

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION
IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION FOR
THE PURPOSE OF CONSIDERING:

JOINT APPLICATION FOR REHEARING OF CASE NO. 15487
ORDER NUMBER R-14164-D, APPLICATION OF
THE NEW MEXICO OIL CONSERVATION DIVISION
THROUGH THE SUPERVISOR OF DISTRICT II
FOR AN EMERGENCY ORDER SUSPENDING CERTAIN
APPROVED APPLICATIONS FOR PERMITS TO DRILL,
AND FOR ADOPTION OF SPECIAL RULES FOR
DRILLING IN CERTAIN AREAS FOR THE PROTECTION
OF FRESH WATER, CHAVES AND EDDY COUNTIES,
NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSIONER HEARING

July 13, 2017

Santa Fe, New Mexico

BEFORE: DAVID R. CATANACH, CHAIRPERSON
 EDWARD MARTIN, COMMISSIONER
 DR. ROBERT S. BALCH, COMMISSIONER
 BILL BRANCARD, ESQ.

 This matter came on for hearing before the
New Mexico Oil Conservation Commission on Thursday,
July 13, 2017, at the New Mexico Energy, Minerals and
Natural Resources Department, Wendell Chino Building,
1220 South St. Francis Drive, Porter Hall, Room 102,
Santa Fe, New Mexico.

REPORTED BY: Mary C. Hankins, CCR, RPR
 New Mexico CCR #20
 Paul Baca Professional Court Reporters
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1 (9:03 a.m.)

2 CHAIRMAN CATANACH: The next order of
3 business today is the final disposition in Case Number
4 15487, which is the joint application for rehearing of
5 Order Number 14164-D, application of the New Mexico Oil
6 Conservation Division through the supervisor of District
7 II for an emergency order suspending certain approved
8 applications for permits to drill, and for adoption of
9 special rules for drilling certain areas for the
10 protection of fresh water, Chaves and Eddy Counties,
11 New Mexico.

12 This case was reheard by the Commission on
13 May 18th, 2017, and open deliberations were held on June
14 13th at the previous hearing. At that time, as I
15 recall, the Commission reached a decision on the matters
16 heard at rehearing.

17 Commissioners, the draft order in that case
18 prepared by the Commission attorneys has been provided
19 to you prior to the hearing. I will make -- I will
20 point out that there was some corrections made on that
21 draft order this morning to the actual -- to the actual
22 rule, not to the order part but to the actual rule.
23 Apparently we had -- Part D of that rule, we had left
24 out some additional paragraphs, two and three, that we
25 had adopted at the meeting. So those changes were made

1 this morning, and we do -- we did incorporate -- to the
2 best of my knowledge, the order states what the intent
3 of the Commission was at the last hearing. I did review
4 it again this morning, and so if you want to take time
5 yourselves and review the rule, we can do that, or if
6 you prefer not to, that would be fine also.

7 COMMISSIONER BALCH: (Not within the
8 hearing of the court reporter.)

9 CHAIRMAN CATANACH: No, sir. This is a
10 very long -- well, the order, yeah. The changes that
11 were made, it's just two pages.

12 Is it your desire to review?

13 COMMISSIONER BALCH: I'll just take a look.
14 (Pause in proceedings, 9:05 a.m. to 9:07
15 a.m.)

16 CHAIRMAN CATANACH: Okay. I guess, at this
17 time, I would put forth a motion to approve Order Number
18 RS-14164-F. Do I hear a motion to approve the order and
19 the rule change in that case?

20 COMMISSIONER BALCH: I so move.

21 COMMISSIONER MARTIN: Second.

22 CHAIRMAN CATANACH: All in favor?
23 (Ayes are unanimous.)

24 CHAIRMAN CATANACH: Okay. So we're done
25 with that.

1 Anything further on that?

2 MR. BRANCARD: No. We have to simply wait,
3 again, 20 days for the refile period, and we file the
4 rule.

5 CHAIRMAN CATANACH: So we don't know the
6 effective date of the rule yet --

7 MR. BRANCARD: No.

8 CHAIRMAN CATANACH: -- until we file with
9 the Registry?

10 MR. BRANCARD: No.

11 CHAIRMAN CATANACH: Okay.

12 (Case Number 15487 concludes, 9:08 a.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO
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4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, Certified Court
6 Reporter, New Mexico Certified Court Reporter No. 20,
7 and Registered Professional Reporter, do hereby certify
8 that I reported the foregoing proceedings in
9 stenographic shorthand and that the foregoing pages are
10 a true and correct transcript of those proceedings that
11 were reduced to printed form by me to the best of my
12 ability.

13 I FURTHER CERTIFY that the Reporter's
14 Record of the proceedings truly and accurately reflects
15 the exhibits, if any, offered by the respective parties.

16 I FURTHER CERTIFY that I am neither
17 employed by nor related to any of the parties or
18 attorneys in this case and that I have no interest in
19 the final disposition of this case.
20

21
22 MARY C. HANKINS, CCR, RPR
23 Certified Court Reporter
24 New Mexico CCR No. 20
25 Date of CCR Expiration: 12/31/2017
Paul Baca Professional Court Reporters