

# NMAC Transmittal Form

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2018 JUN 13 AM 10:35  
(ALD Use Only)  
Sequence No. **521**

Issuing agency name and address:

Agency DFA code:

Oil Conservation Commission 1220 S. St. Francis Dr., Santa Fe, NM 87505

521

Contact person's name:

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Type of rule action:

(ALD Use Only)

Most Recent Filing Date:

New ☐ Amendment ☒ Repeal ☐ Emergency ☐ Renumber ☐

Title number:

Title name:

19

Natural Resources and Wildlife

Chapter number:

Chapter name:

15

Oil and Gas

Part number:

Part name:

14

Drilling Permits

Amendment Description (If filing an Amendment):

Amendment's NMAC Citation (If filing an Amendment):

Amending two sections.

Amending Sections 1 and 8 of 19.15.14 NMAC.

Are there any materials incorporated by reference? Please list attachments or Internet sites if applicable.

Yes ☐ No ☒

If materials are attached, has copyright permission been received? Yes ☐ No ☐ Public domain ☐

## Concise Explanatory Statement for rulemaking adoption:

Specific statutory or other authority authorizing rulemaking:

Sections 70-2-6, 70-2-11, 70-2-12(B) and 70-2-12.2 NMSA 1978

Notice date(s):

Rule Hearing date(s):

Rule Adoption date:

Rule Effective date:

2/27/2018

4/17/2018-4/20/2018

6/11/2018

6/26/2018

## Findings required for rulemaking adoption.

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

See attached 42 page document titled Oil Conservation Commission Order No. R-14689, Order of the Commission.

Continued on next page

4/12/2018

**Findings required for rulemaking adoption  
(continued)**

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**Issuing authority (If delegated, authority letter must be on file with ALD):**

**Name:**

Heather Riley

Check if authority has been delegated

☐

**Title:**

Oil Conservation Commission Chair

**Signature: (BLACK ink only)**

Heather Riley

**Date signed:**

6/12/18

2018 JUN 13 AM 10:36

This is an amendment to 19.15.14 NMAC, amending Sections 1 and 8, effective 6/26/2018.

**19.15.14.1 ISSUING AGENCY:** ~~[Energy, Minerals and Natural Resources Department, Oil Conservation Division]~~ Oil Conservation Commission.  
[19.15.14.1 NMAC - N, 12/1/2008; A, 6/26/2018]

**19.15.14.8 PERMIT TO DRILL, DEEPEN OR PLUG BACK:**

**A. Permit required.** An operator is required to obtain a permit approved by the division prior to commencing drilling, deepening or re-entry operations, commencing an additional lateral, plugging a well back to a different pool, or completing or re-completing a well in an additional pool.

**B.** ~~[Mineral owner or lessee consent required. An operator shall not file an application for permit to drill nor commence drilling operations until the operator has either:~~

~~(1) received the consent of at least one lessee or owner of an unleased mineral interest at the proposed bottom hole location; or~~

~~(2) obtained a compulsory pooling order from the division. In addition, an operator filing an application for permit to drill for a horizontal or directional well shall comply with Subsection A of 19.15.16.15 NMAC.]~~ Mineral owner or working interest owner consent required.

(1) An operator shall not file an application for permit to drill nor commence drilling operations until the operator has either:

(a) received the consent of at least one working interest owner or owner of an unleased mineral interest at the proposed bottom hole location; or

(b) obtained a compulsory pooling order from the division.

(2) In addition, an operator filing an application for permit to drill a horizontal well shall comply with Paragraph (1) of Subsection A of 19.15.16.15 NMAC.

[19.15.14.8 NMAC - Rp, 19.15.3.102 NMAC, 12/1/2008; A, 2/15/2012; A, 4/16/2012; A, 6/26/2018]