

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

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APPLICATION OF DCP MIDSTREAM, LP  
TO RE-OPEN CASE NO. 13589 TO AMEND  
RULE NO. R-12546.

CASE NO. 13589

**MOTION TO CONTINUE HEARING ON DCP'S  
MOTION TO RE-OPEN CASE NO. 13589**

Randy and Naomi Smith and the Smith Farm and Ranch ("the Smiths") hereby respectfully request that the Commission continue the hearing in the above-captioned matter. A hearing on DCP Midstream, LP's ("DCP") *Application to Re-Open Case No. 13589 to Amend Rule No. R-12546 for the Limited Purpose of Authorizing an Alternative Acid Gas Injection Well* is currently set for December 6, 2012 before the Commission. Well before receiving notice of the hearing, Mr. Smith was scheduled to undergo day surgery in Artesia, New Mexico on December 6. Mr. Smith wishes to testify before the Commission regarding DCP's Application, but cannot re-schedule the surgery. Mr. Smith can be available as early as December 8, 2012.

Undersigned counsel has conferred with DCP's counsel regarding this motion. DCP reserves all rights it may have to oppose the Smiths' objections to DCP's application. Nevertheless, the parties have agreed on the following dates for a possible re-setting of the hearing, should any of the dates be convenient for the Commission:

- December 10, 11, 14, or 17-21 in the year 2012
- January 2-4, 2013

Based on these grounds, the Smiths request that the hearing be re-set to any date after December 7, 2012 that is convenient for the Commission and the other parties.

Respectfully submitted,

MILLER STRATVERT P.A.

By: /s/Thomas J. Bunting

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I HEREBY CERTIFY that a true and  
correct copy of the foregoing was served via  
email to the following counsel of record on  
this the 19<sup>th</sup> day of November, 2012:

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