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JASON KELLAHIN (RETIRED 1991)

September 24, 1997

**VIA FACSIMILE**

Mr. William J. LeMay, Director  
Oil Conservation Division  
2040 South Pacheco  
Santa Fe, New Mexico 87504

Re: Request for Commission DeNovo hearing  
NMOCD Case 11755 and NMOCD Case 11723  
Order R-10872

Dear Mr. LeMay:

Last week I learned that Mr. Bruce, on behalf of Mewbourne Oil Company, had timely filed a denovo application for the October 16, 1997 Commission docket. I advised Mr. Bruce that I and my clients, Fasken Oil and Ranch, Ltd. and Fasken Land and Minerals and their respective witnesses would be available for that docket.

I advised both Mr. Bruce and Ms. Davidson of the Division that due to prior commitments I would not be available for the November 13, 1997 Commission docket and requested the matter be placed on the October 16th docket. I will be unavailable from November 12 through December 1, 1997.

This afternoon I received a copy of the Commission October 16th docket and discover that the Mewbourne-Fasken cases are not included. I am very concerned that if the Commission intends to postpone this case until the November 13th docket that Fasken will be forced to find another attorney. As you know, only Mr. Bruce, Mr. Carr and I have extensive practices before the Commission and Fasken simply will not be able to find adequate counsel for the November 13th docket.

Very truly yours,



W. Thomas Kellahin

cc: James Bruce, Esq.  
William F. Carr, Esq.  
Fasken Oil and Ranch, Ltd.

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