

**BEFORE THE  
NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION**

**IN THE MATTER OF THE HEARING CALLED BY  
THE OIL CONSERVATION DIVISION FOR THE  
PURPOSE OF CONSIDERING:**

**APPLICATION OF DAVID H. ARRINGTON OIL & GAS INC. FOR COMPULSORY  
POOLING, LEA COUNTY, NEW MEXICO.**

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**CASE NO. 14538  
(De Novo)**

*related to*

**CASE NO. 14497  
(De Novo)**

**MOTION FOR CONTINUANCE**

David H. Arrington Oil & Gas Inc. ("Arrington"), through its attorneys, Holland & Hart, LLP, hereby moves the Oil Conservation Commission for a continuance of the hearing in the above-referenced matter of Case No. 14538 — Arrington already moved for a continuance in the related matter of Case No. 14497 — from July 28, 2011, to the August 25, 2011. In support of its motion, Arrington states as follows:

1. The matter at issue in this motion was originally presented to the Oil Conservation Division by Holland & Hart LLP on September 2, 2010, and Order No. R-13372 was entered by the Division on March 16, 2011, resolving both Case No. 14497 and Case No. 14538.
2. Arrington has requested that the Commission review *de novo* the Division's decision and Order in both Case No. 14497 and Case No. 14538.
3. Legal counsel for Arrington has just recently learned that two of Arrington's witnesses, Keith E. Bucy and Brian Ball, will be unavailable for the July 28, 2011, hearing before the Commission.

4. Arrington requests that the hearing be continued from July 28, 2011, to August 25, 2011, on both Case No. 14497 and Case No. 14538 to enable Arrington's witnesses to be present and available to give testimony.

5. This Motion for Continuance has been provided to James G. Bruce, attorney for Marshall & Winston, Inc.

6. Undersigned counsel has consulted with Mr. Bruce about the continuance relief requested in this Motion. Yesterday, with respect to both Case No. 14497 and Case No. 14538, on behalf of his client Mr. Bruce objected to Arrington's request for a continuance.

WHEREFORE, David H. Arrington Oil & Gas Inc. requests that the Commission hearing on its application in both Case No. 14497 and Case No. 14538 be continued from the July 28, 2011 to the Commission hearing schedule for August 25, 2011.

Respectfully,

HOLLAND & HART LLP

By: 

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ATTORNEYS FOR DAVID H. ARRINGTON OIL  
& GAS, INC.

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2011, I served a copy of the foregoing document to the following by email and U.S. mail:

James Bruce, Esq.  
Attorney at Law  
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Attorney for Farleigh oil Properties  
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