

DEVON CORRESPONDENCE

CHRONOLOGIC ORDER

**KELLAHIN & KELLAHIN
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July 28, 2003

VIA FACSIMILE

Carol Leach, Esq.
David K. Brooks, Esq.
David R. Catanach, Hearing Examiner
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe New Mexico 87505

RECEIVED

JUL 28 2003

Oil Conservation Division

Re: NMOCD Case 12085
Application of EGL Resources, Inc. for pool expansion
or in the alternative pool creation, Lea County, New Mexico

Re: NMOCC Cases 13048 and 13049 (de novo)
Order R-11962

(1) Case 13048: Application of Devon Energy Production Company,
L.P. for compulsory pooling, Lea County, New Mexico

(2) Case 1304: Application of EGL Resources, Inc.
for compulsory pooling, Lea County, New Mexico

Dear Ms. Leach, Mr. Brooks and Mr. Catanach:

I have received a copy of a letter sent by Mr. Scott Hall, dated July 25, 2003, (via facsimile transmitted 6:59 pm, July 25, 2003) requesting that the Division decide certain pending motion by July 29, 2003. It appears to me that Mr. Hall has confused motions filed with the Division with some filed with the Commission and has neglected to reference Case 13085. My records show the following:

(1) May 27, 2003:

Devon's motion, filed with the Division, requested a stay of Division Order R-11962, entered May 13, 2003, in Cases 13048 and 13049 pending a Commission de novo hearing in order to maintain the status quo.

(2) May 29, 2003:

EGL/Landreth response to Devon's motion to stay order.

✓ (3) June 26, 2003:

In Case 13085, EGL/Landreth filed its motion to Stay Devon's drilling operations in Section 33.

(4) Division denied Devon's May 27, 2003 motion to stay the pooling cases maintain status quo pending the De Novo hearing by Commission

(5) July 2, 2003:

EGL/Landreth's motion to the Commission to continue the De Novo hearing set for July 17, 2003.

(6) July 2, 2003:

The Commission, without notice to Devon, grants continuance of De Novo cases to an unspecified date.

✓ (7) July 2, 2003:

In Case 13085, Devon filed its response to EGL/Landreth's motion to stay Devon's operations in Section 33.

(8) July 2, 2003:

In the DeNovo cases, Devon filed its motion to reopen Cases 13048 and 13049 to include Devon's plan of operation for the Rio Blanco 4-1 well.

(9) July 7, 2003:

Division, asserting lack of jurisdiction, dismissed Devon's motion to reopen Cases 13048 and 13049.

(10) July 9, 2003:

Devon, in accordance with the Division order, filed its motion to reopen cases 13048 and 13049 with the Commission.

(11) July 11, 2003:

EGL/Landreth filed its response to Devon's motion to reopen Cases 13048 and 13049.

✓ (12) ~~July 11, 2003:~~

In Case 13085, EGL/Landreth filed its amended motion to stay Devon's operations both in Section 33 and now Section 9.

✓ (13) ~~July 14, 2003:~~

In Case 13085, EGL/Landreth filed its reply to Devon's response to EGL/Landreth's motion to stay Devon's operations.

(14) July 15, 2003:

In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to the Commission to reopen these cases and remand them to the Division for further hearing.

✓ (15) ~~July 17, 2003:~~

In Case 13085, Devon filed its response to EGL/Landreth's amended motion to Stay Devon's operations.

(16) July 17, 2003:

In Cases 13048 and 13049, Devon filed its motion to remand these cases back of the Division for consolidation with Case 13085 to consider technical evidence.

(17) July 24, 2003:

In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to remand for consider technical evidence

Ms. Leach, Mr. Brooks, Mr. Catanach

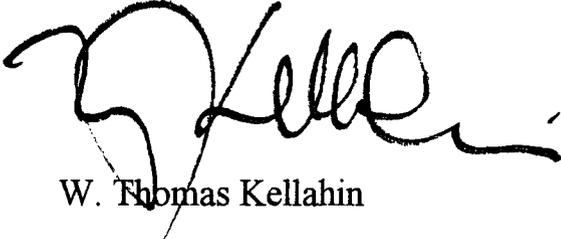
July 28, 2003

Page 4

Devon requests that the Commission and the Division entered orders deciding these motions. At this point, at the request of EGL/Landreth, the two pooling cases have been continued to an unspecified Commission hearing date, and the pool expansion case is currently set for hearing before the Division on August 21, 2003.

As a result of continuances granted to EGL/Landreth, Devon wishes to inform the agencies that one of its key witnesses is now not available for testifying on either August 14 or 21, 2003.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written over a printed name.

W. Thomas Kellahin

CC:

J. Scott Hall, Esq.

Attorney for EGL/ Landreth

Devon Energy Production Company, L.P.

Attn: Richard Winchester

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August 4, 2003

VIA FACSIMILE

David R. Catanach, Hearing Examiner
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe New Mexico 87505

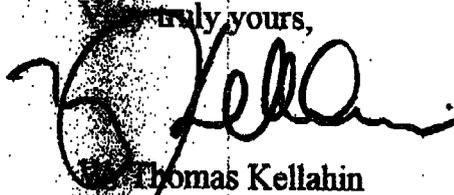
Re: NMOCD Case 12005
Application of EGL Resources, Inc. for pool expansion
or in the alternative pool creation, Lea County, New Mexico

Dear Mr. Catanach:

In behalf of Devon Energy Production Company, L.P. ("Devon"), I request that the referenced case, currently set for hearing on the August 21, 2003 Examiner's docket, be continued to a special hearing to commence on either August 26, 27 and 28, 2003.

I estimate that the hearing of this case will take at least one full day and maybe 1-1/2 or 2 days.

Sincerely yours,



W. Thomas Kellahin

J. Scott Hall, Esq.
Attorney for EGL/ Landreth
Devon Energy Production Company, L.P.
Attn: Richard Winchester

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FAX TRANSMITTAL FORM

To

Name: David Catanach
Agency:
Oil Conservation Division
Fax: 476-2402

- Urgent
- For Review
- Please Comment
- Please Reply

From

W. Thomas Kellahin

Telephone 505-982-4285
Facsimile 505-982-2047
TKELLAHIN@AOL.COM

Date sent: 9-08-03
Time sent: 10:15 am
Number of pages including cover page:

- 8 -

Please see attached letter dated September 8, 2003 with enclosure

Copy by Facsimile to:

J. Scott Hill, Esq. 505-989-9857

Devon Energy Production Company, L.P.
Attn: Richard Winchester

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September 8, 2003

VIA FACSIMILE

Mr. David R. Catanach
Hearing Examiner
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: NMOCD Case 13105
Application of EGL/Lendreth for
Pool creation or pool expansion,
Lea County, New Mexico

Dear Mr. Catanach:

This morning you called to advise me that Mr. Hall has suggested to you that he wanted you to hear the referenced case on Monday, September 15th. I have checked with Devon and 3 of my witnesses are not available the week of September 15th:

- (1) Steve Hulke (Devon's geologist) is in Illinois attending to his mother who is having serious heart problems. We have been unable to reach him by phone this morning to confirm if he will be able to attend an OCD hearing the week of September 15.
- (2) Jim Hager (Devon's geophysicist) is required to be in Wyoming on Devon business September 15-18th.
- (3) Richard Winchester will be unavailable the week of September 15th because on Friday, September 12, his wife's pregnancy will be induced for delivery.

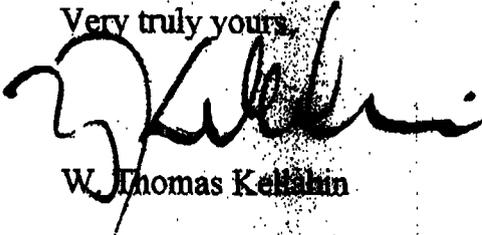
Oil Conservation Division

September 8, 2003

-Page 2-

In addition, EGL/Landreth have obtained repeated continuances of this hearing arguing that they cannot proceed to hearing until the Rio Blanco 4-2 well is been completed and tested. Devon concurs. As of this morning, EGL is having trouble with a leaking liner and is appears very doubtful that the well have be completed and meaningfully tested by the end of nest week. See EGL drilling report attached as Devon Exhibit "A". There is no point in the Division having a hearing prior to EGL providing sufficient technical data from the Rio Blanco 4-1 well.

Very truly yours,



W. Thomas Kellahin

cc

J. Scott Hall, Esq.

Attorney for EGL/Landreth

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September 9, 2003

VIA FACSIMILE

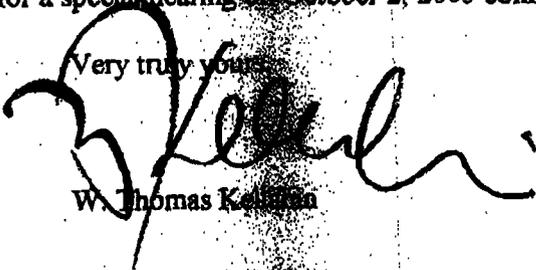
Mr. David R. Catanach
Hearing Examiner
Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Confirmation of hearing date
NMOCD Case 13085
Application of the EGM Landreth for
Pool Creation or Pool Expansion, Lea County New Mexico

Dear Mr. Catanach:

On behalf of Devon Energy Corporation, we will be available if the Division scheduled this case for a special hearing on October 2, 2003 commencing at 8:15 am.

Very truly yours,


W. Thomas Kellahin

CC: David R. Catanach,
NMOCD Hearing Examiner
Gail MacQuesten, Esq.,
Attorney for the Division
J. Scott Hall, Esq.,
Attorney for EGM Landreth
Devon Energy Corporation
Attn: Richard Manchester