

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

2005 MAY 19 PM 1 05

IN THE MATTER OF THE APPLICATION  
OF MEWBOURNE OIL COMPANY FOR  
CANCELLATION OF A DRILLING PERMIT  
AND APPROVAL OF A DRILLING PERMIT  
LEA COUNTY, NEW MEXICO

CASE NO. 13492

CHESAPEAKE OPERATING INC.'S  
RESPONSE TO  
MOTION FOR TEMPORARY SUSPENSION OF APD

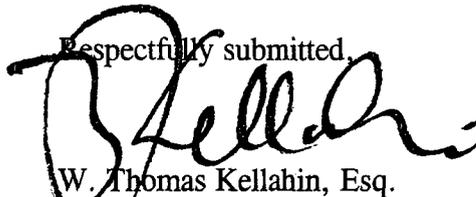
Chesapeake Operating, Inc. and Chesapeake Permian, L.P. (collectively "Chesapeake") by its attorneys, Kellahin & Kellahin, in response to the Motion of Samson Resources Company ("Samson") and Kaiser-Francis Oil Company ("Kaiser") for an order temporarily suspending the APD issued to Chesapeake for the Cattleman "4" State Com Well No. 1 (API No. 30-025-37150) filed on May 13, 2005, state:

1. Chesapeake takes exception to the argumentative and self-service statement and bellicose posturing made by counsel for movants in this motion and will not engage in this. As Chesapeake has repeatedly stressed, its desire to avoid all of this gamesmanship being forced upon it by the opponents and wants the Division to decide this matter based upon the technical evidence and determined spacing unit orientation for this section.
2. Chesapeake holds a valid oil and gas lease for Lots 1, 2, 7, 8, of this section and has 50% of the WIO for the spacing unit in which the Cattleman "4" State Com Well No. 1 is located.

5/19/05  
KNT

3. Chesapeake has a valid and approved APD granting it every right to proceed with drilling, but despite that, Chesapeake, as an accommodation, will voluntarily agree that it will not commence building a location or spud this well until the Division's Examiner has entered an order deciding the orientation of the spacing unit for the K-F State "4" Well No. 1.
  
4. There is no need for issuing a temporary suspension of Chesapeake APD under these circumstances, when Chesapeake does not intend to spud this well until the Division Examiner enters his order in Case 13493.

Respectfully submitted,



W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
117 N. Guadalupe  
Santa Fe, New Mexico 87501  
505-982-4285 (ph)  
505-982-2047 (fx)  
kellahin@earthlink.net

## CERTIFICATE OF SERVICE

I, W. Thomas Kellahin, certify that a true and correct copy of this pleading was hand delivered or sent via facsimile on May 19, 2005 as follows:

James Bruce, Esq.,  
P. O. Box 1056  
Santa Fe, New Mexico 87504  
Attorney for Mewbourne Oil Company  
Fax 505-982-2151

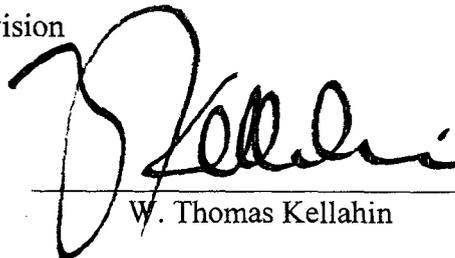
J. Scott Hall, Esq.  
P. O. Box 1986  
Santa Fe, New Mexico 87504  
Attorney for Kaiser-Francis Oil Company  
Fax: 505-989-9857

J. E. Gallegos, Esq.  
Gallegos Law Firm  
460 St. Michaels Drive, Suite 300  
Santa Fe, New Mexico 87505  
Fax: 505-986-1367

David Brooks, Esq.  
New Mexico Oil Conservation Commission  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87504  
Fax: 505-476-34625-986-1367 (fx)

Gail MacQuesten, Esq.  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87504  
Fax: 505-476-3462

William Jones, Hearing Examiner  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
Fax (505) 476-3462



W. Thomas Kellahin