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December 2, 2002
VIA FACSIMILE

Mr. William Jones, Hearing Examiner
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: ***NMOCD Case No. 12967; Application of BP America Production Company
for Surface Commingling, Eddy County, New Mexico***

***NMOCD Case No. 12968; Application of BP America Production Company
for Surface Commingling, Eddy County, New Mexico***

Dear Mr. Jones:

These matters are set for hearing on this Thursday, December 5, 2002. Today I have entered an appearance on behalf of Trilogy Operating, Inc. ("Trilogy"), who opposes the applications in these cases.

Trilogy was previously represented by Jim Bruce, Esq., who had to withdraw from representation of Trilogy this morning because of a conflict of interest. Because of the short amount of time remaining to prepare for the hearing with a new lawyer, Trilogy hereby requests a continuance of this matter, at least until the December 19, 2002 hearing date, or preferably until the January 9, 2003 hearing date. This is the second continuance of this matter, and I and my client understand the Division's new policy regarding continuances.

Michael Feldewert, Esq. of the Holland & Hart law firm represents BP America Production Company. Mr. Feldewert is out of the office today and I have been unable to reach him to determine whether BP America will agree to the requested continuance.

Please let me know as soon as possible whether this matter has been continued so that I may make appropriate arrangements.

Thank you for your consideration in this matter.

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Very truly yours,



Paul R. Owen

cc: Michael H. Feldewert, Esq. (via facsimile)
David Brooks, Esq. (via facsimile)
Mr. Jerry Weant (via facsimile)