

**STATE OF NEW MEXICO  
NEW MEXICO OIL CONSERVATION COMMISSION**

**IN THE MATTER OF PROPOSED  
AMENDMENTS TO 19.15.2, 19.15.5,  
19.15.8, 19.15.9, AND 19.15.25 NMAC**

**CASE NO. 24683**

**NEW MEXICO OIL CONSERVATION DIVISION’S RESPONSE IN OPPOSITION  
TO NEW MEXICO OIL AND GAS ASSOCIATION AND INDEPENDENT  
PETROLEUM ASSOCIATION OF NEW MEXICO’S  
EXPEDITED MOTION TO REOPEN EVIDENTIARY RECORD**

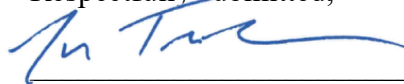
The New Mexico Oil Conservation Division (“OCD”), through undersigned counsel, submits this response in opposition to the *Expedited Motion to Reopen Evidentiary Record* (“Motion”) filed by the New Mexico Oil and Gas Association and Independent Petroleum Association of New Mexico (collectively, “Industry Parties”). As stated by the State Land Office (“SLO”) in their Response, the Industry Parties seek to delay the finalization of this rulemaking, which has already taken considerable time and effort, including extensive negotiations and agreements amongst many of the stakeholders since the close of evidence. The Industry Parties do not provide any specific evidence or testimony that they intend to offer in support of their motion, but, rather, Industry Parties assert that they need additional months based upon a new statute that the Commission could take notice of and a lawsuit filed by the Center for Biological Diversity (“CBD”) which consists entirely of unsubstantiated allegations. Further, that the Industry Parties’ attempt to utilize pleadings (which are in no way, shape, or form evidence) as a reason to delay this rulemaking has the effect of unnecessary delay without articulating a legitimate need to provide additional evidence.

OCD joins in SLO and WELC's assertion that taking notice of HB 80 is appropriate but does not necessitate re-opening the record further for other evidence. In fact, the Industry Parties have not identified other documents or witnesses they intend to introduce in a reopening of the evidentiary record. Further, the Industry Parties fail to provide any basis for how those unnamed documents or witnesses would aid the Commission in its deliberations.

Additionally, as stated above, the Complaint filed by CBD is not evidence and should not be considered by the Commission in any manner in this rulemaking. The Complaint is more like public comment, which does not require evidentiary support or predicate, than it is competent evidence for the OCC's consideration. Further, despite every reasonable opportunity, the numerous, informed, and competently represented parties opted against raising any of the content of the Complaint during the course of the hearing or stakeholder discussions.

As a result of these reasons, as well as those stated by WELC and the SLO, OCD requests that the Motion be denied, with the caveat that OCD does not object to the Commission taking administrative notice of the contents of HB 80 and permitting the interested parties to make any necessary legal arguments in the form deemed necessary by the Commission.

Respectfully submitted,



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Certificate of Service

I certify that on March 20, 2026, I served a copy of the foregoing to the following via email to:

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