



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

2006 SEP 13 PM 3:20

**Mark E. Fesmire, P.E.**  
Director  
Oil Conservation Division

Sept. 13, 2006

Mr. William Jones, Hearing Examiner  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

Hand Delivered

**CASE No. 13373: APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR AN ORDER DETERMINING THAT ORBIT ENERGY INC. KNOWINGLY AND WILLFULLY VIOLATED 19.15.4.201 NMAC; REQUIRING ORBIT ENERGY INC. TO BRING FIVE WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC; ASSESSING APPROPRIATE CIVIL PENALTIES; AND IN THE EVENT OF NON-COMPLIANCE, AUTHORIZING THE DIVISION TO PLUG SAID WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCES; ROOSEVELT COUNTY, NEW MEXICO.**

Dear Mr. Jones:

The above-captioned matter is currently scheduled for hearing on the September 14, 2006 docket. The Applicant Oil Conservation Division respectfully requests a continuance until the October 12, 2006 docket to determine if the matter can be resolved without a hearing.

Very truly yours,

Gail MacQuesten  
Assistant General Counsel

Ec: Mr. Jim Frazier, President, Orbit Petroleum  
Daniel Sanchez, Enforcement and Compliance Manager  
Chris Williams, Supervisor, District 1