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July 28, 2003

**VIA FACSIMILE**

Carol Leach, Esq.  
David K. Brooks, Esq.  
David R. Catanach, Hearing Examiner  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe New Mexico 87505

**RECEIVED**  
JUL 28 2003  
Oil Conservation Division

Re: NMOCD Case 12085  
Application of EGL Resources, Inc. for pool expansion  
or in the alternative pool creation, Lea County, New Mexico

Re: NMOCC Cases 13048 and 13049 (de novo)  
Order R-11962  
(1) Case 13048: Application of Devon Energy Production Company,  
L.P. for compulsory pooling, Lea County, New Mexico  
  
(2) Case 1304: Application of EGL Resources, Inc.  
for compulsory pooling, Lea County, New Mexico

Dear Ms. Leach, Mr. Brooks and Mr. Catanach:

I have received a copy of a letter sent by Mr. Scott Hall, dated July 25, 2003, (via facsimile transmitted 6:59 pm, July 25, 2003) requesting that the Division decide certain pending motion by July 29, 2003. It appears to me that Mr. Hall has confused motions filed with the Division with some filed with the Commission and has neglected to reference Case 13085. My records show the following:

(1) May 27, 2003:

Devon's motion, filed with the Division, requested a stay of Division Order R-11962, entered May 13, 2003, in Cases 13048 and 13049 pending a Commission de novo hearing in order to maintain the status quo.

(2) May 29, 2003:

EGL/Landreth response to Devon's motion to stay order.

(3) June 26, 2003:

In Case 13085, EGL/Landreth filed its motion to Stay Devon's drilling operations in Section 33.

(4) Division denied Devon's May 27, 2003 motion to stay the pooling cases maintain status quo pending the De Novo hearing by Commission

(5) July 2, 2003:

EGL/Landreth's motion to the Commission to continue the De Novo hearing set for July 17, 2003.

(6) July 2, 2003:

The Commission, without notice to Devon, grants continuance of De Novo cases to an unspecified date.

(7) July 2, 2003:

In Case 13085, Devon filed its response to EGL/Landreth's motion to stay Devon's operations in Section 33.

(8) July 2, 2003:

In the DeNovo cases, Devon filed its motion to reopen Cases 13048 and 13049 to include Devon's plan of operation for the Rio Blanco 4-1 well.

(9) July 7, 2003:

Division, asserting lack of jurisdiction, dismissed Devon's motion to reopen Cases 13048 and 13049.

(10) July 9, 2003:

Devon, in accordance with the Division order, filed its motion to reopen cases 13048 and 13049 with the Commission.

(11) July 11, 2003:

EGL/Landreth filed its response to Devon's motion to reopen Cases 13048 and 13049.

(12) July 11, 2003:

In Case 13085, EGL/Landreth filed its amended motion to stay Devon's operations both in Section 33 and now Section 9.

(13) July 14, 2003:

In Case 13085, EGL/Landreth filed its reply to Devon's response to EGL/Landreth's motion to stay Devon's operations.

(14) July 15, 2003:

In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to the Commission to reopen these cases and remand them to the Division for further hearing.

(15) July 17, 2003:

In Case 13085, Devon filed its response to EGL/Landreth's amended motion to Stay Devon's operations.

(16) July 17, 2003:

In Cases 13048 and 13049, Devon filed its motion to remand these cases back of the Division for consolidation with Case 13085 to consider technical evidence.

(17) July 24, 2003:

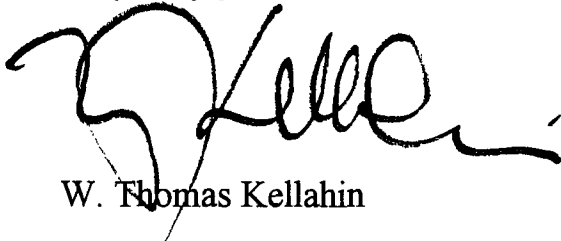
In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to remand for consider technical evidence

Ms. Leach, Mr. Brooks, Mr. Catanach  
July 28, 2003  
Page 4

Devon requests that the Commission and the Division entered orders deciding these motions. At this point, at the request of EGL/Landreth, the two pooling cases have been continued to an unspecified Commission hearing date, and the pool expansion case is currently set for hearing before the Division on August 21, 2003.

As a result of continuances granted to EGL/Landreth, Devon wishes to inform the agencies that one of its key witnesses is now not available for testifying on either August 14 or 21, 2003.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', with a stylized, cursive script.

CC:

J. Scott Hall, Esq.  
Attorney for EGL/ Landreth

Devon Energy Production Company, L.P.  
Attn: Richard Winchester