

LAW OFFICES

LOSEE, CARSON, HAAS & CARROLL, P. A.

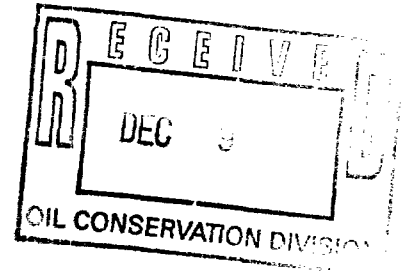
MARY LYNN BOGLE  
ERNEST L. CARROLL  
JOEL M. CARSON  
DEAN B. CROSS  
JAMES E. HAAS  
A. J. LOSEE  
BARRY D. GEWEKE

300 YATES PETROLEUM BUILDING  
P. O. BOX 1720  
ARTESIA, NEW MEXICO 88211-1720

TELEPHONE  
(505) 746-3505

TELECOPY  
(505) 746-6316

December 6, 1994



**VIA FACSIMILE AND FIRST CLASS MAIL**

Mr. William J. LeMay, Director  
New Mexico Oil Conservation Division  
2040 S. Pacheco  
Santa Fe, New Mexico 87504

Re: Application of Nearburg Producing Company to  
Rescind Approval of Yates Petroleum  
Corporation's Application for Permit to  
Drill/Tackitt "AOT" Well No. 1, Eddy County,  
New Mexico, Case No. 11170

Dear Mr. LeMay:

I am enclosing herewith Yates Petroleum Corporation's Motion for  
Continuance in the above referenced matter, in duplicate.

Please return a copy to me for my file.

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.

Ernest L. Carroll

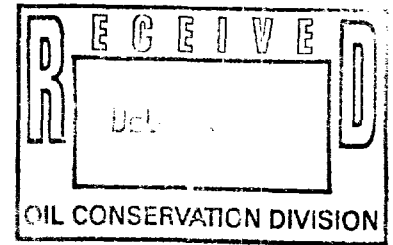
ELC:kth

xc w/encl: W. Thomas Kellahin, Esq.  
Ms. Mecca Mauritsen

BEFORE THE OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION  
OF NEARBURG PRODUCING COMPANY TO  
RESCIND APPROVAL OF YATES PETROLEUM  
CORPORATION'S APPLICATION FOR PERMIT  
TO DRILL ITS TACKITT "AOT" WELL NO. 1  
IN SECTION 28, TOWNSHIP 19 SOUTH,  
RANGE 25 EAST, EDDY COUNTY, NEW MEXICO



Case No. 11170

MOTION FOR CONTINUANCE

COMES NOW, Yates Petroleum Corporation ("Yates"), by and through counsel undersigned, Losee Carson, Haas & Carroll, P. A. (Ernest L. Carroll), and moves for a continuance of the December 15, 1994, Examiner Hearing of the captioned application for the following reasons:

1. Yates was not served notice of said application and was unaware of its filing until receiving the docket for said hearing;
2. Insufficient time exists for Yates Petroleum Corporation to prepare its case and appear on that date;
3. Counsel for applicant is unavailable and his approval or objection to this motion cannot be ascertained.

WHEREFORE, Yates respectfully requests that the Division continue the Examiner hearing of the above case to the January 5, 1994, hearing date.

LOSEE, CARSON, HAAS & CARROLL, P.A.

By: 

Ernest L. Carroll

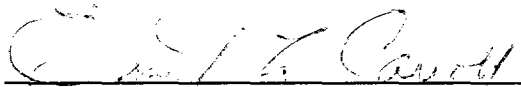
P. O. Drawer 239

Artesia, New Mexico 88211-0239

(505)746-3505

Attorneys for Yates Petroleum Corporation

I hereby certify that I caused to be  
faxed a true and correct copy of the  
foregoing to all counsel of record  
this December 6, 1994.

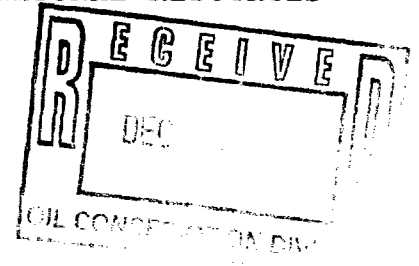
A handwritten signature in cursive script, appearing to read "Ernest L. Carroll", is written over a horizontal line.

Ernest L. Carroll

BEFORE THE OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION  
OF NEARBURG PRODUCING COMPANY TO  
RESCIND APPROVAL OF YATES PETROLEUM  
CORPORATION'S APPLICATION FOR PERMIT  
TO DRILL ITS TACKITT "AOT" WELL NO. 1  
IN SECTION 28, TOWNSHIP 19 SOUTH,  
RANGE 25 EAST, EDDY COUNTY, NEW MEXICO



Case No. 11170

MOTION FOR CONTINUANCE

COMES NOW, Yates Petroleum Corporation ("Yates"), by and through counsel undersigned, Losee Carson, Haas & Carroll, P. A. (Ernest L. Carroll), and moves for a continuance of the December 15, 1994, Examiner Hearing of the captioned application for the following reasons:

1. Yates was not served notice of said application and was unaware of its filing until receiving the docket for said hearing;
2. Insufficient time exists for Yates Petroleum Corporation to prepare its case and appear on that date;
3. Counsel for applicant is unavailable and his approval or objection to this motion cannot be ascertained.

WHEREFORE, Yates respectfully requests that the Division continue the Examiner hearing of the above case to the January 5, 1994, hearing date.

LOSEE, CARSON, HAAS & CARROLL, P.A.

By: 

Ernest L. Carroll

P. O. Drawer 239

Artesia, New Mexico 88211-0239

(505) 746-3505

Attorneys for Yates Petroleum Corporation

I hereby certify that I caused to be  
faxed a true and correct copy of the  
foregoing to all counsel of record  
this December 6, 1994.

  
\_\_\_\_\_  
Ernest L. Carroll