

1 STATE OIL AND GAS BOARD OF ALABAMA  
2 TUSCALOOSA, ALABAMA  
3 SEPTEMBER 23, 2014

ORIGINAL

4  
5 Testimony and proceedings before the  
6 Hearing Officer, Marvin Rogers, before the State  
7 Oil and Gas Board of Alabama, University of  
8 Alabama, W. B. Jones Hall, 420 Hackberry Lane,  
9 Tuscaloosa, Alabama, pursuant to adjournment, on  
10 this the 23rd day September, 2014, before Sheri  
11 G. Connelly, RPR, CCR.

12

## 13 APPEARANCES

14 S. Marvin Rogers.....General Counsel  
15 and Hearing Officer  
16 Dr. Berry H. (Nick) Tew, Jr.....Secretary  
17 and Supervisor  
18 Kirk McQuillan.....Deputy Director  
19 Butch Gregory.....Engineer  
20 Elbert Patterson.....Engineer  
21 Bob Roark.....Geologist  
22 April Merritt.....Legal Research Assistant  
23 Ann Arnold.....Geologist

C. E. Pearson

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1                   MR. ROGERS: This hearing is in  
2 session. Dr. Tew, have the items for the  
3 September 23rd and September 25th, 2014,  
4 meetings been properly noticed?

5                   DR. TEW: The items on the September  
6 23rd and the September 25th, 2014, docket have  
7 been properly noticed and the docket is due to  
8 be admitted into the record.

9                   MR. ROGERS: The Board's staff and I  
10 have reviewed -- have received and compiled the  
11 proofs of publication for the items appearing on  
12 the docket for the first time. The proofs of  
13 publication received for the items on the  
14 September 23 and September 25, 2014, docket are  
15 admitted into the record. Furthermore, copies  
16 of the information posted on the website of the  
17 Secretary of State announcing the meetings of  
18 the State Oil and Gas Board of Alabama on  
19 September 23 and September 25, 2014, are also  
20 admitted into the record.

21                   I have an order of the State Oil and  
22 Gas Board appointing me as hearing officer to  
23 conduct this hearing on behalf of the Board.

1 The order will be made a part of the record at  
2 this time.

3 The procedure for the meeting is as  
4 follows: The hearing officer and the staff will  
5 hear the -- will hear certain items on the  
6 docket today, including primarily uncontested  
7 items. The State Oil and Gas Board will hear  
8 the recommendation -- recommendations of the  
9 hearing officer, contested items, and certain  
10 other items beginning on ten o'clock a.m. on  
11 Thursday, September 25, 2014, here in the office  
12 of the State Oil and Gas Board in Tuscaloosa.

13 I will recommend that the following  
14 petitions -- that the following petition be  
15 dismissed:

16 Item 21, Docket Number 9-23-14-09A,  
17 petition by Sklar Exploration Company, LLC.

18 I will recommend that the following  
19 petitions be continued:

20 Item one, Docket Number 6-16-14-03A,  
21 petition by Mississippi Resources, LLC.

22 Item two, Docket Number 6-16-14-04A,  
23 petition by Mississippi Resources, LLC.

1                   Item three, Docket Number 6-16-14-05A,  
2   petition by Mississippi Resources, LLC.

3                   Item four, Docket Number 6-16-14-06A,  
4   petition by Mississippi Resources, LLC.

5                   Item five, Docket Number 6-16-14-12B,  
6   is a petition by Texas Petroleum Investment  
7   Company, Incorporated. We will recommend that  
8   that petition be continued with the stipulation  
9   that the temporary abandoned status for the well  
10   subject to the petition is extended to the next  
11   regularly scheduled hearing of the Oil and Gas  
12   Board.

13                  Item eight, Docket Number 6-16-14-18,  
14   is a petition by Texas Petroleum Investment  
15   Company, Incorporated. Also, we will recommend  
16   that that petition be continued with the  
17   stipulation that the temporary abandoned status  
18   for the Tocumen 1-3 one well, permit number  
19   4060, be extended to the next regularly  
20   scheduled hearing of the State Oil and Gas  
21   Board.

22                  Item ten, Docket Number 8-5-14-07, is  
23   a petition by Black Warrior Methane Corporation.

1 We will recommend that that petition be  
2 continued in stipulation that the temporary  
3 abandoned status and shut-in status for the well  
4 subject to the petition be extended to the next  
5 regularly scheduled hearing of the Board.

6 Item 11, Docket Number 8-5-14-08, is  
7 another petition by Black Warrior Methane  
8 Corporation and we will recommend that that  
9 petition be continued with a stipulation that  
10 the temporary abandoned status and shut-in  
11 status for the well subject to the petition be  
12 extended to the next regularly scheduled meeting  
13 of the Board.

14 The following items we will recommend  
15 be continued:

16 Item 12, Docket Number 8-5-14-09,  
17 petition by Roundtree and Associates,  
18 Incorporated.

19 Item 18, Docket Number 9-23-14-06,  
20 petition by Pruet Production Company.

21 Item 22, Docket Number 9-23-14-10,  
22 petition by Sklar Exploration Company, LLC.

23 Item 23, Docket Number 9-23-14-11,

1 petition by Sklar.

2 Item 26, Docket Number 9-23-14-14,  
3 petition by Hughes Eastern Corporation, and Item  
4 27, Docket Number 9-23-14-15, another petition  
5 by Hughes, so we'll recommend that those  
6 petitions be continued.

7 The following three items are set for  
8 the hearing by the Board on Thursday:

9 Item 6, Docket Number 6-16-14-16,  
10 petition by Pruet Production Company; Item 7,  
11 Docket Number 6-16-14-7, again a petition by  
12 Pruet; and Item 28, Docket Number 7-20-10-07,  
13 which is a motion by the Oil and Gas Board for  
14 S. Lavon Evans to show cause why certain wells  
15 should not be plugged.

16 Are there any corrections or comments  
17 on all of those recommendations?

18 (No response.)

19 MR. ROGERS: All right. Then we will  
20 proceed with the first item, except that Land  
21 and Natural Resources Development, Incorporated,  
22 and Venture Oil and Gas, Incorporated, have  
23 agreed that Fletcher Petroleum Corporation may



1     proceed with its petition. So the first item we  
2     will hear, at least unless there's any objection  
3     to that, we will proceed with Item 14. Is there  
4     any objection to hearing Item 14, petition by  
5     Fletcher Petroleum Corporation, first?

6                                 (No response.)

7                     MR. ROGERS: Then we'll proceed with  
8     that petition. Item 14, Docket Number  
9     9-23-14-02, petition by Fletcher Petroleum  
10    Corporation. Mr. Coleman.

11                    MR. COLEMAN: Mike Coleman for  
12    Fletcher Petroleum Corporation.

13                    Mr. Rogers, this is a petition to  
14    enter an order approving an exceptional 160-acre  
15    wildcat drilling unit for the proposed Pate  
16    14-15 well, said unit to consist of the  
17    southwest quarter of the southeast quarter and  
18    the southeast quarter of the southwest quarter  
19    of Section 14 and the northwest quarter of the  
20    northeast quarter and the northeast quarter of  
21    the northwest quarter of Section 23, Township 3  
22    North, Range 13 East in Conecuh County, Alabama.  
23    The proposed drilling unit is an exception to

1 Rule 400-1-2-.02(2)(b) of the State Oil and Gas  
2 Board of the Alabama Administrative Code, which  
3 requires that a 160-acre drilling unit be  
4 drilled on a governmental quarter section. I  
5 have one witness, who is Mr. Robert Wood.

6 MR. ROGERS: Good to have you with us,  
7 Mr. Wood.

8 MR. WOOD: Thank you, Mr. Rogers.

9 MR. ROGERS: Are you doing all right?

10 MR. WOOD: I appreciate you letting me  
11 use this and not sit at the table today and I  
12 appreciate Mr. Watson and Mr. Tyra letting me go  
13 first, so thank you.

14 MR. ROGERS: Good to have you. Raise  
15 your right hand.

16

17 ROBERT WOOD,  
18 being first duly sworn, was  
19 examined and testified as follows:

20

21 MR. ROGERS: Thank you.

22 MR. COLEMAN: I also appreciate you  
23 letting us go first.

1

2 EXAMINATION BY MR. COLEMAN:

3 Q. Would you state your name for the  
4 record, please?

5 A. Robert Wood.

6 Q. Mr. Wood, what is your occupation?

7 A. I'm a drilling geologist and also a  
8 geophysicist. I am a consulting geologist with  
9 Tom Joiner and Associates.

10 Q. Do you have more than 34 years of  
11 experience and have been recognized as an expert  
12 in geology and geophysics by the Board?

13 A. Yes, I am.

14 Q. And you have a statement of  
15 qualifications on file with them?

16 A. I do.

17 MR. COLEMAN: I ask that he be  
18 recognized as an expert in his field.

19 MR. ROGERS: He's so recognized.

20 MR. COLEMAN: Thank you.

21 Q. (By Mr. Rogers) Mr. Wood, you've been  
22 engaged by Fletcher Petroleum Corporation to  
23 assist in the preparation of exhibits and

1 testimony in this matter, have you not?

2 A. I have.

3 Q. Okay. And you have prepared and/or  
4 directed the preparation of certain exhibits in  
5 connection with this item; is that correct?

6 A. That is correct. I have seven  
7 exhibits and an affidavit.

8 Q. All right.

9 MR. ROGERS: Do you want to handle the  
10 notice, Mr. Coleman? I wrote you a letter on  
11 September 2, 2014, if you want to admit that  
12 directly in your affidavits related to notice.

13 MR. COLEMAN: Yes, there was -- there  
14 are several things that I would like to admit  
15 into the record. One is my affidavit of notice,  
16 which was filed on September 8, and then a  
17 supplemental affidavit of notice pursuant to  
18 your letter where you wanted landowners  
19 identified by quarter quarter section in certain  
20 areas, and submitted with that supplemental  
21 affidavit of notice is an affidavit of ownership  
22 of mineral rights, et cetera, by John B. Ross, a  
23 petroleum landman, which provides that

1 information.

2 MR. ROGERS: All right.

3 MR. COLEMAN: And so I would ask that  
4 those affidavits be admitted into the record.  
5 Also, there is an affidavit of confidentiality  
6 on certain exhibits and we would ask that the  
7 confidential exhibits pursuant to that affidavit  
8 of Mr. Wood be treated as confidential in  
9 accordance with Alabama law.

10 MR. ROGERS: All right. The affidavit  
11 of notice is admitted. Your supplemental  
12 affidavit of notice, the affidavit of John Ross,  
13 petroleum landman, and the affidavit of  
14 confidentiality, all of those would be -- these  
15 will be A, B, C, D, and then my letter to you,  
16 Mr. Coleman, will be E. Do you also want to  
17 admit the affidavit of Mr. Wood now too?

18 MR. COLEMAN: Yes, I would like to --  
19 I would like to admit the affidavit of testimony  
20 of Mr. Wood as well as his affidavit of  
21 confidentiality.

22 MR. ROGERS: All right. That will  
23 be -- that will be Exhibit F, so the affidavit

1 of Mr. Wood would be Exhibit F.

2 MR. COLEMAN: I would also like to  
3 admit into the record, since we're doing this at  
4 this point, a letter from Benjamin Y. Ford of  
5 the Armbrecht Jackson firm in Mobile  
6 representing Sklar Exploration, LLC, in support  
7 of this matter, the letter dated September 10,  
8 2014.

9 MR. ROGERS: Do you have a copy of  
10 that, Mr. Coleman?

11 MR. COLEMAN: I do. The letter was  
12 written to you but I don't have an extra copy  
13 but I have the -- I have a copy in my file. Do  
14 you need it right now?

15 MR. ROGERS: Yeah, if you have it.

16 MR. COLEMAN: Okay.

17 MR. ROGERS: That's admitted. That  
18 will be -- let's see, take your time -- that  
19 will be Exhibit G. That letter will be Exhibit  
20 G. All those items are admitted, A through G.

21 MR. COLEMAN: All right, sir. Are you  
22 ready to proceed?

23 MR. ROGERS: Ready to proceed.

1           Q.     (By Mr. Coleman) Mr. Wood, in  
2     connection with the exhibits which you prepared,  
3     will you turn to those and let's just go through  
4     them for the staff? Look at Exhibit Number 1.

5           A.     Certainly.

6           Q.     Describe what that is.

7           A.     Exhibit Number 1 is a location map  
8     showing the location of this proposed wildcat  
9     well in Conecuh and Escambia County. It's near  
10    the Escambia County line in the extreme  
11    southeastern extension of Conecuh County. It is  
12    located approximately four miles southeast of  
13    the Brooklyn Field and it is shown on this  
14    exhibit with a red circle and the yellow and  
15    green box showing the proposed unit. This  
16    location is in the southern portion of Section  
17    14 and the northern portion of Section 23,  
18    Township 3 North, Range 13 East.

19                   I'd like to point out that this --  
20    this is the wildcat prospect. It being four  
21    miles southeast of the Brooklyn Field, it's not  
22    expected to be an extension or contiguous  
23    production of the Brooklyn Field, and I would

1     like to point out that there are two dry holes  
2     that have been drilled between this location and  
3     the Brooklyn Field. Fletcher drilled the  
4     McMillan 15-4 well, state permit number 16604.  
5     That well was nonproductive and had tight  
6     Smackover. Malatex also drilled the Johnson  
7     12-4 number one well, state permit number 11119,  
8     in the northern part of Section 12. Both of  
9     these are in the same township and neither one  
10    were successful tests.

11                 This is a separate and distinct  
12    structure and prospect from any -- any other  
13    fields, as well as also located about four or  
14    five miles west of the Mobley Creek Field. I  
15    did the regulatory work for Smacko and that  
16    was -- or Long Leaf when that was done. That's  
17    Haynesville sand and that's small and isolated  
18    and in no way in connection with this  
19    prospect.

20                 Q. All right, sir. If you would look at  
21    Exhibit Number 2. Identify that.

22                 A. Exhibit Number 2 is our area map and  
23    it better shows the irregular drilling unit that



1 we are requesting today. The proposed Fletcher  
2 Pate 14-15 well is shown located with the  
3 bottomhole location being the red circle with  
4 the yellow highlighted circle. The surface  
5 location is the small square that's located  
6 north northwest of the bottomhole location. The  
7 proposed irregular drilling unit is outlined in  
8 the green and yellow dashed line. That drilling  
9 unit is irregular in -- in two different  
10 orientations, north south -- the northern part  
11 is in one section and the southern part of the  
12 proposed unit is in another section, and the  
13 western portion is in the west half of two  
14 sections and the eastern portion of this unit is  
15 in the eastern half. So it's in regular  
16 drilling unit that we're requesting both north  
17 south and east west.

18 As you can see that the proposed  
19 bottomhole location is extremely close to the  
20 section line. The optimum location, we'll show  
21 you with other exhibits, happened to be only 50  
22 feet north of the section line, which would be  
23 an extreme location and so we didn't believe

1     that it would work requesting this on the  
2     40-acre wildcat drilling unit because it was  
3     still an extreme location. We're requesting  
4     this unit to consist of the southeast of the  
5     southwest and the southwest of the southeast of  
6     Section 14 and the northeast of the northwest  
7     and the northwest of the northeast of Section  
8     23.

9             The -- there's also a well proposed  
10    location that's immediately to the east  
11    southeast of this. That's the Sklar CCL&T,  
12    Cedar Creek Land and Timber, 23-1 well. That is  
13    a permit that is pending that has been received  
14    by the Board and we have a copy of that permit  
15    application that we would like to make that a  
16    part of the record. But I also represent Sklar  
17    and as a matter of fact, Sklar owns an interest  
18    in this proposed Pate 14-15 well. They own a  
19    working interest or a drilling interest in this  
20    unit and Sklar did a 3-D survey that Fletcher  
21    participated in so they both have ownership of  
22    the 3-D survey that I'll be testifying about in  
23    a moment but this prospect was developed and

1 both wells were considered. However, the Sklar  
2 23-1 well could be drilled on a -- on a wildcat  
3 40-acre drilling unit in that the bottomhole  
4 location was not closer than 330 feet from any  
5 offset unit boundary and so it was decided to  
6 permit that well on 40-acre spacing.

7 The plan for development with the  
8 Sklar unit, if successful, was for contiguous  
9 units. In other words, the 160-acre unit for  
10 the Sklar well would be immediately to the east  
11 of the proposed irregular unit for the Pate well  
12 in that that the unit would be -- they wouldn't  
13 be stair-stepped down or no island acreage or no  
14 irregular spacing is planned for this  
15 proposed -- these two proposed wildcat wells.

16 The unit that would be requested that  
17 we were considering consisted of the northeast  
18 of the northeast of -- let's see, the northeast  
19 of the northeast Section 23, the southeast of  
20 southeast of Section 14, the southwest of the  
21 southwest of Section 13, and the northwest of  
22 the northwest of Section 24, and so that  
23 would -- we wouldn't -- we're not proposing any

1 discontinutious units with this proposed  
2 development plan.

3 Q. All right, sir, if you will turn to  
4 Exhibit Number 3.

5 A. Exhibit Number 3 is a copy of the  
6 structure map. The datum for this is from the  
7 3-D seismic survey, this structure has drawn the  
8 contours of two-way seismic time. The contours  
9 are in time. I would like to point out that the  
10 scale of this map is -- it's a larger scale.  
11 This is one inch to 1,000. The previous exhibit  
12 was one to 2,000. The contour interval for this  
13 is one millisecond and what this shows, again,  
14 is the bottomhole location with the same symbol,  
15 the red circle with yellow highlight, and the  
16 proposed irregular drilling unit, the 160-acre  
17 drilling unit, is the green and yellow dashed  
18 line.

19 The structure here is an east west  
20 trending anticline. The location is at the  
21 highest structural point, the 2.425 second  
22 contour, and it is located just south of an area  
23 of steeper structural dip. In fact, the --

1     where the contour lines converge, it runs across  
2     this just to the north of this location in the  
3     east west orientation and so this proposed  
4     location is -- is south of that and that can be  
5     explained more with some of the subsequent  
6     exhibits.

7                 The bottomhole location is south of  
8     the surface location, and in other words,  
9     this -- this highest structural point is -- is  
10    not only the optimal location, it's the location  
11    that the operators want to drill and are wanting  
12    to drill a directional well to make sure that  
13    they -- that they hit that point and also to  
14    the -- to the east you can see the location for  
15    the Cedar Creek Land and Timber, 23-1 number one  
16    well. That's the one that has a permit pending.  
17    It's also at a higher structural position on  
18    this structure and so the location is also  
19    moved -- for the Pate well is moved to the west  
20    because of the proximity of the two proposed  
21    locations for the most efficient economic  
22    drainage.

23                 Without drilling this optimum

1 location, it would leave attic oil and because  
2 this prospect is for an area of a microbial  
3 buildup or a thrombolite is what we're looking  
4 for and that would be in an area that if we  
5 didn't drill the highest structural position,  
6 there could be strata or a stratum that wouldn't  
7 be penetrated or connected to a well that was  
8 not an optimum location and perhaps it couldn't  
9 be drained, so it's paramount that we get -- not  
10 leave any attic oil and we also intercept the  
11 highest portions of the Smackover microbial  
12 buildup here.

13 Q. All right, sir. You also prepared  
14 some confidential seismic exhibits; is that  
15 correct?

16 A. That is correct.

17 Q. These are Exhibits 4 through 6.

18 If you would, would you turn to  
19 Exhibit Number 4, confidential exhibit, and  
20 describe that for the staff?

21 A. Exhibit Number 4 is called a seismic  
22 data map. This has the same structure as I just  
23 testified to with Exhibit Number 3 but it also

1 shows the location of the lines and traces for  
2 the 3-D seismic survey, which is the basis for  
3 the structure map; the proposed irregular unit  
4 shown, same symbol as the bottomhole location,  
5 and this shows the north south orientation of  
6 line -- arb line two, which is the most  
7 important because that will show the  
8 relationship of the bottomhole location to the  
9 south or the unit line or the section line just  
10 south of the well, which would be the resultant  
11 extreme exceptional location. It also shows an  
12 east west arb line, arb line one.

13 Arb line one is the next exhibit,  
14 which is Exhibit 5. Arb line two is the -- is  
15 Exhibit 6 and I would like to point out when  
16 you're looking at this map that the arb line two  
17 extends south to the Pruet and Hughes T.R.  
18 Miller mill well located in the southern portion  
19 of Section 23 and we'll reference that when  
20 we -- when we get there, so I believe that's --  
21 let's now turn to Exhibit Number 5.

22 Q. Okay. Exhibit Number 5.

23 A. Exhibit Number 5 is arb line one,

1     which is pretty much an east west line running  
2     along the axis of the anticline that I testified  
3     to in Exhibit 3. This shows a portion of the  
4     proposed drilling unit on the left-hand portion  
5     of this arb line. West is to the left and east  
6     is to the right. The proposed Pate 14-15 well  
7     is shown with a red symbol and the vertical  
8     wellbore tract, it shows that three horizons  
9     have been labeled. There's a Buckner marker  
10    that's in blue, Smackover top is the magenta or  
11    purple color, and the basement is in red and it  
12    shows that the proposed Pate well is on the  
13    western side of that structural high that's in  
14    the proposed irregular unit. It also shows the  
15    Sklar well that's in the process of being  
16    permitted, the 23-1 well, which will intercept  
17    a -- a second structural high to the east of the  
18    Pate well.

19               Note that the top of the -- below the  
20    top of the Smackover, the Smackover here is --  
21    is a strong peak and there's a double peak here  
22    in comparison with the next line of how that  
23    looks in other areas. So this is just simply



1 along the axis and shows the relationship of  
2 this proposed Pate well and the irregular unit  
3 to the Sklar 23-1 well.

4 If you would now turn to the second  
5 arb line, which is arb line two. The south is  
6 on the left, north is on the right. The  
7 proposed Pate well is shown on the right with  
8 the red symbol and the red circle. To the south  
9 is the T.R. Miller well that was drilled by  
10 Pruet and Hughes and on this arb line, I've  
11 labeled the Buckner marker in blue again, the  
12 top of Smackover is the red or the magenta  
13 color, the purple color, and then the basement  
14 is the red color.

15 And if you would, start on the left  
16 and notice the -- at the Miller well, the  
17 Smackover, there was only one large peak at that  
18 point and then moving to the north is where we  
19 abruptly move on to the area we hope that is a  
20 microbial buildup or mound there and we have  
21 continuing gaining structure with south dip up  
22 to the Pate well -- the 14-5 well.

23 And then to the north we lose that

1 double couplet or double peak there to the north  
2 and it's not as abrupt along this arb line and  
3 if you refer back to Exhibit 4 and look just  
4 north of the well where this arb line, the  
5 contours east and west of this arb line converge  
6 and are very closely spaced and make the dark --  
7 dark band, which makes it hard to see the  
8 contours. It just so happened just due north of  
9 this well they're spread out and that moving off  
10 of the buildup is not as -- as prominent there,  
11 it's more of a ramp and -- and that's what's  
12 shown on -- on this exhibit starting at about  
13 trace 5230 is where that would occur.

14 But also please note the red --  
15 vertical red line for the wellbore of the Pate  
16 14-5 well. Moving the location any further  
17 north or north away from the section line, you  
18 would -- we would lose structural position  
19 and -- and the Smackover -- this buildup would  
20 come thinner, so moving away from the optimum  
21 location would be very undesirable because we  
22 would have attic oil and perhaps there are upper  
23 Smackover strata there that we would not

1 encounter with a well that was drilled at a  
2 regular location on a 40 or any further to the  
3 north. So that is the reason for the extreme  
4 location which precipitated the need for this  
5 irregular unit.

6 Q. Okay. And finally Exhibit Number 7?

7 A. Exhibit Number 7 is a copy of the  
8 survey plat that was prepared by Engineering  
9 Service for this well. It was signed by Russell  
10 McDill and this plat we're just showing as  
11 accompanying the permit application for this  
12 well shows the irregular drilling unit with 40  
13 acres from four separate governmental 40s and  
14 once again, this irregular unit would be the  
15 southeast of the southwest and the southwest of  
16 the southeast of Section 14, the northeast of  
17 the northwest and the northwest of the northeast  
18 of Section 23, and all in Township 3 North,  
19 Range 13 East. It also shows the distance that  
20 the surveyors have. It shows that the  
21 bottomhole location is 50 feet off of the south  
22 section line and it also shows the bottomhole  
23 location being 2,020 feet from the east section

1 line. So this is the optimum location to drill  
2 this for efficient and economic drainage of this  
3 unit and the prospect area, also considering the  
4 other offset wildcat well too.

5 Q. All right, sir. In your professional  
6 opinion, would the granting of this petition  
7 prevent waste as that term is usually defined  
8 and used by the Alabama Oil and Gas Board,  
9 protect the code of equal and correlative rights  
10 of all owners, and avoid the drilling of  
11 unnecessary wells?

12 A. Yes, it will.

13 Q. Is it your professional opinion that  
14 this is the optimum geological location to drill  
15 this well?

16 A. It is.

17 Q. And is it your professional opinion  
18 that this potential reservoir is not in  
19 communication with any other field in the area?

20 A. That is correct.

21 Q. Is it your professional opinion that  
22 the configuration of this unit, as well as the  
23 proposed configuration of the Sklar unit if it

1 goes forward, would be the best use of land and  
2 geological resources in this area?

3 A. Yes, it -- yes, it will.

4 MR. COLEMAN: I tender Mr. Wood to the  
5 staff for any questions.

6 MR. ROGERS: The only question I have  
7 is we have a -- we've got a petition set for  
8 Thursday and it's -- it has to do with Allen  
9 acreage in between the Brooklyn Field and the  
10 Little Cedar Creek Field. I guess would you --  
11 would you discuss or clarify, Mr. Wood, why you  
12 think this is separate and won't be a part of  
13 one of those fields and I guess the most likely  
14 one would be the Brooklyn Field to the  
15 northwest? What is the evidence to support  
16 that?

17 MR. WOOD: Well, as a geologist, I'm  
18 optimistic. I hope this is a large field but  
19 having reviewed the 3-D seismic in this area,  
20 this prospect is for an isolated buildup area,  
21 an isolated structure that's not contiguous with  
22 Brooklyn. As I pointed out earlier, there were  
23 two dry holes that had been drilled in proximity

1 or close between this well and the Brooklyn  
2 Field and the Smackover there is noncommercial.  
3 It's not as tight. It's a matter of -- it's not  
4 a matter that it produced water, it's not going  
5 to produce anything, and that's part of this  
6 prospect.

7 We're looking at the structure but the  
8 structure when we have this -- this morphology  
9 in the Smackover, that typically means porosity  
10 and permeability, which is paramount. So this  
11 looks like an isolated structural event and it's  
12 not -- it doesn't continue to any of the known  
13 fields to the north or to the east.

14 MR. ROGERS: Did you have an  
15 opportunity to see the logs in those two wells,  
16 the ones that you're discussing?

17 MR. WOOD: I have. I have the logs  
18 for the -- for the Fletcher well. The other one  
19 I've just seen a report from and I also have the  
20 core information and I -- I have those in my  
21 office. I don't have them with me.

22 MR. ROGERS: The only other point is  
23 that you testified that this would be the most

1     effective and efficient unit or drainage or  
2     something to that effect but your request is  
3     only for a drilling unit, so that will be  
4     determined at a later date --

5                 MR. WOOD:   That is right.

6                 MR. ROGERS:  -- in a petition to set  
7     up a field.

8                 MR. WOOD:   Absolutely.  Once we have  
9     the -- have the tests and know that these are  
10    commercial wells, we understand that we will  
11    have to come back for production units and  
12    justify those wells.

13                MR. ROGERS:  All right.  Anything  
14    else?

15                         (No response.)

16                MR. ROGERS:  All the exhibits are  
17    admitted.  This was Exhibits 1 through 7.  The  
18    confidential exhibits were admitted so we have  
19    the original of those and we'll return the other  
20    confidential exhibits.  Thank you, Mr. Wood,  
21    appreciate you being here.

22                MR. WOOD:   Thank you.

23                MR. ROGERS:  Anything else,

1 Mr. Coleman?

2 MR. COLEMAN: No, the only thing I  
3 just would point out that Mr. Jack Hart is here.  
4 He's one of the landowners in this proposed  
5 unit. He's here with his son-in-law to visit  
6 and just observe and I just wanted to recognize  
7 him.

8 MR. ROGERS: What's his last name?

9 MR. COLEMAN: Hart, H-A-R-T.

10 MR. ROGERS: Mr. Hart, you're welcome  
11 to -- anything you want to say? You're welcome  
12 to address the hearing officer, the state  
13 geologist, and the staff.

14 MR. HART: No, I'd just like to say --

15 MR. ROGERS: You need to come to the  
16 podium up here, come to the microphone.

17 State your name and address, sir.

18 MR. HART: Jack T. Hart -- Jack T.  
19 Hart, 4418 Brooklyn Road, Andalusia, Alabama.

20 MR. ROGERS: Anything you want to say?

21 MR. HART: Yes, I would like to say I  
22 wish my grandparents would have lived to see it.  
23 I'm the fifth generation it's been passed to, me



1     and my brothers.

2                   MR. ROGERS:   You're in the proposed  
3     unit, I assume, Mr. Coleman; is that right?

4                   MR. COLEMAN:   That's correct, he and  
5     his brother.

6                   MR. ROGERS:   We hope you get a  
7     successful well.

8                   MR. HART:    I certainly do too.  
9     Appreciate it, we've enjoyed it.

10                  MR. ROGERS:   Thank you.

11                  MR. COLEMAN:   Thank you, Mr. Hart.

12     Mr. Rogers, just one other thing, Mr. Wood  
13     mentioned the information about the Sklar permit  
14     that had been sent here to the staff and we'd  
15     like to make this part of the record also if we  
16     could.

17                  MR. ROGERS:   So they have filed a  
18     permit application?

19                  MR. COLEMAN:   Yes, this is just a copy  
20     of what was sent.

21                  MR. ROGERS:   All right.   That will be  
22     admitted as Exhibit 8.

23                  MR. COLEMAN:   Thank you very much.

1 DR. TEW: There's the confidential  
2 exhibits if you want to put those up.

3 MR. ROGERS: The staff will review the  
4 evidence and make a recommendation to the Board.  
5 Thank you.

6 MR. COLEMAN: Thank you.

7 MR. ROGERS: The next item then are  
8 the -- back to the beginning of the docket is  
9 Item 9, Docket Number 8-5-14-06A, petition by  
10 Land and Natural Resource Development,  
11 Incorporated.

12 MR. COLEMAN: Thank you, gentlemen.

13 MR. WATSON: Mr. Rogers, I have one  
14 witness, I'd like to have him sworn in, please,  
15 before he's seated.

16 MR. ROGERS: State your name and  
17 address.

18 MR. HAMMONS: Robert Hammons, 11711  
19 Gate Circle East, Theodore, Alabama.

20 MR. ROGERS: Raise your right hand.

21

22 ROBERT W. HAMMONS,

23 being first duly sworn, was

1                   examined and testified as follows:

2

3                   MR. WATSON:   Mr. Rogers, this is a  
4   petition by Land and Natural Resource  
5   Development, Incorporated, asking the Board to  
6   extend the temporary abandonment status of the  
7   R.J. Newman 21-11 well located on a 160-acre  
8   unit consisting of the southwest corner of  
9   Section 21, Township 1 South, Range 1 West,  
10   Mobile County, Alabama, in the Turnerville  
11   Field.

12

13   EXAMINATION BY MR. WATSON:

14               Q.    Mr. Hammons, you are a petroleum  
15   engineer; is that correct?

16               A.    That is correct.

17               Q.    And you have on file here an affidavit  
18   of your qualifications as a petroleum engineer?

19               A.    That's correct.

20               Q.    Are you familiar with the R.J. Newman  
21   21-11 well that I've just described?

22               A.    Yes, I am.

23               MR. WATSON:   I tender Mr. Hammons as

1 an expert petroleum engineer for giving  
2 testimony in this item, Mr. Rogers.

3 MR. ROGERS: He's so recognized.

4 Q. (By Mr. Watson) Mr. Hammons, I have  
5 handed up to the staff an affidavit of testimony  
6 that you prepared in connection with this well  
7 but what I want to do with you this morning is  
8 to supplement that affidavit of testimony with  
9 your testimony here today to give the staff a  
10 chance to answer or to ask any questions and you  
11 a chance to answer those questions about this  
12 well.

13 This well has been temporarily  
14 abandoned for some time. The history of this  
15 well is stated in the petition. Would you tell  
16 Mr. Rogers and the members of the staff about  
17 your plans for this well and why we're asking  
18 for the extension of the temporary abandonment  
19 status?

20 A. The Newman 21-11 well was drilled in  
21 1985, conventionally cored. It has 63 feet of  
22 net pay and two different intervals of lower  
23 Smackover. The lower interval was completed

1 initially, very weak acid job, under performed.  
2 It's my opinion that there are remaining  
3 reserves left with this interval.

4 The upper interval, there's 18 feet of  
5 net pay that has not been perforated. That net  
6 pay is defined by logs and 13-and-a-half feet of  
7 the 18 feet is confirmed by conventional core  
8 drilling. So we're really looking at two  
9 targets here of a previously tested Smackover  
10 zone and an untested Smackover zone and due to  
11 the depth involved, the upper 18 feet, the well  
12 was -- let me back up one second.

13 The well was re-entered in 2005  
14 unsuccessfully. The operator got within 120  
15 feet of the original perforations and basically  
16 did not make progress, had financial problems,  
17 and ceased operations. What we're trying to do  
18 is find someone to come in, sidetrack the well,  
19 test the lower zone, and in addition test the  
20 upper zone. So we feel that there's a --  
21 there's substantial remaining potential here.  
22 The idea is to move forward to find a group that  
23 would come in and put up the capital to conduct

1 the sidetrack operation.

2 MR. WATSON: Mr. Rogers, I think we  
3 moved -- maybe I didn't accept Mr. Hammons as an  
4 expert petroleum engineer for giving testimony  
5 in this item.

6 MR. ROGERS: We did.

7 MR. WATSON: Oh, you did?

8 MR. ROGERS: I'll state it again that  
9 he can testify as an expert.

10 MR. WATSON: That's fine. That's  
11 fine.

12 Q. (By Mr. Watson) Now, Mr. Hammons, so  
13 your role in this is to try to avoid the  
14 premature plugging of this well and lose this  
15 area that you feel like can be properly tested  
16 with a sidetrack well; is that right?

17 A. That is correct. We feel that if  
18 the -- if the well is permanently plugged, we  
19 will never have the opportunity to test the  
20 upper zone because the standalone economics of  
21 the upper zone, although they're decent, we  
22 don't think will allow us to bring someone in  
23 to -- to spend the six million dollars to build

1 a new well.

2 Q. Mr. Rogers, on September 9 I sent you  
3 a letter at your request explaining something  
4 about this well and the structure and this log  
5 that Mr. Hammons has just testified to.  
6 Attached to that letter are three plats. You  
7 are familiar with these plats that are the  
8 structure map and the log that you have just  
9 testified to; correct?

10 A. That's correct.

11 MR. WATSON: I want you to make the  
12 letter to you on September 9 a part of this  
13 record because of the attachments there,  
14 Mr. Rogers, if you would, please.

15 MR. ROGERS: That is admitted as  
16 Exhibit 1.

17 Q. (By Mr. Watson) Now, Mr. Hammons,  
18 because of the longevity of this well and having  
19 been drilled as you previously stated in 1985,  
20 would you give Mr. Rogers and the staff the time  
21 table that you have in mind for trying to test  
22 this additional zone?

23 A. What we hope to do is to bring a group

1     in to provide the capital to do the sidetrack  
2     operation and we hope to have that money raised  
3     within the next six months and commence  
4     operations within 60 days after that point. So  
5     hopefully by mid-summer, early summer next year,  
6     we hope to have this well moving forward.

7           Q.     Just as Mr. Rogers asked the question  
8     about an item that's coming up on Thursday,  
9     isn't -- isn't it true that there is a lot of  
10    activity going on in Mobile County now with the  
11    Hatters Pond unit and with the Chunchula unit?

12          A.     That's correct. It's my understanding  
13    that both fields have been sold and one thing  
14    that we hope to do is to approach a new operator  
15    with this -- with this project and try to get  
16    them interested.

17          Q.     That new operator being a company that  
18    will take over one or both of those units I just  
19    mentioned, Hatters Pond and Chunchula?

20          A.     That's correct.

21          Q.     Do you plan to take this prospect to  
22    any of the forums in Houston such as NAPE?

23          A.     Yes, we do. Our idea is to try to



1 market it to companies that are currently  
2 exploring in Alabama and if need be, show the  
3 prospect in the February of 2015 North American  
4 Prospect Expo in Houston.

5 Q. And you will be handling that?

6 A. I will be part of that, yes, sir.

7 Q. All right, sir. In your opinion,  
8 Mr. Hammons, would the granting of this  
9 petition -- the granting the extension of  
10 temporary abandonment status for R.J. Newman  
11 21-11 well prevent waste as that term is defined  
12 in the Oil and Gas laws of Alabama?

13 A. Yes.

14 Q. It will also give you an opportunity  
15 to complete this well if it could be completed  
16 and that would protect the correlative rights of  
17 the mineral owners in the unit, would it not?

18 A. That's correct.

19 Q. One particular lessor in this area has  
20 expressed his desire to see that this item would  
21 go forward with a temporary abandonment status  
22 and that's Lowell Friedman, who is a majority  
23 royalty owner in the Hatters Pond Field, which

1 is nearby; is that right?

2 A. That's correct.

3 MR. WATSON: Mr. Rogers, receive into  
4 the record of this hearing a prefiled affidavit  
5 of testimony of Mr. Hammons, please.

6 MR. ROGERS: The affidavit of  
7 testimony is admitted as Exhibit 2.

8 MR. WATSON: And I submit him to you  
9 and the rest of the staff for any questions you  
10 have.

11 MR. ROGERS: Mr. Patterson, do you  
12 have a question about the questionnaire?

13 MR. PATTERSON: Yes, Mr. Hammons, on  
14 your questionnaire, you said the operator's  
15 agent is releasing all the interest in the unit.  
16 Could you give us an update on where that  
17 stands?

18 MR. HAMMONS: Yes. Seventy-five  
19 percent of the leasehold has been committed  
20 by -- there are two groups that control 75  
21 percent and the agreement has been reached.  
22 There are -- 25 percent of the minerals are  
23 controlled by a group of small owners. That's

1     going to take some time to clean up. We wanted  
2     to get the two large owners under lease to begin  
3     with, so that's currently taking place.

4                 MR. ROGERS: So you have 75 percent of  
5     the unit under lease, is that what you said?

6                 MR. HAMMONS: It's been committed to.  
7     I'm not sure if the leases have actually been  
8     signed yet but this is all recent activity.

9                 MR. WATSON: I think that those leases  
10    are in the hands and I'm not positive but I  
11    think they've been signed, Mr. Rogers. I think  
12    that's the reason Mr. Friedman called me this  
13    week to express his support. He would be one of  
14    the major signers.

15                MR. ROGERS: Anything else,  
16    Mr. Watson?

17                MR. WATSON: I'm going to ask  
18    Mr. Hammons one other question.

19                Q.     (By Mr. Watson) Mr. Hammons, is this  
20    wellbore for the Newman well, is it in a safe  
21    condition -- safe and would not be a threat to  
22    the environment if this temporary abandonment is  
23    extended?

1           A.     Yes, following operations in 2006 by  
2     Energy Recovery, the wellbore integrity was  
3     established. The well was left and -- with a  
4     PH-6, 2 and 7/8 inch work string unit. It  
5     buttoned up the wellhead. It was pressure  
6     tested -- the casing was pressure tested before  
7     it was temporarily abandoned.

8                   MR. WATSON: That's all I have,  
9     Mr. Rogers.

10                  MR. ROGERS: All right. We note this,  
11     of course, that if we don't have all the leases,  
12     that means you need to force pool this  
13     interest -- the outstanding interest.  
14     Otherwise, your OGB2 would not be valid and I  
15     recall that that's -- this has been force pooled  
16     before, maybe two years ago.

17                  MR. WATSON: Yes, that's correct,  
18     yes.

19                  MR. ROGERS: But no operations have  
20     taken place since then?

21                  MR. WATSON: We would be premature  
22     filing a force pooling until this cleanup  
23     leasing program is completed so that we would

1 know exactly who we would be force pooling, if  
2 that becomes necessary.

3 MR. ROGERS: I don't know if it would  
4 be premature, Mr. Watson, because right now --  
5 let's just take a -- let's take a brief recess,  
6 so we're in recess.

7

8 (Whereupon, a discussion was held off  
9 the record.)

10

11 MR. ROGERS: Anything else,  
12 Mr. Watson?

13 MR. WATSON: That's all we have.

14 MR. ROGERS: Any more questions from  
15 the staff?

16 (No response.)

17 MR. ROGERS: The staff will review the  
18 evidence and make a recommendation for the  
19 Board.

20 MR. WATSON: Thank you.

21 MR. ROGERS: The next item then will  
22 be Item 13, Docket Number 9-23-14-01, petition  
23 by Venture Oil and Gas, Incorporated. If you

1 will identify your name and address yourself,  
2 Mr. Tyra.

3 MR. TYRA: I will do so. Mr. Rogers,  
4 I am John Tyra from here in Tuscaloosa appearing  
5 on behalf of Venture Oil and Gas, Inc. I have  
6 one witness that needs to be sworn in, please.

7 MR. ROGERS: State your name and  
8 address.

9 MR. HANBY: Ken Hanby, Tuscaloosa,  
10 Alabama.

11 MR. ROGERS: Raise your right hand.

12

13 KEN HANBY,  
14 being first duly sworn, was  
15 examined and testified as follows:

16

17 MR. ROGERS: Thank you.

18 MR. TYRA: Mr. Rogers, Docket  
19 9-23-14-01 is a request by Venture Oil and Gas,  
20 Inc., to establish a new gas field in Monroe  
21 County, Alabama. We're proposing the name of  
22 Northeast Goodway Gas Field. We're asking that  
23 special field rules be adopted, that fuel limits

1 be set up, that the upper Smackover gas pool be  
2 defined, and that the drilling unit for the well  
3 be approved as a production unit for the well.

4 As a -- as a little history -- well,  
5 before that, let me -- I have prefiled an  
6 affidavit of notice in this matter. Let's go  
7 ahead and make that part of the record if that's  
8 all right with you, sir.

9 MR. ROGERS: The affidavit of notice  
10 is admitted.

11 MR. TYRA: All right, sir.

12 The subject well is the Andress 13-4  
13 number one well, which is permit number 16722.  
14 In October of 2012, Venture drilled that well  
15 and completed in the Smackover oil pool.  
16 Thereafter in May of 2013, this Board set up the  
17 field rules for the Northeast Goodway Field to  
18 deal with that oil well. Unfortunately, the oil  
19 well was not -- was a poor well and it was  
20 depleted pretty quickly, so Venture recompleted  
21 the very same well as a wildcat gas condensate  
22 well and has encountered gas condensate on the  
23 exact same unit that we had the first well on.

1     So we're coming before you now to ask for the  
2     Northeast Goodway Gas Field to deal with the gas  
3     production that used to be oil production.  Is  
4     that clear enough?

5

6     EXAMINATION BY MR. TYRA:

7             Q.     Mr. Hanby, are you familiar with the  
8     petition filed in this matter?

9             A.     Yes, sir, I am.

10            Q.     And you have prepared exhibits in  
11     support of this petition; is that correct?

12            A.     Yes, I have ten exhibits.

13            Q.     You've also testified when the  
14     Northeast Goodway Field was established; is that  
15     correct?

16            A.     That's correct.

17            Q.     All right, sir.  And you have  
18     testified many, many times before this Board; is  
19     that correct?

20            A.     Yes, sir, I have testified here a  
21     number of times.

22            Q.     And your affidavit is on file -- your  
23     affidavit of qualifications is on file, you've



1     been recognized as an expert in your field; is  
2     that correct?

3           A.     Yes, sir, that's correct.

4           Q.     You are a petroleum engineer; right?

5           A.     Yes, sir.

6           Q.     And you're also a log analyst; is that  
7     correct?

8           A.     Yes, sir.

9                   MR. TYRA: All right, sir. I'd ask  
10    that Mr. Hanby be recognized as an expert to  
11    testify in this matter.

12                  MR. ROGERS: He's so recognized.

13           Q.     (By Mr. Tyra) Mr. Hanby, if you  
14    would, turn to your first exhibit in support of  
15    the petition and explain what that shows,  
16    please.

17           A.     Yes, sir, Exhibit Number 1 is a  
18    location map showing the proposed Northeast  
19    Goodway Gas Field and that is shown with the red  
20    circle around the well, the Andress 13-4 number  
21    one well, the outline of the 160-acre drilling  
22    unit, and we're proposing the production unit  
23    and the field limits are established shown by

1 the yellow highlight around it and this exhibit  
2 also shows the Goodway Field, the Northwest  
3 Goodway Field, and to the south, the Vocation  
4 Field.

5 Q. All right, sir. And your Exhibit 2,  
6 please?

7 A. Exhibit 2 is a closer up view of this  
8 area showing the area map in the proposed field.  
9 This is the proposed Northeast Goodway Gas  
10 Field. The Address 13-4 number one was  
11 recompleted as a gas well, gas condensate in the  
12 upper Smackover gas reservoir. The proposed  
13 unit is overlapping with the unit that was for  
14 the Goodway Oil Field, which was adopted May 9  
15 of 2013. The exhibit also shows the Goodway  
16 Field, which was adopted by this Board September  
17 29 of 2011, and the Northwest Goodway Field  
18 adopted September 12 of 2013.

19 Q. So the Goodway Field and the Northwest  
20 Goodway Field are both gas condensate wells --  
21 fields as well; is that correct?

22 A. That's correct.

23 Q. And the special field rules that we're

1 recommending for this well are identical to  
2 those; is that correct as well?

3 A. That is correct.

4 Q. All right, sir. On this Exhibit 3  
5 structure map, Mr. Hearing Officer, you have  
6 seen this and the staff has seen this Exhibit 3  
7 before. It was introduced first in connection  
8 with Docket 5-7-13-08 when the Northeast Goodway  
9 Field was established. Of course, the original  
10 exhibit did not list the Northwest Goodway Field  
11 because that had not been drilled at that time.  
12 Since that time, the Northwest Goodway Field was  
13 established and this same exhibit was used for  
14 that under Dockets Number 9-10-13-04 and 13-05.  
15 So we've used this -- this exhibit a couple of  
16 times and we'll use it one more time.

17 At the appropriate time I will ask  
18 that the exhibits and the testimony for those  
19 Docket Numbers, which is 5-7-13-08, 9-10-13-04,  
20 and 9-10-13-05 be made a part of the record in  
21 this matter but I'll do that at the end of the  
22 hearing.

23 Q. Mr. Hanby, what is depicted on this

1 Exhibit 3?

2           A.     Exhibit Number 3 is the structure map  
3 drawn on the top of the Smackover for each of  
4 these fields shown. The map is constructed with  
5 a 50-foot contour and I'll direct your attention  
6 to the proposed Northeast Goodway Gas Field and  
7 as you stated this -- this structure map has  
8 previously been submitted to the Board in  
9 previous testimony. The only difference is  
10 the -- this exhibit shows the outline of the gas  
11 pool for the Northeast Goodway Field. With this  
12 well, the top of the Smackover was discovered at  
13 minus 13,493 feet subsea TVD and the logs and  
14 using the cores revealed the lowest proven gas  
15 at minus 13,536 feet subsea TVD. All of this is  
16 shown on this exhibit.

17               The other -- the Goodway Field and the  
18 Northwest Goodway Field are shown. The gas  
19 contact was found in the Goodway Field at minus  
20 13,555 feet subsea TVD and it was shown as  
21 Exhibit 2 on the docket that's listed on the  
22 exhibit, and for the Northwest Goodway Field,  
23 the docket number is given with Exhibit 3 being

1 the original that this structure map is -- is  
2 following. Also shown on this exhibit is the  
3 cross-section A, A' that we will talk about in  
4 the next two exhibits.

5 Q. And that's the exact same cross-  
6 section presented when we proposed the Northeast  
7 Goodway Field for the oil well; is that correct?

8 A. It is with the addition of the  
9 Smackover desk structure that's shown at the top  
10 and this cross-section A' running from the  
11 southwest to the northeast. On the left is  
12 shown the Coffin well, which was the well -- the  
13 discovery well of the Goodway Field. The  
14 Smackover gas reservoir is shown on the log  
15 below the top of the Smackover, which is  
16 identified by the red line and that is the datum  
17 for this stratigraphic cross-section. The  
18 proposed Northeast Goodway Gas Field is shown.  
19 The area of the upper Smackover reservoir for  
20 the gas field is shown where the perforated  
21 intervals are highlighted with the red  
22 indication and the depth track. Below that is  
23 the reservoir, which was the Smackover oil pool

1 in about a middle Smackover part, and it has now  
2 been depleted.

3 Also shown on this cross-section is a  
4 lower Smackover marker in blue and the Norphlet  
5 and basement are shown with the green line and  
6 the brown line on the base of this cross-  
7 section.

8 Q. All right, sir. And Exhibit 5?

9 A. Exhibit 5 is a structural cross-  
10 section, the same A, A' directions southwest to  
11 northeast. Once again, the Coffin 14-10 number  
12 one is shown on the left with the Smackover gas  
13 pool shown with the top of Smackover identified  
14 with the red line with the Goodway Field, the  
15 GAS water contact that was determined for that  
16 reservoir is shown at A minus subsea of 13,555  
17 subsea TVD.

18 Moving to the right, the Andress 13-4  
19 number one is shown with the upper Smackover  
20 interval highlighted and below the red line as  
21 the pay interval. The perforated intervals are  
22 shown in the depth tract. The lowest proven gas  
23 is shown at a minus subsea 15,536 feet TVD.

1 Q. It's 13,536; is that correct?

2 A. 13,536 feet.

3 Q. Yeah.

4 A. And then below that is shown, once  
5 again, the Northeast Goodway Oil Field in green  
6 with the lower Smackover marker also identified  
7 as well as the Norphlet and the basement and the  
8 Coffin in the Andress 13-4 well.

9 Q. Okay. I would point out that both  
10 Exhibits 4 and 5 were previously submitted with  
11 the Northeast Goodway Field. It was established  
12 under Docket 5, 17-13-08, again as Exhibits 4  
13 and 5 in that exhibit.

14 What does your Exhibit 6 show?

15 A. Exhibit 6 is the net pay isopach for  
16 the Northeast Goodway Gas Field. On the exhibit  
17 you'll see the 160-acre unit for the Andress  
18 well as well as what we're requesting as the  
19 proposed Northeast Goodway Gas Field and the  
20 production unit for the Andress 13-4 number one  
21 well, the lowest proven -- lowest proven gas,  
22 which is shown with a dashed curve, is at subsea  
23 minus 13,536 TVD depth. The bottomhole location

1 is shown as well as the surface location for the  
2 Andress well and the Andress 13-4 number one  
3 well encountered 10 feet of net pay and that is  
4 shown on the isopach and all of the productive  
5 area of this reservoir is within the 160-acre  
6 unit.

7 Q. All right, sir. Let's look at your  
8 log, Exhibit 7.

9 A. Exhibit 7 is the type log, which is a  
10 part of the platform express that was run on the  
11 Andress 13-4 number one. The top of the  
12 Smackover is shown at a measured depth of 13,900  
13 feet with a subsea TVD depth of minus 13,493  
14 feet. The base of the Smackover is shown -- the  
15 base of the Smackover gas pool is shown at a  
16 measure of depth of 13,943 feet and minus 13,536  
17 feet subsea TVD. In the depth tract, the  
18 perforated interval is indicated and the  
19 perforations are from 13,915 to 13,935 feet, and  
20 those are measured there.

21 Q. All right, sir. Exhibit 8, sir?

22 A. Exhibit 8 is the well survey plat  
23 prepared by Engineering Service and it's signed



1 by Mr. McDill and this was the drilling plat  
2 that was submitted with the application for the  
3 permit to drill the well.

4 Q. All right, sir. And the drilling unit  
5 is also the proposed production unit and it's  
6 also the proposed fuel limits for this field; is  
7 that correct?

8 A. That is correct.

9 Q. So it will all be the northwest  
10 quarter of Section 13, 4 North, 6 East?

11 A. Yes, sir.

12 Q. All right, sir. What is your last --  
13 no, your next to the last, your Number 9?

14 A. Exhibit Number 9 is a copy of the  
15 OGB-9 filed following the test of the Andress  
16 13-4 and the upper Smackover. You'll note the  
17 perforated interval is highlighted. The well  
18 was tested on May -- June 9 of 2014, a 24-hour  
19 test. The well produced at the rate of 426 NCF  
20 of gas and 106 barrels of condensate. The  
21 gas-oil ratio was 4,019. The final flowing  
22 tubing pressure was 1,350 PSI.

23 Q. Is it your professional opinion then

1 based upon what you've seen that this is a gas  
2 condensate well?

3 A. Yes, sir.

4 Q. All right, sir. And then if you will,  
5 your last exhibit, which is your production?

6 A. The last exhibit is the historical  
7 production since the well was recompleted in the  
8 upper Smackover. The first production was shown  
9 as May '14 and goes through the first part of  
10 September. The gas production is shown in red  
11 and the condensate production is shown in green.  
12 The initial production, the first month of June,  
13 produced -- this well produced 9,980 Mcf of gas  
14 and 406 barrels of condensate.

15 Q. All right, sir. In your opinion,  
16 would the granting of this petition establishing  
17 the Northeast Goodway Gas Field prevent waste  
18 and protect correlative rights?

19 A. Yes, sir, it will.

20 MR. TYRA: Yes, sir. I would ask that  
21 the exhibits to the testimony of Mr. Hanby be  
22 made a part of the record, please, sir.

23 MR. ROGERS: Exhibits are admitted.

1                   MR. TYRA: I would also ask that you  
2     incorporate the exhibits and the testimony  
3     presented under Dockets Number 5-7-13-08,  
4     9-10-13-04, 9-10-13-05, and finally 6-20-11-05.

5                   MR. ROGERS: Records from those  
6     hearings are incorporated into this record.

7                   MR. TYRA: I tender Mr. Hanby for any  
8     questions that you may have.

9                   MR. ROGERS: Any questions from the  
10    staff?

11                                 (No response.)

12                   MR. ROGERS: The staff has no  
13    questions. Exhibits 1 through 10 were admitted  
14    and then the affidavit of notice is Exhibit A.

15                   MR. TYRA: Thank you.

16                   MR. ROGERS: Anything else, Mr. Tyra?

17                   MR. TYRA: No, sir.

18                   MR. ROGERS: The staff will review the  
19    evidence and make a recommendation to the Board.

20                   MR. TYRA: Thank you very much.

21                   MR. ROGERS: Could you just place in  
22    the order that comment that the evidence that  
23    the entire reservoir is included in the end?

1 MR. TYRA: Absolutely.

2 MR. ROGERS: Thank you, Mr. Tyra.

3 MR. TYRA: Thank you.

4 MR. ROGERS: The next item then is  
5 Item 15, Docket Number 9-23-14-03, petition by  
6 Escambia Operating Company, Incorporated.

7 MR. WATSON: Mr. Rogers, I have one  
8 witness and I'd like to have him sworn in.

9 MR. ROGERS: State your name and  
10 address, sir.

11 MR. BENRUD: My name is Michael  
12 Benrud. I live on 2009 Elmen Street, Houston,  
13 Texas.

14 MR. ROGERS: All right. Raise your  
15 right hand.

16

17 MICHAEL BENRUD,  
18 being first duly sworn, was  
19 examined and testified as follows:

20

21 MR. ROGERS: Thank you.

22 MR. WATSON: And for the record, I'm  
23 Tom Watson representing Escambia Operating. You

1     can have a seat, Michael.

2                   Mr. Rogers, this petition filed by  
3     Escambia Operating Company is asking the Board  
4     to enter an order approving an exceptional  
5     location for the Pineville Timber Company, LLC,  
6     13-16 number one well to be drilled on a  
7     640-acre production unit in the Big Escambia  
8     Creek Field consisting of Section 13, Township 1  
9     North, Range 7 East, Escambia County, as an  
10    exception to Rule 3(b) of the Special Field  
11    Rules for the Big Escambia Creek Field.

12                  Let me hand up to you first an  
13    affidavit of testimony I'll introduce if you'll  
14    take one of those and pass them down.

15                  MR. ROGERS: Mr. Watson, why don't you  
16    give us just a brief history so we'll know the  
17    background. It's a little unusual.

18                  MR. WATSON: Yes, I'm going to do that  
19    right now, Mr. Rogers.

20                  MR. ROGERS: Thank you.

21                  MR. WATSON: This very same request  
22    was presented by Escambia Operating Company and  
23    the Board in August of 2013, entered order

1     number 2013-63, which approved the exceptional  
2     location for the Pineville Timber Company 13-16  
3     number one well. The well -- and my witness  
4     will testify as to why this well was not drilled  
5     before that order expired and why it's necessary  
6     for us to come back before the Board and ask  
7     that this very same exceptional location be  
8     approved once again in order for Escambia  
9     Operating Company to have an opportunity to  
10    drill this well. That will be Mr. Benrud's  
11    testimony for you this morning to kind of bring  
12    you up to -- up to date on what has been  
13    happening in this field.

14               The Big Escambia Creek Field continues  
15    to operate as a competitive field, that it is  
16    not being unitized, and numerous wells have been  
17    drilled on the 640-acre units within the Big  
18    Escambia Creek Field. The second item that we  
19    will be presenting today is along the same lines  
20    here. We're trying to locate wells in optimum  
21    locations to intercept this gas field productive  
22    area. In one case we're going to have a  
23    situation with water plume. In this case, we've

1 got a situation with surface location problems,  
2 wetland -- regulated wetlands, and so the reason  
3 for this exceptional location is both  
4 topographical and geological.

5 MR. ROGERS: The only other point,  
6 Mr. Watson, is that it expired under our rule --  
7 our regulation that states that exceptional  
8 locations expire one year from the date and this  
9 is what happened.

10 MR. WATSON: That's correct. That's  
11 absolutely correct but the company still intends  
12 to build this well. So with that little brief  
13 introduction, let me just call upon my witness,  
14 Mr. Benrud. I have filed an affidavit of his  
15 qualifications and I'm going to ask him:

16

17 EXAMINATION BY MR. WATSON:

18 Q. Are you familiar, Mr. Benrud, with  
19 this petition relative to the Pineville Timber  
20 Company 13-16 number one well?

21 A. Yes, sir.

22 Q. And just because you've never  
23 testified before the Board, just briefly give

1 Mr. Rogers and the staff your educational  
2 background and your position with Escambia  
3 Operating Company.

4 A. I have a B.S. in geology that I got  
5 from Bradley in 1985. I've been working as a  
6 petroleum geologist since 1989 and I have been  
7 working at Eagle Rock for the past two years and  
8 part of my duties there is to work the Big  
9 Escambia Creek, the Flomaton, and Fanny Church  
10 Fields.

11 Q. All right, sir. And exhibits that I  
12 have filed that you -- were prepared by you or  
13 under your direct control and supervision; is  
14 that correct?

15 A. Yes, sir.

16 MR. WATSON: I tender him as an expert  
17 witness for giving testimony in this item,  
18 Mr. Rogers.

19 MR. ROGERS: He is so recognized.

20 Before you go into this case, we will  
21 note that since it was already approved, I  
22 assume that the facts haven't changed since last  
23 year, Mr. Watson. If not, then I don't see any



1     reason to go into great detail.

2                   MR. WATSON:   I'm not going to.   I just  
3     wanted to get that for the record and I'm going  
4     to have him tell you why the well was not  
5     drilled within that one-year period.

6           Q.     (By Mr. Watson)   So just as he's  
7     asked, then nothing has changed, you plan to  
8     drill this well at the same location we  
9     presented to the Board when they issued order  
10    2013-63; is that correct?

11           A.     That's correct.

12           Q.     So tell Mr. Rogers and the staff then  
13    why the well was not drilled within the time  
14    frame allowed by the rules.

15           A.     Because we were drilling the  
16    Timbervest well in Section 5 and we spotted that  
17    well in December of last year.   That was another  
18    well that we got an exception location on and  
19    unfortunately, while drilling that well, we took  
20    a kick in the lower part of the Smackover which  
21    caused us to sidetrack the well and -- and we  
22    also had, you know, some complications while  
23    testing it.   So we just recently just finished

1     completing that well, so that well took a lot  
2     longer than -- than we had planned.

3           Q.     And your plans were to move from that  
4     well to one of the next of these two wells that  
5     we're about to present to the Board today;  
6     correct?

7           A.     That is correct.

8                   MR. WATSON:    So Mr. Rogers, without  
9     going into all the detail with his statement  
10    that nothing has changed since this was approved  
11    the last time, I'd ask that you receive into the  
12    record of this hearing the order 2013-63 dated  
13    August 1, 2013, along with accompanying  
14    exhibits, and I have handed up to you a copy of  
15    those same exhibits that were presented at that  
16    time signed by Mr. Benrud, so if you would  
17    accept that into the record, please.

18                   MR. ROGERS:   All of those items are  
19    incorporated into this record.

20           Q.     (By Mr. Watson) All right. And  
21    Mr. Benrud, if the Board sees fit to approve  
22    this exceptional location from Pineville Timber  
23    Company 13-16 number one well, waste will be

1 prevented and correlative rights protected; is  
2 that correct?

3 A. That is correct.

4 MR. WATSON: That's all we have on  
5 this item, Mr. Rogers, unless you have  
6 additional questions.

7 MR. ROGERS: Questions from the staff?

8 (No response.)

9 MR. ROGERS: The staff has no  
10 questions. We will review the evidence and make  
11 a recommendation to the Board.

12 MR. WATSON: All right.

13 MR. ROGERS: The next item is Item 16,  
14 Docket Number 9-23-14-04, petition by Escambia  
15 Operating Company, LLC.

16 MR. WATSON: Mr. Rogers, I have  
17 prefiled an affidavit of testimony from  
18 Mr. Benrud in support of this item. I'll hand  
19 you copies of that and ask that it be admitted  
20 into the record.

21 MR. ROGERS: The affidavit is  
22 admitted.

23 MR. WATSON: Mr. Rogers, we are asking

1     that an exceptional location be approved for  
2     Escambia Asset's 4-16 number one to be drilled  
3     on a production unit consisting of 640 acres of  
4     Section 4, Township 1 North, Range 7 East,  
5     Escambia County, Alabama, again as an exception  
6     to Rule 3(b) of the Special Field Rules. This  
7     very same item was approved on August 1, 2013,  
8     by Board order 2013-65 of the exceptional  
9     location as depicted on the exhibits I have just  
10    handed up.

11           Q.     (By Mr. Watson) Has anything changed  
12    relative to the drilling of this well, any  
13    geological changes, or anything else since that  
14    last hearing?

15           A.     No, sir.

16           Q.     And the reason this well was not  
17    drilled is the same reason that we just  
18    testified to as to the previous well?

19           A.     Yes, sir.

20           Q.     Okay. So now that you have  
21    completed -- again, the name of the well that  
22    you just recently completed is the what?

23           A.     The Timbervest well.

1           Q.    The Timbervest well, having completed  
2   that well, is -- which of these two wells will  
3   Escambia Operating drill next?

4           A.    I would say that would be the Escambia  
5   Asset well.

6           Q.    All right.  This well that we're  
7   talking about now is Docket 9-23-14-04; correct?

8           A.    Yes, sir.

9           Q.    All right.  And can you tell us  
10  approximately when that well will be studded?

11          A.    We currently are shopping for a  
12  drilling rig, so that would be imminent.

13          Q.    All right, sir.  And again, with the  
14  delay having been explained, the same for both  
15  of these wells, and with your plans to move  
16  forward in drilling these wells in sequence,  
17  would the granting of this petition approving  
18  the exceptional location for the Escambia Assets  
19  4-16 number one well prevent waste and protect  
20  correlative rights?

21          A.    Yes, sir.

22                   MR. WATSON:  Mr. Rogers, you can  
23  receive into the record of this hearing the

1 affidavit of testimony of Mr. Benrud and also  
2 the exhibits that I've handed up that were the  
3 same exhibits that were filed in support of  
4 order 2013-65.

5 MR. ROGERS: The affidavit and  
6 exhibits are admitted and those items are --  
7 that record -- that prior record is incorporated  
8 into this record.

9 MR. WATSON: Yes, please, and I tender  
10 Mr. Benrud to you and the staff for any  
11 questions you have.

12 MR. ROGERS: Any questions from the  
13 staff?

14 (No response.)

15 MR. ROGERS: The staff has no  
16 questions. We will review the evidence and make  
17 a recommendation to the Board.

18 Thank you, Mr. Benrud. Good to have  
19 you with us.

20 MR. BENRUD: Thank you.

21 MR. ROGERS: The next item then is  
22 Item 17, Docket Number 9-23-14-05, petition by  
23 Ventext Operating Corporation.

1                   MR. WATSON:   Mr. Rogers, Ventex  
2   Operating Corporation is asking the Board to  
3   extend a temporary abandonment status for the  
4   Paramount-Findley 5-2 number one well located on  
5   a 160-acre production unit consisting of the  
6   northeast quarter of Section 5, Township 2  
7   North, Range 14 East, Covington County, Alabama,  
8   in the North Rome Field.  I've just handed up to  
9   you an affidavit of testimony from David  
10  Bissmeyer in support of this request.

11                   I might say to you that in addition,  
12  there's been a recent development in this matter  
13  today.  It's my understanding that a rig is  
14  being moved into the 5-7 well, which is nearby  
15  this 5-2 well, to attempt a completion of the  
16  Cotton Valley and I think those plans have been  
17  filed with Mr. Hellmich.  He's aware of that.

18                   This 5-2 well that we're asking for an  
19  extension of temporary abandonment status is for  
20  the use of or possibly to be used as a water  
21  disposal well if the 5-7 well is completed as a  
22  producer, and if that is not the case, then  
23  there would be no future utility for the 5-2

1 well but we're asking today for an extension of  
2 that temporary abandonment status so that they  
3 could attempt to complete in the Cotton Valley  
4 and make a producer. So if you'll accept into  
5 the record of this hearing the affidavit of  
6 testimony of Mr. Bissmeyer, please.

7 MR. ROGERS: The affidavit is  
8 admitted. Mr. Watson, this is the one that we  
9 granted the extension of this well so that --  
10 temporary abandoned status of this well so that  
11 the other well, what was the name of it?

12 MR. WATSON: 5-7, the Findley 5-7.

13 MR. ROGERS: And it looked like it was  
14 a dry hole and now they are attempting  
15 completion in a different zone?

16 MR. WATSON: Yes.

17 MR. ROGERS: Talking to Mr. Patterson  
18 and the staff, our thinking is that this one  
19 should not be granted for a long time, so I  
20 think the most we would probably recommend this  
21 be extended temporary abandoned status we  
22 approve for three months and find out the status  
23 of the drilling of the other well.



1                   MR. WATSON: I'm not aware of the -- I  
2     note they're moving in a completion rig today.  
3     That should be sufficient time to let them  
4     attempt the completion of the Cotton Valley.

5                   MR. ROGERS: We're thinking maybe six  
6     months --

7                   MR. WATSON: Ample time.

8                   MR. ROGERS: -- would be ample time.

9                   MR. WATSON: Ample time, no question  
10    about that.

11                  MR. ROGERS: All right. Then we've  
12    admitted the affidavit and we will review the  
13    evidence and make a recommendation to the Board  
14    and our inclination will be for six months.

15                  MR. WATSON: Yes, sir, thank you.

16                  MR. ROGERS: The next regular meeting  
17    after six months.

18                  MR. WATSON: Yes, sir.

19                  MR. ROGERS: If you would review that  
20    in the -- that evidence in the order,  
21    Mr. Watson.

22                  MR. WATSON: I will.

23                  MR. ROGERS: We have a prior order to

1 discuss that pretty clearly.

2 MR. WATSON: Yes, sir.

3 MR. ROGERS: Anything else in that  
4 item?

5 MR. WATSON: That's all.

6 MR. ROGERS: The next item then is  
7 Item 19, Docket Number 9-23-14-07, petition by  
8 DCOR, LLC.

9 MR. WATSON: I have two witnesses,  
10 Mr. Rogers, and for -- could we please  
11 consolidate 9-23-14-07 with 9-23-14-08-1 as  
12 force pooling the others approving the  
13 exceptional unit?

14 MR. ROGERS: Yes, those items are  
15 consolidated. State your -- gentlemen, state  
16 your names and addresses.

17 MR. HADDOW: My name is Alastair  
18 Haddow. I'm a resident of Ventura, California.

19 MR. ROGERS: All right.

20 MR. WIGGINS: My name is Roger  
21 Wiggins. I'm a resident of Dozer, Alabama.

22 MR. ROGERS: Maybe this gentleman  
23 could spell his name. Can you spell your name?

1                   MR. HADDOW:   Yes, A-L-A-S-T-A-I-R, and  
2   my last name is H-A-D-D-O-W.

3                   MR. ROGERS:   Raise your right hands.

4  
5                   ALASTAIR HADDOW and ROGER WIGGINS,  
6                   being first duly sworn,  
7                   were examined and testified as follows:

8  
9                   MR. WATSON:   Mr. Rogers, I have  
10   prefiled affidavits of notice in these two items  
11   that you've consolidated for hearing purposes  
12   and I would ask that you admit those into the  
13   record.

14                  MR. ROGERS:   The affidavits of notice  
15   is admitted.   Let's just keep these exhibits  
16   separate.

17                  MR. WATSON:   That would be fine.

18                  MR. ROGERS:   Let's see, we'll have the  
19   affidavit of notice for the --

20                  MR. WATSON:   The exceptional unit  
21   first.

22                  MR. ROGERS:   -- the exceptional unit  
23   first.   That will be Exhibit A to that item.

1                   MR. WATSON: All right, sir. I might  
2 point out to you on this affidavit of notice  
3 that we're asking for a 160-acre exceptional  
4 unit consisting of the southeast quarter of the  
5 southeast quarter of Section 25, the northeast  
6 quarter of the northeast quarter of Section 36,  
7 Township 5 North, Range 13 East, and the  
8 southwest quarter of the southwest quarter of  
9 Section 30, and the northwest quarter of the  
10 northwest quarter of Section 31, Township 5  
11 North, Range 14 East, Conecuh County, Alabama,  
12 as an exception to Rule 400-1-2-.02(2)(b) by the  
13 State Oil and Gas Board Administrative Code. In  
14 my affidavit of testimony, Mr. Rogers, I noticed  
15 not only the quarter quarter section that I just  
16 described but the entire quarter section out of  
17 which these quarter quarters come together to  
18 make this exceptional 160-acre unit.

19                   MR. ROGERS: Thank you for pointing  
20 that out, sir.

21

22 EXAMINATION BY MR. WATSON:

23                   Q. So we are asking for this exceptional

1 unit that I've just described to you for the  
2 purposes of drilling a BSMC 36-1 number one well  
3 on that 160-acre exceptional unit. I have  
4 prefiled an affidavit of qualifications of  
5 Alastair Haddow and Mr. Haddow has prepared  
6 exhibits in support of this petition but since  
7 he has not testified before you, I would ask  
8 that he give you a brief summary of his  
9 educational background and work experience.

10 A. Thank you. Yes, I have a bachelor's  
11 in geology from the University of Birmingham, a  
12 master's in petroleum engineering science from  
13 the University of Aberdeen in Scotland. After  
14 that I worked at Chevron in Aberdeen also for  
15 three years in the North Sea.

16 I returned to academia after that. I  
17 did a Ph.D. at Trinity College in Dublin and  
18 moved over to Ventura, California, where I  
19 started working at DCOR and I've been working  
20 there for one year and four months working on  
21 assets in California in the Santa Barbara  
22 Channel and on land and I've also been heavily  
23 involved in three wells that were drilled down

1     here in Alabama just to the south of the  
2     Brooklyn Field. I was involved in those three  
3     wells from the inception all the way throughout  
4     drilling and then completion, so I feel that I  
5     have a good knowledge of the Smackover formation  
6     and drilling into the Smackover formation in  
7     Alabama.

8             Q.     And you've prepared exhibits in  
9     support of this petition today?

10            A.     Yes, sir, I have.

11            MR. WATSON: I tender Mr. Haddow as an  
12     expert petroleum geologist.

13            MR. ROGERS: He is so recognized.

14            MR. WATSON: Mr. Rogers, because we  
15     will be presenting some 3D seismic in support of  
16     this request, I have filed a letter and an  
17     affidavit in support of asking the Board to  
18     declare the seismic exhibits that will be  
19     presented today, Exhibits 6, 7, 8, 9, and 10  
20     confidential, not available to the public but  
21     available to the Board and interested parties.

22            MR. ROGERS: That affidavit of  
23     confidentiality is admitted and the exhibits are

1 ruled to be confidential and unavailable for  
2 public disclosure.

3 MR. WATSON: All right, sir, and I'll  
4 hand those out when Mr. Haddow gets to that  
5 point in his testimony.

6 Q. (By Mr. Watson) Mr. Haddow, I have  
7 handed up the exhibits that you prepared to  
8 Mr. Rogers and the staff. Turn to your Exhibit  
9 Number 1, please, and tell us what's shown  
10 there.

11 A. Exhibit Number 1 is a regional  
12 location map showing the location of our  
13 proposed well, the BSMC 36-1 one well. The map  
14 is -- it's basically shown in the right -- top  
15 right-hand corner of the exhibit, that's where  
16 the location map is. It's the red box between  
17 Conecuh and Covington counties and if we return  
18 to the main location map, you can see that  
19 the -- I also show the little Cedar Creek  
20 Field -- part of Little Cedar Creek Field, which  
21 is to the west of our proposed drilling  
22 location. You can see that the Little Cedar  
23 Creek Field extends from the southwest to --

1 from the southwest to northeasterly direction.  
2 We can also see the smaller Pigeon Creek Field  
3 to the north and in the southeast of the map, we  
4 can see the smaller Fall Creek Field.

5 The proposed well is in Section 36 of  
6 Township 5 North, Range 13 East in Conecuh  
7 County, and the well is approximately two miles  
8 away from the producing -- the closest producing  
9 well in the Little Cedar Creek Field and I have  
10 to mention now that our prospect that our  
11 proposed well is going to be drilling is --  
12 we -- it's a separate entity to the Little Cedar  
13 Creek Field. It's orientated perpendicular to  
14 the Little Cedar Creek Field, so it's a separate  
15 isolated entity that we're looking to drill.

16 Q. All right, sir. And we're going to  
17 show that on your next exhibit.

18 A. That's correct.

19 Q. Let's go to Exhibit Number 2.

20 A. Yes.

21 Q. And describe the information shown  
22 there, Mr. Haddow.

23 A. What we're seeing in Exhibit Number 2,



1     again, we're showing the proposed drilling  
2     location of the BSMC 36-1 number one and we're  
3     also seeing a stretch of contours for the top of  
4     the Smackover formation. The stretch of  
5     contours are in feet -- TVD subsea feet and what  
6     we are seeing is a prospect, which is a  
7     structural high orientated from the northwest to  
8     the southeast where our well location is located  
9     at the structural -- the highest point on that  
10    prospect and the prospect is defined by the  
11    deepest closing contour at ten -- minus 10,200  
12    feet. The spill point is probably going to be  
13    just slightly deeper than that at 10,250 feet.

14               I also show the Pigeon Creek River --  
15    I'm sorry, Pigeon Creek in a darker -- I'm  
16    sorry, a thicker, paler, blue line.

17           Q.    All right, sir. Let's look at Exhibit  
18    Number 3, Mr. Haddow.

19           A.    Yes. What we're showing is a proposed  
20    160-acre drilling unit, which is centered on our  
21    proposed drilling location. It has -- the spill  
22    point at 10,215 feet would be within that  
23    proposed drilling unit and we feel that the

1 drilling unit is in the optimal location for --  
2 for draining this prospect, as is the well, the  
3 proposed drilling location.

4 Q. All right, sir. In -- in setting up  
5 exceptions to the rule, of course, you just  
6 touched on a key point, optimum geological  
7 locations such as you've testified, this is  
8 one --

9 A. Yes.

10 Q. -- allows the structure to be drained  
11 without the necessity of excessive wells --

12 A. Correct.

13 Q. -- drilling down; correct?

14 A. Yes, yes, that's correct.

15 Q. Now, let's use this exhibit and tell  
16 Mr. Rogers and the staff if this well drills up  
17 and is successful --

18 A. Yes.

19 Q. -- completed as a commercial producer,  
20 where would DCOR permit offset well?

21 A. We would add a second 160-acre  
22 drilling units putting -- to the south of --  
23 abutting a certain edge of the proposed drilling

1 unit. It would be -- the second 160-acre unit  
2 would be the southern half of the northwest  
3 quarter of Section 31 and it would also include  
4 the northern half of the southwest quarter of  
5 Section 31.

6 Q. All right, sir.

7 A. And we would most likely drill well --  
8 we would drill a well within that 10,215 feet  
9 stretch of contour.

10 Q. All right, sir. Still that would be  
11 at the optimum location if this first well  
12 builds up and proves a geological prospect;  
13 correct?

14 A. That's correct, yes.

15 Q. And I've explained to you, have I not,  
16 Mr. Haddow, that the Board has a tolerance  
17 regulation or a statute that would allow, if  
18 necessary, and if in imminent danger of being  
19 drained, the additional -- up to 80 additional  
20 acres to either of these proposed 160-acre units  
21 that you're discussing what the Board will do;  
22 is that correct?

23 A. Yes.

1           Q.     But all -- everything rests on the  
2     success of this first well?

3           A.     That is correct.

4           Q.     Now, let's turn to your next exhibit,  
5     Exhibit Number 4.

6           A.     Yes.

7           Q.     Tell us what's shown on that,  
8     Mr. Haddow.

9           A.     We've seen the same prospects, the  
10    same -- outstream location group. We've also  
11    seen three -- the orientation of three seismic  
12    lines. Seismic line A to A' runs north south  
13    through the proposed drilling location. Seismic  
14    line B to B' runs east -- from west to east  
15    through the proposed drilling location, and  
16    seismic line C to C' runs along the axis of our  
17    prospect.

18          Q.     Now, just before -- let's go ahead and  
19    do this one. Let's go to the next, Exhibit  
20    Number 5 --

21          A.     Yes.

22          Q.     -- and what's shown on that, please,  
23    sir?

1           A.     We're seeing the orientation of  
2     further two seismic lines. D to D' runs from  
3     the Little Cedar Creek Field to the northwest  
4     and it actually passes through a producing well  
5     that's the Cedar Creek Land and Timber 23-3  
6     well, which are permit number 16053. The  
7     seismic line then passes through a built and  
8     abandoned well, a well that never produced.  
9     That's the Blackstone 24-12-1 well, permit  
10    number 15544, and then the seismic line extends  
11    to the southeast running through our proposed  
12    drilling location and through the axis of  
13    our prospect, and so the second seismic line, E  
14    to E', runs again through our proposed drilling  
15    location and through another built and abandoned  
16    well to the northeast.

17           Q.     Now, if we can look just a minute,  
18    Mr. Haddow, at these wells in the upper left-  
19    hand corner of Exhibit Number 5.

20           A.     Yes.

21           Q.     Those are Little Cedar Creek wells;  
22    correct?

23           A.     Yes, correct.

1           Q.     And looking at your Exhibit Number 1,  
2     Little Cedar Creek runs from the southwest to  
3     the northeast in that general direction;  
4     correct?

5           A.     That is correct, yes.

6           Q.     And you stated in -- in your --  
7     earlier that this structure was perpendicular to  
8     Little Cedar Creek; correct?

9           A.     Yes, yes, perfectly perpendicular and  
10    further evidence suggests that this is a  
11    separate -- our proposed well will be -- and the  
12    prospect is a separate entity to the Little  
13    Cedar Creek Field, that it's -- it has no  
14    bearing on the Little Cedar Creek Field.

15          Q.     Okay.   And as we were preparing for  
16    this hearing, we discussed the possibility of  
17    permitting this well on a governmental quarter  
18    section, which would be the northeast quarter of  
19    Section 36.

20          A.     Right.

21          Q.     But you had planned to drill this well  
22    on this exceptional unit and the exceptional  
23    unit better fits your geology and has a does fit

1     your geology and it has a better outlook for  
2     further development should that well be  
3     successful?

4             A.     Yes.

5             Q.     And you -- your offset well to that  
6     well, if it is successful, will be such that it  
7     would abut this unit and it would not be in the  
8     island of acreage between this proposed  
9     exception unit and the next exception unit; is  
10    that correct?

11            A.     That is correct, yes.

12            Q.     And with the advent of the 50-percent  
13    tolerance for acreage and the imminent danger of  
14    being drained, is it your testimony that you  
15    would be able to get all of the productive  
16    structure that you've depicted here into one of  
17    these two units?

18            A.     Yes.

19            Q.     Now we're going to turn to your  
20    confidential seismic information.

21            A.     Right.

22            Q.     And I'm going to hand those exhibits  
23    up to the staff. So let's look at -- I will

1 keep open your orientation map.

2 A. Right.

3 Q. And that's -- that's Exhibit Number 4  
4 and let's look first at the seismic line A-A',  
5 please.

6 A. Right. So seismic line A to A' runs  
7 north south through our proposed drilling  
8 location and you can see that our prospect is a  
9 structural high that we're looking to to drill.  
10 The top of the Smackover formation, which is our  
11 primary target, is depicted by a green seismic  
12 horizon there. It corresponds to a seismic  
13 peak.

14 The yellow seismic horizon represents  
15 the top of the Mobley Creek formation and the  
16 pink seismic horizon is the -- actually the  
17 Norphlet. So our proposed well is going to be  
18 drilling through the Smackover and Norphlet  
19 through the Mobley Creek to a proposed total  
20 depth of minus 10,620 that's TVD subsea.

21 And what I also show along -- down the  
22 proposed well path, the depths that we  
23 anticipate encountering, the -- the main



1     formation tops in the area -- the top of the  
2     Haynes reformation, the top of Buckner, and as I  
3     previously mentioned, the top of the Smackover,  
4     the top of the Norphlet formation, and the base  
5     of the Norphlet formation. And I guess  
6     that's --

7             Q.     That's pretty much it on that one?

8             A.     That's pretty much it, yes, sir.

9             Q.     Let's go to your next exhibit, Number  
10     7, and that would be line B to B'.

11            A.     That line runs west to east through  
12     our proposed drilling location showing the same  
13     seismic horizons, the top of the Smackover in  
14     green, top of the Norphlet formation in yellow,  
15     basement Norphlet formation in pink, and again,  
16     the proposed well location with the depths and  
17     TVD subsea that we anticipate encountering in  
18     the key formations.

19            Q.     Let's go to your next exhibit, Number  
20     8, which is C-C'.

21            A.     This seismic line runs from the  
22     northwest to the southeast along the axis of our  
23     prospect. As you can see, we -- the proposed

1 well is drilled -- we'll be drilling into the  
2 most structurally high -- the highest part of  
3 the structure. Again, we are showing the same  
4 seismic horizons as in the previous two seismic  
5 lines.

6 Q. All right, sir. Let's go now to  
7 Exhibit Number 9, which is going to be D-D'.  
8 This is connecting up now with the Little Cedar  
9 Creek wells.

10 A. Correct. So the seismic line runs  
11 from the northwest to the southeast. If we  
12 start in the northwest, we're in the Little  
13 Cedar Creek Field where we have this producing  
14 well. Cedar Creek Land and Timber 23-3, as we  
15 move towards the southeast, we pass through a  
16 non -- a plugged and abandoned well, Blackstone  
17 24-12 one. So we have a dry and abandoned well  
18 between our proposed well and the Little Cedar  
19 Creek Field. We also show our prospect and our  
20 proposed drilling location of the 36-1 one.

21 Q. What other seismic event do you see on  
22 that exhibit, Mr. Haddow, that tend to make you  
23 believe that this accumulation or this structure

1 is separate and apart from Little Cedar Creek?

2 A. Well, we are -- we have what we -- we  
3 have the dry hole between us and Little Cedar  
4 Creek, of course, and then we -- our spill  
5 point -- we have a tracking mechanism, which --  
6 which we may have prospect separate to the  
7 Little Cedar Creek Field as well.

8 Q. All right, sir. Let's go to your next  
9 exhibit, Exhibit 10, which is seismic line E,  
10 E'.

11 A. This seismic line runs from the  
12 southwest to the northeast through our proposed  
13 drilling location and to the -- to the northeast  
14 we have an additional plugged and abandoned  
15 well, a well that encountered tight Smackover  
16 limestone. So we have a plugged and abandoned  
17 well to the northeast of our structures and so  
18 we are trying to show that our prospect is an  
19 isolated feature isolated from the Little Cedar  
20 Creek Field.

21 Q. Yes, sir. That's then -- that's all  
22 of the seismic exhibits. Let's look at the  
23 Exhibit Number 11, please, your survey plat and

1 describe exactly where we plan to drill this  
2 well.

3 A. This plat was generated by Engineering  
4 Services. We show the -- the well location,  
5 which is 335 feet from the -- from the section  
6 line between Section 36 and Section 25 in  
7 Township 5 North, 13 East, and the well location  
8 is 119 feet away from the township line --  
9 sorry, the section line between 36, Township 5  
10 North and Range 13 East and Section 31 in  
11 Township 5 North, Range 14 East. We also see  
12 our proposed 160-acre drilling unit outlined in  
13 that.

14 Q. All right, sir. Now, Mr. Haddow, your  
15 testimony then that the approval of this  
16 exceptional 160-acre unit would allow you to  
17 drill a Smackover test at an optimum geological  
18 location on this unit?

19 A. That is correct.

20 Q. Is it also your testimony to this  
21 Board that by approving this exceptional unit,  
22 assuming the well is completed as a commercial  
23 producer, that you can develop this structure as

1     it were in a reasonable manner so as to avoid  
2     drilling unnecessary wells and to have -- and to  
3     include all of the proven productive acreage  
4     within the structure?

5             A.     Yes.

6             Q.     It's also your -- is it also your  
7     testimony that this accumulation is separate and  
8     apart from the -- would be a separate and  
9     distinct oil pool separate and apart from Little  
10    Cedar Creek and the Brooklyn Field?

11            A.     That is correct, yes.

12            Q.     And then would the granting of the  
13    petition as -- for this exception prevent waste  
14    and protect correlative rights?

15            A.     Yes.

16                   MR. WATSON:   Mr. Rogers, I would ask  
17    that you receive into the record as hearing  
18    Exhibits 1 through 11 to the testimony of  
19    Mr. Haddow.

20                   MR. ROGERS:   Exhibits are admitted.

21                   MR. WATSON:   And why I don't tender  
22    him to you for any questions on the geology  
23    before I get into our land testimony.

1                   MR. ROGERS: Any questions?

2                               (No response.)

3                   MR. ROGERS: The only point I'll make  
4 is that you've shown that this well -- the  
5 optimum location would be an exception from the  
6 east end to the north if it were on a regular  
7 governmental unit.

8                   MR. WATSON: Yes, that's correct.

9                   MR. ROGERS: And the other point is  
10 that, of course, if the well is successful, then  
11 you will petition the Court to set up a field  
12 and a final production unit.

13                  MR. WATSON: Yes, of course.

14                  MR. ROGERS: All right. Do you want  
15 to proceed, Mr. Watson, with the force pooling?

16                  MR. WATSON: Yes, sir, let us -- let  
17 us proceed now with the force pooling. My next  
18 witness, if you will hand the microphone over to  
19 Roger.

20                       My next witness is Roger Wiggins.

21 Mr. Wiggins has not testified before you but has  
22 on file an affidavit of his qualifications as a  
23 petroleum landman.

1

2 EXAMINATION BY MR. WATSON:

3 Q. Mr. Wiggins, would you briefly give  
4 the Board your qualifications as a petroleum  
5 landman and confirm that you are familiar with  
6 the title in this proposed 160-acre unit?

7 A. I graduated with a business degree and  
8 a master's degree in business from Auburn  
9 University. I went to work for Shell Oil  
10 Company where I worked for 31 years, 26 of them  
11 as a petroleum landman. I retired from Shell  
12 and then since then have worked several years as  
13 an independent landman consultant -- consulting  
14 landman for several -- different companies, most  
15 of it in Alabama.

16 Q. All right, sir. And you are familiar  
17 with this -- the title in this 160-acre unit?

18 A. I am.

19 MR. ROGERS: He's recognized as an  
20 expert.

21 MR. WATSON: All right, sir. Thank  
22 you, Mr. Rogers.

23 Q. (By Mr. Watson) Does DCOR, LLC, own

1 or control a 100-percent interest in this  
2 proposed 160-acre unit?

3 A. It does not.

4 Q. If you would tell Mr. Rogers and the  
5 staff of the outstanding unleased interests and  
6 your efforts to secure leases on those  
7 interests.

8 A. Okay. There are four outstanding  
9 interests. Mrs. Bassi and Mrs. Collins I have  
10 not spoken to directly. One of their sisters,  
11 who has leased to us, advised me that they were  
12 represented by counsel and so I have dealt with  
13 their attorney directly as opposed to dealing  
14 with them and he is of the opinion that we  
15 should have those leases in the near future.

16 Q. And that attorney being Tony Hubbard  
17 here in Tuscaloosa. In fact, Tony sent us  
18 yesterday a lease that he actually had it in  
19 hand as he promised you you would have and this  
20 morning I have amended my petition to reflect  
21 that we have that lease from Mrs. Carrington;  
22 correct?

23 A. Correct.



1           Q.     All right, sir.   Go ahead.

2           A.     Okay.   Regarding Mr. Joseph S.  
3   Collins, who lives in Modesto, California, I've  
4   had numerous conversations with him.   He has the  
5   oil and gas lease in hand and continues to tell  
6   me that he will execute the lease and send it  
7   back but as of today, we do not have it, hence  
8   the forced pooling.   I last talked with his  
9   secretary on -- this past Thursday and she  
10  advised that he would be coming to the office to  
11  sign that.   I checked Friday and had not yet --  
12  I had the return FedEx sent back, so he still  
13  remains unleased.

14                   Mrs. Ettehadieh lives in London,  
15  England, and she has not refused to execute a  
16  lease but she -- it's a small interest and she  
17  just -- she has just not done it.   She's not  
18  disagreeing with it but she does not like  
19  dealing with the embassy where she has to go to  
20  have the document notarized, so we -- once  
21  again, she has the documents in her hand but has  
22  not signed them but has -- has not disagreed  
23  with the terms.

1           Q.     So what's the total outstanding  
2     unleased interest in this 160 acres?

3           A.     In terms of net mineral acreage, it is  
4     .3832.

5           Q.     All right, .3832, and that represents,  
6     if my math is correct, 0.2395 percent of the  
7     unit. Is that your understanding?

8           A.     That's correct.

9           Q.     These -- so you -- there are no owners  
10    that you could not locate. You located all the  
11    unleased owners; correct?

12          A.     It was either I or Tony Hubbard.

13          Q.     That's fine. And you had good  
14    addresses on everyone, you just testified to  
15    that. These people are members of a -- an old  
16    line Alabama family, are they not?

17          A.     That's correct.

18          Q.     And that -- what's that family name?

19          A.     It's -- they're the heirs of the  
20    original shareholders of the W. T. Smith Lumber  
21    Company.

22          Q.     Okay. Is it your testimony to this  
23    Board, Mr. Wiggins, that you have offered these

1 nonconsenting owners an opportunity to lease on  
2 terms as good or better than those that were  
3 offered to those who have leased?

4 A. Yes, it -- yes, it is.

5 Q. And in your opinion, would the  
6 granting of this petition forced pooling these  
7 tracts in interest without the imposition of the  
8 risk compensation fee protect correlative rights  
9 and avoid the drilling of unnecessary wells and  
10 prevent waste?

11 A. Yes.

12 Q. I'd ask that you receive into the  
13 record of this hearing a revised affidavit of  
14 testimony in support of this petition by  
15 Mr. Wiggins.

16 MR. ROGERS: The revised affidavit is  
17 admitted. We'll just call that Exhibit 1 to the  
18 force pooling petition.

19 MR. WATSON: All right, sir.

20 MR. ROGERS: We've already admitted  
21 the other exhibits.

22 MR. WATSON: All right, sir. And I  
23 tender Mr. Wiggins to you for any questions you

1 have on the force pooling request.

2 MR. ROGERS: Does the staff have any  
3 questions?

4 (No response.)

5 MR. ROGERS: Anything else on these  
6 two items?

7 MR. WATSON: That's all we have,  
8 Mr. Rogers.

9 MR. ROGERS: The staff will review the  
10 evidence and make a recommendation to the Board.

11 MR. WATSON: Thank you.

12 MR. ROGERS: Thank you.

13 The next two items are -- the next  
14 item is Item 24, Docket Number 9-23-14-12,  
15 petition by Sklar Exploration Company, LLC.

16 MR. FORD: Mr. Rogers, you might want  
17 to check with this lady. She's been patiently  
18 waiting here for Item Number 6 that I've -- it's  
19 my understanding that that's going to be  
20 Thursday. I don't want her to wait any longer  
21 if that's okay.

22 MR. ROGERS: Ma'am, that item is set  
23 for hearing on Thursday and I'm sorry we didn't

1 know that that's the reason you were here. It's  
2 going to be set at ten o'clock on Thursday. If  
3 we can answer some simple questions, we'll be  
4 glad to to give you some information since  
5 you've already been here and Mr. Watson is  
6 Pruet's attorney and he's here and he could  
7 probably give you some -- he could discuss it  
8 with you. Do you mind doing that, Mr. Watson?

9 MR. WATSON: I'd be glad to.

10 MR. ROGERS: All right. I'm sorry we  
11 didn't understand that. That is a -- that item  
12 is set for the Board on Thursday at ten o'clock  
13 and you're welcome to be here and ask questions  
14 or address the full board at that time. Maybe  
15 Mr. Watson can help and after that if you want  
16 stay and some of us will be around and can give  
17 you some facts about the item.

18 FEMALE ATTENDEE: Okay, thank you.

19 MR. ROGERS: Thank you. Thank you,  
20 Ben, we appreciate that.

21 MR. FORD: Ben Ford on behalf of Sklar  
22 Exploration Company, LLC.

23 Mr. Rogers, I have actually two

1     companion matters here. The first is a petition  
2     to force pool all tracts and interests in the  
3     southeast quarter of Section 12, Township 3,  
4     Range 12, Escambia County, Alabama, a 160-acre  
5     wildcat drilling unit, and the next matter,  
6     which is the next item on the docket, is a  
7     petition to approve an exceptional location for  
8     that -- for the Robinson 12-16 number one well  
9     to be drilled on that 160-acre unit.

10                 MR. ROGERS: We'll consolidate those.

11                 MR. FORD: Okay. I have filed --  
12     well, first I'll start with the force pooling  
13     petition. The force pooling involves five  
14     owners who have not returned signed leases to  
15     Sklar or otherwise agreed to participate in the  
16     pooling of the well. The total unleased  
17     interest is 0.66666667 net mineral acres or  
18     0.416667-percent interest in the unit as a  
19     whole.

20                 MR. ROGERS: All right.

21                 MR. FORD: And we've -- in support of  
22     the petition we've submitted an amended  
23     affidavit of J. Marshall Jones, III, pertaining

1 to the mineral ownership in the completed unit  
2 and Sklar has also submitted my affidavit  
3 pertaining to notice of the petitioner and  
4 we'd -- we'd ask that both of those affidavits  
5 be admitted to the record and that the -- based  
6 on this evidence that the petition be  
7 approved.

8 MR. ROGERS: All right. Can you  
9 submit copies of those to us?

10 MR. FORD: Sure.

11 MR. ROGERS: Why don't we just say  
12 it's amended. I don't want -- you don't need  
13 another one. We'll admit the amended affidavit  
14 of Marshall Jones and your affidavit of notice.

15 MR. FORD: Do you need it? I've  
16 got -- that should be on file as well.

17 MR. ROGERS: Yeah, it's admitted. The  
18 affidavit of Ben Ford will be Exhibit 1. The  
19 affidavit of Marshall Jones will be Exhibit 2.

20 MR. FORD: And I just want to make  
21 clear that that is the amended affidavit of  
22 Marshall Jones.

23 MR. ROGERS: All right. If you'll

1 state that in your proposed order, if you'll  
2 state the interest and the owners as shown on  
3 that amended affidavit.

4 MR. FORD: Yes, sir.

5 MR. ROGERS: All right.

6 MR. FORD: The second item is --

7 MR. ROGERS: I assume that you don't  
8 have any parties you couldn't locate; is that  
9 right?

10 MR. FORD: That's correct. We've been  
11 able to locate everybody. We sent them -- we've  
12 offered them leases or opportunities to  
13 participate and we haven't received anything  
14 back from the five nonconsenting owners.

15 MR. ROGERS: All right.

16 MR. FORD: The next item, which is  
17 9-23-14-13A, which is the petition to approve  
18 the exceptional location for the Robinson 12-16  
19 number one well. This is -- this proposed  
20 location for the well is 330 feet from the east  
21 line and 780 feet from the south line of the  
22 proposed unit, the east line making this the  
23 exceptional location. In support of this



1 petition, Sklar has submitted three affidavits.

2           The first is the amended affidavit of  
3 Robert Wood and attached to his affidavit were  
4 Exhibits 1 through 7 and in that -- in the  
5 affidavit, Mr. Wood described Exhibits 1 through  
6 7 and testifies that the proposed location --  
7 the optimum geological location for the most  
8 efficient and economic drainage of the unit. I  
9 have copies of those exhibits if you'd like  
10 them.

11           MR. ROGERS: Why don't you submit a  
12 copy of the exhibit so that the staff can review  
13 those if they'd like to? We try to be lenient  
14 around him and Mr. Wood's situation. Normally  
15 we would have had a witness. The other one was  
16 a bit more uncertain, maybe a bit more  
17 controversial. This one the exhibits support  
18 but since his condition, we didn't have him  
19 testify to say that the evidence supported this.  
20 It was a little bit unusual and it's by  
21 affidavit -- by several affidavits.

22           Let's see, so we have the affidavit of  
23 Mr. Wood that addresses Exhibits 1 through 7.

1 That's admitted to this item as Exhibit 1 -- the  
2 exhibit affidavit, we'll call that Exhibit A and  
3 the exhibits will be admitted as 1 through 7.  
4 We have the affidavit of confidentiality and the  
5 affidavit of confidentiality is admitted and  
6 we'll rule that the confidential Exhibits 4, 5,  
7 and 6 are confidential, so the affidavit of  
8 confidentiality will be Exhibit B. We have your  
9 affidavit from Benjamin Ford. Is that where you  
10 notified the offset operator?

11 MR. FORD: That's correct, DCOR, LLC,  
12 operates the 18-4 well and they were notified.

13 MR. ROGERS: And that affidavit is  
14 admitted as Exhibit C. I guess any comments you  
15 want to make, Mr. Ford? We have reviewed the  
16 affidavits and the exhibits. Any comments you  
17 want to make on this?

18 MR. FORD: Again, just to make sure  
19 the record is clear, the affidavit of Robert  
20 Wood that's going to be admitted is the amended  
21 affidavit of Robert Wood.

22 MR. ROGERS: We'll note that it's  
23 amended affidavit. That's Exhibit A.

1                   MR. FORD: But otherwise I have  
2 nothing further unless -- to answer questions.

3                   MR. ROGERS: Any questions? You've  
4 reviewed this, Mr. McQuillan. Any questions?

5                               (No response.)

6                   MR. ROGERS: As I said, this is  
7 unusual to just have an affidavit but the  
8 evidence seemed clearly to support it and  
9 therefore we didn't think we would need him as a  
10 witness, even though he had to come on the  
11 others.

12                           Anything else?

13                   MR. FORD: No, sir.

14                   MR. ROGERS: The staff has no  
15 questions. We will review the evidence and make  
16 a recommendation to the Board.

17                   MR. FORD: Thank you.

18                   MR. ROGERS: Thank you.

19                           The hearing is adjourned.

20

21                           (Whereupon, the hearing was concluded  
22 at 12:00 p.m.)

23

1 CERTIFICATE

2

3 STATE OF ALABAMA

4 TUSCALOOSA COUNTY

5

6 I, Sheri G. Connelly, RPR, Certified  
7 Court Reporter, hereby certify that the above  
8 and foregoing hearing was taken down by me in  
9 stenotype and the questions, answers, and  
10 statements thereto were transcribed by means of  
11 computer-aided transcription and that the  
12 foregoing represents a true and correct  
13 transcript of the said hearing.

14 I further certify that I am neither of  
15 counsel, nor of kin to the parties to the  
16 action, nor am I in anywise interested in the  
17 result of said cause.

18

19

20 /s/ Sheri G. Connelly

21 SHERI G. CONNELLY, RPR

22 ACCR No. 439, Expires 9/30/2015

23

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