

Continue to Nov 3

MEF


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

RECEIVED OGD

APPLICATION OF COG OPERATING, LLC FOR
CANCELLATION OF OPERATOR'S AUTHORITY AND
TERMINATION OF SPACING UNITS, YESO ENERGY, INC.
DOW "B" 28 FEDERAL WELL NO. 1, EDDY COUNTY, NEW
MEXICO.

2010 SEP 27 P 4: 12

CASE NO. 14472

APPLICATION OF NMOCDC, THROUGH THE COMPLIANCE
AND ENFORCEMENT MANAGER, FOR AN ORDER
AUTHORIZING THE DIVISION TO RECOGNIZE AN
OPERATOR OF RECORD FOR WELLS CURRENTLY
OPERATED BY YESO ENERGY, INC.; LEA, EDDY AND
CHAVES COUNTIES, NEW MEXICO

CASE NO. 14547

MOTION FOR CONTINUANCE

COG Operating, LLC, ("COG"), through its undersigned counsel, Montgomery and Andrews, P.A. (J. Scott Hall, Esq.), moves the Commission or Chairman enter an order continuing the hearing in these consolidated matters from the October 7, 2010 Commission meeting to the next regularly scheduled meeting on November 4, 2010. As grounds for this motion, COG states:

COG's Application in Case No. 14472 seeking the cancellation of the authority of Yeso Energy, Inc. as operator of the Dow "B" 28 Federal Well No. 1 was originally heard by one of the Division's examiners on May 13, 2010, and on July 13, 2010, the Division issued Order No. R-13294. Yeso Energy, Inc. filed an Application for Hearing De Novo on August 9, 2010. Subsequently, on August 19, 2010, the Division filed its Application in Case No. 14547 raising the matter of the future course of operations and administration of the Dow "B" 28 Federal Well No. 1 and a number of other wells that were operated by Yeso Energy. By Order No. R-13309 issued on August 23, 2010, these cases were consolidated for hearing de novo before the Commission.

COG needs only the testimony of its landman witness, Mr. Brent Robertson, to support its Application in Case No. 14472. However, Mr. Robertson is now unable to attend the October 7, 2010 hearing as his presence is required out of town for the closing of an assets acquisition which has recently been rescheduled to the same week as the Commission's hearing. COG will incur prejudice if the hearing is not rescheduled and it is unable to present its single witness.

COG has sought concurrence to this request from counsel for the Division, Ms. MacQuesten, and counsel for Yeso Energy, Mr. Brewer, and both have agreed.

WHEREFORE, COG requests that these consolidated cases be rescheduled for hearing on November 4, 2010.

Montgomery and Andrews, P.A.

By: J. Scott Hall

J. Scott Hall, Esq.
Post Office Box 2307
Santa Fe, New Mexico 87504
(505) 982-3873
(505) 982-4289

Attorneys for COG Operating, LLC

Certificate of Service

I hereby certify that on September 27, 2010, a true and correct copy of the foregoing was sent by electronic mail to the following parties:

Gail MacQuesten, Esq.
Assistant General Counsel
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505
Gail.macquesten@state.nm.us

Phil Brewer, Esq.
P.O. Box 298
Roswell, NM 88202-0298
pbrewer@pegasusplace.com

J. Scott Hall

J. Scott Hall