

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

**APPLICATION OF THE NEW MEXICO
OIL CONSERVATION DIVISION FOR
REHEARING OF RULE AMENDMENT
19.15.14.8**

**CASE NO. 14744
Order No. R-13499-B**

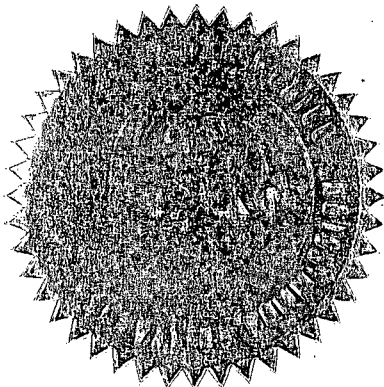
ORDER OF THE COMMISSION

This matter comes before the Oil Conservation Commission ("Commission") on an Application for Rehearing ("Application") filed by the New Mexico Oil Conservation Division ("Division"). In the Application the Division asserts that the language "an approved application for permit to drill" in the portion of the Order for Case No. 14744 ("Order") that contains the language of 19.15.14.8.A NMAC is in error. The Division requests a rehearing pursuant to NMSA 1978, § 70-2-25 so that the Commission may consider amending the Order to delete the language "an approved application for permit to drill" and to substitute the language "a permit" therefore.

The Commission, having considered the Application and heard discussion of the matter at its February 23, 2012 meeting, determines that since the amended rule has been published in the New Mexico Register, the Commission lacks jurisdiction to reopen the rulemaking in Case No. 14744. The Commission instead will treat the Application as a petition to initiate a new rulemaking pursuant to 19.15.3.8 NMAC.

NOW THEREFORE the Commission orders a new rulemaking to be commenced to amend 19.15.14.8 NMAC. The Division shall immediately draft a proposed legal notice for publication and deliver the notice to the Commission Chair who shall schedule a hearing on the rule change.

Done in Santa Fe, New Mexico, this 27th day of February, 2012.



SEAL

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**

A handwritten signature in black ink, appearing to read "Jami Bailey".

JAMI BAILEY, Chair