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2016 JAN 15 A 8: 56

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

2016 JAN 15 A 8: 56

**IN THE MATTER OF THE APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION COMPLIANCE AND ENFORCEMENT
BUREAU FOR A COMPLIANCE ORDER AGAINST DC ENERGY, LLC,
FOR WELLS OPERATED IN LEA COUNTY, NEW MEXICO.**

CASE NO. 15432

**RESPONDENTS DAN and COLLEEN JOHNSON'S
MOTION FOR CONTINUANCE**

Respondents, Dan and Colleen Johnson (the "Respondents" or the "Johnsons") file this Motion for Continuance.

1. Case No. 15432 is currently set for Hearing before the Oil Conservation Division on Thursday, January 21, 2016.

2. The Johnsons were only informed of this hearing date on Monday, January 11, 2016. They learned of the hearing in a conversation with a third party. The Johnsons have yet to receive the 20-day notice of the hearing required by Rule 19.15.4.9.B(2).

3. The Johnsons are necessary witnesses for this hearing, live in Georgia, and will not be able to attend because they became aware of the hearing date only three days ago.

4. Jerome Richter, principal of DC Energy, LLC, is a necessary witness and is unavailable.

5. There are potentially six wells at issue: Gregory El Paso Federal No. 4, Gregory El Paso Federal No. 1, Crosby Deep No. 2, Crosby Deep No. 4, Mexico U No. 2, and Mexico U No. 4. The Johnsons have learned that there is a buyer who is prepared to repair and restore (and, if necessary, remediate) the disposal system at Gregory El Paso Federal No. 4 in order to bring it back on line. Additionally, there are no issues with Gregory El Paso Federal No. 1, the

Mexico U wells, or the Crosby Deep wells that require immediate action. Therefore, the Johnsons request additional time be given in order to provide a potential buyer time to repair and restore the disposal system at Gregory El Paso Federal No. 4, so that no hearing is necessary and no hearing frightens the potential buyer away.

6. Therefore, the Johnsons respectfully request that the January 21, 2016 Hearing be continued until witnesses are available and the sale of the Gregory El Paso Federal No. 4 well is finalized.

FOR THESE REASONS, the Johnsons respectfully request that the Hearing be continued until a later date.

Respectfully submitted,

ScottHulse ^{PC}
1100 Chase Tower
201 E. Main Drive
P.O. Box 99123
El Paso, Texas 79999-9123
Telephone: (915) 533-2493
Facsimile: (915) 546-8333

or

201 North Church Street, Suite 201
Las Cruces, New Mexico 88001
(575) 522-0765
(575) 522-0006 (Facsimile)

By: /s/ James M. Feuille
JAMES M. FEUILLE
New Mexico Bar No. 145552
Attorneys for Dan and Colleen Johnson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served to counsel of record by electronic mail this 14th day of January, 2016:

Keith W. Herrmann
Assistant General Counsel
Energy, Minerals, and Natural Resources
Department of the State of New Mexico
1220 South St. Francis Drive
Santa Fe, NM 87505

/s/ James M. Feuille
JAMES M. FEUILLE