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August 28, 2001

Via Fax and U.S. Mail

Lori Wrotenbery  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Re: Case No. 12698 *de novo*; application of Mewbourne Oil  
Company ("Mewbourne") for compulsory pooling, Eddy  
County, New Mexico


To be heard *de novo* at the request of Harvey E. Yates  
Company and Jalapeno Corporation

Dear Ms. Wrotenbery:

The applications for hearing *de novo* in this matter were filed after the deadline to place the cases on the September 14, 2001 Commission docket. The only party affected by the *de novo* applications is Mewbourne. Mewbourne hereby expressly waives the notice period set forth in the Division's rules, and this matter need not wait until the October Commission docket to be heard. In addition, Mewbourne has rig scheduling problems which will impose upon it an undue burden if this matter is not heard until October. Therefore, Mewbourne requests that the above matter be heard at the September 14, 2001 Commission hearing.

Thank you for your consideration of this request.

Very truly yours,

  
James Bruce  
Attorney for Mewbourne Oil Company

cc: Michael H. Feldewert (via fax)