

MEMORANDUM

To: File
From: David Brooks

Date: April 10, 2002

Re: Case No. 12629
Inquiry from Tom Kellahin for Marbob 4/4/02

The question in this case is how to revive a compulsory pooling order that has expired due to lapse of time between commencement of a well and completion. (OXY decided not to pursue the project after an unsuccessful completion attempt. Now, Marbob wants to take over and complete.)

The operative provision of the Order (Paragraph 4) states that the operator "shall appear before the Director and show cause why Ordering Paragraph (1) should not be rescinded", in contrast to Ordering Paragraph (3) which states that the order shall be rescinded "unless the operator obtains an extension from the Director for good cause."

Although the language of Paragraph 4 is not precise, it suggests a necessity for a hearing. Accordingly, I advised Mr. Kellahin that Marbob should file an application to reopen, and get a hearing set, at which it would be necessary only to explain the reasons for the delay, and not necessary to re-present the case for compulsory pooling.

ec: Richard Ezeanyim
David Catanach