

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

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS

COMMISSIONER HEARING

Agenda Items 1 through 3 and 6 through 9

(Agenda Items 4 and 5 continued.)

December 9, 2021

Santa Fe, New Mexico

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

This matter came on for hearing before the New Mexico Oil Conservation Commission on Thursday, December 9, 2021, via Webex Virtual Platform, New Mexico Energy, Minerals, and Natural Resources Department, Santa Fe, New Mexico.

Reported by: PAUL BACA
PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

1 (Note: In open proceedings at 9:10 a.m.)

2 CHAIRWOMAN SANDOVAL: All right. Good morning.
3 It is 9:10 on December 9, 2021, and this is the regularly-
4 scheduled meeting of the Oil Conservation Commission. I'm
5 Adrienne Sandoval, chair of the Oil Conservation Commission
6 and director of the Oil Conservation Division.

7 Will the other commissioners please introduce
8 themselves for the record?

9 COMMISSIONER BLOOM: Thank you, Madam Chair. My
10 name is Greg Bloom. I am the deputy commissioner of public
11 lands.

12 COMMISSIONER WARNELL: Thank you, Madam Chair.
13 I'm Terry Warnell, designee of the secretary of the Energy
14 Minerals and Natural Resources Division.

15 CHAIRWOMAN SANDOVAL: Thank you. Also with us
16 today is Chris Moander, counsel to the commission.

17 All right. First item on today's agenda is
18 approval of the agenda. I will just note that as was
19 indicated on the agenda, Agenda Item Number 4 has been
20 continued as was Agenda Item Number 5. Those are Case
21 Numbers 21629 and Case Number 22309. Those were both
22 continued to another day.

23 Is there a motion to adopt the agenda?

24 COMMISSIONER BLOOM: Madam Chair, I so move.

25 COMMISSIONER WARNELL: I second that motion,

1 Madam Chair.

2 CHAIRWOMAN SANDOVAL: Mr. Moander, would you do
3 a roll call, please.

4 MR. MOANDER: Yes, Madam Chair. Commissioner
5 Warnell?

6 COMMISSIONER WARNELL: Approved.

7 MR. MOANDER: Commissioner Bloom?

8 COMMISSIONER BLOOM: Approved.

9 MR. MOANDER: Madam Chair?

10 CHAIRWOMAN SANDOVAL: Approved.

11 MR. MOANDER: The motion carries.

12 CHAIRWOMAN SANDOVAL: The next item on the agenda
13 is approval of the November 18, 2021 minutes. Is there a
14 motion to approve the November 18 minutes?

15 COMMISSIONER BLOOM: Madam Chair, I move to
16 approve the November 18 meeting notes.

17 COMMISSIONER WARNELL: I second that motion.

18 CHAIRWOMAN SANDOVAL: Mr. Moander, would you do
19 another roll call, please?

20 MR. MOANDER: Yes, Madam Chair. Commissioner
21 Warnell?

22 COMMISSIONER WARNELL: Approved.

23 MR. MOANDER: Commissioner Bloom?

24 COMMISSIONER BLOOM: Approved.

25 MR. MOANDER: And Madam Chair.

1 CHAIRWOMAN SANDOVAL: Approved.

2 As I mentioned before, Items 4 and 5 have been
3 continued to a later date.

4 Mr. Moander, do you have any updates to -- for
5 pending litigation for submission.

6 MR. MOANDER: Yes. This is the Marker appeal,
7 Case A-1-CA-39578, the commission's response brief was filed
8 on November 29, so it was timely. The reply brief from the
9 appellant is due on December 20, at which point we will
10 probably just be waiting for the court of appeals to decide
11 whether it wants oral argument or not. That's the big
12 decision.

13 My suspicion is, as is the nature of this case,
14 the court will probably rule without oral argument. As a
15 matter of habit I did request it if the court is willing to
16 to give it just as a precautionary measure. So sometime
17 after the first of the year, I will circulate the brief once
18 I get it, but after the first of the year that will be a
19 waiting game I think.

20 CHAIRWOMAN SANDOVAL: Thank you. Is there any
21 other business before the Commission?

22 (No audible response.)

23 CHAIRWOMAN SANDOVAL: All right. I guess our
24 next meeting is next week on December 17. It is a special
25 meeting to consider rulemaking changes. And with that, it

1 is 9:15 and we will adjourn.

2 MR. MOANDER: I'm going to stop recording. This
3 is off the record.

4 (Concluded.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

3

4 REPORTER'S CERTIFICATE

5

6 I, PAUL BACA, New Mexico Certified Court
7 Reporter, do hereby certify that I reported the foregoing
8 virtual proceedings in stenographic shorthand and that the
9 foregoing pages are a true and correct transcript of those
10 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 reasonable quality.

17 Dated this 9th day of December 2021.

18

/s/ Paul Baca

19

PAUL BACA
Certified Court Reporter

20

21

22

23

24

25