



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

MEMORANDUM

To: Counsel, Case No. 12,888

From: Stephen C. Ross, Assistant General Counsel

Date: May 29, 2003

Re: **Case No. 12,888, *de novo***, Application of the Fruitland Coalbed Methane Study Committee to amend Rules 4 and 7 of the Special Rules and Regulations of the Basin-Fruitland Coal (Gas) Pool and for the termination of the Cedar Hill-Fruitland Basal Coal Pool and the concomitant expansion of the Basin-Fruitland Coal (Gas) Pool, Rio Arriba, San Juan, McKinley and Sandoval Counties, New Mexico, before the New Mexico Oil Conservation Commission.

Dear Counsel,

As you are aware, we had a final pre-hearing conference in this matter yesterday, May 29, 2003.

During the final pre-hearing conference, we discussed next week's hearing and the pending motions.

As you recall, we were unable to reach a full resolution of the pending motions; a ruling from the Chair on the pending motions should be issued later today.

We also discussed the witnesses each party intends to present. Mr. Carr and Mr. Kellahin will present a total of ten witnesses, and they are expected to testify for approximately one and one-half days. Mr. Hall will present one witness and expects that witness to take one and one-half hours. Mr. Kendrick has two witnesses, and they are expected to testify for approximately two hours. Mr. Bruce has one witness and expects that witness to testify for approximately one half hour (assuming that the pending Motion to Incorporate the Record in Case No. 12734 is granted). The Bureau of Land Management, through its Field Office Manager Mr. Henke, expects to present a statement at the beginning of the hearing.

I have been contacted today by a representative of the Oil and Gas Accountability Project, who desires to present a brief statement as part of the public comment portion of the hearing.

Counsel, Case No. 12,888

Page 2

May 29, 2003

Mr. Brooks has withdrawn his Pre-hearing Statement and entry of appearance on behalf of the Oil Conservation Division. All parties agreed that Mr. Brooks could represent the Commission and assist the Commission to draft the Order in this matter upon my departure from the State.

The hearing will commence at 9:30 a.m. on Tuesday, June 3, in Porter Hall, 1220 S. St. Francis Drive, Santa Fe, New Mexico.

Please give me a call if you have any questions or if I can be of assistance. My telephone number here in Santa Fe is: (505) 476-3451.

Sincerely,



Stephen C. Ross
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Page 3

May 29, 2003

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