

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

IN THE MATTER OF THE APPLICATION
OF OWL SWD OPERATING, LLC FOR
AUTHORIZATION TO INJECT, LEA
COUNTY, NEW MEXICO

CASE NO 15723
ORDER NO R 14382

**ORDER DENYING MOTION TO VACATE HEARING BEFORE THE DIVISION
AND FOR HEARING BEFORE COMMISSION**

OWL SWD Operating LLC (OWL) filed an application for an order authorizing the injection of water for disposal into the Yates Seven Rivers formation in Lea County New Mexico on May 9 2017. The application has been set for hearing before the Oil Conservation Division (Division). On June 12 2017 OWL filed a motion requesting that the Director of the Oil Conservation Division (Division) vacate this matter currently set before the Division hearing examiner and set the matter for hearing before the Oil Conservation Commission (Commission) at the Commission's July 13 2017 hearing pursuant to 19 15 4 20(B) NMAC. OWL bases its request on the possible length of the hearing the issues raised and the likelihood that one of the parties may seek a *de novo* hearing.

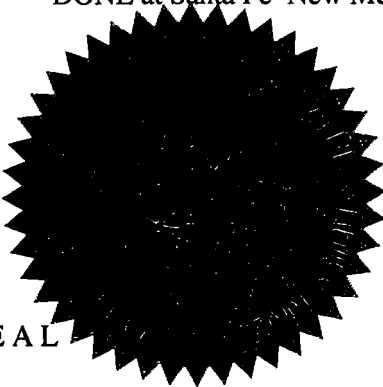
Pursuant to NMSA 1978 Section 70-2-6(B) and 19 15 4 20(B) NMAC a hearing may be held before the Oil Conservation Commission if the Division Director in his discretion determines that the Oil Conservation Commission shall hear the matter. In its motion OWL does not discuss the issues that have been raised in this matter or why they would justify a hearing before the Commission instead of the Division. The possible length of the hearing and that a party may request a *de novo* hearing are not sufficient reasons to set the hearing before the Commission. Therefore the Division Director determines that the matter shall remain before the Division and be heard by a Division hearing examiner.

IT IS THEREFORE ORDERED THAT

OWL's motion to vacate the hearing before the Division and for a hearing to be set before the Commission is denied.

DONE at Santa Fe New Mexico on this 26th day of June 2017

SEAL



STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

David R. Catanach

DAVID R. CATANACH
Director