

**Brooks, David K., EMNRD**

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**From:** Brooks, David K., EMNRD  
**Sent:** Monday, February 06, 2006 10:16 AM  
**To:** 'wcarr@hollandhart.com'; 'jamesbruc@aol.com'; 'chigh@kempsmith.com'  
**Cc:** Davidson, Florene, EMNRD  
**Subject:** Cases No. 13367, 13368 and 13372 (Potash Cases)

Gentlemen:

These cases are pending before the Oil Conservation Commission and are set for hearing on February 9, 2006.

I have been advised that the parties want the Commission to hear these cases on the record made before the Division Hearing Examiner, or, alternatively, to set a special hearing date for these cases only. Inasmuch as either of these requests could be granted only by the Commission at a called meeting of the Commission, I believe counsel should appear at the meeting on February 9 to urge the reasons for doing this.

If all counsel concur in this request, only one counsel need appear to present their joint request. However, counsel appearing should be informed regarding the schedules of other counsel who will participate in the hearing, so that, if the Commission decides to set a special hearing, counsel can advise the Commission concerning available dates.

Thanks

David K. Brooks  
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Commission Counsel  
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