

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

2007 JAN 10 AM 11 15

**IN THE MATTER OF THE APPLICATION OF
DKD, LLC FOR AN ORDER DIRECTING
GANDY CORPORATION TO SHOW CAUSE,
LEA COUNTY, NEW MEXICO**

**CASE NO. 13686
Order NO. R-12649
*DE NOVO***

GANDY CORPORATION'S MOTION TO CONTINUE

COMES NOW Gandy Corporation, by and through undersigned counsel of record, and in accordance with NMAC 19.15.14.1211(C) requests a Continuance of the hearing set before the Oil Conservation Commission on January 11, 2007. In support of this request, Gandy states as follows:

1. Gandy Corporation filed its Notice of Withdrawal of its Request for *de novo* Hearing of this case on January 5, 2007.
2. In light of filing its Notice of Withdrawal, Gandy believed that the hearing set before the Oil Conservation Commission on January 11, 2007 would be vacated.
3. In light of filing its Notice of Withdrawal, and Gandy's belief that the hearing set before the Oil Conservation Commission on January 11, 2007 would be vacated, Gandy instructed its expert to discontinue preparation for the hearing. Gandy's expert will not be prepared for a hearing on January 11, 2007.
4. After Gandy's filing its Notice of Withdrawal, DKD filed two motions with the Oil Conservation Division. These are a Request for Hearing on Gandy's Notice of Withdrawal, and a Motion to Strike Gandy Corporation's Notice of Withdrawal.

5. Due to the uncertain status of Gandy's Notice of Withdrawal and DKD's Motions, Gandy requests that if the Oil Conservation Commission require a hearing on this case, then such hearing be continued to the Oil Conservation Commission's February 15, 2007, or later, docket.
6. The concurrence of counsel for DKD was sought on this motion, but counsel was not able to speak to his client by the time this Motion was filed, and therefore takes no position on this motion.

Respectfully Submitted,



Charles N. Lakins, Esq.
Attorney for Gandy Corporation
320 Gold Avenue SW, Suite 1000
Albuquerque, NM 87102
(505) 883-6250

I hereby certify that a true and correct copy of the foregoing was sent via facsimile and U.S. mail to all parties of record this 8th day of January 2007.



Charles N. Lakins, Esq.