

## Chapter 70. Oil and Gas

### Article 1. Assignments and Leases

70 NM ST Art. 1, Refs & Annos

§70-1-1. Production of Oil, Gas or Other Minerals; Assignments of Royalties to be Recorded

§70-1-2. Effect of Recording or Failure to Record

§70-1-3. Forfeiture of Oil, Gas or Mineral Lease; Release from Record

§70-1-4. Failure to Execute Release; Action to Obtain Release; Damages; Attachment

§70-1-5. Demand for Release Must Precede Action

### Article 2. Oil Conservation Commission; Division; Regulation of Wells

70 NM ST Art. 2, Refs & Annos

§70-2-1. Short Title

§70-2-2. Waste Prohibited

§70-2-3. Waste; Definitions

§70-2-4. Oil Conservation Commission; Members; Term; Officers; Quorum; Power to Administer Oaths

§70-2-5. Oil Conservation Division; Director; State Petroleum Engineer

§70-2-6. Commission's and Division's Powers and Duties

§70-2-7. Rules of Procedure in Hearings; Manner of Giving Notice; Record of Rules, Regulations and Orders

§70-2-8. Subpoena Power; Immunity of Natural Persons Required to Testify

§70-2-9. Failure or Refusal to Comply with Subpoena; Refusal to Testify; Body Attachment; Contempt

§70-2-10. Perjury; Punishment

§70-2-11. Power of Commission and Division to Prevent Waste and Protect Correlative Rights

§70-2-12. Enumeration of Powers

§70-2-12.1. Disposition of Produced Water; NO Permit Required

§70-2-12.2. Adoption of Rules; Appeals

§70-2-13. Additional Powers of Commission or Division; Hearings Before Examiner; Hearings De Novo

§70-2-14. Requirement for Financial Assurance

§70-2-15. Allocation of Allowable Production Among Fields when Division Limits Total Amount of Production

§70-2-16. Allocation of Allowable Production in Field or Pool

§70-2-17. Equitable Allocation of Allowable Production; Pooling; Spacing

§70-2-18. Spacing or Proration Unit with Divided Mineral Ownership

§70-2-19. Common Purchasers; Discrimination in Purchasing Prohibited

§70-2-20. Repealed by L. 1981, Ch. 362, §3, eff. June 19, 1981

§70-2-21. Purchase, Sale or Handling of Excess Oil, Natural Gas or Products Prohibited

§70-2-22. Rules and Regulations to Effectuate Prohibitions Against Purchase or Handling of Excess Oil or Natural Gas; Penalties

§70-2-23. Hearings on Rules, Regulations and Orders; Notice; Emergency Rules

§70-2-24. Reports of Governmental Departments or Agencies as to Market Demand to be Deemed Prima Facie Correct

§70-2-25. Rehearings; Appeals

§70-2-26. Review of Oil Conservation Commission Decision; Appeals

§70-2-27. Temporary Restraining Order or Injunction; Grounds; Hearing; Bond

- §70-2-28. Actions for Violations
- §70-2-29. Actions for Damages; Institution of Actions for Injunctions by Private Parties
- §70-2-30. Violation of Court Order Grounds for Appointment of Receiver
- §70-2-31. Violations of the Oil and Gas Act; Penalties
- §70-2-32. Seizure and Sale of Illegal Oil or Gas or Products; Procedure
- §70-2-33. Definitions
- §70-2-34. Regulation, Conservation and Prevention of Waste of Carbon Dioxide, Helium and Other Non-Hydrocarbon Gases
- §70-2-35. Legal Representation Before the Federal Energy Regulatory Commission
- §70-2-36. Removing or Altering Marks of Identification; Penalty
- §70-2-36.1. Repealed by L. 1991, Ch. 9, §45a, eff. July 1, 1991
- §70-2-37. Oil and Gas Reclamation Fund Created; Disposition of Fund
- §70-2-38. Oil and Gas Reclamation Fund Administered; Plugging Wells on Federal Land; Right of Indemnification; Annual Report; Contractors Selling Equipment for Salvage
- Article 3. Pipelines
  - 70 NM ST Art. 3, Refs & Annos
  - §70-3-1. Rates for Pipeline Common Carriers Transporting Oil or Products Between Points in New Mexico
  - §70-3-2. License; Fees; Disposition
  - §70-3-3. Exceptions
  - §70-3-4. Pipelines; Crossing of Railroads and Highways
  - §70-3-5. Eminent Domain Power
  - §70-3-6. Private Telegraph or Telephone Line Along Right-of-Way of Pipeline
  - §70-3-7. Use of Public Highways by Pipeline; Grant of Right by County Commissioners
  - §70-3-8. Application for Use of Highway for Pipeline; Investigation; Rejection; Appeal; Permit; Bond
  - §70-3-9. Pipeline Highway Use Forms
  - §70-3-10. Attachment of Articles to Pipeline Which May Cause Leakage or Loss; Disturbance of Pipeline; Penalty
  - §70-3-11. Short Title
  - §70-3-12. Definitions
  - §70-3-13. Powers and Duties of Commission
  - §70-3-13.1. Master Meter Outreach and Education
  - §70-3-14. Adoption of Regulations; Notice and Hearing
  - §70-3-15. Validity of Regulation; Judicial Review
  - §70-3-16. Waiver of Regulations
  - §70-3-17. Continuity of Service
  - §70-3-18. Compliance
  - §70-3-19. Enforcement; Penalties
  - §70-3-20. Pipeline Safety Engineer and Staff
  - §70-3-21. Pipeline Safety Fund; Created; Assessment and Collection of Fees
  - §70-3-22. Pipeline Safety Fee
- Article 3a. Gathering Line Land Acquisition
  - §70-3a-1. Short Title
  - §70-3a-2. Definitions
  - §70-3a-3. Easement; Offer and Counterproposal
  - §70-3a-4. Petition; Appointment of Hearing Officer

§70-3a-5. Scope of Review by the Hearing Officer

§70-3a-6. Report;Appeal

§70-3a-7. Abandonment of Easement

Article 4. Liens on Wells and Pipelines

§70-4-1. Liens for Labor and Material Furnished or Hauled for Use of Oil and Gas Wells or Pipelines

§70-4-2. Labor, Hauling and Materials Considered Under Continuous Contract

§70-4-3. Liens of Subcontractors

§70-4-4. Claim of Lien;Contents and Filing

§70-4-5. Recording;Index;Fees

§70-4-6. Liability of Owner Limited to Contract Price

§70-4-7. Limitation of Action to Enforce

§70-4-8. Enforcement of Lien

§70-4-9. Joinder of Actions;Attorney's Fees;Costs

§70-4-10. Definition of Words "Person" and "Subcontractor"

§70-4-11. Preference to Laborers;NO Preference to First Contractors

§70-4-12. Materials Exempt from Attachment

§70-4-13. Personal Liability

§70-4-14. Name of Act

§70-4-15. Conflicting Laws Repealed, Chapter 82, "1929 New Mexico Statutes Annotated" Excepted

Article 5. Liquefied and Compressed Gases

70 NM ST Art. 5, Refs & Annos

§70-5-1. Definitions

§70-5-2. Short Title

§70-5-3. Rules and Regulations for Design, Construction, Assembling, Equipping and Installing of Containers and Equipment

§70-5-4. Acts Concerning LP Gas or CNG Subject to Commission Rules and Regulations

§70-5-5. Power to Adopt and Promulgate Rules and Regulations;Exceptions to Act

§70-5-6. License;Exceptions

§70-5-7. Requiring Competent Employees in Transporting, Dispensing, Installation, Service or Repair

§70-5-8. Authority of Inspectors

§70-5-9. Annual License Fees;Inspection Fees

§70-5-10. Revenue;Suspense Fund

§70-5-11. Proof of Responsibility

§70-5-12. Power of Bureau and Commission to Refuse to Grant, Suspend or Cancel a License

§70-5-13. Provisions for Hearings

§70-5-14. Notice;Hearing

§70-5-15. Finding;Record

§70-5-16. Appeal

§70-5-17. NO Formal Notice Required of Hearing on Application for License;Appeal

§70-5-18. Civil Penalty for Failure to Comply with Act or Any Order, Rule or Regulation

§70-5-19. Municipalities;Taxes;License Fees

§70-5-20. Enforcement

§70-5-21. Misdemeanor

- §70-5-22. Administrative Penalty Assessments
- §70-5-23. Containers to be Filled Only by Owner or upon the Owner's Authorization
- Article 6. Underground Storage of Natural Gas
  - 70 NM ST Art. 6, Refs & Annos
  - §70-6-1. Public Interest and Welfare
  - §70-6-2. Definitions
  - §70-6-3. Acquisition of Lands for Purposes of Underground Natural Gas Storage; Lands Controlled by Public Body, Executor, Administrator, Guardian, Receiver or Trustee
  - §70-6-4. Appropriation of Underground Storage Facilities; Limitations
  - §70-6-5. Findings of Oil Conservation Division
  - §70-6-6. Commission or Division Procedure
  - §70-6-7. Exercise of Right of Eminent Domain
  - §70-6-8. Ownership of Injected Gas
- Article 7. Statutory Unitization Act
  - §70-7-1. Purpose of Act
  - §70-7-2. Short Title
  - §70-7-3. Additional Powers and Duties of the Oil Conservation Division
  - §70-7-4. Definitions
  - §70-7-5. Requisites of Application for Unitization
  - §70-7-6. Matters to be Found by the Division Precedent to Issuance of Unitization Order
  - §70-7-7. Division Orders
  - §70-7-8. Ratification or Approval of Plan by Owners
  - §70-7-9. Amendment of Plan of Unitization
  - §70-7-10. Previously Established Units
  - §70-7-11. Unit Operations of Less than an Entire Pool
  - §70-7-12. Operation; Expressed or Implied Covenants
  - §70-7-13. Income from Unitized Substances
  - §70-7-14. Lien for Costs
  - §70-7-15. Liability for Expenses
  - §70-7-16. Division Orders
  - §70-7-17. Property Rights
  - §70-7-18. Existing Rights, Rights in Unleased Land and Royalties and Lease Burdens
  - §70-7-19. Agreements Not Violative of Laws Governing Monopolies or Restraint of Trade
  - §70-7-20. Evidence of Unit to be Recorded
  - §70-7-21. Unlawful Operation
- Article 8. Emergency Petroleum Products Supplies
  - §70-8-1. Recompiled as §12-12-10 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-2. Recompiled as §12-12-11 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-3. Recompiled as §12-12-12 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-4. Recompiled as §12-12-13 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-5. Recompiled as §12-12-14 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-5.1. Recompiled as §12-12-15 by L. 2005, Ch. 22, §4, eff. July 1, 2005
  - §70-8-6. Recompiled as §12-12-16 by L. 2005, Ch. 22, §4, eff. July 1, 2005
- Article 9. Petroleum Recovery Research Center
  - §70-9-1. New Mexico Petroleum Recovery Research Center
  - §70-9-2. New Mexico Petroleum Recovery Research Center; Duties

- §70-9-3. Reports
- §70-9-4. Sources of Income
- Article 10. Oil and Gas Proceeds Payments
  - §70-10-1. Short Title
  - §70-10-2. Definitions
  - §70-10-3. Payment of Oil and Gas Proceeds;Time for Payment
    - §70-10-3.1. Duty to Locate
  - §70-10-4. Interest on Late Payments
  - §70-10-5. Application;Penalty
  - §70-10-6. Attorneys' Fees
- Article 11. Office of Interstate Natural Gas Markets
  - 70 NM ST Art. 11, Refs & Annos
    - §70-11-1. Purpose
    - §70-11-2. Office Created;Duties
    - §70-11-3. Director
    - §70-11-4. Duties and General Powers
    - §70-11-5. Technical Advisory Committee;Composition;Duties
    - §70-11-6. Repealed by L. 1991, Ch. 65, §1, eff. June 14, 1991
    - §70-11-7. Findings and Purpose
    - §70-11-8. Natural Gas Pipeline Study;Additional Duties
- Article 12. Surface Owners Protection Act
  - §70-12-1. Short Title
  - §70-12-2. Applicability
  - §70-12-3. Definitions
  - §70-12-4. Compensation for Oil and Gas Operations
  - §70-12-5. Notice of Operations;Proposed Surface Use and Compensation Agreement
  - §70-12-6. Entry Without Agreement;Bond
  - §70-12-7. Damages
  - §70-12-8. Remedies Not Exclusive
  - §70-12-9. Emergency Situations
  - §70-12-10. Temporary Provision;Applicability