

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION TO
AMEND CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15, PART 36 OF THE
NEW MEXICO ADMINISTRATIVE CODE CONCERNING SURFACE WASTE
MANAGEMENT FACILITIES, PART 35 OF THE NEW MEXICO ADMINISTRATIVE
CODE CONCERNING WASTE DISPOSAL, AND PART 2 OF THE NEW MEXICO
ADMINISTRATIVE CODE CONCERNING THE DEFINITION OF OIL FIELD WASTE**

CASE NO. 15443

This Pre-Hearing Statement is submitted on behalf of the New Mexico Oil and Gas Association by Holland & Hart LLP as required by NMAC 19.15.3.11.B.

APPEARANCES OF PARTIES

APPLICANT

The Oil Conservation Division

ATTORNEY

Gabe Wade, Esq.
Assistant General Counsel
Energy, Minerals and Natural
Resources Department
1120 South St. Francis Drive
Santa Fe, New Mexico 87505
(505) 476-3451
gabriel.wade@state.nm.us

OTHER PARTIES

The New Mexico Oil and Gas Association

ATTORNEY

Michael H. Feldewert, Esq.
Jordan L. Kessler, Esq.
Holland & Hart LLP
Post Office Box 2208
Santa Fe, NM 87504-2208
(505) 988-4421
mfeldewert@hollandhart.com
jlkessler@hollandhart.com

RECEIVED OGD
2016 MAR -3 P 4:35

STATEMENT OF CASE

The Oil Conservation Division has proposed amendments to 19.15.36 NMAC and 19.15.35 concerning applications for and operations of Surface Waste Management Facilities. The proposed amendments pertain to the process of administrative application and notice, the definitions of "operator" and "oil field waste," and financial assurances. NMOGA generally supports the Division's application.

PROPOSED EVIDENCE

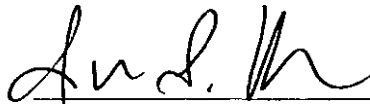
NMOGA will not proffer any witnesses or exhibits.

PROCEDURAL MATTERS

None at this time.

Respectfully submitted:

HOLLAND & HART, LLP



Michael H. Feldewert
Jordan L. Kessler
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421
(505) 983-6043 Facsimile

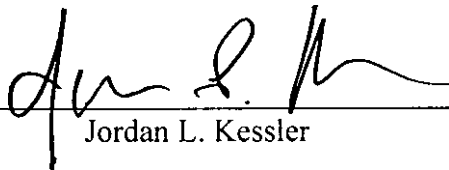
**ATTORNEY FOR
THE NEW MEXICO OIL AND GAS ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2016, I served a copy of the foregoing document to the following counsel of record via electronic mail to:

Gabe Wade
Assistant General Counsel
Energy, Minerals and Natural
Resources Department
1120 South St. Francis Drive
Santa Fe, New Mexico 87505
(505) 476-3451
gabriel.wade@state.nm.us

**ATTORNEY FOR
THE OIL CONSERVATION DIVISION**



Jordan L. Kessler