

KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

W. THOMAS KELLAHIN*

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

TELEPHONE (505) 982-4285

TELEFAX (505) 982-2047

February 18, 1997

VIA FACSIMILE AND HAND DELIVERY

Mr. David R. Catanach
Hearing Examiner
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

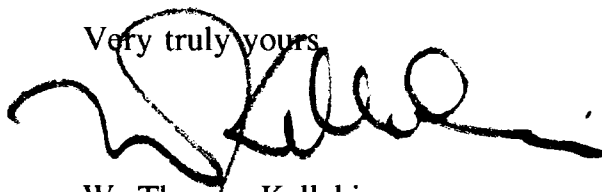
Re: **REQUEST FOR CONTINUANCE**
NMOCD Cases 11728-11735
Six Applications of Penwell Energy, Inc.
for compulsory pooling, Lea County, New Mexico.

Dear Mr. Catanach:

On behalf of Burlington Resources Oil & Gas Company, an adversely affected interest owner, please find enclosed our Entry of Appearance in opposition to the applicant in the referenced cases which are now set for an Examiner's hearing on February 20, 1997.

In addition, we are requesting that this case be continued until the hearing scheduled for March 6, 1997.

Very truly yours,



W. Thomas Kellahin

cfx: William F. Carr, Esq.
Attorney for applicant
cfx: Burlington Oil & Gas Company

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

CASES 11730-11735

**IN THE MATTER OF THE SIX APPLICATIONS OF
PENWELL ENERGY, INC.FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

**ENTRY OF APPEARANCE
AND
REQUEST FOR CONTINUANCE**

Comes now BURLINGTON RESOURCES OIL & GAS COMPANY ("Burlington") by its attorneys, Kellahin and Kellahin, and enters its appearance in these cases as an adversely affected party and as a party in opposition to the applicant.

In addition, Burlington requests that this case be continued from February 20, 1997 to the Examiner Docket now scheduled for March 6, 1997 and as grounds therefore states:

- (1) Burlington and Penwell are awaiting a decision by the Commission in Cases 11613 and 1622 which were heard DeNovo on January 16, 1997 involving competing pooling applications in the NW/4SE/4 of Section 24, T22S, R32E, Lea County, New Mexico.
- (2) Penwell has now filed six more compulsory pooling applications (Cases 11730 through 11735) involving wells in said Section 24.
- (3) In addition, Burlington has proposed to Penwell a settlement of all of these pending cases and is awaiting a response from Penwell.
- (4) A continuance will provide an opportunity to know the results of the Commission action in that case and also afford an opportunity to continue to pursue settlement of all of these cases.

NMOCD Cases 11730-11735

Motion for Continuance

Page 2.

(5) Concurrence of counsel for the applicant has been requested but he is out of town and not available and therefore concurrence has not been obtained.

WHEREFORE, Burlington requests that this case be continued until March 6, 1997.

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written over a horizontal line.

W. Thomas Kellahin

Kellahin & Kellahin

P. O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

CERTIFICATE OF MAILING

I certify that a copy of this pleading was transmitted by facsimile to counsel for applicant this 18th day of February, 1997.

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written over a horizontal line.

W. Thomas Kellahin