

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

2004 JUL 2 PM 3 20

IN THE MATTER OF THE APPLICATION OF  
DEVON ENERGY PRODUCTION COMPANY, L.P.  
FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

Case No. 13048  
Order No. R-11962 *De Novo*

IN THE MATTER OF THE APPLICATION OF  
EGL RESOURCES, INC.  
FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

Case No. 13049  
Order No. R-11962 *De Novo*

**SECOND MOTION FOR CONTINUANCE**

EGL RESOURCES, INC., (“EGL”), and ROBERT LANDRETH , (“Landreth”),  
move the Commission chairman enter an order continuing the hearing de novo in this  
matter from the July 15, 2004 Commission hearing docket to the August 12, 2004  
docket. As grounds for this Motion, EGL and Landreth state:

Previously, movants have sought clarification of the scope of the matters to be  
considered at the hearing de novo, which had been rescheduled to July 15<sup>th</sup>. On June 14,  
2004, the parties attended a Rule 1211.B pre-hearing conference to discuss their April 6,  
2004 Motion To Dismiss and the May 10, 2004 Motion To Compel. The issues that may  
be brought before the Commission remain uncertain and it does not appear there will be  
sufficient time to adequately prepare for the hearing or to meet pre-hearing filing  
deadlines. Further, in the meantime, scheduling conflicts have developed for movants’  
counsel that also complicate pre-hearing preparations.

At the June 14<sup>th</sup> conference, counsel for both EGL/Landreth and Devon made  
clear that there were no pressing issues that made a hearing on the merits immediately

necessary. Unlike the earlier history in this case, there are presently no problems with rig schedules, expiring leases, farmouts or term assignments, and as a consequence, no party will incur prejudice from an additional continuance of the hearing de novo.

Finally, it should be noted that the current advertisement for the July 15th hearing identifies the incorrect common source of supply (*Antelope Ridge-Devonian Gas Pool*).

We attempted to obtain concurrence from Devon, but its counsel is currently out of town.

WHEREFORE, EGL and Landreth request the Commission chairman enter an order continuing the hearing de novo in this matter to the August 12, 2004 de novo hearing docket.

Respectfully submitted,  
MILLER STRATVERT P.A.

By:   
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**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was faxed to counsel of record on the 2nd day of July, 2004 as follows:

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A handwritten signature in cursive script, appearing to read "J. Scott Hall".

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J. Scott Hall