

TO: <i>Mike Stogner</i> <i>OCD</i>	FROM: <i>Kellahin</i>	DATE: <i>10/30/96</i> PAGES INCLUDING THIS PAGE: <i>2</i>
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NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

October 30, 1996

**VIA FACSIMILE**  
(505) 983-6043

*ms*

William F. Carr, Esq.  
Campbell, Carr & Berge  
Attorneys at Law  
P. O. Box 2208  
Santa Fe, New Mexico 87504-2208

Re: **DEMAND FOR COMPLIANCE WITH**  
**NMOCD MEMORANDUM 2-90**  
**NMOCD Case 11648**  
**Application of Mewbourne Oil Company**  
**for Compulsory Pooling, Lea County, New Mexico.**

*COPY*

Dear Mr. Carr:

On behalf of CT-R, Ltd. Company and Chantrey Corporation, you are hereby requested to comply with the New Mexico Oil Conservation Division Memorandum 2-90 dated April 30, 1990 concerning the preparation, filing and serving of a prehearing statement.

I had hoped to avoid writing this letter but, despite my requests to the contrary, your firm continues to file prehearing statements which:

(1) instead of setting forth the issues in dispute and summarizing the evidence you intend to introduce, you complete the "Statement of the Case" portion of the form by simply duplicating the same language as appears in the OCD docket; and

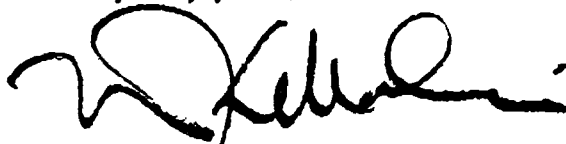
(2) instead of delivering me a copy of the prehearing statement (my office is less than 100 yards from your office) you chose to have your secretary mail me a copy which often causes me to receive your prehearing statement after the hearing is over.

William F. Carr, Esq.  
October 30, 1996  
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Because this case is of significance to my client, I cannot condone your practice of avoiding reasonable prehearing disclosure and cannot afford to be ambushed at hearing. Accordingly, please be advised that I will petition to have this case continued from the November 7, 1996 docket should you fail to fully disclosure in the prehearing statement the issues in dispute and your evidence in this case.

If you are unable to deliver me a copy of your prehearing statement by 4:00 pm, Friday, November 1, 1996, then please timely transmit it to my facsimile number which is 982-2047.

Very truly yours,



W. Thomas Kellahin

fcx: Mr. Michael E. Stogner, NMOCD  
fcx: CT-R, Ltd, Company  
Attn: Denise Wann