

# KELLAHIN & KELLAHIN Attorney at Law

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Recognized Specialist in the Area of  
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New Mexico Board of Legal Specialization

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May 27, 2005

**VIA FACSIMILE**  
**476-3462**

Mr. Mark E. Fesmire, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

- Re: CONCURRENCE WITH MOTION TO CONTINUE
- (1) NMOCD Case 13503 ✓  
Application of Apache Corporation for a waterflood project,  
Lea County, New Mexico
  - (2) NMOCD Case 13504 ✓  
Application of Apache Corporation for statutory unitization,  
Lea County, New Mexico

Dear Mr. Fesmire:

The two referenced cases are cases in which Mr. Carr represents BP America Production Company and I represent Apache Corporation. Last yesterday, I received Mr. Carr request on behalf of his client for a continuance from the June 2, 2005 docket to the June 16, 2005 docket. On behalf of Apache, I have no objection to the Division continuing both cases.

Very truly yours,  
  
W. Thomas Kellahin

Facsimile:  
William F. Carr, Esq.  
Attorney for JTD Resources LLC  
Apache Corporation  
Attn: Mario Moreno



May 26, 2005

**HAND-DELIVERED**

Mr. Mark E. Fesmire, P.E.  
Director  
Oil Conservation Division  
New Mexico Energy, Minerals and  
Natural Resources Department  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

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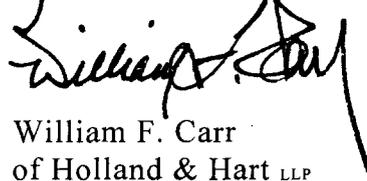
**Re: Case No. 13503: Application of Apache Corporation for approval of a waterflood project and qualification of the Project Area for the Recovered Oil Tax Rate pursuant to the Enhanced Oil Recovery Act, Lea County, New Mexico.**

Dear Mr. Fesmire:

BP America Production Company hereby requests that the Examiner Hearing in the above-referenced case that is currently scheduled for June 2, 2005, be continued to the June 16, 2005 Examiner Hearing Docket.

Your attention to this request is appreciated.

Very truly yours,

  
William F. Carr  
of Holland & Hart LLP

*Handwritten initials/signature*

WFC:keh

cc: W. Thomas Kellahin

Thomas M. Furtwangler  
BP America Production Company