



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

BETTY RIVERA

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

November 25, 2002

William F. Carr
Holland & Hart and Campbell & Carr
P.O. Box 2208
Santa Fe, New Mexico 87504

James Bruce
3304 Camino Lisa
Hyde Park Estates
Santa Fe, New Mexico 87505

Re: Case No. 12828, *Application of David H. Arrington Oil & Gas Inc. for
Compulsory Pooling, Lea County, New Mexico*

Dear Counsel,

As you are aware, this matter is presented docketed for hearing during the Commission's December 13 meeting. I am sure you are aware that the practice of the Commission in recent years has been to hear a contested case in one month and issue an order during the meeting the following month. This year it is possible that one or more members of the present Commission may not serve during the next administration; were this case heard during the December hearing, a different Commission could be called upon to decide the matter in January. Therefore, the Chair has decided that no contested matters will be heard on December 13. Thus, this case will be placed on the docket for the Commission's first meeting in January 2003. The date for that meeting has not yet been set.

Please remember that once the hearing is scheduled, you should provide a copy of each exhibit to be offered to the Commission Secretary no later than one week prior to the date set for hearing. If a continuance results in the matter being set in a subsequent month, exhibits should be submitted no later than one week prior to the re-scheduled hearing. It would also be helpful if you could provide a more detailed statement of your positions in the pre-hearing statement than is customary. Please provide the pre-hearing statement no later than one week prior to the scheduled hearing as well. Thank you in advance for your cooperation on this issue.

With respect to the exhibits, current practice varies concerning the number of copies submitted to the Commission Secretary and during the hearing. During at least one recent hearing, not enough sets of exhibits were submitted so that each Commissioner, Commission counsel and the Court Reporter had a complete set of exhibits. Please provide one complete set of exhibits for each Commissioner, Commission counsel, and the Court Reporter (5 sets). If you wish, the set used for witnesses to testify at the witness table from may become the Court Reporter's set.

Counsel, David H. Arrington Oil & Gas
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As always, if you have any questions, please do not hesitate to give me a call at 476-3451.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Ross', with a stylized flourish at the end.

Stephen C. Ross
Assistant General Counsel

Cc: Florene Davidson, Commission Secretary