

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

APPLICATION OF THE NEW MEXICO OIL AND GAS ASSOCIATION TO REPEAL AND REPLACE TITLE 19, CHAPTER 15, PART 34 OF THE NEW MEXICO ADMINISTRATIVE CODE ADDRESSING PRODUCED WATER, DRILLING FLUIDS AND OTHER LIQUID OIL FIELD WASTE; AND TO AMEND THE DEFINITION OF PRODUCED WATER IN TITLE 19, CHAPTER 15, PART 2, OF THE NEW MEXICO ADMINISTRATIVE CODE.

CASE NO. 15239

OIL CONSERVATION DIVISION'S PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted on behalf of the Oil Conservation Division (OCD) as required by NMAC 19.15.3.11(B) NMAC.

APPEARANCES OF PARTIES

APPLICANT

The New Mexico Oil and Gas Association

ATTORNEY

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OTHER PARTIES

The Oil Conservation Division

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Independent Petroleum Association of N.M.

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RECEIVED OCD

Earthworks' Oil and Gas Accountability
Project

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APPLICANT'S STATEMENT OF CASE

The New Mexico Oil and Gas Association ("NMOGA") has applied to the New Mexico Oil Conservation Commission ("Commission") for an order repealing Title 19, Chapter 15, Part 34 of the New Mexico Administrative Code ("NMAC") and replacing it with a modified proposed rule.

OCD'S PROPOSED EVIDENCE

WITNESS:

ESTIMATED TIME

EXHIBITS

Brandon Powell

Rebuttal

N/A

Mr. Powell is an expert in OCD administrative process. Mr. Powell started with OCD in 2006 as an environmental specialist. This position included overseeing environmental releases including produced water, and oil field wastes and subsequent remediation. In 2011, Mr. Powell was promoted to inspection and enforcement supervisor for OCD District 3. Mr. Powell's current position includes overseeing down-hole engineering and compliance with OCD rules. Mr. Powell has extensive experience in the application of OCD rules to all aspects of oil and gas development.

WITNESS:

ESTIMATED TIME

EXHIBITS

Jim Griswold

Rebuttal

N/A

Mr. Griswold is an expert in OCD administrative process. Mr. Griswold has over 20 years' experience in the investigation and remediation of soil and groundwater contamination nationwide. Mr. Griswold started with OCD in 2008 as a hydrologist. This position included overseeing groundwater water remediation associated with oil and gas development. In May of

2014, Mr. Griswold was promoted to Environmental Bureau Chief. This position includes overseeing all OCD environmental staff statewide and ensuring compliance with OCD rules.

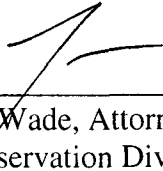
EXHIBITS

The OCD will not present any exhibits.

PROCEDURAL MATTERS

The OCD has no procedural issues.

Respectfully Submitted,



Gabriel Wade, Attorney
Oil Conservation Division
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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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**ATTORNEY FOR
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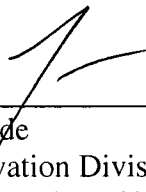
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**ATTORNEYS FOR EARTHWORKS' OIL AND
GAS ACCOUNTABILITY PROJECT**



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