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November 12, 2002

Hand Delivered
David Catanach
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Case Nos. 12967 and 12968/Applications of BP America
Production Company for surface commingling, Eddy County,
New Mexico

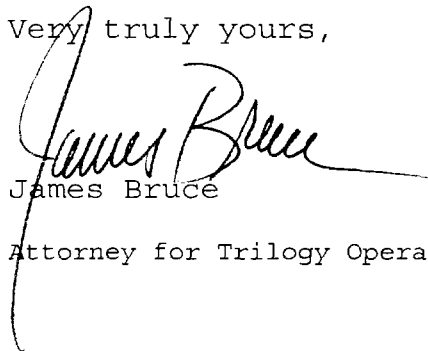
Agreed motion for a continuance

Dear Mr. Catanach:

I represent Trilogy Operating, Inc. ("Trilogy") in the above cases. Trilogy requested a continuance of the cases, which applicant has agreed to, provided that Trilogy file a pre-hearing statement by November 22nd, outlining the basis and nature of its objections so that applicant may prepare for the hearing. Trilogy agrees to this condition. Therefore, both applicant and Trilogy request that the above cases be continued to the December 5th Examiner hearing.

Please call Mr. Feldewert or me if you have any questions.

Very truly yours,



James Bruce

Attorney for Trilogy Operating, Inc.

cc: Michael Feldewert (via fax)