

Jami Barbery



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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:

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David Brooks, Esq.
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Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Scott Hall". The signature is written in a cursive style with a horizontal line above the "H".

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.

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