

**ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

IN THE MATTER OF:

CASE NO. 13486

**APPLICATION OF SYNERGY OPERATING, LTD FOR
COMPULSORY POOLING, SAN JUAN COUNTY, NEW MEXICO**

ORDER NO. R-12376-A

ORDER OF THE DIVISION

BY THE DIVISION:

THIS MATTER came before the Director of Oil Conservation Division (the Division) for consideration on July 5, 2005 at Santa Fe, New Mexico on the application of Edwin L. Smith LLC for a stay of Division Order No. R-12376, and the Director, having reviewed the matter and carefully considered the same, now, on this 7th day of July, 2005,

FINDS THAT:

(1) On July 1, 2005, the Division issued Order No. R-12376 in this case, granting the application of Synergy Operating, LLC for compulsory pooling of all mineral interests in the W/2 of Section 8, T 29N, R 11W, NMPM, in San Juan County, New Mexico.

(2) Edwin L. Smith LLC, a respondent in this case, thereupon filed an application for *de novo* review of said order by the Oil Conservation Commission (the Commission), and simultaneously filed an Application for Stay of Order No. R-12376 pending such review.

(3) The Director of the Division has jurisdiction, pursuant to Rule 1220.B of the Rules of the Oil Conservation Division, to grant or deny stays of orders of the Division pending review by the Commission

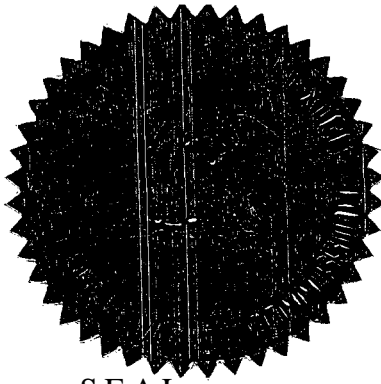
(4) The Director of the Division is of the opinion that the Application for Stay in this case is not well taken, and should be denied.

IT IS THEREFORE ORDERED THAT;

(1) The Application for Stay of Order No. R-12376 is hereby denied.

(2) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



SEAL

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MARK E. FESMIRE, P.E.
Director