

KELLAHIN & KELLAHIN
Attorney at Law

W. Thomas Kellahin
Recognized Specialist in the Area of
Natural Resources-oil and gas law-
New Mexico Board of Legal Specialization

P.O. Box 2265
Santa Fe, New Mexico 87504
117 North Guadalupe
Santa Fe, New Mexico 87501
October 1, 2004

Telephone 505-982-4285
Facsimile 505-982-2047
kellahin@earthlink.net

VIA FACSIMILE

Mr. Mark Fesmire, Chairman
Oil Conservation Commission
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: REQUEST FOR HEARING DENOVO
NMOCD CASE 13142
Order No. R-12152
Application of the Division for an order
Requiring Maralo, LLC to remediate hydrocarbon contamination
Lea County New Mexico.

Dear Mr. Fesmire:

On behalf of Maralo, LLC, with the concurrence of all counsel of record to continue this case, please find enclosed a request that the De Novo hearing be continued from the Commission's October 14, 2004 docket to the November 10, 2004 docket

Very truly yours,

W. Thomas Kellahin

cc: **Gail MacQuesten, Esq.**
Attorney for OCD
David Sandoval, Esq.
Attorney for Jay Anthony
William C. Olson-OCD
David Lauritzen, Esq.
Attorney for Maralo, LLC
Maralo, LLC,
Attn: Joe Pulido

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

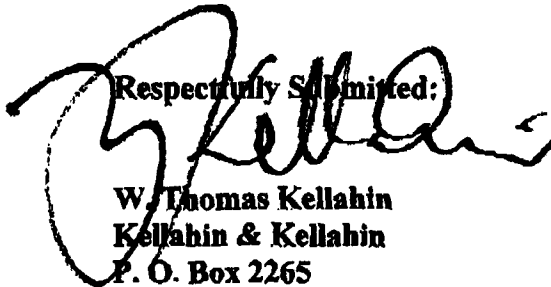
**APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION, THROUGH
THE ENVIRONMENTAL BUREAU CHIEF
FOR AN ORDER REQUIRING MARALO, LLC
REMEDiate HYDROCARBON CONTAMINATION
AT AN ABANDONED WELL AND BATTERY SITE,
(Jay Anthony Complaint) LEA COUNTY, NEW MEXICO**

**CASE NO. 13142 de novo
Order No. R-12152**

**MARALO, LLC'S
MOTION TO CONTINUE**

Comes now Maralo, LLC, a party of record before the New Mexico Oil Conservation Division in Case 13142 and adversely affected by Division Order R-12152 dated June 9, 2004, by its attorneys and moves that the New Mexico Oil Conservation Commission continue the hearing of this case from the October 14, 2004 docket to the November 10, 2004 docket.

Respectfully Submitted:



**W. Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285
Fax 505-982-2047**

**Rick G. Strange
David Lauritzen
Cotton, Bledsoe, Tighe & Dawson
P. O. Box 2776
Midland, Texas 79702
(432) 685-8555
Fax: 432-682-3672
ATTORNEYS FOR MARALO, LLC**

CERTIFICATE OF SERVICE

I certify that, in accordance with Division Rule 1208.A, a true and correct copy of this pleading was delivered this 1st day of October 2004 by facsimile to the following:

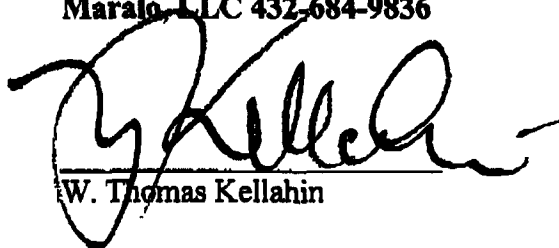
Gail MacQuesten, Esq. 505-476-3462

David Sandoval, Esq. 505-986-0632

David Lauritzen, Esq. 432-682-3672

William C. Olson-OCD 505-476-3462

Maralo, LLC 432-684-9836

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', is written over a horizontal line.

W. Thomas Kellahin