FILED

FEB 0 1 2013

SECRETARY, BOARD OF OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER POOLING ALL INTERESTS IN THREE DRILLING UNITS ESTABLISHED BY THE BOARD'S ORDER ENTERED IN CAUSE NO. 139-90 IN SECTION 3, TOWNSHIP 3 SOUTH, RANGE 1 WEST, U.S.M., DUCHESNE AND UINTAH COUNTIES, UTAH, AND SECTIONS 16 AND 36, TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH	)	**MOTION FOR ORDER DESIGNATING HEARING EXAMINER AND SETTING HEARING** **Docket No. 2013-007** **Cause No. 139-102**

NEWFIELD PRODUCTION COMPANY ("**Newfield**"), by and through its undersigned attorneys and pursuant to Rules R641-105-300 and R641-113-100 of the Utah Administrative Code, hereby moves the Board of Oil, Gas and Mining (the "**Board**") for an order designating a hearing examiner in this Cause for the purposes of taking evidence and recommending findings of fact and conclusions of law to the Board and setting March 13, 2013, at 1:30 p.m., or as soon thereafter as possible, as the scheduled date and time for such hearing examiner to conduct a public hearing to receive evidence regarding Newfield's Request for Agency Action in this Cause (the "**Request**"). In the interest of judicial economy and efficiency, the evidence regarding the issues raised by the Request should be heard by a hearing examiner in accordance with Rule R641-113-100. A proposed form of Order Designating Hearing Examiner and Setting Hearing is attached hereto.

Respectfully submitted this 1st day of February, 2013.

VAN COTT, BAGLEY, CORNWALL & McCARTHY

By _____

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BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

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The Board of Oil, Gas and Mining (the "**Board**") having fully considered Newfield Production Company's (the "**Petitioner**") Motion for Order Designating Hearing Examiner (the "**Motion**") and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order granting the Motion as follows:

1. _____ shall be designated as the hearing examiner in this Cause for the purposes of taking evidence and recommending findings of fact and conclusions of law to the Board.

2. The public evidentiary hearing on Petitioner's Request for Agency Action shall be scheduled to be held on March 13, 2013, at 1:30 p.m., or as soon thereafter as possible, in Room 112, Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this ____ day of February, 2013.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

_____
James T. Jensen, Chairman

4840-7253-3778, v. 1

CERTIFICATE OF MAILING

I hereby certify that on this 1st day of February, 2013, I caused a true and correct copy of the foregoing Motion For Order Designating Hearing Examiner And Setting Hearing to be served via U.S. Mail, properly addressed with postage prepaid, upon each of the following:

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