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Supreme Court of New Mexico
9/17/2026 2:12 PM
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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

September 17, 2026

NO. S-1-SC-41579

NEW ENERGY ECONOMY,

Petitioner,

v.

THE SECRETARY OF THE ENVIRONMENT, JAMES KENNEY, AND HIS DESIGNEE, JOHN RHODERICK, NEW MEXICO ENVIRONMENT DEPARTMENT, HEARING OFFICER, MAX SHEPHERD,

Respondents,

IN RE THE APPLICATION OF YUCCA GROWTH INFRASTRUCTURE, LLC FOR AN AIR QUALITY PERMIT NO. 10883 AQB 26-57

ORDER

WHEREAS, this matter initially came on for consideration by the Court upon *emergency request for a stay of proceedings pending a determination on verified petition for writ of mandamus*;

WHEREAS, the Court granted the foregoing request on August 23, 2026; and

WHEREAS, the Court having considered the emergency request, responses thereto, briefs of amici curiae, and being sufficiently advised; Chief Justice Julie J.

Vargas, Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice David K. Thomson, and Justice Briana H. Zamora concurring;

NOW, THEREFORE, IT IS ORDERED that Petitioner's request for a writ of mandamus, as set forth in its *emergency request for a stay of proceedings pending a determination on verified petition for writ of mandamus*, is hereby DENIED; and

IT IS FURTHER ORDERED that the stay imposed by this Court's order filed on August 23, 2026, is hereby LIFTED.

IT IS SO ORDERED.

WITNESS, the Honorable Julie J. Vargas, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 17th day of September, 2026.

By _____
Chief Deputy Clerk of Court

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Chief Deputy Clerk of the Supreme Court
of the State of New Mexico

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9/17/2026 2:10 PM
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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

September 17, 2026

NO. S-1-SC-41580

CENTER FOR BIOLOGICAL DIVERSITY,

Petitioner,

v.

ELIZABETH ANDERSON, in her official capacity as NEW MEXICO STATE ENGINEER,

Respondents

and

SANTA TERESA CAPITAL, LLC,

Real Party in Interest.

ORDER

WHEREAS, this matter initially came on for consideration by the Court upon *emergency verified petition for writ of mandamus and request for stay*;

WHEREAS, the Court granted the request for stay on August 23, 2026;

WHEREAS, the Court having considered the *emergency verified petition for writ of mandamus and request for stay*, responses thereto, brief of amicus curiae, and being sufficiently advised; Chief Justice Julie J. Vargas, Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice David K. Thomson, and Justice Briana H.

Zamora concurring;

NOW, THEREFORE, IT IS ORDERED that the *emergency verified petition for writ of mandamus* is DENIED; and

IT IS FURTHER ORDERED that the stay imposed by this Court's order filed on August 23, 2026, is hereby LIFTED.

IT IS SO ORDERED.

WITNESS, the Honorable Julie J. Vargas, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 17th day of September, 2026.

Chief Deputy Clerk of Court

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Chief Deputy Clerk of the Supreme Court
of the State of New Mexico