

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE COMPLIANCE AND ENFORCEMENT MANAGER, FOR AN ORDER AUTHORIZING THE DIVISION TO RECOGNIZE AN OPERATOR OF RECORD FOR WELLS CURRENTLY OPERATED BY YESO, ENERGY, INC., LEA, EDDY AND CHAVEZ COUNTIES, NEW MEXICO.

CASE NO. 14547

APPLICATION OF COG OPERATING LLC FOR CANCELLATION OF OPERATOR'S AUTHORITY AND TERMINATION OF SPACING UNITS, YESO ENERGY, INC. DOW "B" FEDERAL WELL NO. 1, EDDY COUNTY, NEW MEXICO.

CASE NO. 14472

MOTION FOR CONTINUANCE

Judah Oil, LLC ("Judah") moves the Commission to enter an order continuing the hearing in this case from the November 4, 2010 Commission docket to the hearing scheduled for December 9, 2010 for the following reasons:

A. The Division filed a pre-hearing statement in Case Nos. 14547 and 14472 on Wednesday, October 27, 2010. In sum, the Division stated that it appeared that "the issues had been resolved except for the dispute between COG and Judah as to the Dow B 28."

B. On Thursday, October 28, the Division filed an Amended Pre-Hearing Statement stating that the provision in Order R-12930-B requiring well transfers from Yeso to another operator "not affiliated with Yeso and approved by the Division" may affect the question of whether COG or Judah be recognized as operator of the Dow B 28 Federal Well No. 1. The Division attached several additional exhibits that appear to call into question whether Judah is in compliance with Division rules including a letter from the Division to Judah regarding an inactive well dated October 25, 2010 (OCD Exhibit 24). The

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Division appears to be questioning whether Judah's compliance status should effect Judah's ability to become operator of the Dow B 28 Federal Well No. 1 and the Dalton Federal Well No. 1. There are also other exhibits concerning other wells operated by Yeso and Judah needs to understand whether the Division believes Judah has some obligation to these other wells.

C. Specifically, Judah needs to know all the instances of non-compliance the Division believes have occurred. This is the first time the Division has raised this issue of compliance. Judah cannot be prepared to go to hearing until it understands to what extent the Division believes Judah is out of compliance. To avoid this hearing turning into an unintentional compliance proceeding before the Commission, Judah would like additional time to find out exactly what compliance issues the Division may have. Judah will attempt to do this informally through counsel but may need to issue a subpoena in which case the Division will need time to respond.

Counsel for the Division opposes this request. Counsel for COG was contacted but did not respond by the time this motion was filed.

WHEREFORE, Judah requests that Oil Conservation Commission Cases 14472 and 14547 be continued to the December 9, 2010 hearing docket.

Respectfully submitted,

HOLLAND & HART, LLP

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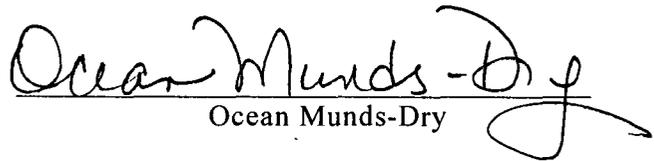
ATTORNEYS FOR JUDAH OIL, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Continuance was served upon the following this 1st day of November, 2010 by Hand-Delivery, Facsimile and/or Electronically:

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