

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

**IN THE MATTER OF THE APPLICATION OF  
HERITAGE PETROLEUM, INC., FOR  
COMPULSORY POOLING, RIO ARRIBA  
COUNTY, NEW MEXICO**

2012 AUG 31 A 8:56

**Case No. 14904**

**SPECIAL APPEARANCE BY JICARILLA APACHE NATION**

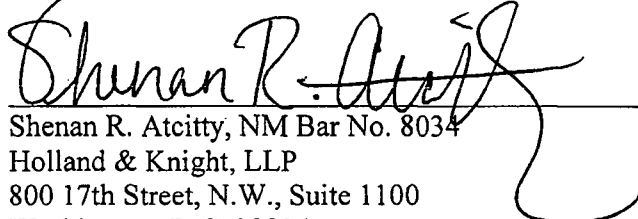
COMES NOW the Jicarilla Apache Nation (Nation), by and through the undersigned attorneys, and enters its Special Appearance to contest the subject matter jurisdiction of the Division in this action. Along with this Special Appearance, the Nation is filing a Motion to Dismiss this action for lack of jurisdiction. By filing this Special Appearance and the corresponding Motion to Dismiss, the Nation does not consent to the jurisdiction of the Division and it does not consent to be joined as a party to this action.

Dated: August 30, 2012

Respectfully submitted,

**JICARILLA APACHE NATION**

By:

  
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*Attorneys for the Jicarilla Apache Nation*

**CERTIFICATE OF SERVICE**

I certify that on this date, August 30, 2012, I caused a true and accurate copy of the foregoing to be served on the following parties and attorneys of record by depositing the same in the United States mail, postage prepaid, addressed as follows:

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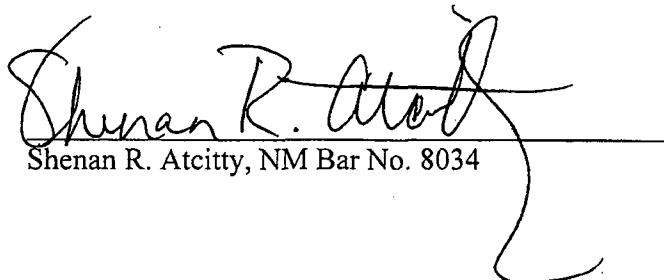
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