

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION
Regular Meeting
April 7-11, 2025
Meeting Minutes

The Oil Conservation Commission meeting was a hybrid meeting with both in person and virtual participation options. The meeting was held in the Pecos Hall Hearing Room at the Wendell Chino Building, First Floor, 1220 South St. Francis Drive, Santa Fe, New Mexico.

MEMBERS PRESENT:

Gerasimos Razatos	Acting Chair, Oil Conservation Division, appeared remote on Teams meeting
William Ampomah	Designee, Energy, Minerals and Natural Resources Department
Greg Bloom	Designee, New Mexico State Land Office Commissioner
Baylen Lamkin	Designee, New Mexico State Land Office Commissioner, solely for the Evidentiary hearing of Goodnight Midstream/Empire New Mexico, Case Nos. 23614-17; 23775 24018-20; 24025; 24123

OTHERS PRESENT:

Rip Harwood	Hearing Officer appointed in Case Nos. 23614-17; 23775; 24018-20; 24025; 24123
Zachary Shandler:	Commission Counsel
Sheila Apodaca	Commission Clerk

The meeting was called to order by Acting Chair Razatos at 9:00 a.m.

Item 1. Roll Call.

Action: Roll was taken; a quorum was present.

Item 2. Approval of the Agenda.

Action: Commissioner Bloom moved to approve the Agenda. Commissioner Ampomah seconded the motion. Roll call was taken and the motion was unanimously approved.

Item 3. Approval of the Meeting Minutes of March 11 and March 20, 2025.

Action: Commissioner Bloom requested additional time to review Minutes of March 11, 2025. Those Minutes were moved to the April 21, 2025 meeting agenda.

Commissioner Bloom motioned for approval of the Meeting Minutes of March 20, 2025 and Commissioner Ampomah seconded the motion. Roll call was taken and the Minutes were approved unanimously.

Item 4. Pending cases:

1. **Case No. 24683:** Application of Western Environmental Law Center, Citizens Caring for the Future, Conservation Voters New Mexico Education Fund, Diné C.A.R.E., Earthworks, Naeva, New Mexico Interfaith Power and Light, San Juan Citizens Alliance, and Sierra Club, to amend 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 NMAC.

Action: Tannis Fox, Morgan O’Grady, and Matt Nykiel appeared on behalf of Western Environmental Law Center and co-petitioners. Adam Rankin appeared on behalf of Oxy, USA. Miguel Suazo appeared on behalf of New Mexico Oil and Gas Association. Jesse Tremaine appeared on behalf of Oil Conservation Division. Ann Tripp, Andrew Cloutier and appeared on behalf of Independent Petroleum Association of New Mexico. Matthias Sayer appeared on behalf of EOG.

Status conference was held to discuss issuance of a revised notice and scheduling order. A revised notice has been circulated but requires a few changes. A second revised notice will be circulated. The applicants will submit an Amended Application on April 25th which will have the amended Notice attached as an exhibit.

3. Consolidated Cases by Goodnight Midstream and Empire New Mexico, as follows:

- **Case Nos. 24123, 23614-17:** Applications of Goodnight Permian Midstream, LLC for Approval of a Saltwater Disposal Well, Lea County, New Mexico;
- **Case No. 23775:** Application of Goodnight Midstream Permian, LLC to Amend Order No. R-22026/SWD-2403 to Increase the Approved Injection Rate in its Andre Dawson SWD #1, Lea County, New Mexico;
- **Case Nos. 24018-24020, 24025:** Application of Empire New Mexico to Revoke the Injection Authority Granted Under Order No. R-22026 for the Andre Dawson SWD #001, Lea County New Mexico.

Action: These consolidated matters were scheduled for the continuation of the evidentiary hearing.

Adam Rankin and Nathan Jurgenson appeared on behalf of Goodnight Midstream. Chris Moander appeared on behalf of the Oil Conservation Division. Dana Hardy, Sharon Shaheen, Ernest Padilla appeared on behalf of Empire New Mexico. Miguel Suazo appeared on behalf of Pilot Water. Matt Beck appeared on behalf of Rice Operating Company and Permian Line Service.

April 7, 2025.

Discussion was held between the Commission and parties regarding closing arguments and findings of fact and conclusions of law. Hearing Examiner Harwood advised that the Commission will rule on this later.

Empire’s Unopposed Motion for Leave to File Amended Testimony of Frank Marek. There is no objection from any of the parties. Motion was granted and the Commission will accept the corrected self-affirmed statement of Frank J. Marek for filing.

Empire’s witness, Frank J. Marek was qualified as an expert witness. Mr. Marek offered testimony through written testimony, direct testimony, cross examination by Goodnight Midstream, OCD, Rice Commissioner Ampomah and redirect examination.

Empire Exhibit H admitted. Goodnight's Cross Exhibits 10-12 admitted.

Empire's witness, Galen Dillewyn was qualified as an expert witness. Mr. Dillewyn offered testimony through written testimony, direct testimony, cross examination by Goodnight Midstream, OCD, Rice & Permian Line Service, Commissioner Lamkin, Commissioner Ampomah, and redirect examination.

Empire Exhibit F and Revised Exhibit F were admitted.

Empire's witness, Joe McShane was qualified as an expert witness. Mr. McShane offered testimony through written testimony and direct testimony.

April 8, 2025

Empire's witness Joe McShane continued testimony through cross examination by Goodnight Midstream, OCD, Commissioner Ampomah and redirect examination.

Motion by Commissioner Ampomah to go into closed session from 1:15-1:30 pm to discuss parties' requests for oral closing arguments. Acting Chair Razatos seconded the motion. Motion was unanimously approved.

1:30 pm Commission Counsel requested a motion to return to open session. Commissioner Ampomah so moved and Commissioner Lamkin seconded the motion. The Motion was unanimously approved. Commission Counsel Shandler announced that the Commission had discussed in closed session the parties' request for oral arguments. Their feeling is that if the parties leave enough time within the scheduled hearing to present oral arguments at the close of the evidentiary hearing, there would be no objection by the Commission. Also, it would be helpful for the parties to submit post-hearing legal briefing on the legal issues.

Empire's witness, Jack Wheeler was qualified as an expert witness. Mr. Wheeler offered testimony through written and oral direct testimony, and cross-examination by Goodnight Midstream.

Empire Exhibit A and all exhibits were admitted. Goodnight's cross exhibits 13-17 were admitted.

April 9, 2025

9:00 a.m. Meeting called to order by Acting Chair Razatos.

Empire witness, Jack Wheeler, continued to testify through cross-examination by Rice Permian Line, Commissioner Ampomah, Commissioner Lamkin, Commission Chair Razatos, Commission Counsel Shandler, redirect by Empire, re-cross by Goodnight, OCD, Rice. Witness was released with OCD objecting to a complete release and reserving a right to recall the witness if necessary.

Rice Exhibit 1 was admitted. Goodnight cross exhibit 18 was tendered by denied.

Empire witness, William West, was qualified as an expert witness and offered testimony through written testimony and direct examination, and cross examination by Goodnight,

Empire's Exhibits I, I1-30, N N1-22 were admitted.

April 10, 2025

10:30 a.m. Meeting called to order by Acting Chair Razatos.

Empire witness, William West, continued to testify through cross examination by Goodnight, OCD, Commissioner Lamkin.

Goodnight cross exhibits 18-23 admitted.

April 11, 2025

Empire witness, William West, continued to testify through cross examination by Commissioner Ampomah, and redirect by Empire.

Empire's Exhibits N 23-28 were admitted.

Empire rested its case-in-chief.

Goodnight Midstream's witness, John McBeath, was qualified as an expert witness. Mr. McBeath offered testimony through written testimony and direct examination and partial cross examination by Empire.

Goodnight Exhibits F, F1-20 and supplemental F21-27, and 28-30 were admitted.

Hearing is adjourned until April 21st.

Item 5. Pending Litigation

There are no updates to report.

Item 5. Other business

Action: There was no other business to discuss.

Item 7. Next meeting

The next OCC meeting will be held on April 21, 2025.

Item 8. Adjournment

The meeting was adjourned at 3:50 p.m.



Gerasimos Razatos
Acting Chair