

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

2008 MAR 17 PM 1 52

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

CASE NO. 14102

APPLICATION OF MARBOB ENERGY CORP.
FOR AN ORDER AUTHORIZING A CENTRALIZED
WASTE MANAGEMENT FACILITY, EDDY COUNTY,
NEW MEXICO.

RESPONSE TO THE DIVISION'S MOTION FOR CONTINUANCE

Marbob Energy Corporation ("Marbob") responds to the Oil Conservation Division's ("Division") Motion for Continuance and states as follows:

1. Marbob seeks an order approving a centralized waste management facility in Sections 19 and 30, Township 17 South, Range 30 East, NMPM, Eddy County, New Mexico. Marbob filed this application to be heard on the March 20, 2008 Examiner Hearing Docket. Among other reasons, Marbob has brought this application to control the disposal of and costs related to its own drilling wastes.

2. The Division asserts that it needs additional time to prepare because it only recently became aware of the application and needs to perform a review of the merits of the application. However, the Division's Pre-Hearing Statement lists several reasons why the application should not be approved which suggests that some level of review has already taken place.

3. Although Marbob did not serve the Environmental Bureau with the application, Marbob's consultant informed the Environmental Bureau on February 15, 2008 that it was filing its application for hearing.

4. Marbob respectfully disagrees that the application was administratively incomplete pursuant to Division Rule 711.

5. Marbob is willing to continue this case for two weeks to the April 3, 2008 docket to give the Division additional time to review the application and prepare for hearing.

6. However, Marbob objects to any additional continuance because of the tremendous costs to Marbob for disposing of the wastes associated with the drilling of its wells.

7. Marbob will additionally agree to an accelerated schedule to brief any motions brought by the Division.

WHEREFORE, Marbob respectfully requests that the Division's motion to continue be denied or in the alternative that this matter be continued to the April 3, 2008 Examiner Hearing Docket.

Respectfully submitted,

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ATTORNEYS FOR MARBOB ENERGY
CORP.

CERTIFICATE OF SERVICE

I certify that on March 17, 2008 I served a copy of the foregoing document to the following by Hand-Delivery:

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