



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

November 1, 2001

Via Facsimile and First Class Mail

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P.O. Box 2208
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Re: Case No. 12587, Application of Sapient Energy Corp., *de novo*
Case No. 12605, Application of Sapient Energy Corp., *de novo*

Dear Counsel,

As you are aware, the first case on the docket next Tuesday is estimated to take three hours. The evidentiary hearing of the Sapient case took approximately six hours to present to the Division hearing examiner.

You have both filed very detailed pre-hearing statements. These will assist the Commissioners to become aware of the issues in the coming days.

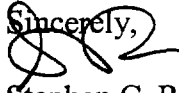
Because of the length of the hearing, I have spoken to both of you about the possibility of submitting written closing statements (and/or summaries of the evidence presented) in lieu of oral ones, and you both feel this is appropriate. Therefore, the Director will ask that closing statements be submitted in writing no later than 10 days following the hearing. The Director has also asked that opening statements, if needed at all given the pre-hearing statements, be kept brief, no more than 5 minutes each.

Please also be prepared in the event the McElvain/Simmons case takes less than three hours; if it does, I'm sure the Commission will want you to begin your case immediately thereafter. I'm also told that the Commission intends to have lunch brought to the building and keep any lunch break to a half hour. You might want to plan on doing the same.

Counsel of record
November 1, 2001
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With approximately nine hours of testimony to hear, things will have to move along to ensure that all the evidence is heard in one sitting. We thank you in advance for your assistance in this regard. As always, if you have any questions, please do not hesitate to give me a call at 476-3451.

Sincerely,


Stephen C. Ross
Assistant General Counsel

✓ Cc: Florene Davidson, Commission Secretary