



**MONTGOMERY
& ANDREWS**
LAW FIRM

J. Scott Hall

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November 27, 2012

Jami Bailey, Director
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Hand Delivered

Re: NMOCD Case No. 14904: In The Matter of The Application of Heritage Petroleum, Inc., for Compulsory Pooling, Rio Arriba County, New Mexico;
and
NMOCD Case No. 14548 (Reopened): Motion Of The Jicarilla Apache Nation For Further Orders In Case No. 14548, Order No. R-13326, Rio Arriba County, New Mexico

Dear Ms. Bailey

On behalf of Heritage Petroleum, Inc., enclosed for filing in each of the referenced cases are two copies of our Request for Production of Documents. By way of explanation, it is acknowledged that the Division's procedural rules do not provide for requests for production. However, counsel for the parties are engaging in cooperative discovery in this manner, so the Request for Production is being filed for purposes of completeness of the record only.

Thank you for your cooperation.

Very truly yours,

J. Scott Hall

Enclosure

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REPLY TO:

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Santa Fe, New Mexico 87501
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Jami Bailey, Director
November 27, 2012
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cc: David Brooks, Esq., NMOCD
Steve Gunn, Esq.
Shenan Atcitty, Esq.
Herb Becker, Esq.
Travis Brown, Esq.

ioc: Seth McMillan, Esq.

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

Case No. 14904

MOTION OF THE JICARILLA APACHE
NATION FOR FURTHER ORDERS IN
CASE NO. 14548, ORDER NO. R-13326,
RIO ARRIBA COUNTY, NEW MEXICO

Case No. 14548 (Reopened)

**HERITAGE PETROLEUM, INC.'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS TO JICARILLA APACHE NATION**

TO: Jicarilla Apache Nation
c/o Steven J. Gunn
1301 Hollins Street
St. Louis, MO 63135

Heritage Petroleum, Inc., requests that the following documents be produced by the Jicarilla Apache Nation for inspection and copying at the offices of Montgomery & Andrews, P.A., 325 Paseo de Peralta, Santa Fe, New Mexico 87501, twenty (20) days after service of this request .

REQUEST NO. 1: All documents relating to the acquisitions by the Jicarilla Apache Nation of the surface and of the fractional mineral interest in the Theis Ranch lands in 1985.

REQUEST NO. 2: All documents relating to any acquisitions by the Jicarilla Apache Nation of any mineral interests in the Theis Ranch lands subsequent to 1985.

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REQUEST NO. 3: All documents relating to any application by the Jicarilla Apache Nation pursuant to 25 CFR Part 151 for approval of the conveyances in 1987 of the surface and of the fractional mineral interest in the Theis Ranch lands.

REQUEST NO. 4: All documents relating to any applications by the Jicarilla Apache Nation pursuant to 25 CFR Part 151 subsequent to 1987 relating to any other interest in the Theis Ranch lands.

REQUEST NO. 5: Any supporting materials, including any business plans, relating to the matters described in paragraphs 3 and 4, above.

REQUEST NO. 6: All preliminary, final or supplemental title opinions for the Theis Ranch lands, including the March 3, 1988 Office of Field Solicitor's Final Title Opinion, along with documentation of the satisfaction or waiver of any title curative requirements set forth therein.

REQUEST NO. 7: All documents relating to the Tribe's acknowledgement that the exceptions and reservations noted in the title binder for the Theis Ranch will not interfere with the Tribe's contemplated use of the land, as referenced in that Memorandum dated July 14, 2006 from Lynn A. Johnson, Acting Regional Solicitor, to Larry Morrin, Regional Director, BIA Southwest Region.

REQUEST NO. 8: All documentation of any application or request of the Jicarilla Apache Nation to the Secretary of the Department of Interior or his delegated representatives that any part of or interests in the Theis Ranch lands be placed into reservation status.

REQUEST NO. 9: Documents relating to any notification of the State of New Mexico and Rio Arriba County of the Jicarilla Apache Nation's applications pursuant to 25 CFR Part 151 or otherwise to place the surface and any fractional mineral interest in the Theis Ranch lands into trust status or reservation status.

REQUEST NO. 10: Documents relating to any notification of the owners of any mineral interests or oil and gas leases of the Jicarilla Apache Nation's applications pursuant to 25 CFR Part 151 or otherwise to place the surface and any fractional mineral interest in the Theis Ranch lands into trust status or reservation status.

REQUEST NO. 11: Documents evidencing whether any interests in the Theis Ranch lands were set aside for tribal use.

REQUEST NO. 12: All documents responsive to the Jicarilla Apache Nation's Written Request for Issuance of Subpoenas dated August 30, 2012 in NMOCD Case No. 14904.

Montgomery & Andrews, P.A.

By: J. Scott Hall
J. Scott Hall
P.O. box 2307
Santa Fe, NM 87504-2307
(505) 982-3873

Attorneys for Heritage Petroleum, Inc.

422420

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2012, a true and correct copy of the foregoing was e-mailed to the following:

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