

Jami Barbery



J. Scott Hall

Office: (505) 982-3873  
Email: shall@montand.com  
Reply To: Santa Fe Office  
www.montand.com

2012 SEP 19 P 4: 14

September 19, 2012

David Brooks, Esq.  
Assistant General Counsel  
New Mexico Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

Via Hand Delivery and E-Mail

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

and

NMOCD Case No. 14548 (Reopened); Motion of Jicarilla Apache Nation for Further Orders in Case No. 14548, Order No. R-13326, Rio Arriba County, New Mexico

Dear Mr. Brooks:

On behalf of Heritage Petroleum, Inc., we request that the hearing on the merits in the above cases be *continued* to the December 13, 2012 examiner hearing docket.

I have today attempted unsuccessfully to communicate with counsel for the Jicarilla Apache Nation to discuss the continuance, so their concurrence or opposition to the December 13, 2012 date is not presently known. However, the August 30, 2012 correspondence from Mr. Timothy Evans (Holland & Knight) on behalf of the Jicarilla Apache Nation, the Nation's prehearing statement and my own correspondence of September 12, 2012 all indicate the advisability of a continuance to accommodate the conduct of discovery and a prehearing conference.

**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

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

David Brooks, Esq.  
September 19, 2012  
Page 2

Thank you.

Very truly yours,



J. Scott Hall

cc:	Jami Bailey, Director	via hand-delivery
	Timothy Q. Evans, Esq.	via e-mail
	Shenan R. Atcitty, Esq.	via e-mail
	Herbert A. Becker, Esq.	via e-mail
	Steven J. Gunn, Esq.	via e-mail

ioc: Seth McMillan, Esq.

408230

David Brooks, Esq.  
September 19, 2012  
Page 3

bcc: Hal Burlingame  
Travis Brown, Esq.  
Dick Dolecek  
Mike D. Smith