

Catanach, David

From: J. Scott Hall [shall@mstLAW.com]
Sent: Monday, April 07, 2003 2:42 PM
To: 'Thomas Kellahin'; David R Catanach; David Brooks
Cc: J. Scott Hall
Subject: RE: NMOCD Case 13048 and NMOICD Case 13049

Gentlemen:

Please note that Devon's application is "from the base of the Morrow formation to the base of the Devonian formation".

Scott

-----Original Message-----

From: Thomas Kellahin [mailto:kellahin@earthlink.net]
Sent: Monday, April 07, 2003 2:38 PM
To: David R Catanach; David Brooks
Cc: Richard Winchester; Scott Hall
Subject: NMOCD Case 13048 and NMOICD Case 13049

Gentlemen:

You should now have Devon's Motion to Dismiss EGL Case (13049) and EGL's Motion to Dismiss Devon's Case 13048. Because of the short time frame, please consider the following:

(1) Rather than file a separate response to EGL's Motion to Dismiss Devon's case, please consider Devon's Motion to Dismiss as its response to EGL's Motion to Dismiss Devon's case.

(2) EGL misunderstands Devon's position. Devon's application request compulsory pooling for all pool/formations spaced on 320-acre. It erroneously referred to the Antelope Ridge-Devonian but that mistake is of no consequence and can be ignored.

(3) In order to avoid the dismissal of its application, EGL argument is an attempt to create confusion were none exists.

Tom

Brooks, David K

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