

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

RECEIVED OGD  
MAY 22 2009

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION  
THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A  
COMPLIANCE ORDER AGAINST C & D MANAGEMENT COMPANY D/B/A  
FREEDOM VENTURES COMPANY, FINDING THAT THE OPERATOR  
KNOWINGLY AND WILLFULLY VIOLATED 19.15.13.1115 NMAC AND  
KNOWINGLY AND WILLFULLY VIOLATED 19.15.4.201 NMAC; ASSESSING  
PENALTIES; REQUIRING OPERATOR TO BRING SAID WELLS INTO  
COMPLIANCE WITH 19.15.13.1115 NMAC AND 19.15.4.201 NMAC BY A DATE  
CERTAIN; AND IN THE EVENT OF NON-COMPLIANCE, DECLARING THE  
WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE  
WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, EDDY  
COUNTY, NEW MEXICO.

CASE NO. 14055  
ORDER NO. R-12913

MOTION FOR CONTINUANCE


C & D Management Company D/B/A Freedom Ventures Company by its  
undersigned attorney moves the Commission for a continuance of the hearing in the  
above-captioned matter and as grounds therefore states:

1. On April 13, 2009, Sonny Swazo, Counsel for the Oil Conservation Division, sent an email to undersigned counsel informing him that a hearing before the Commission could be resolved if C & D Management filed complete and accurate C-115's. A copy of Mr. Swazo's email to undersigned counsel is attached hereto.
2. On Wednesday, May 20, 2009, C & D Management filed corrected and accurate C-115's through April 2009, to satisfy its filing requirements with the Oil Conservation Division.
3. Undersigned counsel has attempted to contact Sonny Swazo telephonically and through email to verify whether a hearing is necessary. Mr. Swazo has not communicated back to undersigned counsel.

4. Undersigned counsel has eliminated another hearing conflict for May 27, 2009 and would like to continue the hearing in this case so that he may attend his nephew's graduation from the United States Air Force Academy on that date.

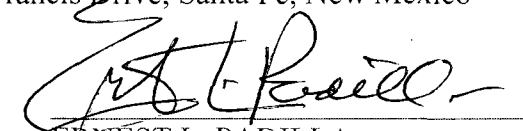
WHEREFORE, for the foregoing reasons C & D Management Company D/B/A Freedom Ventures Company requests a continuance to the Commissions next regularly scheduled hearing should the hearing be necessary.

PADILLA LAW FIRM, P.A.

By:   
Ernest L. Padilla  
P.O. Box 2523  
Santa Fe, New Mexico 87504  
(505) 988-7577

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Continuance was hand-delivered to Sonny Swazo, Esq., Assistant General Counsel, New Mexico Oil Conservation Division, 1220 S. St. Francis Drive, Santa Fe, New Mexico 87505, this 22nd day of May, 2009.

  
ERNEST L. PADILLA

**Ernest Padilla**

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**From:** Swazo, Sonny, EMNRD [Sonny.Swazo@state.nm.us]  
**Sent:** Monday, April 13, 2009 5:47 PM  
**To:** padillalaw@qwest.net  
**Subject:** De Novo Case No. 14055 / C&D Management Company d/b/a Freedom Ventures Company OGRID 231382

Ernie:

Order R-12913-A required your client C&D Management to file C-115's for the reporting periods of January 2008 through May 2008.

On March 31, 2009, your client (Thomas Kizer) emailed me a copy of the summary balancing report showing C-115's filed for the reporting periods of January 2008 through February 2009.

However, on April 2, 2009, your client (Thomas Kizer) sent me an email indicating that the C-115's he filed were wrong.

Based on your client's representations, it appears that C&D Management still has not filed the C-115's it was required to file. The purpose of the motion hearing possibly could be resolved if C&D Management were to file complete and accurate C-115's which your client says it has not done. What C-115's are inaccurate? When does C&D Management plan to file accurate and complete C-115's?

Sonny

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5/22/2009