

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

**APPLICATION OF OXY USA WTP LIMITED
PARTNERSHIP FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.**

Case No. 13,534

MOTION FOR CONTINUANCE

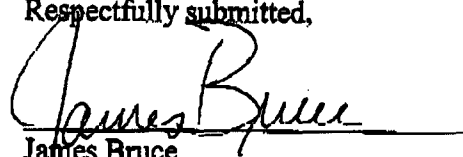
Pogo Producing Company ("Pogo") moves for a two week continuance of the hearing in this matter, and in support thereof, states:

1. The hearing in the above matter is set for August 11th.
2. Pogo has informally requested a two week continuance of this matter from applicant, but has not received a response as of this date.
3. As reasons for the continuance, Pogo states;
 - (a) Pogo received notice of this hearing on August 2nd. See Exhibit A. Thus, it has had limited time to prepare for the hearing;
 - (b) Pogo's representatives recently met with applicant's representatives to discuss resolution of this matter, and Pogo believes that the parties can reach a voluntary agreement; and
 - (c) At the foregoing meeting, applicant's representatives stated that a drilling rig would not be on location for approximately 60 days, and as a result there is no imminent need to have the case heard on August 11th.
4. Pogo will not seek a further continuance if this request is granted.

WHEREFORE, Pogo requests that this case be continued to the August 25th hearing.

WST 8/9/05
cm

Respectfully submitted,



James Bruce

Post Office Box 1056

Santa Fe, New Mexico 87504

(505) 982-2043

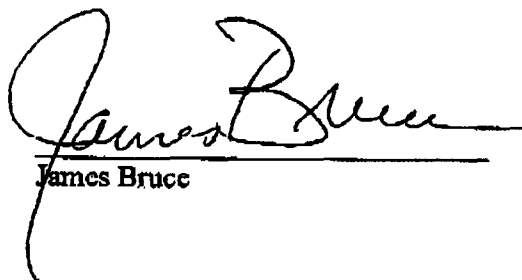
Attorney for Pogo Producing Company

WFO 8/9/05

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 9th day of August, 2005 by facsimile transmission:

William F. Carr
Holland & Hart LLP
P.O. Box 2208
Santa Fe, New Mexico 87504
(505) 983-6043 FAX



James Bruce

08/02/2005 08:40 FAX 432 685 8151

Pogo Prod Co - Land Dept - Jim Bruce

002

HOLLAND & HART William F. Carr
wcarr@hollandhart.com**RECEIVED****AUG 02 2005****MIDLAND**

July 19, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTEDPogo Production Company
Post Office Box 10340
Midland, Texas 79702

Attention: Terry Gant

Re: Application of OXY USA WTP Limited Partnership for compulsory pooling, Harding County,
New Mexico. (Fat Cactus Federal Com Well No. 1)

Ladies and Gentlemen:

This letter is to advise you that OXY USA WTP Limited Partnership has filed the enclosed application with the New Mexico Oil Conservation Division seeking the compulsory pooling of the standard 320-acre spacing and proration unit comprised of the E/2 of Section 15, Township 19 North, Range 27 East, NMPM, Lea County, New Mexico. Said unit will be dedicated to OXY USA WTP Limited Partnership's proposed Fata Cactus Federal Well No. 1 which it proposes to drill at a standard gas well location 660 feet from the North line and 1400 feet from the East line of said Section 15 to test all formations from the surface to the base of the Morrow formation.

This application has been set for hearing before a Division Examiner on August 11, 2005, at the Oil Conservation Division's Santa Fe office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-Hearing Statement with the Division at its Santa Fe Office four days in advance of a scheduled hearing, but in no event later than the Friday preceding the scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,


William F. Carrcc: Mr. Doug Hurlbut
OXY USA WTP Limited Partnership

Holland & Hart LLP

Phone (505) 888-6421 Fax (505) 888-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Albuquerque Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ©

BEFORE THE OIL CONSERVATION DIVISION

APPLICATION OF OXY USA WTP LIMITED PARTNERSHIP FOR
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 13,534

RESPONSE IN OPPOSITION OF
OXY USA WTP LIMITED PARTNERSHIP
TO POGO PRODUCING COMPANY'S MOTION FOR CONTINUANCE

OXY USA WTP LIMITED PARTNERSHIP ("OXY") opposes the motion of Pogo Producing Company ("Pogo") for a two week continuance of the examiner hearing in the above-referenced case, and states:

1. OXY's application in this case was timely mailed by certified mail to Pogo on July 21, 2004. Although Pogo states it did not receive this letter until August 2, 2005, (See, Exhibit A) and needs additional time to prepare, OXY first proposed this well by letter dated **April 4, 2005** and has been in negotiations with Pogo since that time. Pogo has had ample notice of OXY's plans for this well and should not need additional time to prepare.

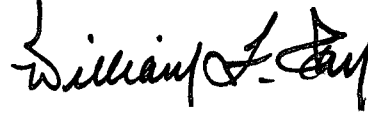
2. While Pogo states its belief that the parties can reach a voluntary agreement for this well, no agreement has been reached. OXY hopes to reach a voluntary agreement with Pogo, and states that it is willing to continue negotiations after the hearing on this application.

3. OXY has advised Pogo that its plans have been to drill this well after it drills its Horse Tail Well. However, as OXY has also advised Pogo that it has not received the Application for Permit to Drill the Horse Tail Well and it may be delayed due to archeological concerns. If OXY does not receive the Application for Permit to Drill the Horse Tail Well, it plans to move a drilling rig onto the Fat Cactus location in 20 to 30 days.

OXY has complied with all the requirements of the Division for a compulsory pooling order. OXY may need to move onto the location within a month and therefore requests that Pogo's motion for a continuance be denied and that the hearing on August 11, 2005 proceed as scheduled.

2005 AUG 10 AM 9:55

Respectfully submitted,

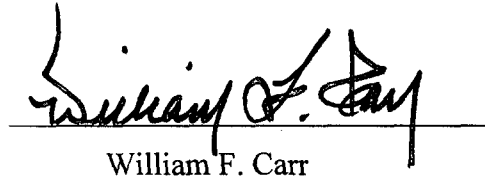


William F. Carr
Attorney for OXY USA WTP Limited
Partnership

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 9th day of August, 2005 by facsimile transmission:

James Bruce, Esq.
Post Office Box 1056
Santa Fe, New Mexico 87504



William F. Carr

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 1140 0002 9557 8873

MIDLAND, TX 79702

Postage	\$ 0.60	UNIT ID: 0500
Certified Fee	2.38	Postmark JUL 2005 SANTA FE NM S 8750N
Return Receipt Fee (Endorsement Required)	1.75	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.65	

Sent To Pogo Production Co.
 Street, Apt. No., or PO Box No. P.O. Box 10340
 City, State, ZIP+ 4 Midland, TX 79702

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Pogo Production Co.
 P.O. Box 10340
 Midland, TX 79702

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)	B. Date of Delivery
C. Signature X [Signature]	8-2-05
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy)

7001 1140 0002 9557 8873

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-11-0952

EXHIBIT A