

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

2005 SEP 12 PM 2 30
APPLICATION SYNERGY OPERATING,
LLC FOR COMPULSORY POOLING,
SAN JUAN COUNTY, NEW MEXICO.

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

JOINT UNOPPOSED
MOTION FOR CONTINUANCE
AND
APPLICATION FOR STAY

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

I. MOTION FOR CONTINUANCE.

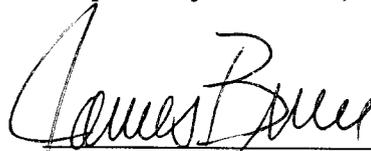
This matter is currently scheduled for hearing on September 15, 2005. The parties jointly request that this matter be continued to the November 10, 2005 Commission hearing.

II. APPLICATION FOR STAY.

The parties have agreed to a voluntary stay of the order entered herein. 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 entered herein expires or is dissolved. A proposed stay order is filed with this pleading.

WHEREFORE, the parties jointly request that the relief requested herein be granted.

Respectfully submitted,



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Approved by e-mail 9/12/05

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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 12th day of September, 2005:

Hand Delivered

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

Via U.S. Mail

Joseph C. Robbins
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James Bruce

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2005 SEP 12 PM 2 30

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

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

AGREED ORDER FOR STAY

BY THE DIVISION:

This matter came before the Division upon the joint application for stay filed by Synergy Operating, LLC, Edwin Smith, LLC, and Jerry Walmsley, Trustee on September 12, 2005. The Division, having considered the record,

FINDS THAT:

The application for stay should be granted.

IT IS THEREFORE ORDERED THAT:

Order No. R-12,376 is hereby stayed until December 1, 2005. Synergy Operating, LLC shall 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 this order expires or is dissolved.

Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MARK E. FESMIRE, P.E.
Director

SEAL