



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

2006 AUG 16 PM 9:33

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

August 16, 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 August 17, 2006 docket. The Applicant Oil Conservation Division, at the request of Orbit Petroleum Inc., respectfully requests a continuance until the September 14, 2006 docket.

The parties have arranged to meet on August 18 to discuss outstanding compliance issues.

Very truly yours,

Gail MacQuesten

Assistant General Counsel

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