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**STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION**

**NEW MEXICO ENVIRONMENT DEPARTMENT
WATER PROTECTION DIVISION,
SURFACE WATER QUALITY BUREAU,**

Complainant,

v.

No. WQCC 20-16 (CO)

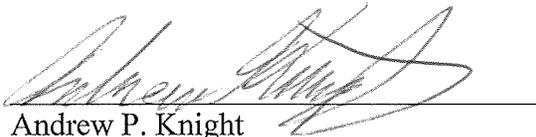
**MATADOR PRODUCTION COMPANY and
SAN MATEO MIDSTREAM,**

Respondents.

JOINT NOTICE OF ERRATA

The Water Protection Division of the New Mexico Environment Department and Matador Production Co. jointly provide this Notice of Errata to correct typographical errors in the captions of both the Administrative Compliance Order (“Order”) and the Answer to WQCC 20-16. As originally filed, both of these documents mistakenly referred to this matter as being before the Secretary of Environment, and being numbered as “SWQB 20-16”. The corrected first page of each document, attached to this Notice, properly state that this matter is before the Water Quality Control Commission, and the matter number is WQCC 20-16.

NEW MEXICO ENVIRONMENT DEPT.



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Respondents.

**ADMINISTRATIVE COMPLIANCE ORDER REQUIRING COMPLIANCE
AND ASSESSING A CIVIL PENALTY**

The Water Protection Division (“Division”) of the New Mexico Environment Department (“Department”) issues this Administrative Compliance Order (“Order”) to Matador Production Company and San Mateo Midstream (“Respondents”) on behalf of the Department’s Surface Water Quality Bureau (“Bureau”). This Order is issued pursuant to Section 74-1-10 of the Environmental Improvement Act (“Act”) and the Interstate and Intrastate Standards for Surface Water (“Regulations”) found at 20.6.4 NMAC. The Secretary of the Department has delegated the authority to issue this Order to the Director of the Division.

FINDINGS OF FACT

1. Respondent Matador Production Company is an oil and gas exploration and production company, with its headquarters in Dallas County, Texas. Respondent San Mateo Midstream, LLC is a joint venture formed by Matador Resources Company and Five Point Capital Partners to operate and grow midstream assets in the Delaware Basin.

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No. WQCC 20-16 (CO)

v.

**MATADOR PRODUCTION COMPANY and
SAN MATEO MIDSTREAM, LLC,**

Respondents.

**REQUEST FOR PUBLIC HEARING AND ANSWER TO ADMINISTRATIVE
COMPLIANCE ORDER**

On Monday, February 24, 2020, San Mateo Midstream, LLC (“San Mateo”) received notification of a possible disturbance and alleged substance in the Black River, near the site where a contractor, S&J Contractors, was conducting a boring operation under the river for one of San Mateo’s subsidiaries. San Mateo promptly commenced an investigation; however, it remains unclear from such investigation whether any bentonite or soda ash—the materials used in the boring operation—actually entered the river, or whether the substance that was seen was naturally occurring sediment. Bentonite and soda ash are naturally occurring materials that are often used in connection with water-related activities, such as lining ponds and adjusting the pH balance of well water, and both substances are similar to the clay at the bottom of a riverbed. Following a thorough investigation, no tests have shown that any bentonite or soda ash entered the river. Additionally, San Mateo has observed that during times of rain significant runoff from a nearby property owned by a different party appears to have substantially contributed to sediment at the bottom of the river.