



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

June 3, 1996

J. Randy Turner
Turner & Davis
P.O. Box 2796
Midland, TX 79702-2796

James Bruce
Hinkle, Cox, Eaton, Coffield & Hensley
P.O. Box 2068
Santa Fe, NM 87504-2068

RE: Case No. ¹¹⁵⁵⁸~~11538~~ (de novo)

Gentlemen:

Reference is made to the letter dated May 16, 1996 from Mr. Turner in which he asks the Commission to consider new evidence (i.e., a drill stem test) in making its decision in this case and to the letter dated May 23, 1996 from Mr. Bruce replying to the May 16 letter.

This case was heard on March 12, 1996 and the case was taken under advisement at that time. Commission and Division policy is that, for purposes of reopening a case to admit additional evidence, the new evidence must be substantial and significant and not merely the reporting of additional production data or the drilling of another well and/or a significant amount of time must have elapsed since the case was heard.

The new evidence submitted by Mr. Turner will not be admitted into the record as this case is closed for purposes of admitting evidence and the evidence offered is not of the type for which the Commission would reopen a case. The Commission will make its decision based upon the evidence in the record as it stands.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. LeMay".

William J. LeMay, Chairman
New Mexico Oil Conservation Commission