

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

**APPLICATION OF POWDERHORN
OPERATING, LLC FOR COMPULSORY POOLING
AND APPROVAL OF NONSTANDARD
HORIZONTAL SPACING UNIT,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 25888

**APPLICATIONS OF MRC DELAWARE
RESOURCES, LLC FOR APPROVAL OF A
STANDARD OVERLAPPING HORIZONTAL WELL
SPACING UNIT AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NOS. 26096 & 26098

**APPLICATION OF MRC DELAWARE
RESOURCES, LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 26097

JOINT MOTION TO AMEND PRE-HEARING ORDER

Applicants in the above-captioned cases (“Powderhorn Operating, LLC” and “MRC Delaware Resources”) jointly move, through undersigned counsel (“Counsel”), to further amend the Amended Prehearing Order entered in these matters to request that the contested hearing be rescheduled from May 13, 2026, to June 2, 2026, continuing to June 3, 2026, if necessary. In support, movants state and verify, as follows:

1. These contested matters were originally scheduled in the original Pre-Hearing Order, issued on February 27, 2026, for a contested hearing on May 12, 2026, potentially continuing to May 13, 2026. At the time of the original status conference and Pre-Hearing Order, Counsel and the parties were available on that date.

2. On April 9, 2026, at the Oil Conservation Commission meeting, the Commission indicated that it would move its May meeting forward to May 13, 2026 to avoid conflicts with the Foundation for Natural Resources and the Environment's special institute on the Law of the Permian Basin, scheduled for May 14-15, 2026, in Santa Fe. Members of the Commission and Division, as well as Counsel who are also lead counsel on matters scheduled to be heard at the Commission's May meeting, plan to attend that conference. Lead counsel for MRC Delaware and Powderhorn are scheduled to be presenters at that conference on May 14 and 15, respectively.

Exhibit A.

3. On April 15, 2026, the Commission issued a notice revising its 2026 meeting schedule, changing its May 14 meeting to May 13. **Exhibit B.**

4. **Exhibit C** is a copy of the Commission's May 13 docket notice. Lead counsel in this proceeding are also lead counsel in four out of the five matters scheduled to be heard on the Commission's May 13 docket.

5. Specifically, lead counsel for MRC Delaware in this case is also lead counsel for Oxy USA, Inc. in Case No. 25875, involving a proposed rulemaking to adopt proposed rules under 19.15.41, 19.15.42, and 19.15.43 NMAC to authorize Class VI Injection. A status conference has been set to discuss the status of party discussions and presentation of a pre-hearing order. Lead counsel for MRC Delaware in this case is also lead counsel for Goodnight Midstream in Case Nos. 24123, 23614-23617, 23775, 24018-24020, and 24025, which is set for a hearing on Empire's Motion to Require Modification of the OCD's Implementation Decision. Lead counsel for MRC Delaware in this case is also lead counsel for Oxy USA, Inc. in Case No. 24683, involving a proposed rulemaking to amend 19.15.2, 19.15.5, 19.15.8, 19.15.9, and 19.15.25 NMAC. The Commission has requested counsel provide oral summations of closing briefs and legal arguments.

6. Similarly, lead counsel for Powderhorn is also lead counsel for Select Water Services in Case Nos. 26053 and 26082 involving de novo applications filed by Desert Ram South Ranch and Pilot Water Solutions, respectively. A status conference has been set along with argument on pending motions to dismiss the de novo applications. Lead counsel for Powderhorn is also lead counsel for Empire in Case Nos. 24123, 23614-23617, 23775, 24018-24020, and 24025, which is set for a hearing on Empire's Motion to Require Modification of the OCD's Implementation Decision.

7. After the Commission had indicated on April 9 that it would move forward its May hearing to May 13, and after the Commission provided formal notice that its May meeting had been rescheduled to May 13, the Hearing Officer in this case issued an Amended Pre-Hearing Order on April 16, 2026, following a status conference that same day, moving the contested hearing in these cases from May 12 to May 13, which now conflicts with the Commission's docket and meeting agenda. There was no discussion at the April 16, 2026 status conference with Counsel about moving the contested hearing from May 12 to May 13.

8. Because of their years of experience practicing before the Commission and Division, undersigned counsel—not their associates or colleagues with less experience—have been retained by their clients to represent them in each foregoing matter discussed above, including these contested cases, which involve competing development plans valued at millions of dollars.

9. Because of Counsels' unavoidable conflict between the Commission meeting and Division docket on May 13, Counsel cannot physically represent their clients—as they have been retained to do—at the Division hearing and at the Commission meeting at the same time.


10. Applicants in this proceeding—Powderhorn and Matador—agree that, in order to have their retained counsel represent them at a contested hearing, the contested hearing date should be moved from May 13, 2026.

11. After conferring over potential dates based on special hearing docket dates provided by the Division Hearing Clerk, Counsel and Applicants have agreed that the hearing should be rescheduled to June 2-3, 2026, to accommodate Counsel.

WHEREFORE, Applicants jointly request, through undersigned counsel, that the Amended Pre-Hearing Order be further amended to reschedule the hearing in this contested matter from May 13, 2026 to June 2, 2026, continuing to June 3, 2026, if necessary.

Respectfully submitted,

HOLLAND & HART LLP

By: 

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**ATTORNEYS FOR MRC DELAWARE RESOURCES,
LLC**

~AND~

HARDY MCLEAN LLC

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ATTORNEYS FOR POWDERHORN OPERATING, LLC

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2026, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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Adam G. Rankin

EXHIBIT A



**The
Foundation**
FOR NATURAL RESOURCES
AND ENERGY LAW



OIL, GAS & ENERGY RESOURCES LAW
SECTION OF THE STATE BAR OF TEXAS



State Bar of New Mexico
Natural Resources, Energy
and Environmental Law Section

2nd Special Institute on

The Law of the Permian Basin Oil & Gas Development and Operations

May 14-15, 2026 | La Fonda on the Plaza
Santa Fe, New Mexico

The Permian Basin, spanning west Texas and eastern New Mexico, is by far the largest U.S. shale oil basin. In 2024, production reached a record 5.7 million barrels a day, accounting for roughly half of domestic onshore oil production and an additional 20% of domestic onshore natural gas production. Between 2023 and 2025, the Permian Basin experienced an unprecedented wave of mergers and consolidations among oil and gas companies, reshaping the competitive landscape. This activity is driven by forecasts that position the Permian as the most prolific and profitable energy investment in the U.S. due to its unique combination of multi-stacked pay zones and technological and economic advantages. New wells in the Permian average production of 830 bbls/day, double that of basins such as the Bakken or Eagle Ford. Nevertheless, significant legal challenges remain for companies operating in the Permian Basin, and for their lawyers, landmen, and other advisors.

This second installment of the extremely popular legal conference on the Permian Basin that was held in 2023 features all new topics and new speakers. It is once again offered jointly by The Foundation for Natural Resources and Energy Law (FNREL), the Texas Bar Association's Oil, Gas and Energy Resources Law (OGERL) Section and co-sponsored by the New Mexico Bar Association Natural Resources, Energy, and Environmental Law (NREEL) Section. The presentations and expert lineup of speakers will examine the latest issues impacting the Permian Basin, including disposal and reuse of produced water; regulatory and legislative updates; recent case law and litigation updates; and plugging and abandonment liability for orphan and zombie wells. The program will also feature a fireside chat with C-suite executives on the state and future of the Permian Basin; updates on development and operations in Texas and New Mexico; challenges related to delivering electrical power to the Permian; commercialization of the surface estate; ethics; and much more.

REGISTRATION – fnrel.org/programs/pb26

DAY 1: Thursday, May 14, 2026

7:00 – 8:30 am: Registration at the La Fonda on the Plaza

8:30 – 8:50 am: Introductions and Opening Remarks

JOEL O. BENSON, President, The Foundation for Natural Resources and Energy Law; Partner, Davis Graham, Denver, CO

AUSTIN W. BRISTER, Program Co-Chair, Partner, McGinnis Lochridge, Houston, TX

ELIZABETH 'BETH' A. RYAN, Program Co-Chair, Managing Counsel, Permian, ConocoPhillips, Midland, TX

8:50 – 9:40 am: The State of the Permian Basin – A Fireside Chat

Development and operations in the Permian Basin present unique challenges but offer significant economic and community benefits, strengthening both the region and broader energy security. This panel will discuss new technologies in exploration and production, trends in corporate consolidation and emerging ventures, multi-zone development and reserve projections, and key social and governance considerations shaping the Basin's future.

AARON HUNTER, President, Permian Basin, ConocoPhillips, Midland, TX

CODY OWENS, Vice President of Exploration, Mewbourne Oil Company, Tyler, TX

ELIZABETH 'BETH' A. RYAN, Program Co-Chair, Managing Counsel, Permian, ConocoPhillips, Midland, TX

9:40 – 10:00 am: Hosted Refreshment Break

10:00 – 10:50 am: Power to the Permian – Hurdles and Opportunities of Getting More Electricity Load on Both the Texas and New Mexico Sides of the Basin

The unprecedented load growth in the Permian Basin requires bringing on new generation as soon as possible and building new transmission to move power to end users. This presentation will explore hurdles to getting more power to the Permian, how policies at ERCOT and the Southwest Power Pool help or hinder bringing power online, specific projects planned to generate and move load to the Basin, and behind-the-meter options. These issues will be approached from the distinct legal landscapes of Texas and New Mexico, including regulatory roadblocks, jurisdictional differences, commercial options, and recent legislation passed in each state.

LORI COBOS, President, Cobos Strategies LLC, Former Commissioner at the Public Utility Commission of Texas, Austin, TX

MEGHAN E. GRIFFITHS, Partner, Jackson Walker LLP, Austin, TX

KERI HATLEY, Senior Counsel, ConocoPhillips, Santa Fe, NM

ZOË E. LEES, Regional Vice President, Xcel Energy, Santa Fe, NM

10:50 – 11:40 am: Retained Acreage and the Texas Proration Unit Puzzle – What is Held When the Drilling Stops?

Proration units are a core yet often misunderstood feature of the Texas Railroad Commission's regulation of oil and gas production. This presentation will trace their development and examine how they affect retained acreage, production allocation, and the respective rights of operators and landowners in legacy fields that are held by production.

AUDREY HENDRICKS, Senior Counsel, Yetter Coleman, Houston, TX
ROBERT D. WOODS, Partner, Yetter Coleman, Houston, TX

11:40 am – 12:30 pm: Managing Produced Water Disposal in the Permian – Regulatory, Legal, and Geological Challenges

The disposal of produced water has become a major legal, operational, and environmental issue in the Permian Basin. Injection of produced water into disposal wells has been linked to earthquakes, harm to productive reservoirs, water breakouts at the surface, concerns regarding potential risks to aquifers, and other issues. This presentation will highlight recent developments, legal risks, and emerging opportunities associated with the disposal of produced water in the Permian Basin.

DR. ANDREW J. DAVIDOFF, P.G., Managing Partner, A.J. Davidoff LLC, Geologist, Geophysicist, and Earth Scientist, Houston, TX

JOHN HICKS, Partner, Scott Douglass & McConnico LLP, Austin, TX

ADAM RANKIN, Partner, Holland & Hart, Santa Fe, NM

12:30 – 2:00 pm: Lunch on Your Own

2:00 – 2:50 pm: Produced Water Reuse and Recycling – Navigating Legal and Regulatory Challenges in the Permian

Produced water reuse in the Permian Basin presents critical legal and regulatory challenges, including unresolved ownership issues (particularly regarding entrained substances like lithium), evolving discharge permit frameworks, and jurisdictional gaps in Texas and New Mexico. This panel will explore emerging technologies, recent rulemakings and case law, and the commercial evolution of water handling agreements as operators balance environmental protection with operational needs.

JENNIFER L. BRADFUTE, Partner, Bradfute Sayer Consulting & Legal Services, President, WATR Alliance, Albuquerque, NM

KATIE KEENAN, Senior Vice President, Commercial Transactions and Assistant General Counsel, Texas Pacific Land Corporation, Dallas, TX

RICK McCURDY, Vice President of Innovation and Sustainability, Select Water Solutions, Oklahoma City, OK

2:50 – 3:40 pm: Scalia's Abacus – How Evolution in Instrument Construction Led the Texas Supreme Court to Declare that One-Eighth Equals One

Historically, many deed-construction opinions rigidly applied mathematical equations. But when arithmetic alone could not resolve arguably conflicting mathematical descriptions of the same conveyed (or reserved) interest, some courts looked for an explanation beyond—or hidden within—the “four corners.” In 2023, the Texas Supreme Court aimed to quiet construction consternation for all times with a rebuttable presumption that it credited to historical practice: when the quantum of a mineral interest is described with two fractions and one of those fractions is one-eighth, the one-eighth fraction means one. This presentation will address whether historical evidence supports the new rule, when and how the presumption is rebutted, whether it applies to royalty deeds rather than mineral deeds (and whether it should apply), how we got here, and where we are headed.

RYAN CLINTON, Partner, Hunton Andrews Kurth, Austin, TX

3:40 – 4:00 pm: Hosted Refreshment Break

4:00 – 4:50 pm: Recent Legal Developments Impacting the Permian

Over the past three years, Texas and New Mexico case law has evolved in ways that are likely to influence oil and gas title, leasing, operational, and environmental disputes and practices in the Permian Basin. This presentation will summarize the most significant developments.

WILLIAM B. BURFORD, Partner, Kelly Hart & Hallman, Midland, TX

4:50 – 6:00 pm: Hosted Reception for Registrants, Speakers, and Guests

DAY 2: Friday, May 15, 2026**8:00 – 8:30 am: Registration at the La Fonda on the Plaza****8:30 – 8:40 am: Day One Summary and Introduction to Day Two****AUSTIN W. BRISTER**, Program Co-Chair, Partner, McGinnis Lochridge, Houston, TX**ELIZABETH 'BETH' A. RYAN**, Program Co-Chair, Managing Counsel, Permian, ConocoPhillips, Midland, TX**8:40 – 9:20 am: Regulatory Updates and Emerging Issues in Oil & Gas Oversight in New Mexico**

This update presentation will focus on recent rule changes and emerging regulatory priorities from the New Mexico Oil Conservation Commission. The panel, including New Mexico regulators, will discuss the significant policy changes in the state.

GREG BLOOM, Assistant Commissioner for Mineral Resources, New Mexico State Land Office, Santa Fe, NM**DANA S. HARDY**, Moderator, Senior Managing Partner, Hardy McLean, Santa Fe, NM**JACLYN M. McLEAN**, Moderator, Managing Partner, Hardy McLean, Santa Fe, NM**JESSE K. TREMAINE**, Legal Director, New Mexico Oil Conservation Director, Santa Fe, NM**9:20 – 10:00 am: Regulatory Updates and Emerging Issues in Oil & Gas Oversight in Texas**

This update presentation will focus on recent rule changes and emerging regulatory priorities from the Texas Railroad Commission. This presentation will include a deep dive into the recent changes in addition to nuances of the regulatory administrative practices in Texas.

TIM GEORGE, Partner, McGinnis Lochridge, Austin, TX**10:00 – 10:20 am: Hosted Refreshment Break****10:20 – 11:10 am: Evolving Cotenancy Issues**

This presentation will cover developments on the rights and duties of operators and nonoperators, adverse possession, and continuation of oil and gas leases held by non-operators. Trends in the interpretation of joint operating agreements, leases, and common law co-tenancy principles will be examined and evaluated.

JOSEPH A. SCHREMMER, Eugene Kuntz Chair of Oil, Gas & Natural Resources, University of Oklahoma College of Law, Norman, OK**11:10 am – 12:00 pm: Abandoned But Not Forgotten – Plugging and Reclamation Liability of Orphan and Zombie Wells**

Orphan or “zombie” wells are abandoned due to a wide variety of circumstances and lack a responsible party to plug and reclaim the site. The issue has garnered national attention with both industry and government regulators in the Permian Basin facing mounting pressure to address growing environmental concerns and financial burdens. This presentation will explore the continuing liability of operators and non-operating interest owners beyond assignment of the well or lease, new case law, and regulatory changes and challenges for private, state, and federal wells in the Permian Basin.

DEANA M. BENNETT, Shareholder, Modrall Spering Law Firm, Albuquerque, NM**EARL E. DEBRINE JR.**, Shareholder, Modrall Spering Law Firm, Albuquerque, NM**RYAN LAMMERT**, Partner, Uhl Fitzsimmons Burton Wolff & Rangel PLLC, San Antonio, TX**12:00 – 1:30 pm: Lunch on Your Own****1:30 – 2:20 pm: Theft and Fraud in the Oilfield – Civil and Criminal Losses**

Financial loss from theft or fraud are an unfortunate part of oilfield operations. In recent cases of first impression, Texas courts have allocated losses in breach of contract matters arising from fraud or theft using a comparative fault-based analysis. Courts have held that contractual loss resulting from fraud should be placed on whichever party to the contract the factfinder finds to be most at fault for the fraud. This presentation will examine recent industry trends regarding fraud and theft and proposed preventive measures, including steps to take if parties find themselves a victim of fraud or theft.

JULIE L. GRIFFIS, Shareholder, Davis Gerald & Cremer, Midland, TX**ALLISON MARKS**, Director of Oil, Gas, & Minerals, New Mexico State Land Office, Santa Fe, NM**ROBERT SMITH**, Sergeant, Eddy County Sheriff's Office, Carlsbad, NM**2:20 – 3:10 pm: Beyond the Minerals – Monetizing Surface Estates in the Permian**

Monetizing surface rights in the Permian Basin is no longer limited to grazing and access. Increasingly, surface owners are commercial enterprises who monetize their property interests through freshwater sales, saltwater disposal, carbon sequestration, renewable energy, and even hosting energy-intensive uses such as data centers. This presentation will explore the evolving legal, commercial, and regulatory landscape as the surface estate becomes a platform for diversified energy and infrastructure opportunities.

ROBERT 'BOBBY' M. BIEDRZYCKI, Associate, Jackson Walker, San Antonio, TX**3:10 – 3:30 pm: Hosted Refreshment Break****3:30 – 4:30 pm: Ethics and Professional Conduct in Permian Basin Oil & Gas Practice**

Practicing in the Permian Basin requires a nuanced understanding of state-specific rules, administrative law constraints, and the complex interplay between legal and business roles—especially for in-house counsel. Lawyers must remain vigilant in maintaining professional integrity, avoiding conflicts, and ensuring transparent, fair dealings with all stakeholders. This presentation will dive into the special ethical considerations for practicing in this corner of the oil patch and will address the Model Rules of Professional Conduct.

MICHAEL S. BROWNING, Founding Partner, Michael S. Browning P.C., San Antonio, TX**RICK G. STRANGE**, Attorney, Hamm Law Group, Midland, TX**ANN C. TRIPP**, Partner, Hinkle Shanor LLP, Roswell, NM**4:30 pm: Course Adjournment****Program Committee****AUSTIN W. BRISTER**, Program Co-Chair, Partner, McGinnis Lochridge, Houston, TX**ELIZABETH 'BETH' A. RYAN**, Program Co-Chair, Managing Counsel, Permian, ConocoPhillips, Midland, TX**WILLIAM B. BURFORD**, Partner, Kelly Hart & Hallman, Midland, TX**RYAN CLINTON**, Partner, Hunton Andrews Kurth, Austin, TX**BENJAMIN 'BEN' HOLLIDAY**, Principal, Holliday Energy Law Group, San Antonio, TX**WILLIAM R. KEFFER**, Professor of Practice; Janet Scivally and David Copeland Endowed Professor of Energy Law, Texas Tech University School of Law, Lubbock, TX**JORDAN L. KESSLER**, Senior Regulatory Advisor, EOG Resources, Inc., Santa Fe, NM**PAT LONG-WEAVER**, Managing Attorney, Field Manning Stone Aycock P.C., Midland, TX**ANN COX TRIPP**, Partner, Hinkle Shanor LLP, Roswell, NM

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2nd Special Institute on The Law of the Permian Basin Oil & Gas Development and Operations

REGISTRATION – fnrel.org/programs/pb26 | Registration closes on May 11, 2026, at 12pm MDT

Program Pricing – Priority Rate Registration ends on April 23, 2026

Foundation Member	\$855/\$980	Law Professor Member	\$465/\$590
TX OGREL Member	\$855/\$980	Senior Member	\$465/\$590
NM NREEL Member	\$855/\$980	New Professional Member	\$100/\$225
Nonmember	\$1155/\$1280	Foundation Student Member	\$0
Government/Nonprofit	\$795/\$920		

General Information

Room Reservations: La Fonda on the Plaza, 100 E. San Francisco St., Santa Fe, NM 87501, is offering discounted guest rooms for this program until April 27 at the discounted rate of \$299 per night. Rooms outside of our block are at least \$400 per night!

Reserve a discounted room at La Fonda ASAP:

- **Online:** <https://be.synxis.com/?Hotel=207&Chain=56&arrive=2026-05-13&depart=2026-05-16&adult=1&child=0&group=PERMIAN>
- **Toll Free:** at 800-523-5002, opt # 1 (refer to "Permian")

Trouble making room reservations? Contact us at info@fnrel.org. We can usually help.

Registration Fee: Includes electronic course materials, refreshments, and hosted functions listed in this brochure. Does not include hotel costs or transportation. Registrations will be accepted only when accompanied by a check, money order, government purchase order or training form, credit card information, or wiring information. No registration can be processed without payment.

Recording: Audio and video recording, streaming, or other types of live or stored dissemination are not permitted without express authorization from the Foundation.

Special Needs: If you have special needs addressed by the ADA, please notify us at least two weeks before the program.

Registration Cancellations: Refunds, less a \$50 administrative fee, will be given for cancellations received by 3:00 pm Mountain time on Friday, April 24, 2026. No refunds will be given thereafter, although substitution of attendees may be made by contacting FNREL. Cancellations must be made in writing or email to info@fnrel.org. Registrants not entitled to a refund will receive a link to the written materials.

CLE Credit: This course offers continuing education credit of approximately 10.7 credits for 60-minute states and 12.8 for 50-minute states, including 1 hour of ethics credit. You must let us know, at least 45 days in advance of the course, the states or organizations for which you will need credit (see registration form). Credit hours for states will vary and are subject to each state's approval and credit rounding rules. Foundation courses are typically accredited by all mandatory CLE states and Canadian provinces, AAPL, NALTA, and other professional organizations. Attorneys from certain states may be required to pay an additional fee. The Foundation is a State Bar of California MCLE-approved provider.

EXHIBIT B

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

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

- ❖ 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/

EXHIBIT C



**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

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>

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

Notice of Public Meeting
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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