

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

IN THE MATTER OF THE APPLICATION  
OF XTO ENERGY INC. TO TERMINATE THE  
SOUTH BLANCO-TOCITO OIL POOL, INCLUDING  
ITS SPECIAL RULES AND REGULATIONS AND TO  
EXPAND THE BASIN-MANCOS GAS POOL AND FOR  
AN EXCEPTION TO RULE 19.15.12.9 NMAC TO PERMIT  
DOWNHOLE COMMINGLING PRODUCTION FROM THE  
TOCITO FORMATION, NOW MANCOS FORMATION  
PRODUCTION WITH DAKOTA FORMATION PRODUCTION,  
RIO ARriba COUNTY, NEW MEXICO.

CASE NO. 14395

**ENTRY OF APPEARANCE  
& REQUEST FOR CONTINUANCE**

The Oil Conservation Division submits this entry of appearance and request for continuance pursuant to OCD Rules 19.15.4.10 and 19.15.4.15 NMAC.

**APPEARANCES**

**APPLICANT**  
XTO ENERGY INC.

**APPLICANT'S ATTORNEY**

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KELLAHIN & KELLAHIN  
706 Gonzales Road  
Santa Fe, New Mexico 87501  
Telephone: (505) 982-4285  
tkellahin@comcast.net

**OTHER PARTIES**  
**OIL CONSERVATION DIVISION**

**ATTORNEY**

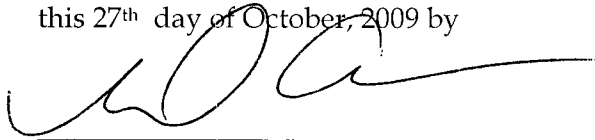
**MIKAL ALTOMARE**  
Oil Conservation Division  
Energy, Minerals & Natural Resources Dept.  
1220 S. St. Francis Drive  
Santa Fe, NM 87505  
(505) 476-3451 [f: 476-3480]  
**Mikal.Altomare@state.nm.us**

### REQUEST FOR CONTINUANCE

This matter is currently scheduled to proceed to hearing before a Division Examiner on October 29, 2009. The Oil Conservation Division, specifically the Aztec District Office, has performed a preliminary review of the materials provided by the applicant, and has some preliminary concerns regarding the application that it would like additional time to evaluate and consider. Further, the OCD has been advised by the BLM that it too has only just become aware of the pending application. The BLM has contacted the OCD and advised that it likewise has concerns and would like additional time to consider the ramifications of the applicant's proposal.

The OCD therefore requests that this matter be continued to the December 3, 2009 docket to permit additional time to review, evaluate and consider the applicant's proposal.

Respectfully submitted  
this 27<sup>th</sup> day of October, 2009 by



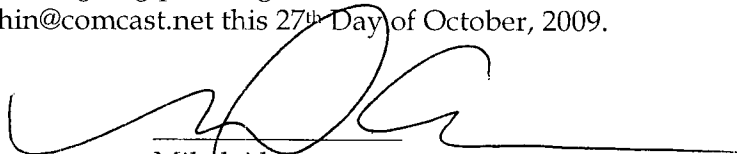
MIKAL ALTOMARE

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Attorney for the Oil Conservation Division

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was emailed to counsel for XTO Energy, Thomas Kellahin at tkellahin@comcast.net this 27<sup>th</sup> Day of October, 2009.



Mikal Altomare