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November 14, 2001

Stephen C. Ross
Assistant General Counsel
New Mexico Energy, Minerals &
Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

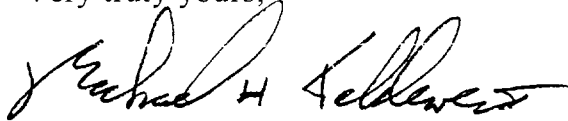
Re: Case No. 12635, Application of McElvain Oil & Gas Properties, *de novo*
Case No. 12705, Application of D. J. Simmons, Inc.

Dear Mr. Ross:

Pursuant to your letter dated October 30, 2001 for the above-referenced matters, please be advised that I have no objection to the proposed tender of Exhibit 34.

Please feel free to give me a call should you have any questions.

Very truly yours,



Michael H. Feldewert

MHF/js

cc: Florene Davidson, Commission Secretary
J. Scott Hall