



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

2006 SEP 13 PM 3:20 Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Sept. 13, 2006

Mr. William Jones, Hearing Examiner
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Hand Delivered

CASE No. 13373: APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR AN ORDER DETERMINING THAT ORBIT ENERGY INC. KNOWINGLY AND WILLFULLY VIOLATED 19.15.4.201 NMAC; REQUIRING ORBIT ENERGY INC. TO BRING FIVE WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC; ASSESSING APPROPRIATE CIVIL PENALTIES; AND IN THE EVENT OF NON-COMPLIANCE, AUTHORIZING THE DIVISION TO PLUG SAID WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCES; ROOSEVELT COUNTY, NEW MEXICO.

Dear Mr. Jones:

The above-captioned matter is currently scheduled for hearing on the September 14, 2006 docket. The Applicant Oil Conservation Division respectfully requests a continuance until the October 12, 2006 docket to determine if the matter can be resolved without a hearing.

Very truly yours,

Gail MacQuesten

Assistant General Counsel

Ec: Mr. Jim Frazier, President, Orbit Petroleum
Daniel Sanchez, Enforcement and Compliance Manager
Chris Williams, Supervisor, District 1