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\*\* NEW MEXICO BOARD OF SPECIALIZATION RECOGNIZED SPECIALIST IN REAL ESTATE LAW

October 15, 2001

**VIA FACSIMILE & U.S. MAIL**

Lori Wrotenbery, Director  
New Mexico Oil Conservation Division  
1220 St. Francis Drive  
Santa Fe, New Mexico 87505

Re: NMOCD Case No. 12705; Application of D. J. Simmons, Inc. for  
Compulsory Pooling, Rio Arriba County, New Mexico

Dear Ms. Wrotenbery:

By the above-referenced Application, D. J. Simmons, Inc. seeks the compulsory pooling of the Blanco-Mesaverde formation underlying the E/2 of Section 25, T-25-N, R-3-W, NMPM, in Rio Arriba County. In addition, presently pending before the New Mexico Oil Conservation Commission is the Application of McElvain Oil and Gas Properties, Inc. for the compulsory pooling of the Blanco-Mesaverde formation underlying the S/2 of Section 25 (Case No. 12635; Order No. R-11663 *de novo*). As the two cases involve competing applications affecting the SE/4 of the same section, on October 4, 2001, D. J. Simmons filed a request for a temporary stay of the pooling order in Case No. 12635 pending the completion of the *de novo* proceedings. McElvain has not responded to the Request for Stay.

On behalf of D. J. Simmons, Inc. and pursuant to Division Rule 1216(2), we respectfully request that the Commission set Case No. 12705 for hearing by the Commission on November 9, 2001, simultaneously with the hearing *de novo* on Case No. 12635. Hearing both cases simultaneously will avoid unnecessarily duplicative proceedings and will be in the interests of efficiency and economy, not only for the parties, but for the Division and Commission as well.

RECEIVED  
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DIVISION

Lori Wrotenbery, Director  
October 15, 2001  
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Very truly yours,

A handwritten signature in black ink, appearing to read "J. Scott Hall". The signature is fluid and cursive, with a prominent "J" and "S".

J. Scott Hall

JSH/kam

Cc: John Byrom – D. J. Simmons, Inc.  
David Brooks, Esq. - NMOCD  
Steve Ross, Esq. - NMOCC  
Michael Feldewert, Esq. - Counsel for McElvain Oil and Gas Properties