

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

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

COMMISSIONER HEARING

Agenda Items 1 through 5 and 7 through 9

December 17, 2021

Santa Fe, New Mexico

BEFORE: ADRIENNE SANDOVAL, CHAIRWOMAN
GREG BLOOM, COMMISSIONER
TERRY WARNELL, COMMISSIONER
CHRIS MOANDER, ESQ.

This matter came on for hearing before the New Mexico Oil Conservation Commission on Friday, December 17, 2021, via Webex Virtual Platform hosted by the New Mexico Energy, Minerals, and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Santa Fe, New Mexico.

Reported by: PAUL BACA
PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

1 CHAIRWOMAN SANDOVAL: All right. Good morning,
2 everybody. It is 9:05 a.m. on December 17, and this is a
3 special meeting of the Oil Conservation Commission. I'm
4 Adrienne Sandoval. I'm chair of the Oil Conservation
5 Commission and Director of the Oil Conservation Division.

6 Will the other commissioners please introduce
7 themselves for the record.

8 COMMISSIONER BLOOM: Madam Chair, yes, good
9 morning, everybody. I'm Greg Bloom. I'm the designee of
10 the Commissioner of Public Lands. Thank you.

11 COMMISSIONER WARNELL: Good morning, everyone.
12 Designee Terry Warnell, designee from the Energy Minerals
13 and Natural Resources Department.

14 CHAIRWOMAN SANDOVAL: Also with us today is Chris
15 Moander, counsel for the commission.

16 On today's agenda, first need approval of the
17 agenda. I don't know of any changes. Is there a motion to
18 adopt the agenda for today?

19 COMMISSIONER BLOOM: Madam Chair, I move to adopt
20 the agenda for today.

21 COMMISSIONER WARNELL: I second that motion.

22 CHAIRWOMAN SANDOVAL: Mr. Moander, would you do
23 you a roll call, please?

24 MR. MOANDER: Yes, Commissioner Bloom?

25 COMMISSIONER BLOOM: Approved.

1 MR. MOANDER: Commissioner Warnell?

2 COMMISSIONER WARNELL: Approved.

3 MR. MOANDER: Madam Chair?

4 CHAIRWOMAN SANDOVAL: Approved.

5 MR. MOANDER: The motion carries.

6 CHAIRWOMAN SANDOVAL: Next on the agenda is
7 approval of the December 9, 2021 minutes. Commissioners,
8 have you reviewed the minutes and is there a motion to
9 approve them?

10 COMMISSIONER BLOOM: Madam Chair, yes, I have
11 reviewed the minutes, and I move to approve the minutes from
12 the last meeting.

13 COMMISSIONER WARNELL: I second that motion.

14 CHAIRWOMAN SANDOVAL: Would you do a roll call
15 vote, please, Mr. Moander?

16 MR. MOANDER: Yes, Madam Chair. Commissioner
17 Bloom?

18 COMMISSIONER BLOOM: Approved.

19 MR. MOANDER: Commissioner Warnell?

20 COMMISSIONER WARNELL: Approved.

21 CHAIRWOMAN SANDOVAL: Madam Chair?

22 CHAIRWOMAN SANDOVAL: Approve.

23 MR. MOANDER: The motion carries.

24 CHAIRWOMAN SANDOVAL: Next on the agenda is
25 approval of the 2022 Open Meetings Resolution.

1 Commissioners, have you reviewed the resolution and is there
2 a motion to approve?

3 COMMISSIONER BLOOM: Yes, Madam Chair, I reviewed
4 the Open Meetings motion and I move to approve that.

5 COMMISSIONER WARNELL: I second that motion.

6 CHAIRWOMAN SANDOVAL: Mr. Moander, would you do
7 another roll call vote, please?

8 MR. MOANDER: Yes, Madam Chair. Commissioner
9 Bloom?

10 COMMISSIONER BLOOM: Approve.

11 MR. MOANDER: Commissioner Warnell?

12 COMMISSIONER WARNELL: Approve.

13 MR. MOANDER: And Madam Chair?

14 CHAIRWOMAN SANDOVAL: Approved.

15 MR. MOANDER: The motion carries.

16 CHAIRWOMAN SANDOVAL: Next item on the agenda is
17 discussion and potential vote on February 22 agenda
18 continuances. I believe we were looking at rescheduling
19 that meeting. Mr. Moander, do you recall if that was the
20 agenda?

21 MR. MOANDER: Yeah, so given the -- kind of
22 provide a little background on this -- given the short
23 nature of at least the initial or the general session in
24 January, it's my understanding that at least with you Madam
25 Chair, there are going to be some scheduling difficulties,

1 and there are some cases that are going to require more
2 attention than usual that are pending.

3 There may be some value in continuing that docket
4 to March because the February 22 meeting is going to fall
5 squarely kind of in the heart of the general session. I
6 don't -- did not see any particular legal prohibition that
7 would prevent that from happening, and in speaking with
8 various counsel from various cases, there is an
9 understanding of the gravity of the general session and
10 especially Madam Chair's obligations.

11 CHAIRWOMAN SANDOVAL: Just with the hearing
12 dates, I think it's currently scheduled for the 10th, and I
13 think we are proposing to move it to the 22nd.

14 MR. MOANDER: That's been one of the options,
15 rather than moving all of those cases to March or April, we
16 could set a meeting for the end of February. And I think,
17 yeah, the 22nd was the date that had been tossed around.

18 CHAIRWOMAN SANDOVAL: Commissioners, do you have
19 any thoughts on moving the regularly scheduled from the
20 10th, which is in the middle of the session, to a later
21 date, the 22nd, which is the Tuesday following the close of
22 the session?

23 COMMISSIONER BLOOM: Madam Chair, the 22nd would
24 work fine for me, no problem with moving some days around.

25 COMMISSIONER WARNELL: I have no problem with

1 that either.

2 CHAIRWOMAN SANDOVAL: Is there a motion to modify
3 the meeting dates in February?

4 COMMISSIONER BLOOM: Madam Chair, I propose to --
5 I propose to move our meeting from Thursday, February 10 to
6 Tuesday, February 22.

7 COMMISSIONER WARNELL: I second that motion.

8 CHAIRWOMAN SANDOVAL: Would you do a roll call
9 vote please, Mr. Moander?

10 MR. MOANDER: Yes, Madam Chair. Commissioner
11 Bloom?

12 COMMISSIONER BLOOM: Approved.

13 MR. MOANDER: Commissioner Warnell?

14 COMMISSIONER WARNELL: Approved.

15 MR. MOANDER: And Madam Chair?

16 CHAIRWOMAN SANDOVAL: Approved.

17 MR. MOANDER: The motion carries.

18 (Agenda Items 1 through 5 concluded.)

19 (Agenda Item Number 22225 held in separate
20 proceeding and upon recess, Agenda Items 7 through 9 heard
21 as follows:)

22 CHAIRWOMAN SANDOVAL: On that note, do you have
23 any updates for the Commissioners on pending litigation?

24 MR. MOANDER: No, Madam Chair. It's the same as
25 it was last week. The respondent Mr. Marker has his reply

1 brief due in the currently pending case on the 20th at which
2 point we'll, we'll learn more about where that case may or
3 may not be going, where it's heading.

4 CHAIRWOMAN SANDOVAL: All right. Is there any
5 other business before the Commission?

6 (No audible response.)

7 CHAIRWOMAN SANDOVAL: Our next meeting after
8 today be on January 13, and I'm just making a note that the
9 February meeting was changed from the 10th to the 22nd. And
10 with that, we will reconvene in the rulemaking for Agenda
11 Item Number 6 at noon.

12 (OCC Agenda Items 1 through 5 and 7 through 9
13 concluded.)

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

3

4 REPORTER'S CERTIFICATE

5

6 I, PAUL BACA, New Mexico Certified Court, do
7 hereby certify that I reported the foregoing virtual
8 proceedings in stenographic shorthand and that the foregoing
9 pages are a true and correct transcript of those proceedings
10 to the best of my ability.

11 I FURTHER CERTIFY that I am neither employed by
12 nor related to any of the parties or attorneys in this case
13 and that I have no interest in the final disposition of this
14 case.

15 I FURTHER CERTIFY that the Virtual Proceeding was
16 of extremely poor to reasonable quality.

17 Dated this 17th day of December 2021.

18

/s/ Paul Baca

19

PAUL BACA
License Expires: 12-31-22

20

21

22

23

24

25