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August 4, 2004

VIA FACSIMILE

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

Re: NMOCC Cases 13048 (de novo) Order R-11962
Application of Devon Energy Production Company, L.P.
for compulsory pooling N/2 of Section 4, T23SR34E,
Re-entry of the Rio Blanco "4" Well No. 1, Unit F,
Lea County, New Mexico

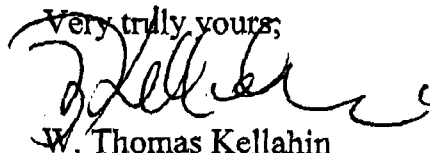
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Dear Mr. Fesmire:

On June 14, 2004, you held a pre-hearing conference to discuss the referenced case. At its conclusion, it is my recollection, that you decided that prior proceeding with the Commission hearing, the Division would define what is meant by a "de novo" hearing, including whether such a hearing must be limited to only those issues presented at the Examiner hearing thereby precluding the Commission for hearing questions about amended the compulsory pooling order to address subsequent operation provisions and other matters.

The Commission is currently scheduled to hear this case on August 12, 2004. I request that this case be continued to the docket for October 14, 2004 to provide the Division with additional time to entry a order defining a "de novo" hearing and the scope of that hearing.

Very truly yours;



W. Thomas Kellahin

cc: Hand delivered or faxed:
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