

**STATE OF NEW MEXICO**  
**OIL CONSERVATION COMMISSION**  
**Meeting Minutes**  
**Regular Meeting**  
**May 13, 2021**

**The Oil Conservation Commission meeting was held via Webex Meeting platform.**

**MEMBERS PRESENT:**

Adrienne Sandoval                      Chair, Oil Conservation Division  
Greg Bloom                                Designee, State Land Office Commissioner

**OTHERS PRESENT:**

Christopher Moander, Counsel for the Commission  
Florene Davidson, Commission Clerk

The meeting was called to order by Chair Sandoval at approximately 9:03 a.m.

**Item 1.**            Roll Call.

**Action:**        Roll was taken; a quorum was present.

**Item 2.**            Approval of Agenda.

**Action:**        Chair Sandoval announced that the agenda has been modified in the following way: Item 5, the status conference in De Novo Case 21744, will be heard before Item 4, the motion hearing in Case 15855; and Item 6, the Sunshine Law-Open Meetings Training, will be tabled to a future Commission meeting. Commissioner Bloom made a motion to move Case 21744 ahead of Case 15855, to table the Sunshine Law training to a future meeting, and to approve the agenda as modified. Chair Sandoval seconded the motion. A roll call vote was taken.

Commissioner Bloom – Approve  
Chair Sandoval – Approve

The motion passed.

**Item 3.**            Approval of minutes of April 15, 2021 meeting.

**Action:**        Commissioner Bloom made a motion to approve the April 15, 2021 minutes. Chair Sandoval seconded the motion. A roll call vote was taken.

Commissioner Bloom – Approve  
Chair Sandoval – Approve

The motion passed.

**Item 5.**            De Novo Case No. 21744:  
Case No. 21629: (Status Conference) Application of Cimarex Energy Co. for Hearing De Novo of Case No. 21629, Eddy County, New Mexico. The New Mexico Oil Conservation Division issued Order No. R-21575 in Case No. 21629. Magnum Hunter Production, Inc.,

an affiliate of Cimarex Energy Co. (collectively referred to herein as “Cimarex”) owned a working interest in the unit pooled by Order No. R-21575, issued pursuant to a hearing held before the Division on January 7, 2021. Cimarex, a party of record adversely affected by Order No. R-21575, requests that the matter raised in this case be heard de novo before the Oil Conservation Commission pursuant to NMSA 1978, 70-2- 13. Status Conference on the Motion to Stay Division Order No. R-21575 entered in Case 21629 filed by Cimarex Energy Co. and its affiliate Magnum Hunter Production Inc. The status conference will address the timing of the Motion to Stay.

**Action:** Appearances were made by Darin Savage for Cimarex Energy Co. (Cimarex) and Ernest Padilla for Colgate Operating, LLC (Colgate). Mr. Padilla and Mr. Savage argued their clients’ positions on the hearing of the Cimarex de novo application by the Commission or the possibility of sending the case back to the Division. A discussion was held on the scheduling of a hearing for the filing of dispositive motions with filing deadlines. The Commission agreed on July 8, 2021 as the hearing date for a motions hearing with a September date to be determined for a de novo hearing, if necessary. Commissioner Bloom made a motion to schedule June 3, 2021 as the deadline for filing motions and for Cimarex to file competing compulsory pooling applications; June 17, 2021 as the deadline for filing responses to the motions; July 1, 2021 as the deadline for filing replies; and July 8, 2021 for the motions hearing. Chair Sandoval seconded the motion. A roll call vote was taken.

Commissioner Bloom – Approve  
Chair Sandoval – Approve

The motion passed.

**Item 4.** Case No. 15855: (Motion Hearing) Application of Delaware Energy, LLC to revoke the injection authority granted under SWD1680 for the Alpha SWD No. 1 Well operated by Alpha SWD Operating, LLC, Eddy County New Mexico.

**Action:** Appearances were made by Dana Hardy for Alpha SWD Operating, LLC (Alpha) and Adam Rankin for Delaware Energy, LLC (Delaware). Ms. Hardy and Mr. Rankin presented their arguments on whether the Commission should hear Delaware’s application to revoke Alpha’s injection authority or to remand the competing applications back to the Oil Conservation Division for hearing per the Court order. The Commission discussed the matter and came to a decision. Commissioner Bloom made a motion to remand the matter back to the Oil Conservation Division for the hearing of the two competing SWD applications and to simultaneously dismiss Delaware’s application to revoke Alpha’s injection authority. Chair Sandoval seconded the motion. A roll call vote was taken.

Commissioner Bloom – Approve  
Chair Sandoval - Approve

**Item 6. Pending litigation.**

**Action:** Counsel Moander informed the Commission that the Court of Appeals found no error on the part of the Commission in the Marker appeal so the case is now ended.

**Item 7. Other business.**

**Action:** There was no other business.

**Item 8.** Next meetings – June 4, 2021 and June 9-10, 2021

**Item 9.** Adjournment

**Action:** Chair Sandoval adjourned the hearing at 10:03 a.m.

A handwritten signature in black ink, appearing to read 'ASandoval', written in a cursive style.

Adrienne Sandoval, Chair