

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION
June 24, 2025
Meeting Minutes

The Oil Conservation Commission meeting was a hybrid meeting with both in person and virtual participation options. The meeting was held in the Pecos Hall Hearing Room at the Wendell Chino Building, First Floor, 1220 South St. Francis Drive, Santa Fe, New Mexico.

MEMBERS PRESENT:

Albert Chang	Chair, Oil Conservation Commission, appearing remote
William Ampomah	Designee, Energy, Minerals and Natural Resources Department, appearing remote
Greg Bloom	Designee, New Mexico State Land Office Commissioner, appearing remote

OTHERS PRESENT:

Zachary Shandler	Commission Counsel
Sheila Apodaca	Commission Clerk

The meeting was called to order by Chair Albert Chang at 9:13 a.m.

Item 1. Roll Call.

Action: Roll was taken; a quorum was present.

Item 2. Approval of the Agenda.

Action: Commissioner Bloom moved to approve the Agenda. Commissioner Ampomah seconded the motion. Roll call was taken and the motion was unanimously approved.

Item 3. Approval of the May 15, 2025 and May 19-21, 2025 Meeting Minutes

Action: May 15, 2025 Minutes: Commissioner Bloom moved for the approval of the Minutes with the correction of the following typographical error: under “action” in the third paragraph, change the word “provide” to “provided.” Commissioner Ampomah seconded the motion. The motion was approved without objection.

May 19-21, 2025 Minutes: Commissioner Ampomah was the only commissioner present for the May 19-21 OCC meeting. Commission counsel advised that the other commissioners may rely on the representations of the commissioner that was present that the meeting minutes are accurate and do not have to abstain from voting. Commissioner Ampomah moved for the approval of the Minutes, Commissioner Bloom seconded the motion. Without objection, the motion was approved.

Item 4. Pending cases:

A. Case No. 25371: Coterra Energy Operating Co., formally named Cimarex Energy Co., requests a hearing de novo before the full Oil Conservation Commission to review the matter and proceedings involving Case Nos. 23448-23455, 23594-23601, and 23508-23523, and Order No. R-23089-A concerning competing applications covering Sections

4, 5, 8, and 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico.
Matter to be heard: Status Conference and Motion to Stay Division Order R-23089-A.

Action: Darin Savage and Owen Anderson appeared on behalf of Coterra Energy Operating Co. Adam Rankin appeared on behalf of Permian Resources.

Oral argument was delivered by counsel regarding the Motion to Stay Division Order. A request to split Coterra's presentation between both counsel was objected to and denied.

Commissioners Bloom and Ampomah asked questions of counsel.

Commissioner Bloom motioned to go into closed session for deliberations under NMAC 10-15-1(H)(3) where commissioners will only discuss matters related to this case. Commissioner Ampomah seconded the motion. Roll call was taken and the motion was approved unanimously.

Recess was taken from 11:02 a.m. until 11:48 a.m. for the Commission's deliberations.

11:48 a.m. back on the record. Chair Chang confirmed that only the Coterra case was discussed in closed session and announced the Commission's decision as follows:

After reviewing the papers filed, the arguments of counsel, and responses to the Commissioners' questions, the Commissioners found there was sufficient showing under all four factors under *Tenneco* to support the granting of a stay pending the de novo hearing. Commission counsel will prepare an order.

Commissioner Bloom motioned to grant the Motion to Stay. Commissioner Ampomah seconded the motion. Without objection, the motion was granted.

Commissioner Bloom motioned to set this matter for evidentiary hearing on September 18-19, 2025. Commissioner Ampomah seconded the motion. Without objection, the motion was granted. This matter will be placed on the OCC's docket for September 18-19, 2025.

B. Case No. 24594: Application of Targa Midstream Services, LLC for Authorization to Inject, Lea County, New Mexico. Targa Midstream Services, LLC ("Targa") (OGRID No. 24650) seeks authorization to drill and operate a Class II acid gas injection well, the Copperhead AGI No. 1 Well ("Well"), at Targa's Copperhead Gas Processing Facility. The vertical well will be located approximately 793 feet from the south line and 429 feet from the east line in Section 13, Township 24 South, Range 32 East, Lea County, New Mexico. The Well will inject treated acid gas into the Devonian Thirtyone, Upper Silurian Wristen, and Lower Silurian Fusselman Formations at a depth of approximately 17,299 feet to 18,689 feet. The Well is located approximately 26 miles west of Jal, New Mexico.
Matter to be heard: Presentation of final Order of the Commission.

Action: Dana Hardy appeared on behalf of Targa Midstream. Jesse Tremaine appeared on behalf of Oil Conservation Division.

The parties presented the Commission with a final order on this case, which was heard by the Commission last summer. Both parties agree on the form of the order and request that the Commission adopt the order.

Commissioner Bloom motioned to approve the proposed Order. Commissioner Ampomah seconded the motion. With no objection, the motion was unanimously approved.

C. Case No. 25237: DeNovo Appeal by American Energy Resources, LLC, of Order No. R-23405, Division Case No 24517, concerning an application covering Well Nos. Roche 101H, 102H and 103H, Sections 2 and 11, Township 19 South, Range 25 East, NMPM, Eddy County, New Mexico.

Matter to be heard by the Commission: Evidentiary Hearing.

Action: Abby Lubbock appeared on behalf of Ben Holliday, counsel for Silverback Operating. Jonathan Samaniego appeared pro se on behalf of American Energy Resources. Jesse Tremaine appeared on behalf of the Oil Conservation Division.

Ms. Lubbock stated that the Commission had already suggested that the case be continued and she has no objection to any sort of continuance in this matter. Mr. Samaniego objects to a continuance of this matter, stating that American has complied with the rules and Division orders because he submitted his prehearing statement on June 23, 2025.

Discussion between the parties, the Commission, and Commission counsel ensued with regard to the rules regarding the filing of prehearing statements under NMAC 19.15.4.13.A. Commission counsel stated that none of the parties filed papers on time. There was a paper filed untimely and it did not include all the required elements, and proposed that the cleanest way to handle it is to postpone the hearing until the parties have sufficient time to follow the rules and to continue this hearing until the OCC's next regularly scheduled meeting.

Mr. Samaniego objected on the grounds that he timely filed his documents. Commission counsel read rule 19.15.4.13(B)(1) NMAC, which states that pre-hearing statements shall be filed and served no later than 5:00 p.m. the Thursday preceding the scheduled hearing date. The rule also sets forth what information should be contained in the pre-hearing statement.

Chair Chang asked whether there is any factual dispute that the documents were filed by 5:00 p.m. on June 17th. Commission counsel responded that there is no factual dispute as there is a computer timestamp. Chair Chang informed Mr. Samaniego in order to preserve his right to have this hearing at all, is to give him an opportunity to cure the defect. Mr. Samaniego stated he would agree if he can orally motion for a stay. Chair Chang informed him that the Commission cannot decide on a stay today.

Commissioner Bloom moved to continue this case to the next regularly scheduled meeting. Commissioner Ampomah seconded the motion. With no objections, the motion was unanimously approved, and this case will be placed on the July 17th docket.

Item 5: Pending Litigation

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Action: There was no pending litigation to discuss.

Item 6: Other business

Action: There was no other business to discuss. Chair Chang suggested the other Commissioners consider designating a vice chair.

Item 7: Next Meeting

Action: Next meeting is on July 17, 2025.

Item 8: Commissioner Bloom moved to adjourn the meeting. Commissioner Ampomah seconded the motion. Without objection, the meeting was adjourned at 12:25 p.m.

A handwritten signature in black ink, reading "Albert Chang". The signature is written in a cursive, flowing style.

Albert Chang, Chair