

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

**APPLICATION OF CHEVRON U.S.A. INC.  
TO REOPEN CASE NO. 24185 (ORDER NO.  
R-23684 (E.G.L. RESOURCES, INC.) AND  
CASE NO. 24886 (ORDER NO. R-23685  
PBEX, LLC) TO REQUIRE SUBMISSION  
OF PROPER STATEMENTS OF WELL  
COSTS BY OPERATOR AND RECOGNIZE  
THE CONSENTING STATUS OF CHEVRON.**

**CASE NO. 25878**

**JOINT VERIFIED MOTION FOR CONTINUANCE AND  
TO AMEND PRE-HEARING ORDER**

PBEX, LLC and E.G.L. Resources, Inc. (collectively, "PBEX"), and Chevron U.S.A., Inc. ("Chevron") request that the Oil Conservation Division ("Division") amend the Prehearing Order entered in this matter to continue the contested hearing from May 13, 2026 to June 23, 2026. In support, PBEX and Chevron state the following.

1. On March 31, 2026, the Division issued the Amended Pre-Hearing Order setting this case for a contested hearing on May 12, 2026, with the possibility of continuing to May 13, 2026. At that time, counsel and the parties were available on these dates.

2. Following the issuance of the Pre-Hearing Order, the Oil Conservation Commission ("Commission") held its regularly scheduled meeting on April 9, 2026. During the meeting, the Commission indicated that it would reschedule its May meeting to avoid conflicts with the Foundation for Natural Resources and Energy Law's special institute on the Law of the Permian Basin, scheduled in Santa Fe on May 14-15, 2026. Various members of the Commission, as well as counsel on matters scheduled to be heard at the Commission's May meeting, plan to attend the conference. Counsel for PBEX and Chevron are presenting at the conference.

3. At the April 9<sup>th</sup> Commission meeting, PBEX's counsel advised the Commission of the Division's May 13<sup>th</sup> contested hearing docket.

4. On April 15, 2026, the Commission issued a notice rescheduling its May 14<sup>th</sup> meeting for May 13<sup>th</sup>. See Revised Notice of 2026 Oil Conservation Commission Meetings Schedule, attached as **Exhibit 1**.

5. On April 22, 2026, the Commission issued its docket notice for the May 13<sup>th</sup> meeting. See May 13, 2026 Notice of Public Meeting, attached as **Exhibit 2**. Lead counsel for PBEX in this proceeding is also lead counsel in two substantive matters scheduled to be heard on the Commission's May 13<sup>th</sup> docket.

6. Lead counsel for PBEX in this proceeding is lead counsel for Select Water Solutions, LLC ("Select") in Commission Case Nos. 26053 and 26082, which involve de novo applications filed by Desert Ram South Ranch and Pilot Water Solutions, respectively. The Commission has set argument on Select's motions to dismiss the de novo applications on May 13<sup>th</sup>. PBEX's lead counsel has handled all hearings in these matters and will argue the motions, which involve novel arguments regarding the requirements and policies that apply to de novo hearing applications. Select has not consented to have other counsel argue the motions.

7. Lead counsel for PBEX in this proceeding is also lead counsel for Empire New Mexico, LLC ("Empire") in Commission Case Nos. 24123, 23614-23617, 23775, 24018-24020, and 24025. On May 13<sup>th</sup>, the Commission will hear argument on Empire's Motion to Require Modification of the OCD's Implementation Decision, which impacts the requirements that will apply to Empire's enhanced oil recovery pilot project.

8. Both matters before the Commission involve substantive motions that will have a significant impact on Select and Empire, and it is important that their lead counsel attend the meeting and present arguments on their behalf.

9. Similarly, it is important that PBEX's lead counsel handle the contested hearing in this matter before the Division. This case involves significant issues of New Mexico law and Division policy governing post-pooling order well proposals for 12 wells. The dispute involves many millions of dollars, and PBEX retained its lead counsel based on her extensive experience handling complex applications before the Division and the Commission. No other associates or colleagues in the firm have the same level of experience handling these types of proceedings. As a result, PBEX has not consented to have other counsel handle the hearing.

10. There is an unavoidable conflict between the Commission meeting and the Division docket on May 13<sup>th</sup>, and PBEX's lead counsel cannot represent her clients in both venues at the same time.

11. As a result, PBEX requests that the Division reschedule the contested hearing in this matter.

12. After conferring on potential special docket dates provided by the Division, PBEX and Chevron have agreed that the contested hearing should be rescheduled for June 23, 2026.

13. This date is within six months of the date when Chevron filed its application on December 24, 2025.

14. In addition, a June 23<sup>rd</sup> setting would ensure that the case does not conflict with other contested hearings being handled by counsel for PBEX and Chevron during the prior month, allowing them sufficient time to prepare for the hearing. This would benefit the parties and the Division.

15. A June 23<sup>rd</sup> setting would also allow the parties time to review documents that have been produced and would accommodate witness availability.

16. Chevron joins in this motion.

For the foregoing reasons, PBEX requests that the Division amend the Pre-Hearing Order to reschedule the contested hearing in this matter for June 23, 2026.

Respectfully submitted,

HARDY MCLEAN LLC

By: /s/ Dana S. Hardy

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***Attorneys for Chevron U.S.A., Inc.***

**VERIFICATION**

I, Dana S. Hardy, state under penalty of perjury under the laws of the State of New Mexico that the foregoing is true and correct to the best of my knowledge.

/s/ Dana S. Hardy  
Dana S. Hardy

Date: April 27, 2026

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record via electronic mail on April 27, 2026:

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/s/ Dana S. Hardy  
Dana S. Hardy

State of New Mexico  
Energy, Minerals and Natural Resources Department

**Michelle Lujan-Grisham**  
Governor

**Erin Taylor**  
Acting Cabinet Secretary

**Ben Shelton**  
Deputy Secretary

**Albert C.S. Chang**  
Division Director  
Oil Conservation Division



**MEMORANDUM**

<b>TO:</b>	All Interested Parties
<b>FROM:</b>	Sheila Apodaca, OCC Law Clerk
<b>DATE:</b>	April 14, 2026
<b>SUBJECT:</b>	<b>Revised Notice of 2026 Oil Conservation Commission Meetings Schedule</b>

- ❖ January 15, 2026
- ❖ February 12, 2026
- ❖ March 4, 2026
- ❖ ~~March 12, 2026~~
- ❖ April 9, 2026
- ❖ **May 13, 2026**
- ❖ ~~May 14, 2026~~
- ❖ June 11, 2026
- ❖ July 16, 2026
- ❖ August 13, 2026
- ❖ September 10, 2026
- ❖ October 15, 2026
- ❖ November 12, 2026
- ❖ December 10, 2026

1220 South St. Francis Drive • Santa Fe, New Mexico 87505  
Phone (505) 476-3460 • Fax (505) 476-3462 • www.emnrd.nm.gov/ocd/



**NOTICE OF PUBLIC MEETING  
STATE OF NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO  
MAY 13, 2026  
9:00 A.M.**

The State of New Mexico Oil Conservation Commission meeting will be held in a hybrid format with both in-person and virtual participation options as set forth below. **The meeting will be held before the Commission at the Wendell Chino Building, 1220 S. Saint Francis Drive, Pecos Hall, Santa Fe, New Mexico.**

The Commission's public meeting may also be accessed by using the following link and/or meeting information:

**Thursday, May 13, 2026 at 9:00 AM | 8 hours | Mountain Time (US & Canada)**

**[Join the meeting now](#)**

**Meeting ID: 230 350 352 558 47**

**Passcode: KG94WD97**

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**Dial in by phone**

**[+1 505-312-4308,,797404497#](#) United States, Albuquerque**

**[\(888\) 506-1357,,797404497#](#) United States (Toll-free)**

**Phone conference ID: 797 404 497#**

**The meeting is also accessible at the following link or web address:**

**[Join a Microsoft Teams Meeting by ID | Microsoft Teams](#)**

**<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>**

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A preliminary agenda will be available to the public no later than ten days prior. A final agenda will be available no later than 72 hours preceding the meeting. Members of the public may obtain copies of the agenda by contacting Commission Clerk Sheila Apodaca or by visiting the Oil Conservation Commission website at

**<http://www.emnrd.nm.gov/ocd/occ-info>**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Ms. Apodaca at (505) 699-8358 or through the

**EXHIBIT 2**

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New Mexico Relay Network at 1-800-659-1779. Public documents can be provided in various accessible formats.

**The following items are for discussion and possible action:**

**1. Case No. 25875: Application of Oil Conservation Division to Adopt 19.15.41, 1915.42, and 19.15.43 NMAC: Statewide (Class VI Injection Well)**

MATTER TO BE HEARD: Status Conference and presentation of Pre-Hearing Order.

**2. Consolidated Matters:**

- **Case No. 26053: Desert Ram South Ranch Application for Hearing De Novo:** Application for hearing de novo of orders entered in Division Case Nos. 25547, 25548, 25899 and 25900; and
- **Case No. 26082: Pilot Water Solutions Application for Hearing De Novo:** Application for hearing de novo of orders entered in Division Case Nos. 25547, 25548, 25899 and 25900.

MATTER TO BE HEARD: Status Conference / Motions to Dismiss.

**3. Case Nos. 25694, 25695, 25696: American Energy Resources Applications for De Novo Hearing on Division Order Nos. R-23961 [OCD Case No. 25166], R-23989 [OCD Case No. 25496], and R-23977 [OCD Case No. 25495].**

MATTER TO BE HEARD: American Energy Resources' Motion Requesting These Matters be Presented to the Attorney General for Emergency Review of the Merits of the Parties' Claims, etc.

**4. Consolidated cases of Goodnight Midstream/Empire New Mexico:**

- 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.

MATTER TO BE HEARD: Empire New Mexico's Motion to Require Modification of the OCD's Implementation Decision.

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5. **Case No. 24683: WELC Application for Rulemaking, to Amend 19.15.2, 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 NMAC**

MATTER TO BE HEARD: Oral summations of closing briefs and pending misc. motions, if any.

Given under the Seal of the New Mexico Oil Conservation Commission at Santa Fe, New Mexico.

**STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION**



**Albert C.S. Chang, Chair**