

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION
August 14, 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:

William Ampomah	Designee, Energy, Minerals and Natural Resources Department
Baylen Lamkin	Designee, New Mexico State Land Office for the consolidated cases of Goodnight Midstream / Empire New Mexico; Case Nos. 23775, 23614-17, 24018-20, 24025, 24123

MEMBERS NOT PRESENT:

Albert Chang ¹	Director, Oil Conservation Division (OCD)
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OTHERS PRESENT:

Zachary Shandler	Commission Counsel
Sheila Apodaca	Commission Clerk

The meeting was called to order by Commissioner Ampomah (acting as Chair for this meeting) at 9:00 a.m.

Item 1. Roll Call.

Action: Roll was taken; a quorum was present.

Item 2. Approval of the Agenda.

Action: Commissioner Lamkin moved to approve the Agenda. Commissioner Ampomah seconded the motion. Motion was unanimously approved.

Item 3. Pending cases:

Consolidated Cases by Goodnight Midstream and Empire New Mexico, as follows:

¹ The consolidated cases on the agenda for this meeting were heard by the Oil Conservation Commission between February 20 and May 21, 2025. Albert Chang was appointed OCD Director effective June 23, 2025, and replaced Gerasimos Razatos on the OCC effective the same date. ("There is created an 'oil conservation commission', ... to be composed of ... [others, and] the director of the oil conservation division. The term of office of each member of the commission shall be concurrent with the other office." NMSA § 70-2-4). Because the hearings for this matter concluded over a month before Mr. Chang joined the OCC, Mr. Chang abstained from participating in deliberations to decide this case.

- **Case Nos. 24123, 23614-17**: Applications of Goodnight Permian Midstream, LLC for Approval of a Saltwater Disposal Well, Lea County, New Mexico.
- **Case No. 23775**: Application of Goodnight Midstream Permian, LLC to Amend Order No. R-22026/SWD-2403 to Increase the Approved Injection Rate in its Andre Dawson SWD #1, Lea County, New Mexico.
- **Case Nos. 24018-24020, 24025**: Application of Empire New Mexico to Revoke the Injection Authority Granted Under Order No. R-22026 for the Andre Dawson SWD #001, Lea County New Mexico.

➤ **Matter to be heard by the Commission: Commission Deliberations.**

Action: Commissioner Lamkin moved for the Commission to go into a closed session for deliberations on the consolidated cases by Goodnight Midstream and Empire New Mexico, under NMSA 1978, 10-15-1(H)(3). Commissioner Ampomah seconded the motion. Roll call was taken and the motion to move into closed session was unanimously approved.

1:30 p.m. Commissioners returned to open meeting.

Commissioner Lamkin moved to return to open session. Motion seconded by Commissioner Ampomah.

Roll call was taken and a quorum was present.

Commissioner Ampomah (acting as Chair) attested that only the matters that were discussed in closed session were those that were listed in the motion to go into closed session.

Commissioner Ampomah moved for approval of the Commission's unanimous decision as follows:

The Commission finds that there was substantial evidence presented at the hearing to establish the existence of a ROZ in the Grayburg and San Andres, especially the core analysis evidence.

Based on the 1984 Commission Order, Empire has the exclusive rights to produce the ROZ in the EMSU.

However, there was insufficient evidence presented at hearing to prove whether the ROZ is recoverable.

The Commission therefore will provide Empire the opportunity to establish a CO2 EOR pilot project within a period of 3 years to ascertain the recoverability of the ROZ and return to the Commission with further data/analysis.

The Commission finds that Empire at present did not prove that their correlative rights in the Grayburg are impaired by Goodnight's injection into the San Andres.

However, Empire adduced substantial evidence of the possibility of future impairment of correlative rights or waste.

Goodnight did not adduce substantial evidence of the existence of a continuous barrier between the Grayburg and the San Andres and therefore did not refute the potential for future impairment or waste.

Based on the above summaries the Commission:

1. Denies Goodnight's applications to drill new wells: Case no. 23614 (Gooden), Case no. 23615 (Hernandez), Case no. 23616 (Hodges), Case no. 23617 (Seaver), Case no. 24123 (Piazza).
2. Denies Goodnight's application to request existing increase: Case no. 23775 (Dawson).
3. Suspends Goodnight's existing injection wells: Case no. 24018 (Dawson), Case no. 24019 (Banks), Case no. 24020 (Sosa) Case no. 24025 (Ryno).
4. All pending motions are denied.

The decision was unanimous.

Commissioner Lamkin seconded the motion, roll call was taken and the motion carried unanimously.

Item 4: Pending Litigation

Action: There was new pending litigation. Yesterday, in the PFAS Rulemaking matter, a Notice of Appeal was filed. The appellant has 30 days to file a statement of the reasons for the appeal.

Item 5: Other business

Action: No other business

Item 6: Next Meeting

Action: Next meeting is on September 18, 2025

Item 7: Adjourn

Action: Meeting was adjourned at 1:41 p.m.

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

Albert Chang, Chair