



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

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BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

September 10, 2007

Mr. Mark Fesmire
New Mexico Oil Conservation Commisison
1220 S. St. Francis Drive
Santa Fe, NM 87505

Hand-delivered

Re: CASE 13920: APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST NORTHSTAR OIL & GAS FINDING THAT THE OPERATOR IS IN VIOLATION OF 19.15.4.201 NMAC AS TO TWO WELLS, DETERMINING THAT THE VIOLATION IS KNOWING AND WILLFUL AND IMPOSING A PENALTY, REQUIRING OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC BY A DATE CERTAIN, AND IN THE EVENT OF NON-COMPLIANCE DECLARING THE WELLS ABANDONED, AUTHORIZING THE DIVISION TO PLUG THE WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, SAN JUAN COUNTY, NEW MEXICO.

Dear Mr. Fesmire:

The Oil Conservation Division ("OCD") respectfully objects to the motion of Northstar Oil and Gas ("Northstar") for a continuance of the above-captioned matter, which is currently scheduled to be heard de novo by the Oil Conservation Commission on September 13, 2007.

Northstar's letter, sent on Friday, September 7, 2007, cites "a regrettable but unavoidable scheduling conflict" and asks that the case be continued "to a later date." Northstar provides no details about the nature of the scheduling conflict, when it became aware of the conflict, or what actions it took to avoid the conflict. It also provides no information on when the matter could be re-scheduled.

Because Northstar has not provided information to evaluate the need for a continuance, the OCD asks that its request for continuance be denied.

Sincerely,

Gail MacQuesten, OCD Attorney

Cc: Cheryl Bada (hand delivery)
John Corbitt (fax 412-741-4393, and mail)
Jim Bruce (fax 505 982 2151, and mail)

Ec: Daniel Sanchez
Charlie Perrin
Dorothy Phillips