

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

DOCKET NO 07-20

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSIONER HEARING

Agenda Items 1 through 11

February 27, 2020

Santa Fe, New Mexico

BEFORE: ADRIENNE SANDOVAL, CHAIRWOMAN  
DR. THOMAS ENGLER, COMMISSIONER  
MIGUEL LOZANO, ESQ.

This matter came on for hearing before the New Mexico Oil Conservation Commission on Thursday, February 27, 2020, at the New Mexico Energy, Minerals, and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

Reported by: Irene Delgado, NMCCR 253  
PAUL BACA PROFESSIONAL COURT REPORTERS  
500 Fourth Street, NW, Suite 105  
Albuquerque, NM 87102  
505-843-9241

1 (Note: In open proceedings at 9:02 a.m.)

2 CHAIRWOMAN SANDOVAL: Good morning. I will call  
3 this meeting to order. It's 9:02 a.m. on February 27, and  
4 this is the meeting of the -- a meeting of the New Mexico  
5 Oil Conservation Commission.

6 I'm Adrienne Sandoval, Director of the Oil  
7 Conservation Division and Chair of the Oil Conservation  
8 Commission. Will the Commissioners introduce themselves for  
9 the record?

10 COMMISSIONER ENGLER: Tom Engler, designate from  
11 Energy, Minerals and Natural Resources Department.

12 CHAIRWOMAN SANDOVAL: Also with us is Florene  
13 Davidson, clerk to the Commission, and Miguel Lozano,  
14 counsel to the Commission. There is a list of the items on  
15 today's agenda for the meeting. Is there a motion and  
16 second to adopt the agenda?

17 COMMISSIONER ENGLER: So moved.

18 CHAIRWOMAN SANDOVAL: I second. All in favor  
19 signify by saying aye.

20 COMMISSIONER ENGLER: Aye.

21 CHAIRWOMAN SANDOVAL: Aye.

22 (Ayes unanimous.)

23 CHAIRWOMAN SANDOVAL: The motion carries. In  
24 your packet are the draft minutes from the January 16, 2020  
25 meeting. If you have read the minutes, are there any

1 corrections?

2 COMMISSIONER ENGLER: I have read the minutes.  
3 They look good.

4 CHAIRWOMAN SANDOVAL: I have no corrections,  
5 either. Is there a motion and second to adopt the minutes?

6 COMMISSIONER ENGLER: So move to approve the  
7 minutes.

8 CHAIRWOMAN SANDOVAL: All those in favor signify  
9 by saying aye.

10 COMMISSIONER ENGLER: Aye.

11 CHAIRWOMAN SANDOVAL: Aye.

12 (Ayes unanimous.)

13 CHAIRWOMAN SANDOVAL: The motion carries.

14 Items 4, 5 and 6, Cases Numbers 20571, 20572 and  
15 20574, have been continued to the April 23 meeting.

16 Case Number 20795 has been dismissed pursuant to  
17 an unopposed motion filed by the parties.

18 Agenda Item Number 8, pending litigation,  
19 discussion of the final district court order in Case Number  
20 D-101-CV-2019-01070, Delaware Energy, the Oil Conservation  
21 Commission regarding the appeal of OCC's final order in OCC  
22 Case Number 15855, for the purpose of this discussion, we  
23 may go into closed session.

24 I will entertain a motion to go into closed  
25 session for the purposes of deliberation of this case.

1 COMMISSIONER ENGLER: Move to go into closed  
2 session.

3 I move the Commission enter into closed session  
4 to discuss this case as authorized by threatened or pending  
5 litigation exception of the Open Meetings Act, NMSA  
6 10-15-1(A)(7).

7 CHAIRWOMAN SANDOVAL: I will second that motion.  
8 The motion has been moved and seconded. Florene, may we  
9 have a roll call vote?

10 MS. DAVIDSON: Chair Sandoval?

11 CHAIRWOMAN SANDOVAL: Yes.

12 MS. DAVIDSON: Commissioner Engler?

13 COMMISSIONER ENGLER: Yes.

14 CHAIRWOMAN SANDOVAL: The motion to enter into  
15 closed session carries. Let the record show that the  
16 Commission entered into a closed session at 9:05 a.m. We  
17 are off the record.

18 (Closed session held.)

19 CHAIRWOMAN SANDOVAL: All right. The Commission  
20 is back in open session and on the record. The current time  
21 is 9:36 a.m.

22 Let the record show that the matters discussed  
23 during the proposed session were limited only to those  
24 specified in the motion for closure and that no votes or  
25 official actions were taken. I will entertain a motion

1 regarding the Delaware matter discussed during the closed  
2 session.

3 COMMISSIONER ENGLER: I move that the Commission  
4 accept the district court's remand back to the Commission  
5 and set a status conference in the matter in the OCC Case  
6 15855 for the April 23 meeting.

7 CHAIRWOMAN SANDOVAL: I second the motion. All  
8 those in favor signify by saying aye.

9 COMMISSIONER ENGLER: Aye.

10 CHAIRWOMAN SANDOVAL: Aye.

11 (Ayes unanimous.)

12 CHAIRWOMAN SANDOVAL: The motion carries.  
13 Counsel, will you draft an order regarding this matter?

14 MR. LOZANO: Yes, ma'am.

15 CHAIRWOMAN SANDOVAL: Is there any other business  
16 from the Commissioners?

17 COMMISSIONER ENGLER: I have none.

18 CHAIRWOMAN SANDOVAL: All right. Our next  
19 meeting will be March 12, 2020. If there is no other  
20 business before the Commission, this meeting is adjourned at  
21 9:37.

22 (Concluded.)

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1 STATE OF NEW MEXICO )  
 )SS  
2 COUNTY OF SANTA FE )

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4 I, IRENE DELGADO, certify that I reported the  
5 proceedings in the above-transcribed pages, that pages  
6 numbered 1 through 5 are a true and correct transcript of my  
7 stenographic notes and were reduced to typewritten  
8 transcript through Computer-Aided Transcription, and that on  
9 the date I reported these proceedings I was a New Mexico  
10 Certified Court Reporter.

11 Dated at Santa Fe, New Mexico, this 27th day of  
12 February 2020.

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Irene Delgado, NMCCR 253  
Expires: 12-31-20

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