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JASON KELLAHIN (RETIRED 1991)

February 27, 1997

VIA FACSIMILE AND HAND DELIVERED

Mr. Michael E. Stogner
Hearing Examiner
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

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Division Attorney
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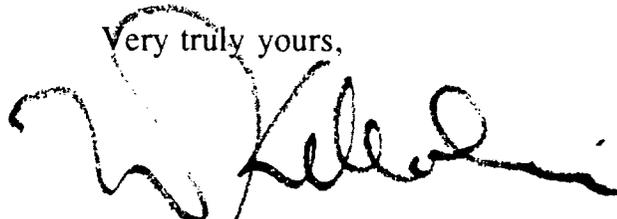
Re: **NMOCD Case 11723**
*Application of Mewbourne Oil Company
for an unorthodox gas well location and
a non-standard gas proration unit, Eddy County, New Mexico*

Gentlemen:

On behalf of Fasken Oil and Ranch, Ltd., ("Fasken") an adversely affected interested party, please find enclosed our **Request for Continuance** of the referenced case which is now set for an Examiner's hearing on March 6, 1997.

We are requesting that this case be continued until the hearing scheduled for ~~April 3, 1996~~ so it can be consolidated with a competing **application** filed by Fasken requesting approval of a location different from that proposed by Mewbourne.

Very truly yours,



W. Thomas Kellahin

cfx: James Bruce, Esq.
Attorney for Mewbourne
William F. Carr, Esq.
Attorney for Texaco, Inc.
Fasken Oil and Ranch, Ltd.
Attn: Sally Kvasnicka

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**IN THE MATTER OF THE APPLICATION
OF MEWBOURNE OIL COMPANY FOR AN
UNORTHODOX GAS WELL LOCATION AND
A NON-STANDARD GAS PRORATION UNIT
EDDY COUNTY, NEW MEXICO**

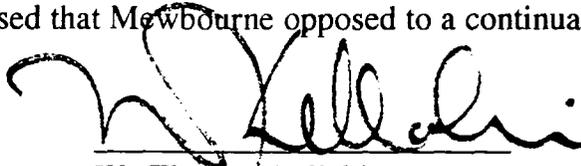
CASE 11723

REQUEST FOR CONTINUANCE

Comes now Fasken Oil and Ranch, Ltd., ("Fasken") by its attorneys, Kellahin and Kellahin, and moves that this case be continued from the Examiner's docket now scheduled for March 6, 1997 to the Examiner Docket scheduled for April 3, 1997 and as ground therefore states:

- (1) The southern portion of Irregular Section 1, T21S, R25E consists of 297.88 acres and is subject to a Joint Operating Agreement in which Fasken is the operator and Mewbourne and others are working interest owners.
- (2) This tract is proposed by both Fasken and Mewbourne as a non-standard gas proration and spacing unit for a well to be drilled to test for Morrow gas production in the Catclaw Draw-Morrow Gas Pool which provides for 640-acre spacing and wells not closer than 1650 feet to the outer boundary.
- (3) NMOCD Case 11723 involves a request by Mewbourne for approval of an unorthodox gas well location 660 feet FSL and 2310 feet FEL of Irregular Section 1 which is currently set for hearing on March 6, 1997.
- (4) NMOCD Case (number pending) involves a request by Fasken for approval of an unorthodox gas well location 2080 feet FSL and 750 feet FWL of Irregular Section 1 which is currently set for hearing on April 3, 1997.

- (5) Texaco, the operator of Section 12 to the south of Irregular Section 1, has entered its appearance in opposition to Mewbourne's request.
- (6) The approval of one case will result in the denial of the other case.
- (7) A continuance will not adversely affect Mewbourne because Mewbourne's interest results from a farmout from ICA Energy, Inc. which is not due to expire until June, 1997.
- (8) So that this dispute can be heard at a single hearing rather than at two different hearings, Fasken requests that you continue the Mewbourne case from the March 6, 1997 docket to the April 3, 1997 docket so it can be consolidated for hearing with the Fasken case.
- (9) Counsel for Mewbourne has been contacted concerning this request and has advised that Mewbourne opposed to a continuance.



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CERTIFICATE OF NOTICE:

I certify that a copy of this pleading was transmitted by facsimile to counsel of record this 27 day of February, 1997.



W. Thomas Kellahin