

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

IN THE MATTER OF THE APPLICATION
OF XTO ENERGY INC. TO TERMINATE THE
SOUTH BLANCO-TOCITO OIL POOL, INCLUDING
ITS SPECIAL RULES AND REGULATIONS AND TO
EXPAND THE BASIN-MANCOS GAS POOL AND FOR
AN EXCEPTION TO RULE 19.15.12.9 NMAC TO PERMIT
DOWNHOLE COMMINGLING PRODUCTION FROM THE
TOCITO FORMATION, NOW MANCOS FORMATION
PRODUCTION WITH DAKOTA FORMATION PRODUCTION,
RIO ARRIBA COUNTY, NEW MEXICO.

CASE NO. 14395

**ENTRY OF APPEARANCE
& REQUEST FOR CONTINUANCE**

The Oil Conservation Division submits this entry of appearance and request for continuance pursuant to OCD Rules 19.15.4.10 and 19.15.4.15 NMAC.

APPEARANCES

APPLICANT
XTO ENERGY INC.

APPLICANT'S ATTORNEY

THOMAS KELLAHIN
KELLAHIN & KELLAHIN
706 Gonzales Road
Santa Fe, New Mexico 87501
Telephone: (505) 982-4285
tkellahin@comcast.net

OTHER PARTIES
OIL CONSERVATION DIVISION

ATTORNEY

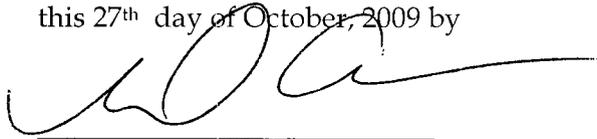
MIKAL ALTOMARE
Oil Conservation Division
Energy, Minerals & Natural Resources Dept.
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3451 [f: 476-3480]
Mikal.Altomare@state.nm.us

REQUEST FOR CONTINUANCE

This matter is currently scheduled to proceed to hearing before a Division Examiner on October 29, 2009. The Oil Conservation Division, specifically the Aztec District Office, has performed a preliminary review of the materials provided by the applicant, and has some preliminary concerns regarding the application that it would like additional time to evaluate and consider. Further, the OCD has been advised by the BLM that it too has only just become aware of the pending application. The BLM has contacted the OCD and advised that it likewise has concerns and would like additional time to consider the ramifications of the applicant's proposal.

The OCD therefore requests that this matter be continued to the December 3, 2009 docket to permit additional time to review, evaluate and consider the applicant's proposal.

Respectfully submitted
this 27th day of October, 2009 by



MIKAL ALTOMARE

Oil Conservation Division
Energy, Minerals and Natural
Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3480

Attorney for the Oil Conservation Division

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was emailed to counsel for XTO Energy, Thomas Kellahin at tkellahin@comcast.net this 27th Day of October, 2009.



Mikal Altomare