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

IN THE MATTER OF THE APPLICATION
OF MYCO INDUSTRIES, INC. FOR
COMPULSORY POOLING, CHAVES
COUNTY, NEW MEXICO

CASE NO. 14138

MOTION FOR CONTINUANCE

Chesapeake Energy Corporation, ("Chesapeake"), through its undersigned attorneys, Montgomery and Andrews, P.A., moves that the hearing on the above-referenced Application be continued from the examiner hearing scheduled for June 12, 2008 to June 26, 2008. As grounds for this Motion, Chesapeake states:

This is a contested compulsory pooling case. As has been known to the Applicant, Chesapeake is the owner of a significant interest in the leasehold and operating rights underlying the S/2 of Section 34 T15S R34E in Chaves County.

On approximately April 16, 2008, Applicant proposed the drilling of the Starr 34 Fee Well No. 1-H to Chesapeake. Subsequently, on May 5, 2008, Applicant filed its Application for Compulsory Pooling. Chesapeake was not afforded adequate opportunity to evaluate Applicant's well proposal before being notified that Myco had filed to force pool Chesapeake's interests.

Further, on information and belief, the well is currently drilling and Myco has not provided geologic and engineering data on the well. Consequently, Chesapeake has obtained from the Division a subpoena duces tecum for the data. (See Exhibit 1, attached.) It is not known whether Myco will honor the Division's subpoena or object to

it. As an interest owner in the lands, Chesapeake has a right to the well data. Chesapeake must also be afforded an adequate and timely opportunity to evaluate the data so that it may determine whether it will participate in the well. A continuance will facilitate production of the well data and will allow Chesapeake a meaningful opportunity to evaluate it. Thus, it is possible that a contested hearing may be avoided.

Finally, the undersigned is scheduled to be out of town the week of June 9, 2008 and cannot attend the June 12th hearing. It will be necessary to obtain substitute counsel for Chesapeake on very short notice. Correspondingly, Chesapeake requests expedited consideration of this Motion.

We have conferred with Applicant's counsel and have confirmed this Motion will be opposed.

Respectfully submitted,

MONTGOMERY & ANDREWS, P. A.



J. Scott Hall
P.O. Box 2307
Santa Fe, New Mexico 87504-2307
(505) 982-3873 - Telephone
(505) 982-4289 - Fax

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Chesapeake Energy Corporation's Motion for Continuance, and this Certificate of Service were served via facsimile and U.S. mail on June 4th, 2008 to:

Mr. James Bruce, Esq.,
P. O. Box 1056
Santa Fe, NM 87504
(505) 982-2151

Mr. Will Jones
New Mexico Department of Oil Conservation Division
1220 St Francis Dr.
Santa Fe, New Mexico 87505
(505) 476-3462



J. Scott Hall

STATE OF NEW MEXICO
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IN THE MATTER OF THE APPLICATION
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CASE NO. 14138

SUBPOENA DUCES TECUM

TO: Myco Industries, Inc.
c/o James Bruce, Esq.
369 Montezuma, No. 213
Santa Fe, NM 87501

Pursuant to Section 70-2-8, NMSA (1978), and Rule 1214 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m., June 10, 2008, at the offices of the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505 and to produce and make available to Chesapeake Energy Corporation and their attorney, J. Scott Hall, Esq., for copying, the documents and items specified below.

This subpoena is issued on application of Chesapeake Energy Corporation through its attorneys Montgomery and Andrews, P.A., P.O. Box 2307 Santa Fe, New Mexico 87504.

Dated this 3rd day of June, 2008.

NEW MEXICO OIL CONSERVATION DIVISION

By:

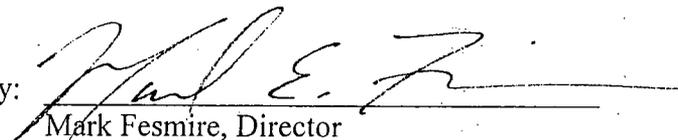

Mark Fesmire, Director

EXHIBIT 'A'

**TO SUBPOENA DUCES TECUM
TO MYCO INDUSTRIES, INC.
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE NO. 14138**

For the Starr 34 Fee Well No. 1 (API 30-005-64018); Unit "P", S/2 Section 34, T-15-S, R-24-E, NMPM, Chaves County, New Mexico:

1. All open-hole and cased-hole logs from surface to total depth.
2. All mud logs from the surface to total depth.
3. All DST reports, including pressure charts, fluid recovery data and observed flow rates, together with service company analysis thereof with respect to reservoir parameters.
4. All daily drilling reports from commencement through completion of the well.
5. All data, analysis and reports for cores and side-wall cores.
6. All surface access, easements and use agreements, along with all surface damages agreements.
7. A copy of the drilling plan for the subject well.
8. All documents or a summary reflecting actual expenditures from commencement of operations on the well to drilling to total depth.
9. All completion reports as such become available.

These subpoena items are ongoing and you have the obligation to supplement the production of documents and materials responsive hereto as new documents and materials become available.