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May 27, 1997
(Our File No. 97-1.75)

MICHAEL J. CONDON

HAND-DELIVERED

Rand Carroll, Esq.
New Mexico Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

Re: Application of Doyle Hartman, Case No. 6987

Dear Mr. Carroll:

We received Oxy's Motion to Dismiss at approximately 5:00 p.m. on Friday, May 23, 1997. There are obviously many misstatements, omissions and half-truths in Oxy's motion, which will take some time to fully address and rebut. Hartman intends to file a formal Response to the Motion, and would like an opportunity to file that pleading prior to any hearing on Oxy's Motion. Since there are no formal rules governing response time to motions in administrative proceedings before the Division or the Commission, we would request an opportunity to file our Response by Monday, June 9, 1997. We would request that any hearing on the Motion be scheduled after that time. By copy of this letter to Messrs. Kellahin and Carr, we are requesting that they advise us and yourself if they have any objection to this procedure.

We are filing today our Request for a full Commission hearing on this Application and all related motions. Order R-6447, which we seek to enforce in this proceeding, was entered by the Commission after a full Commission hearing without a preliminary Division hearing. Obviously, this promises to be a hotly contested proceeding. There is a virtual certainty that one or both parties will appeal to the Commission for a de novo hearing following any ruling by the Division. In order to conserve administrative resources, as well as the resources of the parties, we are requesting a full Commission hearing in this matter.

Please let me know if the proposed procedure is acceptable at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,

GALLEGOS LAW FIRM, P.C.

By



MICHAEL J. CONDON

MJC:sa

fxc: William F. Carr
Thomas Kellahin
Doyle Hartman/Linda Land
ioc: J.E. Gallegos