



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor

**BETTY RIVERA**

Cabinet Secretary

**Lori Wrotenberg**

Director

**Oil Conservation Division**

July 26, 2002

W. Thomas Kellahin, Esq.  
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Charles E. Roybal  
San Juan Coal Company  
300 W. Arrington, Suite 200  
Farmington, New Mexico 87401

*Application of Richardson Operating  
Co.  
Record on Appeal, 1276.*

Re: The New Mexico Oil Conservation Commission: Case No. 12734, Application of Richardson Operating Company to establish a special "infill well" area within the Basin-Fruitland Coal Gas Pool, *de novo*

Dear Counsel,

I would like to schedule a pre-hearing conference in this matter now that the Director has issued an Order staying the Division Order. During the pre-hearing conference I would like to discuss a date for the hearing, the number of witnesses each party expects to present and the general subject matter of each witnesses' testimony, a schedule for submission of pre-hearing statements and exhibits to the Commission and parties, and other appropriate matters.

I haven't heard anything from the parties concerning Mr. Bruce's suggestion that the Commission schedule a separate hearing date, but given the amount of time the case took to present at the Division (and recognizing that cases presented to the Commission frequently take far longer than presentations to the Division), it seems sensible.

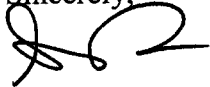
OIL CONSERVATION DIV  
02 JUL 26 PM 1:47

Counsel, Case No. 12734  
July 26, 2002  
Page 2

Here are some suggested dates and time for the pre-hearing conference. Please let me know as soon as possible which of these dates you would be unable to attend a pre-hearing conference: August 1 (afternoon), August 6 (morning), August 8 (afternoon), August 19, August 20, August 21, August 23.

Thank you for your attention to this matter. As always, if you have any questions, please do not hesitate to give me a call at 476-3451.

Sincerely,



Stephen C. Ross  
Assistant General Counsel

Cc: Florene Davidson, Commission Secretary

**JAMES BRUCE**  
Attorney at Law  
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Santa Fe, New Mexico 87504  
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FAX COVER SHEET

DELIVER TO: Stephen C. Ross

COMPANY: Oil Conservation Commission

CITY: Santa Fe, New Mexico

FAX NUMBER: (505) 476-3220

NUMBER OF PAGES: 1 (Including Cover Sheet)

DATE SENT: 7/28/02

MEMO: Steve: I received your letter about a pre-trial conference in the Richardson de novo case. I will be out of town from August 1st through August 11th, so later in August would be better for me.

*Application of Richardson Operating  
Co.  
Record on Appeal, 1278.*

**JAMES BRUCE**  
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FAX COVER SHEET

DELIVER TO: Stephen C. Ross

COMPANY: Oil Conservation Commission

CITY: Santa Fe, New Mexico

FAX NUMBER: (505) 476-3220

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DATE SENT: 7/30/02

MEMO: Steve: The best dates for San Juan Coal Company for a pre-trial conference in the Richardson *de novo* case, in order, are as follows: 8/19; 8/20 (p.m.), 8/21 (a.m.), and 8/23.

*Application of Richardson Operating  
Co.  
Record on Appeal, 1279.*

**JAMES BRUCE**  
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FAX COVER SHEET

DELIVER TO: Stephen C. Ross

COMPANY: Oil Conservation Commission

CITY: Santa Fe, New Mexico

FAX NUMBER: (505) 476-3462

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DATE SENT: 7/31/02

MEMO: Steve: My clients have had a slight change in preference for the pre-hearing conference in the Richardson de novo case: In order, they prefer 8/19, **8/23**, 8/20 (p.m.), 8/21 (a.m.). Let me know. Thanks.

*Application of Richardson Operating  
Co.  
Record on Appeal, 1280.*



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Betty Rivera**  
Cabinet Secretary

**Lori Wrotenberg**  
Director  
**Oil Conservation Division**

August 1, 2002

*Via Facsimile and First Class Mail*

W. Thomas Kellahin, Esq.  
P.O. Box 2265  
Santa Fe, New Mexico 87504-2265

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87501

Re: The New Mexico Oil Conservation Commission: Case No. 12734, Application of Richardson Operating Company to establish a special "infill well" area within the Basin-Fruitland Coal Gas Pool, *de novo*

Dear Counsel,

It seems that the best date and time for a pre-hearing conference in this matter is Monday, August 19 at 10 am. The pre-hearing conference will be held in the third floor conference room. Please come prepared to discuss dates for the hearing.

As always, if you have any questions, please do not hesitate to give me a call at 476-3451.

Sincerely,

Stephen C. Ross  
Assistant General Counsel

Cc: ✓ Florene Davidson, Commission Secretary  
Larry P. Ausherman  
Walter E. Stern  
Charles E. Roybal

*Application of Richardson Operating  
Co.  
Record on Appeal, 1281.*



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor

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Cabinet Secretary

**Lori Wrotenberg**

Director

**Oil Conservation Division**

August 26, 2002

W. Thomas Kellahin, Esq.  
P.O. Box 2265  
Santa Fe, New Mexico 87504-2265

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87501

*Application of Richardson Operating  
Co.  
Record on Appeal, 1282.*

Re: The New Mexico Oil Conservation Commission: Case No. 12734, Application of Richardson Operating Company to establish a special "infill well" area within the Basin-Fruitland Coal Gas Pool, *de novo*

Dear Counsel,

We had a pre-hearing conference in this matter on Monday, August 19 at 10 am. Present were Jim Bruce, Lyn Woomer, Charles Roybal and Larry Ausherman for San Juan Coal Company, Thomas Kellahin on behalf of Richardson Operating Company and myself, on behalf of the Oil Conservation Commission.

One of the most important agreements we reached during the pre-hearing conference was the date for the hearing before the Commission. It is now scheduled for October 29, 30 and 31, 2002. The hearing will commence at 9 a.m. on October 29 and will be conducted in Porter Hall, 1st Floor, 1220 S. St. Francis Drive, Santa Fe, New Mexico. The Commission will have certified court reporter present who will stenographically record the proceedings. The Commission has worked into the evening in previous evidentiary hearings and counsel, parties and witnesses should be ready in the event they decide to do so in this case.

We discussed the witnesses anticipated to testify on behalf of the parties. At this time, it is anticipated that San Juan Coal Company will present up to six witnesses, including Mr. Woomer on mine operations, Jacque Abrams on mining engineering, geologist John Mercier on underground coal, Paul Berglio and Dan Paul Smith on petroleum engineering, and Ron Collings of Raven Ridge Resources on production from coal. It is anticipated at this time that Richardson Operating Company will present three witnesses. It is anticipated that David Richardson testify as a petroleum landman, David Cox will testify on petroleum engineering and a geologist yet to be named will testify.

We also discussed a deadline for submission of exhibits and pre-hearing statements. That date was fixed by agreement as October 11. Because of the unusual nature of this case and the unfamiliar subject matter, counsel have assured the undersigned that pre-hearing statements will be far more detailed than is customary.

It is also anticipated that a study of gob vent bore holes commissioned by the San Juan Coal Company will be completed in about five weeks. Presumably that document will be shared with Richardson Operating Company and included in the exhibits to be presented to the Commission on the 11th.

Finally, I have just received a copy of Richardson's Motion to Dismiss San Juan Coal Company's protest. In order that this motion may be properly disposed of well in advance of the hearing, I suggest that San Juan Coal Company file a response to the motion no later than September 11 and that Richardson file its Reply (if necessary) no later than September 20.

If anything changes between now and October 29, please let me know and I will arrange for another conference.

As always, if you have any questions, please do not hesitate to give me a call at 476-3451.

Sincerely,



Stephen C. Ross  
Assistant General Counsel

Cc: Florene Davidson, Commission Secretary