

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

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION, THROUGH THE
ENVIRONMENTAL BUREAU CHIEF, FOR
ADOPTION OF AN AMENDMENT TO 19.15.39
NMAC ADDING NEW SECTIONS TO BE CODIFIED
AT 19.15.39.9 AND 19.15.39.10 NMAC ADDRESSING
SPECIAL PROVISIONS FOR SANTA FE COUNTY AND
THE GALISTEO BASIN; SANTA FE, SANDOVAL AND
SAN MIGUEL COUNTIES.

CASE NO. 14255
ORDER NO. R-13096

ORDER OF THE COMMISSION

THIS MATTER, having come before the New Mexico Oil Conservation Commission (Commission) for deliberation on Wednesday, February 25, 2009 and Friday, February 27, 2009 at Santa Fe, New Mexico, on the application of the New Mexico Oil Conservation Division (Division), through its Environmental Bureau Chief, for adoption of an amendment to 19.15.39 NMAC adding new sections to be codified at 19.15.39.9 and 19.15.39.10 NMAC addressing special provisions for Santa Fe County and the Galisteo Basin, and the Commission, having carefully considered public comment and the evidence and other materials the parties submitted, now, on this 2nd day of March 2009,

FINDS THAT:

The evidence in the record does not support applying the proposed special provision to those portions of Santa Fe County located outside of the Galisteo Basin and the record before the Commission does not contain a real property description by section, township and range for that portion of the Galisteo Basin located within Santa Fe County.

IT IS THEREFORE ORDERED THAT:

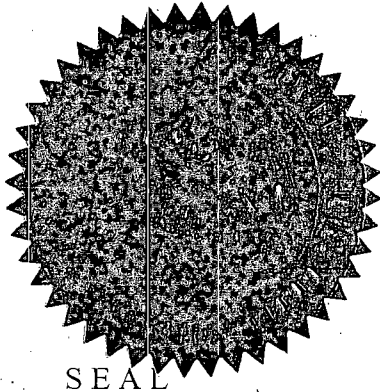
1. The Commission shall reopen the record in this rulemaking for the limited purpose of the parties submitting a proposed real property description by section, township and range for that portion of the Galisteo Basin located within Santa Fe County.
2. The Division shall file with the Commission Clerk a proposed real property description by section, township and range of that portion of the Galisteo Basin

located within Santa Fe County by 5:00 p.m. on March 25, 2009 and provide the proposed description to all parties of record in this matter.

3. All other parties in this matter shall file with the Commission Clerk any proposed modifications to the Division's real property description by section, township and range by 5:00 p.m. on April 1, 2009 and provide their proposed modifications to all parties of record in this matter.

4. The Commission shall hear testimony from the parties and take public comment on the proposed real property description at its April 9, 2009 hearing.

DONE at Santa Fe, New Mexico on the 2nd of March 2009.



STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

A handwritten signature in black ink, appearing to read "Mark E. Fesmire".

MARK E. FESMIRE, P.E., CHAIR