



Michael Feldewert

Partner

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Oil and gas companies with operations, property, or prospects in New Mexico turn to Michael for advice and strategic counsel.

PRACTICES

Tax and Benefits
 Environmental and Natural Resources
 Environmental and Natural Resources
 Litigation
 State and Local Tax
 Oil and Gas

EDUCATION

Washington University in St. Louis, J.D.,
 1990

Benedictine College, B.A., 1986

BAR ADMISSIONS

New Mexico

Michael leverages his extensive experience with the agencies, regulations, and processes of the New Mexico Oil Conservation Division/Commission, the New Mexico State Land Office, and the Bureau of Land Management to help oil and gas clients solve issues involving oil and gas development, royalty, severance tax, and property tax issues in New Mexico.

Michael is certified as a specialist in natural resources and oil and gas law by the Board of Legal Specialization of the New Mexico State Bar.

EXPERIENCE

Michael has over 25 years of experience addressing questions, issues, administrative proceedings, rulemaking, regulations, and legal proceedings involving:

- Horizontal and vertical drilling, including:
 - Compulsory pooling
 - Well spacing and non-standard locations
 - Downhole and Surface Commingling
 - Unitization and Communitization
 - Secondary and Tertiary recovery projects
 - Disposal of oilfield waste
 - Storage of produced water
- Oil and gas property taxes
- Oil and gas severance taxes
- Private, State, and Federal Royalty Obligations

CLIENT RESULTS

In addition to regular appearances before the state and federal administrative agencies, Michael has extensive experience handling oil and gas matters before state and federal courts, including:

Upholding oil and gas regulations supported by the New Mexico Oil & Gas Association. *Earthwork's v. New Mexico Oil Conservation Commission*, 2016-NMCA-055

Challenging property taxes, severance taxes, and processing taxes imposed on oil and gas facilities and production in New Mexico.

Leapartners v. New Mexico Taxation and Revenue Dept., D-101-CV-2015-02677 (summary judgment in district court); *Hess Corporation v. New Mexico Taxation and Revenue Department*, 252 P.3d 751 (N.M.App. 2011); *Blackwood & Nichols v. New Mexico Taxation and Revenue Department*, 964 P.2d 137 (N.M. App. 1998).

Striking down a county ordinances restricting the development of oil and gas interests in New Mexico. *SWEPI, LP v. Mora County*, 81 F.Supp. 3d 1075 (Dist. NM 2015).

Defending royalty underpayment claims and class actions for oil and gas production in New Mexico. *Abraham v. BP America Production Company*, 685 F.3d 1196 (10th Cir. 2012); *Davis v. Devon Energy, et al.*, 218 P.3d 73 (N.M. 2009); *Elliott Industries v. BP Amoco Production Company*, 407 F.3d 1091 (10th Cir. 2005); *Creson v. Amoco Production Company*, 10 P.3d 853 (N.M. App. 2000).

Access to oil and gas producing properties. *XTO Energy v. Armenta*, 185 P.3d 383 (N.M. App. 2008).

Allegations of contamination from historic drilling pits. *Bank of America v. Apache et al.*, 184 P.3d 435 (N.M. App. 2008).

RECOGNITION

- *The Best Lawyers in America*® Lawyer of the Year, Oil & Gas Law – Santa Fe, 2017
- *The Best Lawyers in America*® Natural Resources Law, Oil & Gas Law, 2013-2019
- *Chambers USA: America's Leading Lawyers for Business*, Environment, Natural Resources, & Regulated Industries, 2013, 2015-2018
- Southwest Super Lawyers®, Energy and Natural Resources, 2008-2009, 2013-2014

PROFESSIONAL AND CIVIC AFFILIATIONS

- State Bar of New Mexico, Member
- First Judicial District and American Bar Associations, Member
- New Mexico Oil and Gas Association, Member
- Rocky Mountain Mineral Law Foundation, Member