

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

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

APPLICATION OF MCELVAIN OIL & GAS  
PROPERTIES, INC. FOR A NON-STANDARD  
GAS SPACING AND PRORATION UNIT, RIO  
ARRIBA COUNTY, NEW MEXICO.

Case No. 12688

ENTRY OF APPEARANCE AND MOTION FOR A CONTINUANCE

I. Entry of Appearance.

The undersigned counsel enters his appearance in the above matter on behalf of Apache Corporation ("Apache").

II. Motion for a Continuance.

Apache requests that the above matter, which is scheduled for hearing on October 4, 2001, be continued to the Examiner hearing scheduled for October 18, 2001. As grounds therefor, Apache states:

A. McElvain Oil & Gas Properties, Inc. ("McElvain") seeks approval of a 505.20 acre non-standard gas spacing and proration unit in the Blanco-Mesaverde Gas Pool covering the W½ of Section 5 and all of irregular Section 6, Township 25 North, Range 2 West, N.M.P.M.;

B. McElvain filed its application with the Division on June 19, 2001. However, notice of the application was not received by Apache until September 18, 2001;

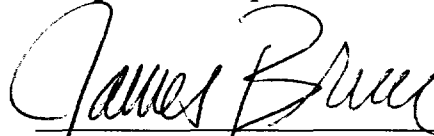
C. Apache, which has the majority working interest in the proposed well unit, may be opposed to the application, but has not had sufficient time to review all necessary data to

prepare for hearing; and

D. Apache's landman is not available for the October 4th hearing.

Apache has sought the concurrence of opposing counsel, but concurrence has not yet been given.

Respectfully submitted,



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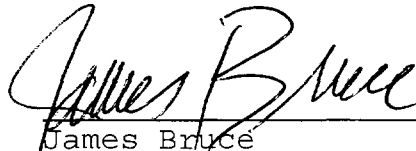
Attorney for Apache Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile transmission this 15<sup>th</sup> day of October, 2001:

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