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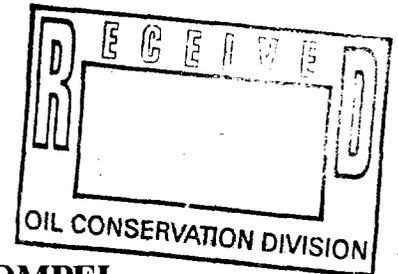
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November 7, 1994

HAND DELIVERED

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



Re: **MOTION TO DISMISS and MOTION TO COMPEL**
NMOCD Case 11107
Application of Maralo, Inc.
for Compulsory Pooling
Eddy County, New Mexico

Dear Mr. Catanach:

On October 21, 1994, on behalf of Bass Enterprises Production Company, I filed a Motion to Dismiss and a Motion to Compel. While this matter was pending a decision by the Division, Mr. Carr on behalf of Maralo, unilaterally continued the case and apparently no decision was then made by the Division.

The Motions are still relevant. It is my contention that Maralo cannot improperly and prematurely file a compulsory pooling application and then seek to "cure" its failure to abide by those requirements by having the case continued.

I renew my request for the Division to dismiss this case which is currently set for hearing on the Examiner's Docket scheduled for November 10, 1994.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Thomas Kellahin". The signature is written in a cursive style with a large, sweeping initial "W".

W. Thomas Kellahin

cc: *Via facsimile to:*

William F. Carr, Esq., Attorney for applicant
Wayne Bailey, Bass Enterprises