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Mr. W. Thomas Kellahin	Kellahin and Kellahin	505-982-2047

TOTAL NUMBER OF PAGES: 5 *INCLUDING COVER SHEET.*

FROM: James M. Hudson

DATE: December 1, 1999

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CLIENT/MATTER: _____

TELECOMMUNICATOR: Teresa

MESSAGE:

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HINKLE, COX, EATON, COFFIELD & HENSLEY, L.L.P.

ATTORNEYS AT LAW

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December 1, 1999

VIA TELECOPY

Ms. Marilyn S. Hebert
Special Assistant Attorney General
New Mexico Oil Conservation Commission
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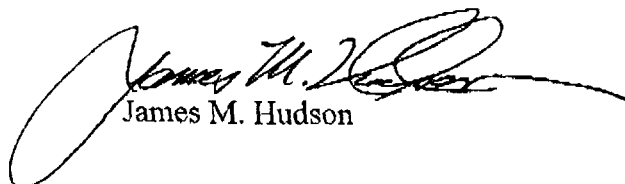
Re: *Branko, Inc. et al. v. The New Mexico Oil Conservation Commission and
Mitchell Energy Corporation; Fifth Judicial District, Lea County, New Mexico;
Cause No. CV 97-159G*

Dear Lyn:

Attached is a proposed form of Judgment. I have not yet submitted it to Hal Stratton yet, because I wanted your approval first. Please let me know if it meets with your approval.

Very truly yours,

HINKLE, COX, EATON,
COFFIELD & HENSLEY, L.L.P.



James M. Hudson

JMH/s
Attachment
cc:
Mr. W. Thomas Kellahin
MITCHELLATTYS?

HINKLE, COX, EATON, COFFIELD & HENSLEY, L.L.P.

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December 1, 1999

VIA TELECOPY

Ms. Marilyn S. Hebert
Special Assistant Attorney General
New Mexico Oil Conservation Commission
2040 South Pacheco
Santa Fe, New Mexico 87505

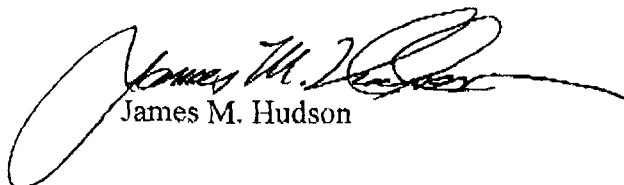
Re: *Branko, Inc. et al. v. The New Mexico Oil Conservation Commission and
Mitchell Energy Corporation; Fifth Judicial District, Lea County, New Mexico;
Cause No. CV 97-159G*

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because I wanted your approval first. Please let me know if it meets with your approval.

Very truly yours,

HINKLE, COX, EATON,
COFFIELD & HENSLEY, L.L.P.



James M. Hudson

JMH/s
Attachment

cc:

Mr. W. Thomas Kellahin
MITCHELLATTYS2

FIFTH JUDICIAL DISTRICT COURT

COUNTY OF LEA

STATE OF NEW MEXICO

BRANKO, INC., a New Mexico corporation, DUANE BROWN, S.H. CAVIN, ROBERT W. EATON, TERRY KRAMER and BARB KRAMER, husband and wife, LANDWEST, a Utah general partnership, CANDACE McCLELLAND, STEPHEN T. MITCHELL, PERMIAN HUNTER CORPORATION, a New Mexico corporation, GEORGE S. SCOTT, III, SCOTT EXPLORATION, INC., a New Mexico corporation, CHARLES I. WELLBORN, WINN INVESTMENTS, INC., a New Mexico corporation, LORI SCOTT WORRALL and XION INVESTMENTS, a Utah general partnership,

Appellants,

CV 97-159G

v.

THE NEW MEXICO OIL CONSERVATION
COMMISSION and MITCHELL ENERGY
CORPORATION,

Appellees.

JUDGMENT

THIS MATTER CAME BEFORE THE COURT on the Plaintiffs' Petition For Review of The New Mexico Oil Conservation Commission's decision in Order No. R-9845 in Case No. 10656, Order No. R-10672 in Case No. 11510 and Order No. R-10672-A, pursuant to NMSA 1978, §70-2-25 (1995). Having reviewed the record of the proceedings before the New Mexico Oil Conservation Commission and the evidence presented in those proceedings on file herein, the

pleadings and briefs of the parties filed herein, and the arguments of counsel, and having considered the applicable law, the Court has previously entered and filed the Court's Decision setting forth its findings and conclusion. Based on the Court's Decision, this Judgment is entered in favor of the Defendants. ✓

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED ~~that the Plaintiffs'~~ Petition for review of The New Mexico Oil Conservation Commission's decision in Order No. R-9845 in Case No. 10656, Order No. R-10672 in Case No. 11510 and Order No. R-10672-A is denied. *but it did review decision*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED ~~that~~ The New Mexico Oil Conservation Commission's Order No. R-10672-A in Case No. 11510 is, in all respects, affirmed.

Dated this ____ day of December, 1999.

R. W. GALLINI
DISTRICT JUDGE

SUBMITTED AND APPROVED BY:

KELLAHIN AND KELLAHIN

By: _____

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504-2265
(505) 982-4285
Fax (505) 982-2047

HINKLE, COX, EATON,
COFFIELD & HENSLEY, L.L.P.

By: _____

Harold Hensley, Jr.
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FROM: James M. Hudson

DATE: December 2, 1999

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TELECOMMUNICATOR: Teresa

*called Teresa 12/2/99
sd it was fine*

MESSAGE:

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December 2, 1999

VIA TELECOPY

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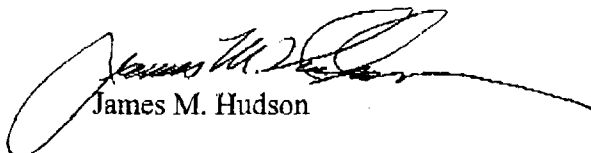
Re: *Branko, Inc. et al. v. The New Mexico Oil Conservation Commission and
Mitchell Energy Corporation, Fifth Judicial District, Lea County, New Mexico;
Cause No. CV 97-159G*

Dear Counsel:

Pursuant to the Court's direction, attached is a form of Judgment. Please let me know if it meets with your approval. I will then circulate the Judgment for signature.

Very truly yours,

HINKLE, COX, EATON,
COFFIELD & HENSLEY, L.L.P.


James M. Hudson

JMH/s
Attachment
cc: Mitchell Energy Corporation

MITCHELLATTYS3

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1 505 623 9332 P.02/05

HINKLE LAW FIRM

DEC-02-1999 10:45

FIFTH JUDICIAL DISTRICT COURT

COUNTY OF LEA

STATE OF NEW MEXICO

BRANKO, INC., a New Mexico corporation, §
DUANE BROWN, S.H. CAVIN, ROBERT §
W. EATON, TERRY KRAMER and BARB §
KRAMER, husband and wife, LANDWEST, §
a Utah general partnership, CANDACE §
McCLELLAND, STEPHEN T. MITCHELL, §
PERMIAN HUNTER CORPORATION, a New §
Mexico corporation, GEORGE S. SCOTT, III, §
SCOTT EXPLORATION, INC., a New Mexico §
corporation, CHARLES I. WELLBORN, WINN §
INVESTMENTS, INC., a New Mexico §
corporation, LORI SCOTT WORRALL and §
XION INVESTMENTS, a Utah general §
partnership, §

Appellants,

CV 97-159G

v.

THE NEW MEXICO OIL CONSERVATION §
COMMISSION and MITCHELL ENERGY §
CORPORATION, §

Appellees. §

JUDGMENT

THIS MATTER CAME BEFORE THE COURT on the Plaintiffs' Petition For Review of
The New Mexico Oil Conservation Commission's decision in Order No. R-9845 in Case No.
10656, Order No. R-10672 in Case No. 11510 and Order No. R-10672-A, pursuant to NMSA
1978, §70-2-25 (1995). Having reviewed the record of the proceedings before the New Mexico
Oil Conservation Commission and the evidence presented in those proceedings on file herein, the

pleadings and briefs of the parties filed herein, and the arguments of counsel, and having considered the applicable law, the Court has previously entered and filed the Court's Decision setting forth its findings and conclusion. Based on the Court's Decision, this Judgment is entered in favor of the Defendants.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that The New Mexico Oil Conservation Commission's Order No. R-10672-A in Case No. 11510 is, in all respects, affirmed.

Dated this _____ day of December, 1999.

R. W. GALLINI
DISTRICT JUDGE

SUBMITTED AND APPROVED BY:

KELLAHIN AND KELLAHIN

By: _____
W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504-2265
(505) 982-4285
Fax (505) 982-2047

HINKLE, COX, EATON, COFFIELD & HENSLEY, L.L.P.

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MITCHELL JUDGMENT2



FIFTH JUDICIAL DISTRICT

STATE OF NEW MEXICO

R. W. GALLINI
District Judge
Division III

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May 10, 1999

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NM Oil Conservation Commission
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Santa Fe, New Mexico 87505

W. Thomas Kellahin, Esquire
P. O. Box 2265
Santa Fe, New Mexico 87504-2265

Re: Branko, Inc., et al. vs. New Mexico Oil
Conservation Commission, et al.,
Lea County No. CV-97-159-G

Dear Counsel:

I acknowledge receipt of Ms. Hebert's letter dated April 23, 1999 complaining of opposing counsel's repeated ex parte communications with the Court on the substantive issues of the above-referenced case currently awaiting decision before the Court.

Hearings have been held in this matter and are awaiting a decision by the Court. Do not send me any further information or cases unless I ask for the record to be supplemented. If I do, I will contact all attorneys. Please review the Code of Professional Responsibility and insure that you are in compliance before sending any unsolicited matter to the Court.

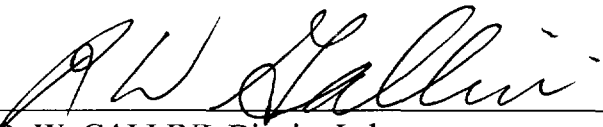
I will endeavor to get this case to decision as soon as possible. As you all probably know, Judge Clingman suffered a heart attack back in early March and I had to take over a large part of his

May 10, 1999

Page 2

caseload until he was able to return to work. He is back to work now and I am working on my own docket now.

Sincerely,



R. W. GALLINI, District Judge

RWG/rt

HINKLE, COX, EATON, COFFIELD & HENSLEY,
L.L.P.

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GREGORY J. NIBERT
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THOMAS E. HOOD*

December 14, 1999

The Honorable R. W. Gallini
Fifth Judicial District Court
100 N. Main, Box 6-C
Lovington, New Mexico 88260

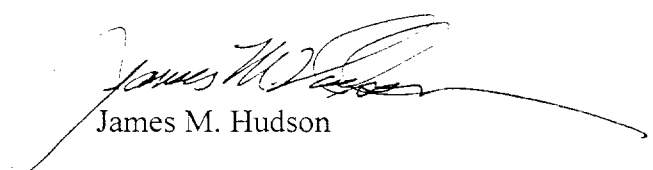
Re: *Branko, Inc. et al. v. The New Mexico Oil Conservation Commission and
Mitchell Energy Corporation; Fifth Judicial District, Lea County, New Mexico:
Cause No. CV 97-159G*

Dear Judge Gallini:

Pursuant to the Court's Decision, enclosed is a Judgment that has been approved by all counsel. By copy of this letter and enclosure, I am advising counsel that the Judgment has been submitted to you.

Very truly yours,

HINKLE, COX, EATON,
COFFIELD & HENSLEY, L.L.P.


James M. Hudson

JMH/s

Enclosure

cc:

Mr. Harold D. Stratton, Jr.

Ms. Marilyn S. Hebert

Mr. W. Thomas Kellahin

GALLINI

FIFTH JUDICIAL DISTRICT COURT

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STATE OF NEW MEXICO

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a Utah general partnership, CANDACE	§	
McCLELLAND, STEPHEN T. MITCHELL,	§	
PERMIAN HUNTER CORPORATION, a New	§	
Mexico corporation, GEORGE S. SCOTT, III,	§	
SCOTT EXPLORATION, INC., a New Mexico	§	
corporation, CHARLES I. WELLBORN, WINN	§	
INVESTMENTS, INC., a New Mexico	§	
corporation, LORI SCOTT WORRALL and	§	
XION INVESTMENTS, a Utah general	§	
partnership,	§	
	§	
Appellants,	§	CV 97-159G
	§	
v.	§	
	§	
THE NEW MEXICO OIL CONSERVATION	§	
COMMISSION and MITCHELL ENERGY	§	
CORPORATION,	§	
Appellees.	§	

JUDGMENT

THIS MATTER CAME BEFORE THE COURT on the Plaintiffs’ Petition For Review of The New Mexico Oil Conservation Commission’s decision in Order No. R-9845 in Case No. 10656, Order No. R-10672 in Case No. 11510 and Order No. R-10672-A, pursuant to NMSA 1978, §70-2-25 (1995). Having reviewed the record of the proceedings before the New Mexico Oil Conservation Commission and the evidence presented in those proceedings on file herein. the

pleadings and briefs of the parties filed herein, and the arguments of counsel, and having considered the applicable law, the Court has previously entered and filed the Court's Decision setting forth its findings and conclusion. Based on the Court's Decision, this Judgment is entered in favor of the Defendants.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that The New Mexico Oil Conservation Commission's Order No. R-10672-A in Case No. 11510 is, in all respects, affirmed.

Dated this _____ day of December, 1999.

R. W. GALLINI
DISTRICT JUDGE

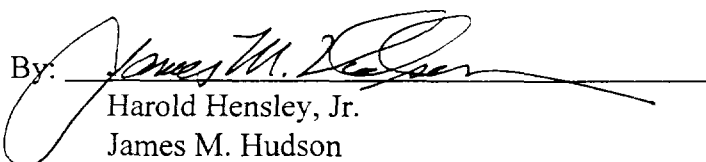
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