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September 19, 1995

W. THOMAS KELLAHIN*

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NATURAL RESOURCES-OIL AND GAS LAW

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Mr. David R. Catanach
Mr. Michael E. Stogner
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

VIA FACSIMILE
(505) 827-8177

Re: NMOCD Case 11311: Arroyo "16" Well No. 1
Nearburg Exploration Company
Application for Compulsory Pooling,
Eddy County, New Mexico

NMOCD Case 11310: Boyd "X" State Com Well No. 9
Yates Petroleum Corporation
Application for Compulsory Pooling,
Eddy County, New Mexico

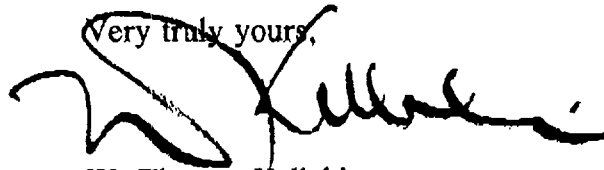
Gentlemen:

This disputed matter was presented to Examiner Stogner at a three hour hearing held on August 10, 1995. Following the hearing and prior to the entry of a decision, Yates Petroleum Corporation sought and obtained approval from Examiner Stogner to reopen these cases for further hearing now set on Examiner Catanach's docket for September 21, 1995.

I attempted to reach Mr. Stogner by phone today to determine how these cases are to be presented and was advised he was on vacation.

On behalf of Nearburg Exploration Company, I request that these cases be continued from September 21, 1995 docket to the docket set for October 5, 1995 so that they can continue to be heard by the same examiner. I have faxed a copy of this request to Mr. Carroll. I attempted to reach him by phone this morning and was advised he would not be in the office today. I also understand that Mr. Stogner is on vacation.

Very truly yours,



W. Thomas Kellahin

cc: Ernest Carroll, Esq.

Attorney for Yates Petroleum Corporation

cc: Nearburg Exploration Company (Bob Shelton)

*Continuance granted by DUC 9-20-95
Advised Kellahin
E. Carroll 9-20-95*