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NOTIFICATION OF MINOR, NON-SUBSTANTIVE CORRECTION

September 24, 2026

To: Erin Taylor, Acting Secretary, Energy, Minerals and Natural Resources Department
c/o Albert Chang, Director, Oil Conservation Division

From: Matthew Ortiz, Administrative Law Division
by designation for the State Records Administrator

Re: Amendment, 19.15.8 NMAC – Financial Assurance, filed on September 11, 2026, published and effective on September 22, 2026.

Pursuant to the authority granted under State Rules Act, Subsection D of Section 14-4-3 NMSA, and after explanation given by agency (see attached correspondence), please note that the following minor, non-substantive corrections to spelling, grammar and format have been made to all filed copies of the above rule, as follows:

Section 9: re-numbered Subsection F is corrected to read:

[D] F. ~~[Inactive wells]~~ Wells that are in approved temporarily abandoned status for more than two years, inactive wells, and wells that are in expired temporarily abandoned status. ~~[An operator shall provide financial assurance for wells that are covered by Subsection A of 19.15.8.9 NMAC that have been in temporarily abandoned status for more than two years]~~ An operator shall provide financial assurance for wells that are in approved temporarily abandoned status for more than two years, in inactive status, or in expired temporarily abandoned status [or for which the operator is seeking approved temporary abandonment pursuant to 19.15.25.13 NMAC] in one of the following categories:

A copy of this Notification will be filed with the official version of the rule. All future electronic versions of this rule shall not have the deleted text within this subsection of Section 9.

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Division Director
Oil Conservation Division



September 22, 2026

Via Electronic Mail
Dennis.Branch@srca.nm.gov

Dennis M. Branch
Editor, New Mexico Register
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Dear Mr. Branch:

We recently completed a rule making process regarding amendments to 19.15.2, 19.15.5, 19.15.8, 19.15.9 and 19.15.25 NMAC. Our final amendments were submitted for filing and publication, along with our Concise Explanatory Statement for Rule Adoption [*Rule Making Order and Reasons for the Action Taken*] on September 11, 2026. The amended rules were published in the New Mexico Register, Issue 18, on September 22, 2026.

On September 21, 2026 it was brought to our attention that one of the rules, 19.15.8.9.F NMAC, contained language which was supposed to have been stricken. The rule, as submitted, reads:

“An operator shall provide financial assurance for wells that are in approved temporarily abandoned status for more than two years, in inactive status, or in expired temporarily abandoned status or for which the operator is seeking approved temporary abandonment pursuant to 19.15.25.13 NMAC in one of the following categories:”

However, pursuant to the Rule Making Order/Concise Explanatory Statement, at page 5, paragraph 4, it was the intention of the Oil Conservation Commission and the Energy, Minerals, and Natural Resources Department, that the words: “or for which the operator is seeking approved temporary abandonment pursuant to 19.15.25.13 NMAC” were to have been stricken. Due to a clerical error, this language was left in the final amendments.

Therefore, please consider our request that a Notice of Correction to 19.15.8.9.F NMAC be filed in Issue 19 of the New Mexico Register and the current language be replaced with the following:

State of New Mexico
Energy, Minerals and Natural Resources Department

“An operator shall provide financial assurance for wells that are in approved temporarily abandoned status for more than two years, in inactive status, or in expired temporarily abandoned status [or for which the operator is seeking approved temporary abandonment pursuant to 19.15.25.13 NMAC] in one of the following categories:”

We greatly appreciate your consideration in this matter.



Digitally signed by
Albert Chang
Date: 2026.09.22
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Albert C.S. Chang, Division Director
Oil Conservation Division

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