



New Mexico Oil & Gas Association

2006-2007 Executive Committee

Chairman
Danny Jaap
ConocoPhillips

Vice Chairman
Tony Best
Pure Resources

Treasurer
Leland Gould
Giant Industries

Chairman-Elect
Hal Brunson
Nolan H. Brunson, Inc.

Tucker Bayless
R.L. Bayless Producers, LLC

Cliff Brunson
BBC International, Inc.

Rick Cargile
Duke Energy Field Services

Matt Clifton
Holly Energy Partners

Jim Flynt
Key Energy Services

Richard Fraley
Burlington Resources, Inc.

Bryan Guderian
Williams

Daniel Hanchera
Marathon Oil Co.

Greg Hardin
Oxy Permian

Keith Innes
Chevron USA, Inc.

Raye Miller
Marbob Energy Corp.

Ray Payne
Devon Energy Corp.

Tom Price, Jr.
Chesapeake Energy Corp.

Ricardo Tapia
BP

Dwayne Tayler
Lucky Services, Inc.

Steve Weatherl
EOG Resources, Inc.

Jerry Sandel, Past Chairman
Aztec Well Servicing Co.

President
Bob Gallagher

P.O. Box 1864
Santa Fe, NM 87504-1864

Ph: 505-982-2568
Fax: 505-986-1094

www.nmoga.org

January 20, 2006

VIA FEDERAL EXPRESS
and E-MAIL (ieed@bia.edu)
Section 1813 ROW Study
Office of Indian Energy & Economic Development
U.S. Department of the Interior
1849 C Street, N.W.
Mailstop 2749-MIB
Washington, DC 20240

Re: Comments About Congressionally Mandated Study of Energy
Rights-Of-Way on Tribal Lands

Dear Sir or Madam:

The New Mexico Oil & Gas Association (NMOGA) is a private, non-profit organization dedicated to promoting the welfare of the oil and gas industry in New Mexico and the conservation and environmentally responsible development of oil and gas resources within the state of New Mexico. NMOGA works to increase community awareness and promote a safer, more productive oil and gas industry as well as a pro-business and pro-industry attitude from our elected officials and regulatory agencies such as the Department of Energy and the Department of the Interior. NMOGA submits these comments in response to the request for public comments in the *Federal Register* Notice published December 29, 2005:

The one constant in New Mexico's oil and gas industry is its ever changing nature. Changes in financial markets and national and international policies and events have and continue to affect the industry. Additionally, fluctuating prices, supply, and demand contribute to the volatile nature of our industry. Part of that volatility is attributable to the uncertainty associated with oil and gas pipelines that cross tribal lands. This uncertainty is escalating as we see ever increasing financial demands placed upon oil and gas pipelines by tribal officials. For these reasons, we applaud Congress's desire to obtain from the agencies information upon which Congress might consider policies to bring about some stability in this segment of the industry.

Section 1813 ROW Study
Office of Indian Energy & Economic Development
U.S. Department of the Interior
January 20, 2006
Page Two

With this background in mind, we first and foremost urge the Departments to maintain a firm schedule that will result in a timely submission of the study to Congress by the deadline of August 7, 2006.

We are concerned that the proposed work plan published in the *Federal Register* is overly biased in favor of tribal entities. As we read the legislation, it requires consultation not just with tribal entities but also with industry groups such as NMOGA. We encourage the agencies to treat NMOGA and similarly-situated associations as equal partners with the tribes in the development of a thorough, empirically-based study.

We would be pleased to lend our support and participation to the various requests for information from the agencies and meetings contemplated by the work plan. To that end, please include us on any notices that you send in regard to your work plan and as it progresses so that we may inform our members and encourage them to participate as well.

In closing, NMOGA wishes to reiterate its support for the existence of Native American governments and tribal sovereignty within our federal system. Our members value their relationship with tribal governments and tribal communities. We believe it is in the interest of both the tribes and our members to stabilize the relationship between them as it relates to oil and gas pipeline and other energy rights-of-way. Our members' ability to move energy efficiently is essential to the national energy security critical both to tribes and our members companies.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Gallagher". The signature is stylized and written in cursive.

Bob Gallagher
President