

Greg Nibert

Roswell, New Mexico

August 28, 2024

Ms. Rikki Seguin, Chair
Nominating Committee
New Mexico Public Regulation Commission
P.O. Box 1269
Santa Fe, New Mexico 87504-1269

Re: Resume of Greg Nibert
PRC Commissioner Position

Dear Madam Chair Seguin and Committee Members:

I appreciate the opportunity to present to you my qualifications for your consideration as a candidate for appointment to the Public Regulation Commission ("PRC"), for the term commencing January 1, 2025. Attached to this letter is my resume and an Exhibit A being a partial list of books, papers, and articles that I have authored or co-authored. This letter sets out my political affiliation, my statutory qualifications to hold this position and material that may assist you in the Committee's candidate selection process.

Political Affiliation: I am registered with the Republican party and have been a registered Republican since first registering to vote in the 1970s.

Statutory Qualifications: The New Mexico statutes are clear that in order to hold the office of Commissioner an applicant must meet certain educational and experience requirements. I meet both objectives. I have a baccalaureate degree from the University of New Mexico having a double major of Economics and Political Science. I have a forty plus year career in the energy sector involving a scope of work that includes public and business administration, economics, finance, policy and law. I further have a Juris Doctor degree (law degree) which is a post-graduate degree and over forty years of professional experience practicing law in private practice largely representing natural resource, energy, and financing companies. I will further detail my professional experience below. I understand that the position of Commissioner requires my full attention and that I will have to retire from the private practice of law and my law firm, should I be appointed. I am willing to do so and look forward to new challenges and continuing my public service to the State of New Mexico and its citizens. I have not been employed by a Commission regulated entity at any time, and specifically not within the past two years. I have been an attorney in private practice at the Hinkle Law Firm for my entire professional career of 41 years.

Professional Experience: Having met the minimal statutory requirements, I provide this overview of my professional experience to highlight my qualifications to serve the citizens of New Mexico on the PRC Commission. While my law practice has concentrated largely on oil and gas, the breadth of my practice has always included aspects that relate to energy beyond the extraction of oil and gas resources. I represented a rancher on the first wind farm in New Mexico, a project of Florida Power and Light, and now NextEra Energy. I have worked on projects involving Southwestern Public Service Company, now owned by XCEL Energy, and a number of solar projects, including one on Indian lands involving PNM. I have made presentations to and have worked on projects involving electric transmission lines and gas pipelines. I also have some understanding of water law (though by no means do I hold myself out as a water lawyer) and have dealt with several small water associations over the years. My practice has included significant federal administrative law dealing with federal agencies, including the Interior Board of Land Appeals, Bureau of Land Management, Bureau of Indian Affairs, United States Forest Service, United States Fish and Wildlife Service, National Park Service, and the Bureau of Reclamation.

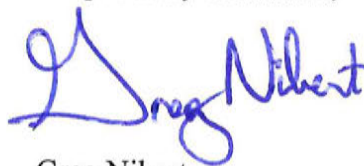
As a County Commissioner, I was involved with a number of issues dealing with wind energy, solar energy, transmission lines, and pipelines. I worked firsthand with companies and legal counsel to deal with permitting, siting, payment in lieu of taxes, industrial revenue bonds and the negotiations thereof. As a member of the New Mexico House of Representatives on the House Energy, Environment & Natural Resources Committee I participated in the legislative process on a number of bills being advanced dealing with our public utilities and the generation, transmission and use of electricity. My tenure in the House also afforded me an opportunity to learn in much greater depth the challenges we face as a State and a Nation with respect to electrical infrastructure. I was selected to attend the Legislative Energy Horizons Institute ("LEHI") (with two of my House colleagues, Representative Dixon and Representative Ortez). I was also asked by the Speaker of the House to represent New Mexico on the Executive Board of the Energy Council. LEHI and the programs put on by the Energy Council are taught by the best scientists, engineers and other energy professionals. The programs are broad in scope and cover electrical generation, extraction of fossil fuels, transmission, pipelines, battery storage, carbon capture and hydrogen. As part of the programs, we toured nuclear facilities, coal plants, combined cycle gas turbine facilities, hydroelectric dams, battery storage testing the Pacific Northwest National Laboratory and the University of Calgary Energy Research Laboratory. We engaged with top ranking official from the Department of Energy and the Department of the Interior as well as Congressional Committee staffs in both the United States Senate and House who oversee energy policy. The information gleaned at the programs is important to me in my current role of a policy-maker and will serve me well should I be selected to serve on the PRC Commission.

My Future: I will not be in the New Mexico Senate as my term ends December 31, 2024. While I have enjoyed a very rewarding career in a private law practice, I am ready for a change and new challenges. I see the PRC being even more relevant in the future as electrical demand grows at a much higher rate which will require great attention, planning, investment and oversight from the generators of electricity, transmission, utilities, NGOs and the PRC. We need Commissioners who will implement the public policy set by the Legislature and signed into law by the Governor in an honest, open and transparent fashion. The move from elected Commissioners to appointed Commissioners was to ensure that the people filling the positions on the PRC had the appropriate skills and knowledge base to deal with the demands of the job and to ensure that New Mexico's citizens remain secure in their ability to access dependable, reliable, dispatchable, and affordable energy. I believe that my professional background, my public service, and my life reflect my character, my academic knowledge, my experience and my ability to critically think and apply reasoning to arrive at logical and well thought out conclusions based upon the law and the facts presented. I have never done anything halfway. I strive to excel at everything I have been involved with, professionally, public service, and personally. If selected, I look forward to the challenge.

Request: It is my request that you review my resume and confirm that I am statutorily qualified to serve the citizens of New Mexico as a PRC Commissioner. It is my further request that upon your full investigation and interview process, that you will place my name in nomination and advance it to the Governor for her consideration for the appointment.

Thank you for considering me for a nomination to the Governor for appointment to the PRC. If you have any questions regarding my resume, this letter or need further information, please feel free to contact me. I have listed several people as references as well if you need to hear from others of my character, my ability to work with others, my background and my knowledge of the subjects that are important to the PRC. I hope that I have the opportunity to meet each of you and please accept my gratitude for your service on the PRC Nominating Committee.

Respectfully submitted,



Greg Nibert

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Resume

[REDACTED]
Roswell, New Mexico [REDACTED]
[REDACTED]

[REDACTED]
Roswell, New Mexico [REDACTED]
[REDACTED]

With a distinguished career at the Hinkle Law Firm since 1983, I have leveraged my expertise in real property, energy and administrative law to significantly impact energy and natural resource projects in New Mexico on private, state, Indian and federal land. My role has included serving as an expert witness, drafting, and shaping legislation, and is demonstrative of my dedication to legal excellence and collaborative success with an attention to detail.

FAMILY:

Married to Carolyn Salazar Nibert and we celebrated our 41st anniversary this month. We have two sons, Greg Jr. and Jeff, both married, and one grandson.

EDUCATION:

Juris Doctor (J.D.), *cum laude*, Pepperdine University School of Law, Malibu, California, May 1983

Editor in Chief, Pepperdine Law Review 1983

Graduated top 10 percent

Phi Delta Phi honor law fraternity

Bachelor of Arts (B.A.), University of New Mexico, Albuquerque, New Mexico, May 1980

Double Major: Economics and Political Science

Minor: Biology

Attorney General Associated Students University of New Mexico (1978-79)

Vice President Interfraternity Council (1978-79)

President of Sigma Phi Epsilon fraternity (1977-78)

Mortar Board

Legislative Energy Horizon Institute, University of Idaho, Moscow, Idaho, November 2022

Certificate in Energy Policy

Attended Clovis Municipal Schools graduating from Clovis High School, May 1976

Honor Society
Student Council
Boy's State Delegate
Lettered in Track and Cross Country
Key Club

LICENSES, CERTIFICATIONS and PROFESSIONAL MEMBERSHIPS:

Law: Supreme Court of New Mexico;
Supreme Court of the United States;
United States Tenth Circuit Court of Appeals;
United States District Court for the District of New Mexico;
State Bar of New Mexico
 Chair of Section on Natural Resources,
 Energy and Environmental Law (1990-91);
Chaves County Bar Association
 President 2010-11.

Land: American Association of Professional Landmen;
New Mexico Landmen's Association.

Minerals: Rocky Mountain Mineral Law Foundation (RMMLF)
 Trustee
 Board Member (2011-15)
 Treasurer (2013-15)
 Chair 57th Annual Institute
 Oil and Gas Section Chair 56th and 46th Annual Institutes
 Landmen's Section Chair 38th Annual Institute
The Foundation for Natural Resources, Energy and
Environmental Law, formerly RMMLF
 Lifetime Honorary Trustee 2023;
Independent Petroleum Association of New Mexico
 President (2011-12)
 Member of the Year (2007, 2013);
New Mexico Oil and Gas Association.

EMPLOYMENT HISTORY:

Associate Attorney: Hinkle, Cox, Eaton, Coffield & Hensley (1983-87);

Partner: Hinkle, Cox, Eaton, Coffield & Hensley (1987 to present) (firm name changed to Hinkle, Hensley, Shanor & Martin and now is Hinkle Shanor LLP).

COMMUNITY SERVICE:

New Mexico Senate (2024)

Senate Rules Committee,
Senate Health and Public Affairs Committee
Energy Council
Uniform Law Commission

New Mexico House of Representatives (2017-23)

House Energy, Environment and Natural Resources Committee
House Judiciary Committee
House State Government, Elections and Indian Affairs Committee
House Rules and Order of Business Committee
Board Member to the Energy Council
Uniform Law Commission and served as a Legislative Fellow (2023)
Republican Whip (2023)

Chaves County Board of County Commissioners (2007-14)

Commission Chair

Leadership New Mexico

CORE Course class of 2011
Local Government Course class of 2009

Roswell Chamber of Commerce

Executive Board
President 2007-08

Roswell Chaves County Economic Development Corporation

Executive Board 2007-14

Roswell Independent School District

Board of Education 1996-97

Roswell Kiwanis Club

President 1994-95, 2024-25

Lt. Governor Division 4 1996-97, 2015-16, 2020-21, 2021-22

Member since 1986

Hixon Fellow

Conquistador Council Boy Scouts of America

Vice President - Finance 2015-17

Rio Hondo District Chair 1997-2003

Assistant Scout Master, Troop 2, 1999-present

Coach:

Roswell Youth Soccer League

Little League Baseball

Yucca Youth Basketball League.

Political:

Chair Chaves County Republican Party 2001-03

Executive Board Republican Party of New Mexico 2010-14

Chaves County Chair for Bush-Cheney Campaign 2004

Church:

West Country Club Road Church of Christ

Deacon and bible teacher

HONORS AND AWARDS:

Legal:

Best Lawyers in America (1993-present)

Chambers USA, America's Leading Lawyers for Business (2005-present)

Southwest Superlawyers

Listed as a top ten energy lawyer in New Mexico by Business Today

Lawyer of the Year by the Section for Natural Resources, Energy and

Environmental Law Section of the State Bar of New Mexico (2015)

Outstanding Career Achievement Award by the Section for Natural

Resources, Energy and Environmental Law Section of the State

Bar of New Mexico (2023)

Best Published Article Published in Landman November/December 2002 by

American Association of Professional Landmen, authored by Greg

Nibert, George Snell, Tim Dowd, Tom Daily, John McDavid, and

Richard Revels, titled: “*A Comparative Review of Oil and Gas Law in Texas, Oklahoma, Arkansas, New Mexico, Mississippi, and Louisiana*”

Legislative:

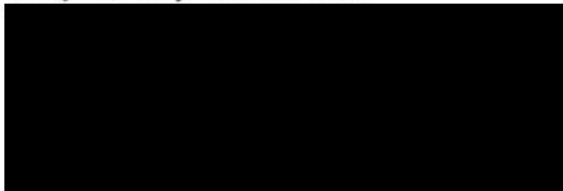
- Legislator of the Year, New Mexico Rural Water Association (2017)
- Focus & Finish award, New Mexico Association of Commerce and Industry (2018)
- Best in Local Government, Common Cause in Recognition for Outstanding Leadership in the Fight for Open & Accountable Government in New Mexico (2019)
- Start to Finish award, Albuquerque Chamber of Commerce for Criminal Justice Reform (2019)
- Advocacy & Support for County Government award, New Mexico Association of Counties (2022)
- Honorary State FFA Degree, New Mexico FFA Association (2022)
- Honorary FFA Degree, Corona FFA (2022)
- Honorary FFA Degree, Hondo FFA (2022)

Community:

- Silver Beaver award, Conquistador Council BSA (2003)
- District Award of Merit, Rio Hondo District of the Conquistador Council BSA
- Distinguished President, Southwest District Kiwanis International (1994)
- Silver Spike award, Chaves County Republican Party
- Steward of Liberty award, American Stewards of Liberty (2014)

REFERENCES:

Mr. Timothy Z. Jennings
Mayor, City of Roswell



Mr. David Hudson
Former President, SPS



Mr. Daniel A. Najjar
Virtue & Najjar PC



Mr. Stuart Ingle
Retired Senator



Ms. Tara Shaw
Retired Executive Director
The Energy Council



Exhibit A

Greg Nibert

PUBLISHED BOOKS, ARTICLES AND PAPERS:

Oil and Gas Law, A Nationwide Comparison of Law on Leasing, Exploration & Production, published by the American Association of Professional Landmen, 2012 and updated and republished in 2022.

Unitization and Communitization, Chapter 18 of the Law of Federal Oil and Gas Leases, Matthew Bender, annual update author.

We know What it Says But How Does It Work, Practical Solutions to Tough Operational Questions Under the Form 2 Operating Agreement, 54 Rocky Mt. Min. L. Inst. 23-1 (2008).

Federal Unitization: Onshore Oil and Gas Unit Agreements for Unproven Areas, 53 Inst. Oil & Gas L. 10 (2002).

Fundamentals of Federal Oil & Gas Leases and How to Keep Them Alive, webinar of the Rocky Mountain Mineral Law Foundation and the American Association of Professional Landmen (2018).

Due Diligence Process, Oil & Gas Agreements: Purchase & Sale Agreement, paper 6, Rocky Mountain Mineral Law Foundation (2016).

Practical Aspects of Preparing Worksheets, Chaining Title, and Document Interpretation, Nuts & Bolts of Mineral Title Examination, paper 4, Rocky Mountain Mineral Law Foundation (2015).

Adapting Federal Units and Unit Operating Agreements to Account for Horizontal Development, Horizontal Oil & Gas Development, Rocky Mountain Mineral Law Foundation (2012).

Surfing the Title Wave, Tricky Issues for New Lawyers, Mineral Title Examination paper 14, Rocky Mountain Mineral Law Foundation (2012).

Title Curve Balls Thrown by Units, Mineral Title Examination, paper 17, Rocky Mountain Mineral Law Foundation (2007).

The Impact of Unit Events on a Federal Oil and Gas Lease, 44 Rocky Mountain L. J. (2007).

Final Decision and Appeal Procedures in Drainage Cases, Federal Drainage Protection & Compensatory Royalties, paper 6, Rocky Mountain Mineral Law Foundation (1994).

Non-Record Title Considerations, Mineral Title Examination III, paper 11, Rocky Mountain Mineral Law Foundation (1992).

Communitization of Federal Lands: An Overview, Onshore Oil and Gas Pooling and Unitization II, paper 3, Rocky Mountain Mineral Law Foundation (1990).

Getting over the Wall - Examining Title to Property in New Mexico - Can I, Should I, and Do I Need My Passport or License?, 45th Annual Ernest E. Smith Oil, Gas and Mineral Law Institute, University of Texas School of Law (2019).

The Good, The Bad and The Ugly Title, Is Good Title Marketable?, 70th Annual AAPL Meeting, American Association of Professional Landmen (2024).

Oil and Gas Law, Comparison of Laws on Leasing, Exploration and Production, 56th Annual AAPL Meeting, American Association of Professional Landmen (2010).

Horizontal Drilling Rule, New Mexico Oil and Gas Law Update and Select Federal Issues, American Association of Professional Landmen, Permian Basin Oil and Gas Seminar at the Santa Fe Land Institute (2015).

Commencing Oil and Gas Operations in New Mexico, Permian Basin Oil & Gas Seminar, American Association of Professional Landmen, paper 2, Permian Basin Oil and Gas Seminar at the Santa Fe Land Institute (2018).

New Mexico Surface Owners Protection Act, We Know Who Pays, but Who and What Does it Protect, American Association of Professional Landmen, Permian Basin Oil and Gas Seminar at the Santa Fe Land Institute (2008).

New Mexico Pooling and Communitization, American Association of Professional Landmen, Denver Land Institute (2015).

Enchanting Issues in Federal Lease Administration and the Application of Force, 34th Annual Inst. Nat'l Assn. of Division Order Analysts (2007).

New Mexico Oil and Gas Law, presented to numerous organizations, including the American Association of Professional Landmen, New Mexico Landmen's Association, State Bar of New Mexico Section on Natural Resources, Energy and Environmental Law, and continuing legal education programs from other CLE providers.

I was chair of the Federal Oil and Gas short course held biannually from 2005 to 2022 by the Rocky Mountain Mineral Law Foundation and taught at the program on the issues of Extensions, Suspensions, Renewals, & Terminations of Federal Oil and Gas Leases; Title Examination of Federal Leases; and Bonding.