



**MONTGOMERY  
& ANDREWS**  
LAW FIRM

**J. Scott Hall**

Office: (505) 982-3873

Email: shall@montand.com

Reply To: Santa Fe Office

www.montand.com

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2012 NOV 27 P 1:33

November 27, 2012

Jami Bailey, Director  
New Mexico Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

**Hand Delivered**

**Re: NMOCD Case No. 14904: In The Matter of The Application of Heritage Petroleum, Inc., for Compulsory Pooling, Rio Arriba County, New Mexico;**

**and**

**NMOCD Case No. 14548 (Reopened): Motion Of The Jicarilla Apache Nation For Further Orders In Case No. 14548, Order No. R-13326, Rio Arriba County, New Mexico**

Dear Ms. Bailey

On behalf of Heritage Petroleum, Inc., and pursuant to 19.15.4.16.B NMAC, we request that the Division convene a pre-hearing conference in the above-referenced cases. The Jicarilla Apache Nation's lead counsel for the hearing, Mr. Steve Gunn, is located out of town, but his personal attendance at a pre-hearing conference should not be necessary. Once a mutually convenient time for a pre-hearing conference is established, I will be happy to provide a conference call number.

At a pre-hearing conference, I anticipate that counsel would apprise the hearing examiner of (1) the status of discovery efforts, (2) case consolidation, (3) disposition of the Nation's threshold motions, (4) the possibility of stipulations to authenticity of documents and certain underlying facts, and (5) scheduling a hearing on the merits.

Thank you for consideration of this request.

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**REPLY TO:**

325 Paseo de Peralta  
Santa Fe, New Mexico 87501  
Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307  
Santa Fe, New Mexico 87504-2307

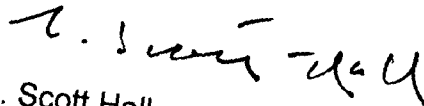
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6301 Indian School Road NE, Suite 400  
Albuquerque, New Mexico 87110  
Telephone (505) 884-4200 • Fax (505) 888-8929

Post Office Box 36210  
Albuquerque, New Mexico 87176-6210

Jami Bailey, Director  
November 27, 2012  
Page 2

Very truly yours,

  
J. Scott Hall

Enclosure

cc: David Brooks, Esq., NMOCD  
Steve Gunn, Esq.  
Shenan Atcitty, Esq.  
Herb Becker, Esq.  
Travis Brown, Esq.

ioc: Seth McMillan, Esq.