

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

RECEIVED

APPLICATION SYNERGY OPERATING,  
LLC FOR COMPULSORY POOLING,  
SAN JUAN COUNTY, NEW MEXICO.

NOV 4 2005

Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

Case No. 13,486  
Order No. R-12,376

STIPULATION FOR CONTINUANCE AND STAY

Synergy Operating, LLC, Edwin Smith, LLC, and Jerry Walmsley, Trustee jointly file this stipulation.

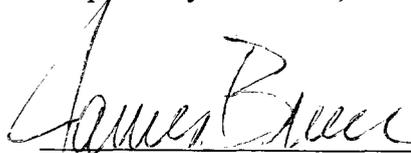
I. STIPULATION FOR A CONTINUANCE.

This matter is currently scheduled for hearing on November 10, 2005. The parties jointly stipulate that this matter be continued to the January 2006 Commission hearing.

II. STIPULATION FOR STAY.

The parties jointly stipulate to a stay of Order No. R-12,376 through January 31, 2006. As part of the stay, Synergy Operating, LLC will not commence drilling its Duff 29-11-8 Well No. 104, to be located in the NW¼ of Section 8, Township 29 North, Range 11 West, NMPM, until the stay expires or is dissolved. Because the parties stipulate to this stay, a proposed stay order is not filed with this pleading.

Respectfully submitted,



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Attorney for Synergy Operating, LLC

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Approved by e-mail 10/31/05

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Attorneys for Edwin Smith, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record, in the manner indicated, this 3rd day of November, 2005:

Via U.S. Mail

David K. Brooks  
Oil Conservation Commission  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Via U.S. Mail

Joseph C. Robbins  
2136 North Lakeshore Drive  
Chapel Hill, North Carolina 27514



James Bruce

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

**IN THE MATTER OF:**

**CASE NO. 13486**

**APPLICATION OF SYNERGY OPERATING, LTD FOR  
COMPULSORY POOLING, SAN JUAN COUNTY, NEW MEXICO**

**ORDER NO. R-12376-B**

**ORDER OF THE DIVISION**

**BY THE DIVISION:**

**THIS MATTER** came before the Director of the Oil Conservation Division (the Division) for consideration on September 29, 2005 at Santa Fe, New Mexico on the joint application of Synergy Operating, LLC, Edwin L. Smith LLC and Jerry Walmsley, Trustee for a stay of Division Order No. R-12376, and the Director, having reviewed the matter and carefully considered the same, now, on this 3<sup>rd</sup> day of October, 2005,

**FINDS THAT:**

All parties in interest have agreed to the requested stay, and it should therefore be granted.

**IT IS THEREFORE ORDERED THAT:**

- (1) Order No. R-12376 is hereby stayed until December 1, 2005.
- (2) ~~Synergy Operating, LLC shall not commence drilling its Duff 29-11-8~~  
Well No. 104, to be located in the Northwest Quarter of Section 8, Township 29 North, Range 11 West, NMPM, until this order expires or is dissolved.
- (3) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.