

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

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

**APPLICATION OF THE NEW MEXICO
OIL CONSERVATION DIVISION, THROUGH
THE ENFORCEMENT AND COMPLIANCE
MANAGER, FOR A COMPLIANCE ORDER
AGAINST MARKS AND GARNER PRODUCTION
LTD. COMPANY; (1) HAS VIOLATED OCD RULES 19.15.2.8,
19.15.29.6, 19.15.29.9, 19.15.29.10 NMAC AND (2) IS CURRENTLY
IN VIOLATION OF OCD RULES 19.15.29.11 AND 19.15.30.9(A);
FINDING THAT AS TO FOUR OF THOSE ELEVEN WELLS,
(3) OPERATOR IS CURRENTLY ADDITIONALLY IN
VIOLATION OF OCD RULES 19.15.29.9 AND 19.15.29.10 NMAC; (4)
REQUIRING THE OPERATOR TO BRING ALL ELEVEN WELLS
INTO COMPLIANCE WITH OCD RULES 19.15.29.9, 19.15.29.10 AND
19.15.29.11 NMAC BY A DATE CERTAIN AND (5) ORDERING THAT
IN THE EVENT IT FAILS TO DO SO, THE OPERATOR SHALL
EITHER PLUG AND ABANDON OR TRANSFER ALL WELLS IT
CURRENTLY OPERATES IN NEW MEXICO BY A DATE CERTAIN,
OR THE WELLS SHALL BE DEEMED ABANDONED AND THE
DIVISION AUTHORIZED TO PLUG THE WELLS - EDDY COUNTY,
NEW MEXICO.**

**CASE NO. 14393
(Reopened)**

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RECEIVED OCD

UNOPPOSED MOTION FOR CONTINUANCE

Marks and Garner Production LTD., Co., (Marks and Garner) by and through its undersigned counsel of record, hereby requests continuance of the hearing in the above-captioned matter set for April 29, 2010 on the Division's docket to the Division's docket of July 8, 2010, and as grounds therefore states:

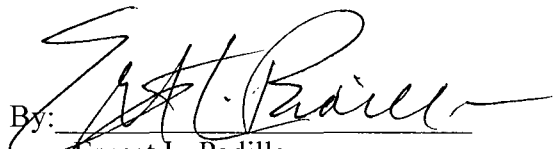
1. Marks and Garner has submitted remediation work plans to the Artesia District Office of the Division.

2. Marks and Garner is informed that review by the Artesia District Office of the work plans will not be completed until after the hearing such that any proposed changes by the Artesia District Office will not be available for consideration at the hearing.

3. The Division, by and through its counsel Mikal Altomare, does not oppose this motion.

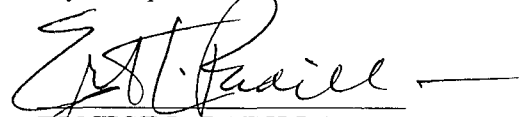
WHEREFORE, for the foregoing reasons Marks and Gardner Production LTD., Co. requests a continuance to the Division's scheduled hearing docket scheduled for July 8, 2010.

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 served by hand delivery to Mikal Altomare, Esq., Assistant General Counsel, New Mexico Oil Conservation Division, this 28th day of April, 2010.


ERNEST L. PADILLA