

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 13215

APPLICATION OF VALLES CALDERA TRUST TO DENY APPLCATIONS OF  
GEOPRODUCTS OF NEW MEXICO, INC. FOR PERMITS TO RE-ENTER  
ABANDONED GEOTHERMAL WELLS (APDs), SANDOVAL COUNTY, NEW  
MEXICO.

ORDER NO. R-12093

**PRE-HEARING ORDER**

**BY THE DIRECTOR OF THE OIL CONSERVATION DIVISION AND CHAIR  
OF THE OIL CONSERVATION COMMISSION:**

THIS MATTER having come before Lori Wrotenbery, Director of the New Mexico Oil Conservation Division ("the Division") and Chair of the New Mexico Oil Conservation Commission ("the Commission") in connection with the management of the hearing of this matter, and it having become apparent that a **Pre-hearing** Order is necessary to ensure the orderly presentation of the numerous and complex issues raised by this application, the Director and Chair, being fully advised in the premises, now on this 29th day of January, 2004,

FINDS that the Commission has jurisdiction of the parties and that entry of a **pre-hearing** order is in the best interests of administrative economy and will assist in rendering a complete, coherent and fair consideration of this matter.

**IT IS THEREFORE ORDERED, AS FOLLOWS:**

1. Hearing before the Commission. Pursuant to OCD Rule 1216 [19.15.14.1216 NMAC], the Director of the Division hereby directs that this application shall be heard by the Oil Conservation Commission.

2. **Date of Hearing.** A hearing on preliminary legal issues (being the issues raised **in Paragraphs 5 and 6** of the Petition ["Petition"] filed by the Valles Caldera Trust), and any **objections to the jurisdiction** of the Commission, will commence at 9:00 a.m. on Thursday, February 12, 2004.

3. **Place of Hearing.** The hearing will take place in Porter Hall, 1220 S. St. Francis Drive, Santa Fe, New Mexico.

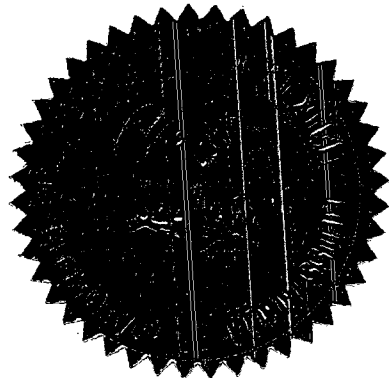
4. **Briefing Schedule.** In order to facilitate the Commission's expeditious consideration of the above-identified preliminary legal issues, the parties shall file briefs addressing these issues prior to the hearing in accordance with the following schedule:

The Petitioner, Valles Caldera Trust shall file its brief in chief no later than 5:00 p.m. on January 30, 2004. Respondent, GeoProducts of New Mexico, Inc. shall file its response no later than 5:00 p.m. on Feb. 6, 2004, and Petitioner may file a reply no later than Feb. 9, 2004. All briefs will be faxed/e-mailed to opposing counsel on the day of filing.

5. **Requests for Oral Argument.** Any request for oral argument on the preliminary legal issues shall be filed with the Respondent's response brief or with the Petitioner's reply brief. Oral argument, if allowed, shall be limited to the preliminary legal issues. Unless the Commission decides to allow oral argument, the hearing shall be limited to responses of counsel to questions from members of the Commission or from Commission counsel regarding the preliminary legal issues.

6. **Pre-Hearing Statements.** Pre-hearing statements shall not be required for this hearing.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



SEAL

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

*Lori Wrotenberg*  
LORI WROTENBERG, CHAIR  
DIRECTOR, OIL CONSERVATION  
DIVISION