

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF AMERICAN ENERGY RESOURCES
TO REOPEN PERMIAN RESOURCES OPERATING, LLC
CASE NO. 25137 - DIVISION ORDER R-23748 AND
CASE NO. 24837 - DIVISION ORDER R-22893-A.**

CASE NO. 26060

PRE-HEARING ORDER

This Pre-Hearing Order follows a status conference held on June 18, 2026, all Parties in attendance.

Based on the Parties' representations that a contested hearing is necessary to resolve disputed issues:

THE HEARING EXAMINER FINDS AND ORDERS:

1. Case No. 26060 is hereby set for a contested hearing, which will commence on **July 7, 2026**, on a trailing docket at **8:30 a.m.** and may continue on July 9, 2026.
2. The hearing will be recorded and transcribed. Parties shall not speak over each other and over the hearing officer.
3. Based on 19.15.4.12(D) NMAC ([e]vidence of failure to provide notice as 19.15.4.9 NMAC requires may, upon proper showing, be considered cause for reopening the case), the sole issues to be heard are limited to:
 - A) whether the notice to AER/Samaniego complied with 19.15.4.12 NMAC in Cases No. 25137 and 24837;
 - B) whether constructive notice was adequate or applicable; and
 - C) any associated due-process or procedural-fairness issues.
4. All witnesses offering sworn testimony may appear in person or appear virtually with their camera and microphone in proper working order. Witnesses may be excluded from the hearing if this condition is not complied with.

5. Any exhibit offered into evidence must first be filed in accordance with 19.15.4 NMAC and shared with the opposing party. Exhibits must be marked and each page must have a distinct number in a location that is consistent throughout.
6. The hearing shall be conducted in hybrid fashion, in-person at Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM and via MS Teams virtual meeting platform (sign in information will be sent to the parties closer to the date of the hearing). It is strongly preferred that Counsel appear in-person while witnesses may be offered in-person or virtually. The Hearing Examiner may modify the format of the hearing consistent with the available resources at the time of the hearing.
7. Pre-hearing statements shall be filed no later than **8:30 a.m.**, 4 business days prior to the hearing and in addition to the requirements of 19.15.4.13.B(1) NMAC, shall include the following:
 - a) All evidentiary exhibits, documents, affidavits, and full-written testimony of any witness a party offers at the hearing.

Exhibits must be sequentially marked on every page. Failure to timely file a complete pre-hearing statement may cause the Hearing Examiner to continue the hearing and/or impose sanctions up to and including the exclusion of late-filed evidence.

8. Evidentiary objections must be filed no later than 48 hours before the hearing. Rulings on the objections will be addressed as a preliminary matter when the case is called.
9. All witnesses filing direct testimony shall attend the hearing and may be subject to cross-examination by Counsel and the Division's Examiners.
10. Requests for a continuance shall be filed in writing through the OCD fee portal at least one week prior to the contested hearing for approval by the Hearing Examiner.

DONE AND ORDERED this 18th day of June, 2026.

Gregory Chakalian
GREGORY CHAKALIAN
HEARING EXAMINER