

**KELLAHIN AND KELLAHIN**

ATTORNEYS AT LAW

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W. THOMAS KELLAHIN\*

\*NEW MEXICO BOARD OF LEGAL SPECIALIZATION  
RECOGNIZED SPECIALIST IN THE AREA OF  
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

March 27, 1998

**Via Facsimile**  
**(505) 827-8177**

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

Case 11964

**Re: REQUEST FOR TEMPORARY EXCEPTION FROM RULE 506**  
**Application of Marathon Oil Company**  
**for adoption of special pool rules for**  
**the Travis-Upper Pennsylvanian Pool**  
**Eddy County, New Mexico.**

Dear Mr. Stogner:

This letter confirms our telephone conversation on Monday, March 23, 1998 in which you advised me that until such time as an order is entered in the referenced case to be heard on April 16, 1998, Marathon may temporarily produce its Buchanan "33" Well No. 1 located in Unit I of Section 33, and its Crockett "27" Well No. 1 located in Unit K of Section 27, both in T18S, R28E, Eddy County, New Mexico, at rates not to exceed 7,000 cubic feet of gas per barrel of oil produced.

Marathon acknowledges that in the event its application is not approved by the Division, then Marathon will be required to "make-up" any gas produced in excess of the approved gas allowable for this production.

Very truly yours,

  
W. Thomas Kellahin

cfx: OCD-Artesia

Attn: Tim Gum

cfx: Marathon Oil Company

Attn: Thomas C. Lowry, Esq.



**LTR**



**Job separation sheet**

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NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

March 20, 1998

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

**HAND DELIVERED**

Mr. Tim Gum  
Oil Conservation Division  
Drawer DD  
Artesia, New Mexico 88210

**VIA FACSIMILE**

**Re: REQUEST FOR TEMPORARY EXCEPTION FROM RULE 506**  
Application of Marathon Oil Company  
for adoption of special pool rules for  
the Travis-Upper Pennsylvanian Pool  
Eddy County, New Mexico.

Gentlemen:

On Wednesday, on behalf of Marathon Oil Company, I delivered to you a request by Marathon Oil Company for permission to temporarily produce two wells in the Travis-Upper Pennsylvanian Pool in excess of the 710 MCFPD gas allowable (355 BOPD x. 2000 to 1 GOR).

Today, I am forwarding to you a copy of a waiver signed by Devon Energy Corporation waiving any objection to this request. Devon is the operator of potential spacing units in the E/2 of Section 27, T18S, R28E. In all other instances, Marathon Oil Company is the operator of potential spacing units offsetting these two wells. These two wells are currently shut-in awaiting your action in this matter.

Very truly yours,



W. Thomas Kellahin

cfx: Marathon Oil Company  
Attn: Thomas C. Lowry, Esq.

Mid-Continent Region  
Production United StatesP.O. Box 552  
Midland, TX 79702-0552  
Telephone 913/682-1625

March 13, 1998

Mr. Ken Gray  
DEVON ENERGY CORPORATION  
20 N. Broadway, Ste. 1500  
Oklahoma City, OK 73102

Via Fax No. (405) 552-8113

Re: David Crockett "27" Well No. 1  
Unit K, Section 27  
Township 18 South, Range 28 East, NMPM  
Travis-Upper Pennsylvanian Pool  
Eddy County, New MexicoDave Becker  
915-687-8287

Dear Ken:

As we discussed on the telephone, Marathon has recently drilled the Crockett well, described above. Marathon requests that Devon, as operator of the east half of Section 27, offsetting the Crockett to the east, waive objection to Marathon producing the Crockett well at a GOR not to exceed 10,000:1 cubic feet of gas to barrels of oil pending NMOCID issuing an order on Marathon's application to amend the pool rules for the Travis-Upper Pennsylvanian Pool. Marathon will file its application to amend the pool rules so it may be heard on April 16, 1998. If Devon is willing to waive objection as requested by Marathon, please have this letter signed on the line provided below and returned to me by both mail and fax (915-687-8483). Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Robertson'.

Tim Robertson  
Advanced Landman

TBR:mmc'

RECEIVED  
MAR 16 1998  
LAND DEPARTMENTDEVON ENERGY CORPORATION (NEVADA)  
waives objection as described above.By: A handwritten signature in cursive script, appearing to read 'Carla D. Wood'.  
Name: Carla D. Wood  
Title: Landman