 Obviously, we had both units put together, and I'm not sure  
24 that, you know, the terms, if they were five-year leases or  
25 three-year leases. We did control those in 1995. I'm just

1 not sure, you know, today whether that is the case with  
2 every lease. You know, sometimes a unit will have a dozen  
3 leases in it, some of them longer terms than others.

4 MR. TYRA: But no, to answer your question, I  
5 have not examined the title.

6 MR. PEARSON: Mr. Brooks, you are aware that in  
7 the field that these wells are located in, the North Excel  
8 Field, that virtually all the wells in that field are at a  
9 point of no longer producing?

10 MR. BROOKS: There is no production in the  
11 field.

12 MR. PEARSON: And what part of the field, of the  
13 North Excel Field are you intending to unitize or include in  
14 the plan of unitization?

15 MR. BROOKS: I correct myself. There may be one  
16 well that is in the North Excel Field that we don't own.  
17 It's called the Ruple or Ripple. It is not completed in the  
18 reservoir that we operate in, but -- it's called the Ruple,  
19 R-U-P-L-E, it's south of us. I have a map here that I would  
20 be happy to show you, but there are about -- and I can maybe  
21 point upside down of the Sections or the Quarter Sections  
22 more correctly. These are Quarter Sections that will be a  
23 part of the unit (indicating).

24 MR. PEARSON: Can you point out the Quarter  
25 Sections and the Sections while you do that?

1 MR. BROOKS: Sure. I can't read upside down the  
2 section. Section 33 and Section 34. This is Section 33.  
3 There are two 160s in 34 and four in 33 that produced all  
4 this oil.

5 MR. PEARSON: And my question is: What part of  
6 the field are you intending to unitize or include in your  
7 plan?

8 MR. BROOKS: That is what I -- that is what we  
9 are going to unitize.

10 MR. PEARSON: Are you familiar with either the  
11 working interest ownership or the royalty ownership in those  
12 areas that you intend to include in the unitization?

13 MR. BROOKS: Yes.

14 MR. PEARSON: And does Delphi or your company  
15 own or control those rights?

16 MR. BROOKS: Not all of them.

17 MR. PEARSON: Are you aware that it requires  
18 approval of two-thirds --

19 MR. BROOKS: Yes --

20 MR. PEARSON: -- of all the working interest  
21 owners?

22 MR. BROOKS: -- I'm aware of that, right, or  
23 they can be forced into the unit, yes, I'm aware of that.

24 MR. PEARSON: Do you have any information as to  
25 the current status of the lease hold title, the oil and gas

1 lease hold title in any of those areas?

2 MR. BROOKS: Again, I'm aware -- it's in my  
3 office, I'm aware of it. There are people that do this.  
4 It's not what I do. And, you know, I can get you answers on  
5 exactly your exact questions and -- but I don't -- I can't  
6 testify that I know everything about what this lease  
7 situation is here because I don't.

8 MR. PEARSON: Okay. Going back to Mrs. Laird's  
9 photograph, did you get a copy of that in front of you?

10 MR. BROOKS: Right.

11 MR. PEARSON: Do you intend to provide -- is  
12 that a pink battery, is that what that is?

13 MR. BROOKS: It's all -- it's just a tank  
14 battery.

15 MR. PEARSON: Do you intend for any part of that  
16 tank battery or facilities to be included in your plan of  
17 unit operations?

18 MR. BROOKS: We are going to move those tank  
19 batteries to probably the Hill or the Jordan Well, but that  
20 is all we are going to do and then we are going to clean the  
21 location up.

22 MR. TYRA: But to answer your question, that  
23 five-acre tract will be in the proposed unit.

24 MR. PEARSON: I guess my question is, would it  
25 be -- I don't mean the underlying minerals, I meant the

1 surface leases.

2 MR. BROOKS: The surface will not be used at  
3 all.

4 MR. PEARSON: Okay.

5 MR. TYRA: Before you go further, let me clarify  
6 one further point, if you don't mind. I said I was going to  
7 ask Mr. Tom Watson to assist with the unitization. I have  
8 not done that and he might be sitting back there with a  
9 shocked look on his face.

10 CHAIRMAN GRIGGS: He is. He's ready, Mr. Tyra.

11 MR. TYRA: Let me clarify that. We have had no  
12 discussions with him concerning that.

13 MR. BROOKS: I have, I have had discussions with  
14 him but it's been a while.

15 CHAIRMAN GRIGGS: Mr. Tyra, do you have anything  
16 further?

17 MR. TYRA: No, sir.

18 CHAIRMAN GRIGGS: Mr. Land, do you have anything  
19 further?

20 MR. LAND: No, sir, I don't have anything  
21 further.

22 CHAIRMAN GRIGGS: Is there a motion on this  
23 docket item?

24 MR. ROGERS: You want to admit this?

25 CHAIRMAN GRIGGS: Mr. Land, would you like for

1           this photograph to be admitted into the record?

2                   MR. LAND: I would, sir. I would appreciate it.

3                   CHAIRMAN GRIGGS: Any objection, Mr. Tyra?

4                   MR. TYRA: No, sir, none at all.

5                   CHAIRMAN GRIGGS: It's admitted into the record.

6                   (Whereupon, (ITEM 4, Laird photograph was  
7                   received into evidence.)

8                   CHAIRMAN GRIGGS: And also, Mr. Tyra, your  
9                   witness provided a map.

10                   MR. TYRA: If that is helpful to anyone, if you  
11                   would --

12                   CHAIRMAN GRIGGS: Would you like to have it  
13                   admitted? Any objection, Mr. Land?

14                   MR. LAND: I have no objection.

15                   CHAIRMAN GRIGGS: No objections. It's admitted  
16                   into the record.

17                   (Whereupon, (ITEM 4) Brooks map was received  
18                   into evidence.)

19                   CHAIRMAN GRIGGS: Is there a petition -- is  
20                   there a motion?

21                   MR. PEARSON: Yes. Mr. Chairman, I move that as  
22                   to the petition of Delphi Oil, Inc. identified as Item 4,  
23                   that we extend the temporary abandonment status for six  
24                   months on a condition that within that six-month time  
25                   period, a petition for unitization be filed with the Oil and

1 Gas Board, and that is the motion.

2 CHAIRMAN GRIGGS: Motion as stated. Is there a  
3 second?

4 MR. LAWLEY: I'll second that.

5 CHAIRMAN GRIGGS: Motion as stated seconded.

6 All in favor, say "aye."

7 MR. PEARSON: Aye.

8 MR. LAWLEY: Aye.

9 CHAIRMAN GRIGGS: Ayes have it. The motion is  
10 approved as stated.

11 MR. TYRA: Thank you.

12 (Brief pause.)

13 CHAIRMAN GRIGGS: Mr. Rogers, Docket No. 15.

14 MR. ROGERS: Yes, sir.

15 CHAIRMAN GRIGGS: If you would call that, we  
16 will make a disposition.

17 MR. ROGERS: Item 15, Docket No. 7-31-12-11,  
18 petition by American Midstream Chatom, LLC requesting the  
19 Board to approve that company as the operator and other  
20 issues related to the Chatom Plant in Washington County,  
21 Alabama.

22 CHAIRMAN GRIGGS: The Board has identified in  
23 its mind a number of issues regarding this item that need to  
24 be pursued by the Staff. And what we intend to do is to  
25 refer this item to the Hearing Officer for hearing

1 immediately following about a ten-minute break. And then  
2 that -- the results of the Hearing Officer will be  
3 incorporated into the record and this item will be continued  
4 for action until the next meeting. Is there a motion to  
5 that effect?

6 MR. TYRA: Before you move, may I ask a question  
7 that just occurred to me?

8 CHAIRMAN GRIGGS: Yeah.

9 MR. TYRA: If in the event that the Hearing  
10 Officer's hearing all the questions are adequately answered  
11 to the Staff, could this be submitted to the Board members  
12 by telephonic meeting or will it have to go forward to the  
13 next meeting?

14 CHAIRMAN GRIGGS: We would continue it to the  
15 next meeting just to have it on the docket, but then we will  
16 review the Hearing Officer's report before the next meeting  
17 and if it's necessary; otherwise, we can dismiss it, but  
18 let's keep it on the docket.

19 MR. TYRA: Very good.

20 MR. SLEDGE: Would --

21 CHAIRMAN GRIGGS: Mr. Sledge.

22 MR. SLEDGE: I'm Jim Sledge. I'm with Foster  
23 Arnold and we are here on behalf of Mississippi Resources,  
24 LLC, which has submitted materials in support of the  
25 American Midstream position. We are the purchaser of the

1 wells that flow into the plant, or most of the wells that  
2 flow into the plant.

3 We have a closing scheduled for the end of this  
4 month. Would we be able to see the report of the Hearing  
5 Officer in order that we could have some confidence as to  
6 that closing before the next scheduled meeting of the Board?

7 CHAIRMAN GRIGGS: And when is your closing, how  
8 many days?

9 MR. SLEDGE: August 28.

10 CHAIRMAN GRIGGS: August 28, you should be able  
11 to have a record of the Hearing Officer report, Mr. Sledge.

12 Mr. Watson.

13 MR. WATSON: Mr. Chairman, I represent Quantum  
14 Resources, the current operator of the plant. I guess my  
15 only comment is I have held a man over for two days here,  
16 didn't have no idea that this was going to be heard. In  
17 fact, I asked that he be heard today so I didn't have to  
18 have him here all week, so --

19 CHAIRMAN GRIGGS: That is exactly why we are  
20 having the Hearing Officer. He will be heard today in a few  
21 minutes, just not by the Board.

22 MR. WATSON: Thank you.

23 CHAIRMAN GRIGGS: Okay. That covers all the  
24 items on the docket. Is there a motion to adjourn?

25 MR. PEARSON: Before that, as to Item 15,

1           petition by American Midstream, Mr. Chairman, I move that we  
2           refer that item to the Hearing Officer to be heard today  
3           immediately after adjournment of the Board.

4                           CHAIRMAN GRIGGS: Motion and a second. All in  
5           favor say "aye."

6                           MR. PEARSON: Aye.

7                           MR. LAWLEY: Aye.

8                           CHAIRMAN GRIGGS: Ayes have it. Now, I will  
9           entertain a motion to adjourn.

10                          MR. PEARSON: Second.

11                          CHAIRMAN GRIGGS: We stand adjourned.

12

13                          (The hearing was adjourned at 12:08 p.m.)

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1 C E R T I F I C A T E

2

3 STATE OF ALABAMA)

4 JEFFERSON COUNTY)

5

6 I hereby certify that the above and foregoing  
7 proceeding was taken down by me in stenotype, and the  
8 questions and answers thereto were reduced to typewriting  
9 under my supervision, and that the foregoing represents a  
10 true and correct transcript of the proceeding given by  
11 said witness upon said hearing.

12 I further certify that I am neither of counsel  
13 nor of kin to the parties to the action, nor am I in  
14 anyway interested in the result of said cause.

15

16

17

18

19 /s/ Teresa Turquitt Davis

20 TERESA TURQUITT DAVIS, CCR, RPR

21 CCR #162, Expires 09/30/12

22 Commissioner for the

23 State of Alabama at Large

24 My Commission Expires: 12/03/12

25

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