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FILED

BEFORE THE CORPORATION COMMISSION
OF THE STATE OF OKLAHOMA

AUG 10 2006

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

APPLICANT: MEWBOURNE OIL COMPANY

RELIEF SOUGHT: POOLING) CAUSE CD NO. 200604826
)
LEGAL DESCRIPTION: SECTION 1, TOWNSHIP 20)
NORTH, RANGE 24 WEST,)
ELLIS COUNTY,)
OKLAHOMA)

MOTION TO VACATE ORDER NO. 528230

COMES NOW Optima Oil & Gas Company, respondent herein, and respectfully moves the Commission for an Order Vacating Order No. 528230 and in support of its Motion states as follows:

1. Under date of August 9, 2006, Movant filed its Motion to Stay Issuance of Order and to Reopen this cause for trial on the merits. At the time this Motion was filed no Order had issued in this matter.
2. Under date of August 10, 2006, the Commission entered Order No. 528230.
3. The Commission should Vacate Order No. 528230 so that this matter may be reopened and remanded back to the Administrative Law Judge for trial on the merits pursuant to the Motion to Reopen currently pending before the Commission and set for presentation on August 14, 2006.

WHEREFORE, premises considered, Optima Oil & Gas Company, Movant herein, respectfully requests that the Commission Vacate Order No. 528230 so that a full hearing of the issues may be conducted, and a proper Order entered, pooling and adjudicating the rights of the parties.

Respectfully submitted,

MORICOLI, MATULA, SCHOVANEC & HICKMAN

By 

John C. Moricoli, Jr. - OBA No. 6411
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ATTORNEYS FOR OPTIMA OIL & GAS COMPANY

THIS MOTION IS SET FOR HEARING
ON TUESDAY, AUGUST 15, 2006.

CERTIFICATE OF MAILING

This is to certify that a true and correct copy of the above and foregoing Motion To Vacate Order No. 528230 and Notice Setting Motion has been mailed, this 10th day of August, 2006, to the parties set out below, at their respective mailing addresses shown, to-wit:

Mr. Michael Porter
Administrative Law Judge
Oklahoma Corporation Commission
Jim Thorpe Building
Oklahoma City, OK 73105

Ms. Sally Shipley
Deputy General Counsel
for Conservation
Oklahoma Corporation Commission
Jim Thorpe Building
Oklahoma City, OK 73105

Mr. James W. George
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