



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

September 26, 2002

Via facsimile and first class mail

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Re: Case No. 12622, Application of Nearburg Exploration Company L.L.C. for two non-standard gas spacing units, Lea County, New Mexico, *de novo*.

Case No. 12908, Division Nomenclature Case

Dear Counsel,

I have before me Redrock Operating Ltd. Co.'s Motion in Limine and Motion to Strike. I also have copies of the flurry of subpoenas and objections that have been generated by the parties since my letter of September 9.

While this shouldn't be necessary in a case like this, we are forced to impose deadlines to insure that the case can be heard on October 21, as now scheduled:

1. Nearburg's Response to the Motion in Limine and Motion to Compel shall be due no later than the close of business on **October 3**.
2. If Nearburg or Raptor intend to file a similar motion in limine, they shall do so no later than the close of business on **October 3**, and Redrock's response will be due no later than the close of business on **October 9**.

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3. Any party desiring to submit a supplemental exhibit on any issue other than the seismic issue must submit the request in writing and a copy of the supplemental exhibit to the Commission Secretary no later than the close of business on **October 7**, and copy all parties on the request. Any party desiring to object to the submission of another party must do so no later than the close of business on **October 11**, in writing, and copy all parties on the objection.

4. Any party desiring to submit a supplemental exhibit on the seismic issue shall forward the supplemental exhibit to the Commission Secretary for distribution to the Commissioners no later than the close of business on **October 11**.

5. Each party must amend its witness list and Pre-hearing Statement no reflect any changes necessitated by the above and deliver it to the Commission Secretary and the parties no later than the close of business on **October 11**.

Any objections any party desires to present after October 14 must be presented by way of an oral motion during the hearing.

Please do not hesitate to give me a call if you have any questions or wish to discuss this further.

Sincerely,



Stephen C. Ross
Assistant General Counsel

Cc: Florene Davidson, Commission Secretary