

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**

**Meeting Minutes
Special Meeting
April 25, 2017
Porter Hall
Wendell Chino Building
1220 S St Francis Drive
Santa Fe, New Mexico 87505**

MEMBERS PRESENT

David R Catanach Chair Oil Conservation Division
Robert Balch Designee Energy Minerals and Natural Resources Department
Aubrey Dunn New Mexico State Land Commissioner

OTHERS PRESENT

Gabriel Wade Counsel for the Commission

The meeting was called to order by Chair Catanach at 9 00 a m

Item 1 Roll Call

Roll was taken a quorum was present

Item 2 Approval of Agenda

Action Commissioner Dunn moved adoption of the agenda Commissioner Balch seconded the motion The motion passed unanimously

Item 3 Approval of minutes of April 4, 2017 meeting

Action Commissioner Balch moved adoption of the minutes Commissioner Dunn seconded the motion but refrained from voting because he was not present at the April 4 2017 meeting The motion passed with a majority vote

Item 4 The Commission will conduct deliberations, and may take action, on the following consolidated cases heard on February 28 March 1, 2017
De Novo Case No 15441 Application of Nearburg Exploration Company, L L C , SRO2 LLC and SRO3 LLC for an Accounting and Limitation on Recovery of Well Costs, and for Cancellation of Applications for Permit to Drill, Eddy County, New Mexico
De Novo Case No 15481 Application of COG Operating LLC for a non standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico
De Novo Case No 15482 Application of COG Operating LLC for a non standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico

Action Commissioner Dunn was asked if he was familiar with the record in the three De Novo cases and he replied that he had reviewed the record After

a motion by Commissioner Balch and a second to the motion by Commissioner Dunn the Commission voted unanimously to close the meeting pursuant to NMAC 1978 Section 10 15-1-H to deliberate on the three cases After a motion by Commissioner Dunn and a second to the motion by Commissioner Balch the Commission voted unanimously to go back into open session Chair Catanach stated that the three De Novo cases Nos 15441 15481 and 15482 were the only matters discussed in the closed session Counsel Wade announced the Commission's decision that the relief sought in these three cases cannot be granted until resolution of the district court case concerning contractual dispute He said the Commission does not have jurisdiction over contractual disputes Chair Catanach said an order stating the Commission's decision will be drafted and signed at the May 18 2017 Commission meeting

Item 5 **Next meeting May 18, 2017**

Item 6 **Adjournment.**

The meeting was adjourned at 11 45 a m



DAVID R. CATANACH Chair