

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

Docket 16-21

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

COMMISSIONER HEARING

Agenda Items 1 through 3 and 6 through 10

May 13, 2021

Santa Fe, New Mexico

BEFORE: ADRIENNE SANDOVAL, CHAIRWOMAN
GREG BLOOM, COMMISSIONER
CHRIS MOANDER, ESQ.

This matter came on for hearing before the New Mexico Oil Conservation Commission on Thursday, May 13, 2021 Via Webex Virtual Platform, hosted by 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: Irene Delgado, NMCCR 253
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1 CHAIRWOMAN SANDOVAL: Okay, well I think we have
2 the whole crew. All right. Good morning, everybody. It is
3 May 13, 2021 at 9:03 a.m., and this is a regularly-scheduled
4 meeting of the Oil Conservation Commission. I'm Adrienne
5 Sandoval. I'm chair of the Oil Conservation Commission and
6 Director of the Oil Conservation Division.

7 Also with me today, Commissioner Bloom, would,
8 you please introduce yourself?

9 COMMISSIONER BLOOM: Yes, thank you, Madam Chair.
10 Greg Bloom, I am the designee of Commissioner of Public
11 Lands, Stephanie Garcia Richards.

12 CHAIRWOMAN SANDOVAL: Thank you. We have counsel
13 to Commission Chris Moander, and Commission Clerk Florene
14 Davidson.

15 First item on the agenda is approval of the
16 agenda, but before we do that, I believe we have a couple of
17 changes to the agenda. I believe we will be hearing case
18 Number 21744, the status conference, which is currently
19 Agenda Item Number 5, I believe we will be hearing that as
20 Agenda Item Number 4, and then Agenda Item Number 4, Case
21 Number 15855, that one will be heard following Case Number
22 21744. So we are swapping those items on the agenda.

23 Just to confirm, Mr. Moander, is Agenda Item
24 Number 6, still slated to do that one?

25 MR. MOANDER: What I'm going to recommend based

1 on the conversations that have taken place is I'm going to
2 recommend the Commission vote to table that item, and we
3 will circle back to that once I have completed some training
4 and done some other items so I can provide the Commission
5 its required Sunshine Law Training at a later date.

6 CHAIRWOMAN SANDOVAL: Okay. So I think -- is
7 there a motion to modify the agenda?

8 COMMISSIONER BLOOM: Can you hear me better now?

9 CHAIRWOMAN SANDOVAL: Yes.

10 COMMISSIONER BLOOM: I'm so close to my computer
11 I can't really see the screen. Let me try, Madam Chair. I
12 move to modify the agenda by moving de novo case Number
13 21744 ahead of Case 15855 and striking the Sunshine Law Open
14 Meetings training from the agenda for today to be done at a
15 future Commission meeting.

16 MR. MOANDER: Point of order on that. The
17 parliamentary procedure would be to table item Number 6.

18 COMMISSIONER BLOOM: I move to table Item
19 Number 6.

20 CHAIRWOMAN SANDOVAL: I couldn't hear that.

21 COMMISSIONER BLOOM: I move to table Agenda Item
22 Number 6.

23 CHAIRWOMAN SANDOVAL: I second the motion for the
24 updated agenda. Mr. Moander, would you do a roll call vote,
25 please.

1 MR. MOANDER: Yes, I will. Commissioner Bloom?

2 COMMISSIONER BLOOM: Approved.

3 MR. MOANDER: And Madam Chair?

4 CHAIRWOMAN SANDOVAL: Approved.

5 MR. MOANDER: The motion passes.

6 (Motion passes unanimously.)

7 CHAIRWOMAN SANDOVAL: Next item on the agenda is
8 approval of the April 15, 2021 meeting minutes.
9 Commissioner Bloom, have you reviewed the minutes and do you
10 have any modifications?

11 COMMISSIONER BLOOM: Madam Chair, yes, I have
12 reviewed the minutes, and I have no modifications.

13 CHAIRWOMAN SANDOVAL: Great. I have reviewed the
14 minutes, and I have no modifications. Is there a motion to
15 adopt the April 15, 2020 minutes?

16 (Audio interruption.)

17 COMMISSIONER BLOOM: Let me stop and try and call
18 in.

19 (Pause in proceedings.)

20 COMMISSIONER BLOOM: It was working.

21 All right. So I believe I was moving to adopt
22 the minutes from the April meeting.

23 CHAIRWOMAN SANDOVAL: Correct. I second that
24 motion to adopt the minutes. Mr. Moander, would you do a
25 roll call vote please.

1 MR. MOANDER: Yes, Madam Chair. Commissioner
2 Bloom?

3 COMMISSIONER BLOOM: Approved.

4 MR. MOANDER: And Madam Chair?

5 CHAIRWOMAN SANDOVAL: Approved.

6 MR. MOANDER: Motion is unanimous and passed.

7 (Motion passes unanimously.)

8 (Agenda Items 4 and 5 heard.)

9 CHAIRWOMAN SANDOVAL: Agenda Item Number 6 as we
10 discussed earlier was tabled for a later date.

11 Agenda Item Number 7, is there any update on
12 pending litigation?

13 MR. MOANDER: Yes, Madam Chair, the case we're
14 calling the Marker appeal the court of appeals issued its
15 opinion on April 19, 2021. I believe I forwarded that to
16 everybody. The Court found no error on the part of the
17 Commission, and that, that's the end of the case, and we
18 have no other litigation pending at this time.

19 CHAIRWOMAN SANDOVAL: Thank you. Is there any
20 other business in front of the Commission?

21 (No response.)

22 CHAIRWOMAN SANDOVAL: All right. Then our next
23 meeting will be on June 4 for a motions hearing associated
24 with the rulemaking hearing on June 9 and June 10 during an
25 extended regularly-scheduled June meeting. With that, it's

1 10:03 and we will adjourn. Thank you, everyone.

2 MR. MOANDER: Thank you, Madam Chair.

3 (Agenda meeting concluded.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, IRENE DELGADO, New Mexico Certified Court
7 Reporter, CCR 253, do hereby certify that I reported the
8 foregoing virtual proceedings in stenographic shorthand and
9 that the foregoing pages are a true and correct transcript
10 of those proceedings to the best of my ability.

11 I FURTHER CERTIFY that I am neither employed by
12 nor related to any of the parties or attorneys in this case
13 and that I have no interest in the final disposition of this
14 case.

15 I FURTHER CERTIFY that the Virtual Proceeding was
16 of poor to reasonable quality.

17 Dated this 13 day of May 2021.

18

/s/ Irene Delgado

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Irene Delgado, NMCCR 253
License Expires: 12-31-21

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