



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor  
**Betty Rivera**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

August 21, 2002

**Myco Industries, Inc.**  
c/o **Holland & Hart L.L.P.**  
**P. O. Box 2208**  
**Santa Fe, New Mexico 87504-2208**

**Attention: Michael H. Feldewert**

**Re:** *Division Case No. 12914: Application of Myco Industries, Inc. for compulsory pooling in the S/2 Section 13, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico (Baton Rouge South State Com. Well No. 1).*

Dear Mr. Feldewert:

Pursuant to the Division's new "continuance procedures" (see copy attached), your motion to continue this case from the August 22, 2002 docket to October 10, 2002 (seven weeks) is hereby approved.

Should you have any further questions concerning this matter, please contact Richard Ezeanyim, Chief of the Engineering Bureau, at (505) 476-3467. Thank you.

Sincerely

**Michael E. Stogner**  
Chief Hearing Officer/Engineer

cc: **Jim Bruce**, Legal Counsel for Devon Energy Production Company, LP – Santa Fe  
**Florene Davidson**, NMOCD – Santa Fe

HOLLAND & HART LLP  
ATTORNEYS AT LAW

DENVER • ASPEN  
BOULDER • COLORADO SPRINGS  
DENVER TECH CENTER  
BILLINGS • BOISE  
CHEYENNE • JACKSON HOLE  
SALT LAKE CITY • SANTA FE  
WASHINGTON, D.C.

SUITE 1  
110 NORTH GUADALUPE  
SANTA FE, NEW MEXICO 87501-6525  
MAILING ADDRESS  
P.O. BOX 2208  
SANTA FE, NEW MEXICO 87504-2208

TELEPHONE (505) 988-4421  
FACSIMILE (505) 983-6043  
www.hollandhart.com

Michael H. Feldewert

mfeldewert@hollandhart.com  
47186.0001/0002

August 19, 2002

**VIA HAND DELIVERY**

**RECEIVED**

AUG 20 2002

Lori Wrotenbery, Director  
Oil Conservation Division  
New Mexico Energy, Minerals &  
Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Oil Conservation Division

**Re: Case 12913: Application of Myco Industries, Inc. for  
Compulsory Pooling, Eddy County, New Mexico (Baton Rouge  
North State Com Well No. 1)**

**Case 12914: Application of Myco Industries, Inc. for  
Compulsory Pooling, Eddy County, New Mexico (Baton Rouge  
South State Com Well No. 1)**

Dear Ms. Wrotenbery:

Myco Industries requests that the Examiner Hearing in the above-referenced matters, currently scheduled for August 22, 2002, be continued to the October 10, 2002 Examiner docket. One of the affected parties, Devon Energy Production, has requested additional time to consider these well proposals and the parties are in the process of exchanging information in the hope of reaching a resolution.

Your attention to this request is appreciated.

Sincerely,



Michael H. Feldewert

MHF/js

cc: Shari Darr Hodges, CPL  
James Bruce, attorney for Devon Energy Production

June 17, 2002

**TO ALL ATTORNEYS AND APPLICANTS**

**Re:   OCD Continuance Procedure**

Ladies and Gentlemen:

After consultation with attorneys who regularly practice before the Division and with the hearing examiners, the Division has determined that applications pending before Division examiners should not be continued more than twice, except for unusual and cogent reasons, and that cases should not ordinarily be continued for more than four (4) weeks.

Accordingly, effective at all Division hearings after July 1, 2002, cases not presented at the third docket on which they are set will be dismissed unless a Motion for Continuance is filed setting forth specifically the reasons for the continuance, and the continuance is granted by letter signed by the examiner. Any continuance of more than four weeks will likewise require a motion stating specific reasons and a signed letter granting the continuance.

Should you have any questions about the application of this procedure, please contact Richard Ezeaniym, Chief of the Engineering Bureau, at (505)-476-3467, or David Brooks, Division attorney, at (505)-476-3450.

We believe that this new procedure, with your assistance and cooperation, will improve the efficiency of the Division's hearing process.

Very truly yours,

Lori Wrotenbery  
Director