

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

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

CASE NO. 14138

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Montgomery and Andrews, P.A. (J. Scott Hall) on behalf of Chesapeake Energy Corporation, as required by the Oil Conservation Division.

APPEARANCES

APPLICANT'S ATTORNEY

James Bruce, Esq.
P. O. Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

APPLICANT

Myco Industries, Inc.

OPPONENT'S ATTORNEY

J. Scott Hall, Esq.
Montgomery and Andrews, P.A.
Post Office Box 2307
Santa Fe, New Mexico 87504
(505) 982-3873

OPPONENT

Chesapeake Energy Corporation

OTHER PARTY'S ATTORNEY

OTHER PARTY

STATEMENT OF THE CASE

APPLICANT

Applicant seeks an order pursuant to NMSA 1978 Section 70-2-17 pooling all mineral interests in the Wolfcamp formation underlying the S/2 of Section 34, Township 15 South, Range 24 East, NMPM, Chaves County, New Mexico, for the drilling of its Starr 34 Fee Well No. 1-H.

OPPOSITION OR OTHER PARTY

Chesapeake Energy Corporation opposes Myco's Application for the reason, among others, that Chesapeake has not been afforded adequate opportunity to evaluate and consider Myco's well proposal. The well is currently drilling.

PROPOSED EVIDENCE

APPLICANT
WITNESSES

EST. TIME

NO. OF

EXHIBITS

OPPOSITION

WITNESSES
EXHIBITS

EST. TIME

NO. OF

Ed Birdshead

30 minutes

8

PROCEDURAL MATTERS

Chesapeake has filed a Motion for Continuance which is opposed. It has also subpoenaed well information. Myco has indicated it will object to the subpoena.

MONTGOMERY & ANDREWS, P.A.

By: J. Scott Hall
J. Scott Hall, Esq.
Post Office Box 2307
Santa Fe, New Mexico 87504
(505) 982-3873
Attorneys for Chesapeake Energy Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Chesapeake Energy Corporation's Pre-Hearing Statement, and this Certificate of Service were served via facsimile and U.S. mail on June 4th, 2008 to:

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

J. Scott Hall
J. Scott Hall