

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION
Regular Meeting
August 15, 2024
Meeting Minutes

The Oil Conservation Commission meeting was a hybrid meeting with both in person and virtual participation options. The meeting was held in the Pecos Hall Hearing Room at the Wendell Chino Building, First Floor, 1220 South St. Francis Drive, Santa Fe, New Mexico.

MEMBERS PRESENT:

Gerasimos Razatos	Acting Chair, Oil Conservation Division
Daniel Rubin	Commission Counsel
William Ampomah	Designee, Energy, Minerals and Natural Resources Department
Greg Bloom	Designee, New Mexico State Land Office Commissioner [remote attendance <i>via</i> Cisco Webex on previously noticed meeting link]

OTHERS PRESENT:

Sheila Apodaca, Law Clerk

The meeting was called to order by Acting Chair Razatos at 9:00 a.m.

Item 1. Roll Call.

Action: Roll was taken; a quorum was present.

Item 2. Approval of the Agenda.

Action: Commissioner Bloom moved to approve the Agenda. Commissioner Ampomah seconded the motion. Roll call was taken and the motion was unanimously approved.

Item 3. Approval of the August 15, 2024 Meeting Minutes.

Action: Commissioner Bloom motioned for approval of the August 15, 2024 Meeting Minutes and Commissioner Ampomah seconded the motion. Roll call was taken and the motion was approved unanimously.

Item 4. Pending cases:

Case Nos. 24018-19, 24024-27:

Dana Hardy, Sharon Shaheen and Ernest Padilla appeared on behalf of Empire New Mexico; Chris Moander appeared on behalf of the Oil Conservation Division; Adam Rankin appeared on behalf of Goodnight Midstream Permian, LLC.

Action: Commission Counsel Rubin briefed the Commission on his review of the briefing on Empire New Mexico's Expedited Motion to Stay or Suspend Goodnight Midstream Permian LLC's Authorization to Inject and for Sanctions for Violation of SWD Orders. The Commission will address today the accusation in the motion that Goodnight has been exceeding its permitted amount of produced water.

Oral arguments were delivered by the parties. Hearing date of August 15, 2024 was discussed. Parties will file pre-hearing statements and exhibits one week before hearing. Any rebuttals will be filed one day before the hearing.

Rubin suggests order permit be adhered to, any over injections cease as defined by the permit, and to direct the hearing officer to include in his recommendations whether the permit has been violated, and to hold in abeyance any further action on the motion.

Acting Chair Razatos moved for approval of the recommendations. Commissioner Ampomah seconded the motion. Roll call was taken, Commissioner Ampomah and Acting Chair Razatos voted in favor; Commissioner Bloom did not vote in favor. Motion was approved 2-1.

Question raised by Mr. Padilla as to the Commissioners' and appointed Hearing Examiner's involvement at the hearing in these matters.

Miguel Suazo entered his appearance on behalf of Pilot Water in a matter that will be impacted by the matters Pilot Water would like to participate at the hearing in September.

Matt Beck appeared on behalf of Rice Operating and Permian Line Service. His clients stand in a similar position as Pilot Water and have intervened in this matter.

Case Nos. 24683

Alley Beasley, Kyle Tisdale, Morgan O'Grady and Tannis Fox on behalf of the Applicants. Andrew Cloutier appeared on behalf of the Independent Petroleum Association of New Mexico. Jesse Tremaine appeared on behalf of the Oil Conservation Division. Michael Feldewert appeared on behalf of OXY USA, Inc. Miguel Suazo and Kaitlyn Luck appeared on behalf of the New Mexico Oil and Gas Association.

Action: Hearing was held on Western Environmental Law Center, et al.'s application for a rulemaking hearing for amendments to 19.15. 2, 19.15.5, 19.15.8, 19.15.9 and 19.15.25 NMAC.

Acting Chair Razatos moved to initiate rulemaking and to approve a proposed notice at the next OCC meeting. Commissioner Bloom seconded the motion. The motion was unanimously approved. This matter will be continued to the next OCC meeting for approval of the notice.

Case Nos. 24594

Anna Seningen and Jesse Tremaine appeared on behalf of the Oil Conservation Division. Dana Hard appeared on behalf of Targa Midstream Services, LLC.

Evidentiary hearing was held on Targa's application for authorization to inject.

Commissioner Bloom moved to approve the application, subject to the permit conditions proposed by the Department, that Exhibit 1 to be supplemented by the testimony of the

department witness. Commissioner Ampomah seconded the motion. Roll call was taken and the motion was unanimously approved and the application granted.

Item 5. Pending Litigation

Update provided by Commission Counsel Rubin. With regard to the *Atencio* matter, the Petition for Interlocutory Appeal was granted. Anticipates at least six months for decision by court of appeals. Everything is stayed in the district court level.

In OCC closed meeting on July 11th, the Answer to the Complaint was prepared and will be filed before the extended deadline late this month. He hopes to work with the counsel for the co-executive defendants to ensure consistency in answer.

Item 5. Other business

Action: Acting Chair Razatos announced that the October meeting will take place on October 9th.

A new meeting date will be set and announced.

Item 7. Next meeting

The Commission approved foregoing the OCC meeting on September 19th and placing any matters set for September 19th on September 23rd, prior to the hearing set for September 23-27.

Item 8. Adjournment

Acting Chair Razatos adjourned the meeting at 2:55 p.m.

Gerasimos Razatos
Acting Chair

