

**Brooks, David K., EMNRD**

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**From:** Heather Robbins [bullitt9@earthlink.net]  
**Sent:** Tuesday, July 05, 2005 1:29 PM  
**To:** Brooks, David K., EMNRD  
**Subject:** Denovo dismissal reply  
**Attachments:** Denovo dismissal reply.doc

Re:Case 13437  
Order R 12339

Mr.Brooks

Attached is the reply to Lance's request for dismissal.In reply to his e-mail dated 05July05:

The fact remains: I object to the hole in the ground no matter if you call it 13437 or 13438.It's the same hole,it doesn't matter what formation they did or did not perf. It is obvious that I am an interested party in that hole by all the time and money I have spent objecting to it. Kellahan's legal maneuverings doesn't make this right.

Again, I am not opposed to a good faith bargining effort on Lance's part,to this date they haven't tried to bargain at all. It is ,after all, still my property. I didn't approach Lance to buy it, they are forcing me to sell(or lifetime lease) it. I cannot afford the luxury of some high-priced lawyer, like Lance,who can cut fine points of the law and ignore the spirit of the law. I have learned some things since the first hearing. I think I at least deserve a hearing before the commission now that I more fully understand the proceedings. Isn't that what de novo is about?

Tommy Robbins

7/5/2005

29June05

HAND DELIVERED

Mr. Mark Fesmire  
Oil Conservation Division  
1220 South St. Francis  
Santa Fe, New Mexico

Re: Lance Oil Request for dismissal of hearing Denovo  
NMOCD case 13437

Dear Mr. Fesmire:

Once again, Kellahin has tried to cloud the issue with reams of paper. I was never notified of case 13438. Lance Oil had no problem notifying me of case 13437 and certainly had no problem with the motion to dismiss-it was hand delivered, I imagine to push the time into the holiday weekend and probably hoping I wouldn't have a chance to reply.

If ,in fact, case 13438 and 13437 apply to the SAME hole, why two hearings? Is it more of Kellahin's maneuverings to circumvent OCD rules? This sort of thing done by Lance and Kellahin is exactly why I urge you to ignore Lance's request for dismissal and let me be heard before the full commission.

Tommy Robbins

#### Certificate of Service

I certify that, in accordance with Division Rule 1208.A a true and correct copy of this pleading was delivered 29Jun05 by hand delivery to the following:

David Brooks

Lance Oil&Gas Company  
Attn: Anne Jones