

1 STATE OF NEW MEXICO
2 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
3 OIL CONSERVATION COMMISSION
4 STATE LAND OFFICE BUILDING
5 SANTA FE, NEW MEXICO

6 16 February 1989

7 COMMISSION HEARING

8 IN THE MATTER OF:

9 In the matter of the hearing called CASE
10 by the Oil Conservation Division on 9506
11 its own motion to consider the amend-
12 ment of Rule 1102 to amend the re-
13 quirement for certification of the
14 well location and proration unit on
15 Form C-102.

16 BEFORE: William J. Lemay, Chairman
17 William M. Humphries, Commissioner
18 Erling Brostuen, Commissioner

19 TRANSCRIPT OF HEARING

20 A P P E A R A N C E S

21 For the Division: Robert G. Stovall
22 Attorney at Law
23 Legal Counsel to the Division
24 State Land Office Bldg.
25 Santa Fe, New Mexico

For The Applicant:

1 MR. LEMAY: Now we go to Case
2 9506.

3 MR. STOVALL: In the matter of
4 the hearing called by the Oil Conservation Division on its
5 own motion to consider the amendment of Rule 1102 to amend
6 the requirement for certification of the well location and
7 proration unit on From C-102.

8 MR. LEMAY: Do we have appear-
9 ances in this case?

10 MR. STOVALL: Robert G.
11 Stovall of Santa Fe, appearing on behalf of the Commission.

12 MR. LEMAY: Mr. Stovall, do
13 you have any witnesses?

14 MR. STOVALL: No witnesses.

15 MR. LEMAY: Would you -- are
16 there any objections; anyone else who will be making an
17 appearance in 9506?

18 If not, you may continue your
19 case, Mr. Stovall.

20 MR. STOVALL: Because this
21 case really is just a matter of making a legal change in
22 the requirements for surveying on the C-102 form, I'm not
23 going to present the case with a witness. I'll just simply
24 present a legal rationale for the changes that are pro-
25 posed.

1 You have in front of you the
2 proposed new language for the Rule 1102 and the only change
3 actually takes place in the last paragraph, last sentence
4 of the last paragraph.

5 The current language of the
6 rule requires that a C-102 survey be certified by a regis-
7 tered profesional engineer and/or land surveyor registered
8 in the State of New Mexico, or surveyor approved by the
9 Division.

10 It has been pointed out by
11 Division staff that it may be in violation of the Engineers
12 and Surveyors Act to allow a registered engineer to con-
13 duct a land survey and there's also some question as to
14 whether a surveyor approved by the Division is legally
15 authorized under New Mexico State law to certify any survey
16 of a well location.

17 The proposed language changes
18 that language to require that the surveyed well location on
19 the Form C-102 be certified by a registered professional
20 surveyor, which is a term used in the Engineers and Sur-
21 veyors statute, or any other person authorized by New
22 Mexico State law to make such certification.

23 Get's the Division out of the
24 business of certifying land -- approving land surveyors;
25 requires these surveys to be conducted by someone who is

1 authorized by the appropriate state agency to make such
2 surveys and I think it's well justified. I think we want
3 to know that our wells are where they think they are; that
4 they're being located by somebody who's trained in survey-
5 ing, and can properly place a well and identify the loca-
6 tion of the well for future reference and it conforms with
7 state law and therefor I recommend that this change be
8 adopted by the Commission to be effective April 1st, 1989.

9 And I have nothing further in
10 this case.

11 MR. LEMAY: Are there any
12 questions of Mr. Stovall?

13 If not, he may be excused and
14 the case will be taken under advisement.

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16 (Hearing concluded.)

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C E R T I F I C A T E

I, SALLY W. BOYD, C. S. R. DO HEREBY
CERTIFY that the foregoing Transcript of Hearing before the
Oil Conservation Division (Commission) was reported by me;
that the said transcript is a full, true and correct record
of the hearing, prepared by me to the best of my ability.

Sally W. Boyd CSR

NEW MEXICO OIL CONSERVATION COMMISSION

COMMISSION HEARING

SANTA FE, NEW MEXICO

Hearing Date FEBRUARY 16, 1989 Time: 9:00 A.M.

NAME	REPRESENTING	LOCATION
Bob Huber	Byram	Santa Fe
Vic Lyon	OCD	"

NEW MEXICO OIL CONSERVATION COMMISSION

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