

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

**FOR THE CONSIDERATION OF:
APPLICATION OF SELECT WATER
SOLUTIONS, LLC FOR APPROVAL
OF SALTWATER DISPOSAL WELL,
LEA COUNTY, NEW MEXICO.**

OCC Case No. 26053 [Desert Ram]
OCD Case Nos. 25547-25548
25899-25900

**FOR THE CONSIDERATION OF:
APPLICATION OF SELECT WATER
SOLUTIONS, LLC FOR APPROVAL
OF SALTWATER DISPOSAL WELL,
LEA COUNTY, NEW MEXICO.**

OCC Case No. 26082 [Pilot]
OCD Case Nos. 25547-25548
25899-25900

ORDER OF THE COMMISSION

THIS MATTER came before the New Mexico Oil Conservation Commission (“Commission”) on (1) the Applications of Desert Ram South Ranch, Inc. (“Desert Ram”) and Pilot Water Solutions, SWD, LLC (“Pilot”) for a *de novo* hearing to review the Oil Conservation Division (“OCD”) Hearing Examiner’s February 4 and 5, 2026, Orders denying Desert Ram’s and Pilot’s standing to intervene in Division Case Nos. 25547-25548 and 25899-25900, (“Applications”), and (2) Select Water Solutions, LLC’s (“Select”) Motions to Dismiss each of the respective applications filed by Desert Ram and Pilot. Having considered the briefs of the parties, and having held a hearing on these motions, the Commission finds and orders as follows:

1. “When the division enters an order pursuant to a hearing that a division examiner held, a party of record whom the order adversely affects has the right to have the matter heard *de novo* before the commission.” 19.15.4.23 (A) NMAC.
2. The Oil and Gas Act grants the Commission “broad statutory authority” to the extent necessary for the commission to perform its duties as required by law. NMSA 1978 § 70-2-6; *Santa*

Fe Exploration Co. v. Oil Conservation Comm'n, 1992-NMSC-044.

3. The Commission has previously held that when a person or entity has been denied entry of appearance or intervention in an original hearing, but the decision to deny entry “may have been erroneous,” then the person or entity may request and may be granted participation in a subsequent hearing. *See* OCC Case No. 16403; Order No. R-10987-A(4), ¶ 7.

4. The Commission finds that the Collateral Order Doctrine does not apply in this case because the dispute over Desert Ram’s and Pilot’s standing remains reviewable in a subsequent *de novo* proceeding at the Commission, and therefore, does not meet the “effectively unreviewable” test under the Collateral Order Doctrine. *See Carrillo v. Rostro*, 1992-NMSC-054, ¶ 16.

5. Similarly, because the dispute over Desert Ram’s and Pilot’s standing remains reviewable in a subsequent *de novo* proceeding in front of the Commission, the Commission finds that the stay requested by Desert Ram and Pilot is not necessary to prevent irreparable harm at this time.

6. In the interest of administrative economy, to maintain an orderly docket, and to avoid the possibility of multiple duplicative *de novo* hearings in the same cases, the Commission hereby:

- A. holds Desert Ram’s and Pilot’s Applications for *de novo* hearing in abeyance until after the conclusion of proceedings in the underlying OCD Case Nos. 25547, 25548, 25899, and 25900;
- B. denies the Motions for Stay;

- C. denies the Requests for Limited Evidentiary Hearings as moot, because any necessary factual development would happen as part of a *de novo* hearing at the Commission; and
- D. denies Select's Motions to Dismiss the Applications filed by Desert Ram [OCC Case No. 26053] and Pilot [OCC Case No. 26082].

IT IS SO ORDERED.

DONE at Santa Fe, New Mexico on the 14th day of May, 2026.

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**



DATED: 5/14/2026

Albert Chang

Albert C.S. Chang, Chairman