



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

2006 JUN 15 PM 4 26

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

June 13, 2006

Mr. David Catanach, 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. Catanach:

The above-captioned matter is currently scheduled for hearing on the June 22, 2006 docket. The Applicant Oil Conservation Division respectfully requests a continuance until the August 17, 2006 docket.

Respondent Orbit Energy Inc. has begun work on the non-compliant wells, and has asked the Division to agree to a one-month continuance to allow them additional time to complete the work. The Division attorney handling this matter may not be available for the July 20 or August 3 docket, so she requests that the case be continued until the August 17, 2006 docket.

Very truly yours,

Gail MacQuesten

Assistant General Counsel

Ec: Mr. Jim Frazier, President, Orbit Petroleum, jfrazier01@sbcglobal.net
Daniel Sanchez, Enforcement and Compliance Manager
Chris Williams, Supervisor, District 1