

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

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

**APPLICATION OF AGUA SUCIA, LLC TO REINSTATE DIVISION
ADMINISTRATIVE ORDER SWD-559 FOR A SALT WATER DISPOSAL WELL, LEA
COUNTY, NEW MEXICO.**

CASE NO. 1441 (De Novo)

MOTION FOR CONTINUANCE

Armstrong Energy Corporation ("Armstrong"), through its undersigned attorneys, moves the Oil Conservation Commission for a continuance in the above captioned case from the July 15, 2010 Commission docket to the September 9, 2010 Commission docket, or in the alternative, to a special hearing date, and in support hereof, states:

1. In this case Agua Sucia seeks an order permitting it to resume the injection of produced water in a well located on a tract under which the oil and gas rights are owned by Armstrong. Armstrong opposed the application and on June 1, 2010, the Oil Conservation Division entered order No. R-13265 denying the application of Agua Sucia. Agua Sucia seeks de novo review of this application and the case has been set for hearing on the July 15, 2010 Oil Conservation Commission docket.

2. Armstrong's witnesses are out of the country and unavailable to testify on July 15, 2010 and its counsel, due to medical procedures scheduled to be conducted at the Mayo Clinic on August 10, 2010, cannot participate in a hearing on the August 12, 2010 Commission docket.

3. Attorney for Agua Sucia opposes this motion for a continuance and desires to proceed to hearing on the July 15, 2010 Commission Hearing Docket.

WHEREFORE, Armstrong Energy Corporation moves the Oil Conservation Commission for an order continuing the de novo hearing on this application to the September 9, 2010 Oil Conservation Commission hearing docket or to a special Commission hearing docket..

Respectfully Submitted:
Holland & Hart LLP



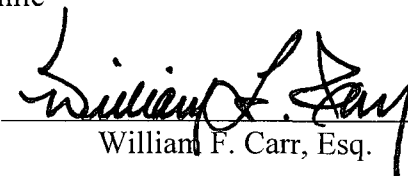
William F. Carr
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Santa Fe, New Mexico 87504
(505) 988-4421
(505) 983-6043 Facsimile

**ATTORNEYS FOR ARMSTRONG ENERGY
CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2010, I have caused to be delivered by Facsimile a copy of the **Motion for Continuance** in the above mentioned case to the following counsel of record:

James Bruce, Esq.
Post Office Box 1056
Santa Fe, New Mexico 87504
(505) 982-2151 Facsimile



William F. Carr, Esq.