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JASON KELLAHIN (RETIRED 1991)

April 29, 1996

**VIA FACSIMILE**

(505) 827-8177

Mr. Michael E. Stogner  
Hearing Examiner  
Oil Conservation Division  
2040 South Pacheco  
Santa Fe, New Mexico 87504

**Re: REQUEST FOR CONTINUANCE AND CONSOLIDATION**

**NMOCD Case 11521**

**Hummer State "4" Com Well No. 1 (Unit B)**

**N/2 Section 4, T18S, R28E, NMPM**

**Application of Nearburg Exploration**

**Company for Compulsory Pooling,**

**Eddy County, New Mexico**

*Case 11521  
cont. to  
6/13/96*

Dear Mr. Stogner:

Mr. Carr, on behalf of Mewbourne Oil Company and I, on behalf of Nearburg Exploration Company, L.L.C., request your approval of our agreement concerning the scheduling of two competing compulsory pooling cases.

Subject to your approval, we have agreed that:

(a) Nearburg's Case 11521 docketed for hearing on May 2, 1996 shall be continued to the June 13, 1996 docket;

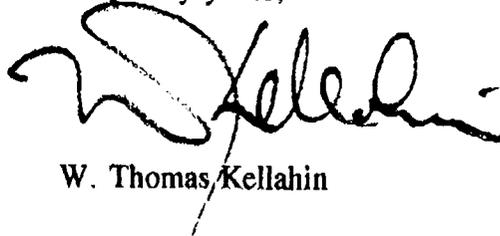
(b) Mewbourne's Case (number pending) which will be docketed for hearing on May 16, 1996 shall be continued to the June 13, 1996 docket;

Mr. Michael E. Stogner  
NMOCD  
April 29, 1996

(c) these two compulsory pooling cases shall be consolidated for hearing; and

(d) Neither Nearburg nor Mewbourne shall move to dismiss the application of the other for lack of adequate notice because each has had a sufficient period of time to reach a voluntary agreement with the other and no such agreement is possible.

Very truly yours,



W. Thomas Kellahin

**APPROVED:**



William F. Carr, Esq. for and on behalf  
of Mewbourne Oil Company

cc: Nearburg Producing Company  
Attn; Bob Shelton