

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

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

Complainant,

v.

WQCC No. 20-16 (CO)

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

Respondents.

**ORDER SCHEDULING COMPLIANCE ORDER HEARING AND
APPOINTING HEARING OFFICER**

THIS MATTER came before the Water Quality Control Commission (“Commission”) during the its regularly scheduled meeting on May 12, 2020, on the Request for Public Hearing and Answer to Administrative Compliance Order (“Request for Hearing”) filed on April 17, 2020 by Matador Production Company and San Mateo Midstream, LLC (“Respondents”), in response to the Administrative Compliance Order issued to them on March 20, 2020 by the New Mexico Environment Department Water Protection Division (“Department”). Adam Rankin and Kaitlyn Luck, counsel for Respondents, and Andrew Knight, counsel for the Department, were heard by the Commission. Counsel for Respondents and the Department subsequently filed a Stipulated Order waiving the requirement under 20.1.3.19(B)(1) NMAC that the compliance order hearing be scheduled to begin no later than ninety (90) days after the date the request for compliance order hearing is received by the Commission. The Commission considered the Request for Hearing and the tendered Stipulated Order, and was otherwise sufficiently advised in the premises.

IT IS THEREFORE ORDERED:

1. The Request for Hearing is granted and the filed Stipulated Order is accepted.

The compliance order hearing shall begin in Santa Fe, New Mexico during the Commission's regularly scheduled meeting on Tuesday, September 8, 2020, and may continue thereafter if the Commission deem necessary.

2. Public notice of the compliance order hearing shall be given as provided in in 20.1.3.19(B) and 20.1.3.17(C) NMAC.

3. The compliance order hearing shall be conducted in accordance with the Commission's adjudicatory procedures in 20.1.3 NMAC.

4. The Commission may choose to deliberate immediately following the close of the compliance order hearing, or at a subsequent meeting of the Commission.

5. Pursuant to 20.1.3.10 NMAC, the Commission appointed Richard Virtue as Hearing Officer to perform the functions described in 20.1.3.10(B)(2) NMAC, and to exercise all powers and duties prescribed or delegated by the Commission under the Water Quality Act or 20.1.3 NMAC.

Dated this 9th day of June, 2020.

Jennifer J. Pruett, Chair
Water Quality Control Commission

CERTIFICATE OF SERVICE

I hereby certify that on June _____, 2020, copies of the foregoing **Order Scheduling Compliance Order Hearing and Appointing Hearing Officer** were emailed to the persons listed below. A copy will be mailed first class upon request.

Andrew Knight
New Mexico Environment Department
121 Tijeras Ave, NE #1000
Albuquerque, NM 87102
Andrew.knight@state.nm.us
Counsel for the Department

Adam G. Rankin
Kaitlyn A. Luck
P.O. Box 2208
Santa Fe, NM 87504-2208
agrarkin@hollandhart.com
kaluck@hollandhart.com
Counsel for the Respondents

Robert F. Sanchez
New Mexico Office of the Attorney General
408 Galisteo St.,
Santa Fe, NM 87501
rfsanchez@nmag.gov
Counsel for the Commission

Richard Virtue
2200 Brothers Rd.
Santa Fe, NM 87505
rvirtue@virtuelaw.com
Hearing Officer

Cody Barnes, Commission Administrator
Water Quality Control Commission
P.O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2428
Fax: (505) 827-2836
Email: cody.barnes@state.nm.us