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STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
2008 JUN 23 10 43 AM  
OIL CONSERVATION DIVISION

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

CASE NO. 14138

SECOND 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 26, 2008 to July 10, 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.

The hearing in this matter, originally scheduled for June 12, 2008, was continued to allow the parties additional time to negotiate and for Myco to produce documents and well data pursuant to a subpoena duces tecum obtained by Chesapeake. Since the issuance of the subpoena, Myco has objected to the production of the materials sought. 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

In the interim, Chesapeake's counsel has been involved in a special examiner hearing in Case Nos. 14134 and 14141. The hearing in those cases has run longer than

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anticipated and counsel has been unable to confer with counsel for Myco in order to resolve the objections to the subpoena.

It remains a possibility that the dispute may be resolved without the necessity for a contested hearing and a second continuance will facilitate that.

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

Respectfully submitted,

MONTGOMERY & ANDREWS, P. A.



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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 23, 2008 to:

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

Mr. Richard Ezeanyim  
New Mexico Oil Conservation Division  
1220 St Francis Dr.  
Santa Fe, New Mexico 87505  
(505) 476-3462



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J. Scott Hall

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