

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

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION FOR  
THE PURPOSE OF CONSIDERING:

ORIGINAL

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSION HEARING

May 19, 2016

Santa Fe, New Mexico

BEFORE: DAVID R. CATANACH, CHAIRPERSON  
PATRICK PADILLA, COMMISSIONER  
DR. ROBERT S. BALCH, COMMISSIONER  
BILL BRANCARD, ESQ.

This matter came on for hearing before the  
New Mexico Oil Conservation Commission on Thursday, May  
19, 2016, at the 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: Mary C. Hankins, CCR, RPR  
New Mexico CCR #20  
Paul Baca Professional Court Reporters  
500 4th Street, Northwest, Suite 105  
Albuquerque, New Mexico 87102

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1 (9:05 a.m.)

2 CHAIRPERSON CATANACH: Our next order of  
3 business is the consideration of the final rule changes  
4 in Case Number 15443. This case is the application of  
5 New Mexico Oil Conservation Division to amend certain  
6 provisions of Rule Number 19.15.36, surface waste  
7 management rule. This case was heard by the Commission  
8 on March 10th and again on April 7th, 2016.

9 During those proceedings, the Commission  
10 finalized the language in the rule. I believe that part  
11 of the case has been taken care of as far as adopting  
12 the rule or approving the rule language.

13 Today the only business we have, I believe,  
14 is a reviewing the draft order in the case and  
15 finalizing the order signing the order.

16 Commissioners, have you had a chance to  
17 review the draft order?

18 COMMISSIONER PADILLA: Yes.

19 COMMISSIONER BALCH: And I have as well.

20 CHAIRPERSON CATANACH: Okay. I reviewed it  
21 as well. I had a few minor changes that I provided to  
22 Bill Brancard. No changes, just some clarifications.  
23 Do you guys want a chance to review the amended order  
24 or --

25 COMMISSIONER BALCH: If there are no

1 substantial changes --

2 COMMISSIONER PADILLA: Other than for  
3 fixing for clerical problems, no.

4 CHAIRPERSON CATANACH: That was basically  
5 it.

6 Okay. Okay. Then do I have a motion to  
7 adopt the order in that case?

8 COMMISSIONER PADILLA: And I'd move to  
9 adopt the order.

10 COMMISSIONER BALCH: I'll second.

11 CHAIRPERSON CATANACH: All in favor?

12 (Ayes are unanimous.)

13 CHAIRPERSON CATANACH: That order will be  
14 signed today.

15 And, Mr. Brancard, is that all we had to do  
16 with that case?

17 MR. BRANCARD: That is all.

18 I would note -- I don't know if you noticed  
19 in the order. We had a statute change last year about  
20 how we do rules, and so just for your information, the  
21 process that works now is that the Division has to delay  
22 20 days before filing the rule with the State Records to  
23 allow for that provision in the statute that allows  
24 someone to request a rehearing. That is now in the  
25 statute, that there is a delay upon filing with the

1 State Records Center. So I put that in the order so the  
2 Division really knows when to file the actual rule with  
3 the State Records Center.

4 CHAIRPERSON CATANACH: Let's go ahead and  
5 sign the order and then move on.

6 Is there an attachment to this order?

7 MR. BRANCARD: That will be the rule.

8 (Case Number 15443 concludes, 9:07 a.m.)  
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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

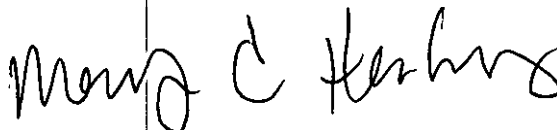
5 I, MARY C. HANKINS, Certified Court  
6 Reporter, New Mexico Certified Court Reporter No. 20,  
7 and Registered Professional Reporter, do hereby certify  
8 that I reported the foregoing proceedings in  
9 stenographic shorthand and that the foregoing pages are  
10 a true and correct transcript of those proceedings that  
11 were reduced to printed form by me to the best of my  
12 ability.

13 I FURTHER CERTIFY that the Reporter's  
14 Record of the proceedings truly and accurately reflects  
15 the exhibits, if any, offered by the respective parties.

16 I FURTHER CERTIFY that I am neither  
17 employed by nor related to any of the parties or  
18 attorneys in this case and that I have no interest in  
19 the final disposition of this case.

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MARY C. HANKINS, CCR, RPR

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Certified Court Reporter

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New Mexico CCR No. 20

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Date of CCR Expiration: 12/31/2016

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