

AN ACT  
RELATING TO OIL AND GAS; ALLOWING THE OIL CONSERVATION  
COMMISSION TO IMPOSE FEES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** A new section of the Oil and Gas Act is enacted to read:

"[NEW MATERIAL] FEES--APPROPRIATION.--

A. The following fees are required to be paid the New Mexico Oil Conservation Division.

(1) With each application for a non-federal and non-tribal permit to drill, deepen, plug back, or reenter a well, the applicant shall submit to the division a nonrefundable fee of \$500.

(2) With each individual application for administrative approval of: non-standard location, downhole commingle, surface commingle, off-lease measurement, release notification and corrective action, change of operator, application for modification to surface waste management facility, request for the creation of a new pool, or proposed alternative method permit or closure plan application, and authorization to move produced water, the applicant shall submit to the division a nonrefundable fee of \$150.

(3) With each application for a fluid injection well permit, the applicant shall submit to the division a nonrefundable fee of \$500 per well.

(4) With each application for a permit for a commercial surface waste management facility, landfill, or landfarm the applicant shall submit to the division a nonrefundable fee of \$10,000 per facility.

(5) With each application for administrative hearing, re-hearing, or de novo hearing before the division or commission, the applicant shall submit to the division a nonrefundable fee of \$500 per application.

(6) An application for administrative hearing, re-hearing, or de novo hearing before the division or commission, will be considered materially amended if the amendment is made for a purpose other than:

(A) to correct typographical errors; or

(B) to correct clerical errors.

(7) With each application for continuance of an administrative hearing, re-hearing, or de novo hearing before the division or commission, the applicant shall submit to the Division a nonrefundable fee of \$150 per application.

B. There is created within the state treasury the "oil conservation division systems and hearings fund." All money received by the state from fees collected pursuant to subsection A of this section shall be delivered to the state treasurer and deposited in the fund. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of energy, minerals and natural resources. Money in the fund is appropriated to the energy, minerals and natural resources department oil conservation division to develop and modernize its online application processing system, online case management system, online case file system, other technological upgrades and hearing

administration costs. Any unexpended or unencumbered balance remaining in the oil conservation enhancement fund at the end of a fiscal year shall not revert to the general fund but shall remain and accrue to the benefit of the oil conservation division systems and hearings fund.