

## Goetze, Phillip, EMNRD

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**From:** Ezeanyim, Richard, EMNRD  
**Sent:** Tuesday, April 16, 2013 2:50 PM  
**To:** jamesbruc@aol.com; SHall@montand.com; Brooks, David K., EMNRD  
**Cc:** Goetze, Phillip, EMNRD; omundsdry@concho.com; Davidson, Florene, EMNRD  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

These five (5) cases will be consolidated and heard off-docket on April 30, 2013, starting at 9:00 am. Thank you very much.

Richard

**From:** jamesbruc@aol.com [mailto:jamesbruc@aol.com]  
**Sent:** Tuesday, April 16, 2013 2:28 PM  
**To:** SHall@montand.com; Brooks, David K., EMNRD; Ezeanyim, Richard, EMNRD  
**Cc:** Goetze, Phillip, EMNRD; omundsdry@concho.com  
**Subject:** Re: Case Nos 14951 through 14954 and Case No. 14975

Richard: Devon agrees that 4/30 would be a much better date.

Jim

-----Original Message-----

**From:** J. Scott Hall <SHall@montand.com>  
**To:** 'Brooks, David K., EMNRD', EMNRD' <david.brooks@state.nm.us>; Ezeanyim, Richard, EMNRD, EMNRD <richard.ezeanyim@state.nm.us>; jamesbruc <jamesbruc@aol.com>  
**Cc:** Goetze, Phillip, EMNRD, EMNRD <Phillip.Goetze@state.nm.us>; Ocean Munds-Dry (omundsdry@concho.com) <omundsdry@concho.com>  
**Sent:** Tue, Apr 16, 2013 10:23 am  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

Richard, David  
It looks like the 30<sup>th</sup> will work best for us.  
Thanks for accommodating us this morning.

J. Scott Hall  
Montgomery & Andrews, P.A.  
P. O. Box 2307  
Santa Fe, NM 87504-2307  
[shall@montand.com](mailto:shall@montand.com)  
(505) 986-2646

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**From:** Brooks, David K., EMNRD [mailto:david.brooks@state.nm.us]  
**Sent:** Monday, April 15, 2013 1:23 PM

**To:** J. Scott Hall; Ezeanyim, Richard; EMNRD; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Goetze, Phillip, EMNRD; Ocean Munds-Dry ([omundsdry@concho.com](mailto:omundsdry@concho.com))  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975  
**Importance:** High

Dear Ocean and Gentlemen

I want to make this work, as nearly as possible, for everyone. But if, as joint owners y'all can't agree on where a well should be drilled, we cannot decide that without hearing technical testimony from both sides.

We need a conference on this. Unfortunately, Richard and I have a mandatory meeting this afternoon, and I do not know how long it will last. I have a case before the Commission tomorrow for which the time requirements are not precisely knowable. I can be available for a phone conference this afternoon after the meeting, or before 9:00 am tomorrow – probably also later tomorrow, but hard to know exactly when.

Scott, Jim, and Richard, please signify your availability for such a phone conference.

David

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**From:** J. Scott Hall [<mailto:SHall@montand.com>]  
**Sent:** Friday, April 12, 2013 4:23 PM  
**To:** Ezeanyim, Richard, EMNRD; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Ocean Munds-Dry ([omundsdry@concho.com](mailto:omundsdry@concho.com))  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

Respectfully,  
I ask that this decision be held in abeyance so that the Division may consider the attached response.

J. Scott Hall  
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P. O. Box 2307  
Santa Fe, NM 87504-2307  
[shall@montand.com](mailto:shall@montand.com)  
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**From:** Ezeanyim, Richard, EMNRD [<mailto:richard.ezeanyim@state.nm.us>]  
**Sent:** Friday, April 12, 2013 4:19 PM  
**To:** J. Scott Hall; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Ocean Munds-Dry ([omundsdry@concho.com](mailto:omundsdry@concho.com))  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

The pre-hearing conference is cancelled. These cases will be continued to May 2, 2013. We may expedite the order in these cases shortly after the hearing. Thank you all and have a nice weekend.

Richard

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**From:** J. Scott Hall [<mailto:SHall@montand.com>]  
**Sent:** Friday, April 12, 2013 4:09 PM  
**To:** Ezeanyim, Richard, EMNRD; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Ocean Munds-Dry ([omundsdry@concho.com](mailto:omundsdry@concho.com))  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

Richard;  
Sorry, I didn't make myself clear.  
I won't have witnesses at the pre-hearing conference.  
They are coming over to prepare for the hearing on Thursday.

J. Scott Hall  
Montgomery & Andrews, P.A.  
P. O. Box 2307  
Santa Fe, NM 87504-2307  
[shall@montand.com](mailto:shall@montand.com)  
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**From:** Ezeanyim, Richard, EMNRD [<mailto:richard.ezeanyim@state.nm.us>]  
**Sent:** Friday, April 12, 2013 4:02 PM  
**To:** J. Scott Hall; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Brooks, David K., EMNRD; Goetze, Phillip, EMNRD  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

Scott:

I do not think we need witnesses for a pre-hearing conference. The conference is to determine whether the cases should be continued. The earlier times you suggested are not available here. Thank you.

Richard

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**From:** J. Scott Hall [<mailto:SHall@montand.com>]  
**Sent:** Friday, April 12, 2013 3:47 PM  
**To:** Ezeanyim, Richard, EMNRD; [jamesbruc@aol.com](mailto:jamesbruc@aol.com)  
**Cc:** Brooks, David K., EMNRD; Goetze, Phillip, EMNRD  
**Subject:** RE: Case Nos 14951 through 14954 and Case No. 14975

Richard:  
My witnesses are on a flight that leaves Midland at 12:13 p.m. on Tuesday.  
Is it possible to have the conference earlier in the day, or even on Monday?

J. Scott Hall  
Montgomery & Andrews, P.A.  
P. O. Box 2307  
Santa Fe, NM 87504-2307  
[shall@montand.com](mailto:shall@montand.com)  
(505) 986-2646

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**From:** Ezeanyim, Richard, EMNRD [<mailto:richard.ezeanyim@state.nm.us>]  
**Sent:** Friday, April 12, 2013 3:37 PM  
**To:** [jamesbruc@aol.com](mailto:jamesbruc@aol.com); J. Scott Hall

**Cc:** Brooks, David K.; EMNRD; Goetze, Phillip; EMNRD  
**Subject:** Case Nos 14951 through 14954 and Case No. 14975

Gentlemen:

Let us schedule a pre-hearing conference for continuance issues on these cases on Tuesday April 16, by 1:30 pm, at  
OCD conference Room. Thank you.

Richard