

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

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**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR  
AMENDMENT OF CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15, PART 26 OF  
THE NEW MEXICO ADMINISTRATIVE CODE CONCERNING PERSONS ENGAGED  
IN SECONDARY OR OTHER ENHANCED RECOVERY OF OIL OR GAS, PRESURE  
MAINTENANCE, SALT WATER DISPOSAL, ACID GAS DISPOSAL, AND  
UNDERGROUND STORAGE OF OIL OR GAS**

**CASE NO. 14974**

**APPLICANT'S MOTION TO VACATE RULEMAKING HEARING**

The New Mexico Oil Conservation Division (OCD), through its undersigned attorney, hereby moves the New Mexico Oil Conservation Commission (OCC) to vacate the April 9, 2015 hearing date set for Case 14974 and to continue the case indefinitely, and states:

1. On March 19, 2013, the OCD requested a pre-hearing conference for the OCC to consider possible amendments of Title 19, Chapter 15, Part 26 (Rule 26) of the New Mexico Administrative Code.
2. The OCC continued the case indefinitely to allow the OCD and a stakeholder workgroup to meet and discuss the OCC's input as given at the pre-hearing conference.
3. On October 17, 2014, the OCD re-opened the case and again requested a pre-hearing conference to schedule a hearing date for the rulemaking. At this time the OCD attached a proposed Rule 26 for the OCC to consider at the pre-hearing conference.
4. On November 19, 2014, the OCC conducted the pre-hearing conference and set the rulemaking hearing for April 9, 2015.

The OCD asks that the Rule 26 rulemaking hearing set for April 9, 2015 be vacated and Case 14974 be continued indefinitely. Both the OCD and members of the stakeholder workgroup have identified areas in the previously submitted proposed Rule 26 that merit further discussion. The OCD believes that further discussion can lead to better consensus among the interested parties and lead to a better developed proposed Rule 26 and a more efficient rulemaking process. Counsel of record, Michael Feldewert, does not oppose this Motion.

Respectfully Submitted,



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Gabriel Wade, Attorney  
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Energy, Minerals and Natural Resources  
Department  
1220 S. St. Francis Drive  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 6, 2015, I served a copy of the foregoing document to the following counsel of record via electronic mail to:

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