

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

**IN THE MATTER OF THE APPLICATION  
OF STRATA PRODUCTION COMPANY TO  
REVOKE THE INJECTION AUTHORITY  
GRANTED UNDER SWD-1591-A FOR THE  
FORTY NINER RIDGE SWD WELL NO. 1,  
OPERATED BY MEWBOURNE OIL  
COMPANY, EDDY COUNTY, NEW MEXICO**

**CASE No. 16447  
ORDER No. R-14877**

**ORDER REMANDING CASE**

This matter comes before the Oil Conservation Commission (“Commission”) on the Application filed by Strata Production Company (“Strata”). The Commission Chair, having reviewed the Application and being otherwise duly advised, enters the following Order.

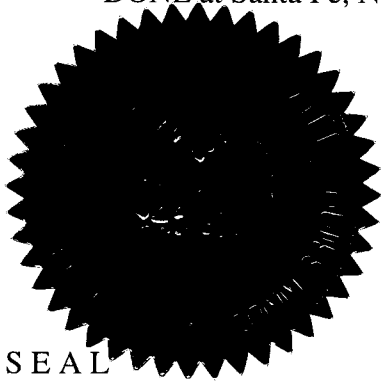
1. Strata filed an Application to Revoke the Injection Authority Granted Under SWD-1591-A for the Forty Niner Ridge SWD Well No. 1, Operated by Mewbourne Oil Company in Eddy County, on September 6, 2018 (“Application”). The Application was directed to the Commission but stated that: “[s]hould the Commission find that this Application must originate in the Division, Strata respectfully requests that the Commission remand the Application to the Division for consideration.”

2. The Director has jurisdiction to determine if a case should be heard before the Commission or the Division. NMSA 1978, Section 70-2-6(B).

3. This case is not properly before the Commission for a de novo review (“any party of record adversely affected shall have the right to have the matter heard de novo before the commission upon application filed with the division **within thirty days** from the time any such decision is rendered.” NMSA 1978, Section 70-2-13), but the Division may consider whether the failure to provide proper notice is cause to reopen the case. See, e.g., 19.15.4.12(E) NMAC. (“Evidence of failure to provide notice ... may, upon proper showing, be considered cause for reopening the case.”)

**IT IS THEREFORE ORDERED THAT** this case is remanded to the Division to determine whether proper notice was provided, and, if not, whether the case should be reopened. The Division is also authorized to issue a stay of SWD-1591-A. 19.15.4.23(B) NMAC.

DONE at Santa Fe, New Mexico, on the 18<sup>th</sup> day of September, 2018.



**STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION**

  
**HEATHER RILEY**  
Chair