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July 13, 1999

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VIA HAND-DELIVERY

Ms. Lori Wrotenbery, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Re: **Case 12207** Application of St. Mary Land & Exploration Company for
statutory unitization, Eddy and Lea counties, New Mexico.

Case 12208 Application of St. Mary Land & Exploration Company for
approval of a waterflood project and to qualify the project for the recovered
oil tax rate pursuant to the Enhanced Oil Recovery Act, Eddy and Lea
Counties, New Mexico.

Dear Ms. Wrotenbery:

Enclosed is the motion of Intoil, Inc. for a two week continuance of the hearings in the
above referenced cases.

Your attention to this motion is appreciated.

Very truly yours,


PAUL R. OWEN
enc.

cc: James Bruce

JIM BRUCE: 982-2043
CALLED 7-14-99 TO DISCUSS
CONTINUANCE

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

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

**ST. MARY LAND & EXPLORATION COMPANY
FOR STATUTORY UNITIZATION, EDDY AND
LEA COUNTIES, NEW MEXICO.**

Case No. 12207

**ST. MARY LAND & EXPLORATION COMPANY
FOR APPROVAL OF A WATERFLOOD PROJECT
AND TO QUALIFY THE PROJECT FOR THE
RECOVERED OIL TAX RATE PURSUANT TO
THE ENHANCED OIL RECOVERY ACT, EDDY
AND LEA COUNTIES, NEW MEXICO.**

Case No. 12208

**INTOIL, INC.'S
MOTION FOR CONTINUANCE**

Intoil, Inc., ("Intoil") through its undersigned attorneys, hereby moves the Division for a two week continuance of the Examiner hearings set in the above referenced cases from the July 22, 1999 to the hearing scheduled for August 5, 1999. In support of this motion, Intoil states:

1. Intoil, Inc. is a working interest owner in the proposed East Shugart (Delaware) Unit whose interests will be affected by the applications of St. Mary Land & Exploration Company ("St. Mary") for statutory unitization and waterflood project which are the subject of the above referenced applications.

2. Intoil and St. Mary have been in communication with each other for the last nine months concerning the proposed unit and waterflood project and the impact the plans of St. Mary will have on the interests of Intoil.

3. Intoil has entered its appearance in these cases and will present testimony and exhibits which will show the impact of the proposals on Intoil's interests in the Delaware formation in the unit area and recommend amendments to these proposals to make them fair, reasonable and equitable Intoil.

4. This case has been continued once because of a conflict in the schedule of Intoil's engineering witness.

5. Campbell, Carr, Berge and Sheridan, P. A. has worked with Intoil's engineering witness since March of this year to prepare for this hearing.

6. Due to a prior commitment the attorney who has worked with Intoil on these cases will be out of the state on July 22, 1999, and due to this conflict must request an additional two week continuance of the hearing on these applications.

7. Unless a two week continuance is granted, Intoil will be forced to appear at the July 22, 1999 hearing and then seek a de novo hearing before the full Commission as soon as the Division enters its order in these cases thereby assuring delays in a final resolution of the issues in this case.

8. James Bruce, attorney for St. Mary has advised that St. Mary will not agree to this continuance.

WHEREFORE, INTOIL, INC. moves for a continuance of the Examiner hearing currently scheduled for July 22, 1999 in Division Cases 12207 and 12208 to the Examiner hearing scheduled for August 5, 1999.

Respectfully submitted,

CAMPBELL, CARR, BERGE AND
SHERIDAN, P.A.

By: 

PAUL R. OWEN
ATTORNEYS FOR
INTOIL, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of Intoil, Inc.'s Motion for Continuance was served by Facsimile and mail on this 13th day of July, 1999, to James Bruce, Attorney for St. Mary Land & Exploration Company.



PAUL R. OWEN