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

IN THE MATTER OF THE APPLICATION OF HARVEY E. YATES COMPANY FOR AN EXEMPTION TO COMMISSION RULE 19.15.2.50(A)

CASE NO. 13817

APPLICATION FOR CONTINUANCE

Harvey E. Yates Co. ("HEYCO") requests a continuance of the New Mexico Oil Conservation Commission hearing currently scheduled for January 11, 2006, until the next available date. As grounds for this request HEYCO states that more time is needed to fully develop evidence to be presented.

Respectfully Submitted,

MAN Bv

Walter E. Stern Pat Rogers Earl E. DeBrine, Jr. Adam Greenwood Modrall, Sperling, Rochl, Harris, & Sisk, P.A. Post Office Box 2168 Albuquerque, New Mexico 87103-2168 Telephone: (505) 848-1800 Facsimile: (505) 848-9710 Email: eed@modrall.com

ATTORNEYS FOR HARVEY E. YATES COMPANY

K:\dox\client\82021\112\W0676324.DOC