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STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION  
2009 SEP -8 P 1:31

**In the Matter of the Application of Approach  
Operating, LLC for Approval of Fourteen  
Applications for Permits to Drill, Rio Arriba  
County, New Mexico**

**Case 14278**

**PROPOSED-INTERVENOR RICE FAMILY LIVING TRUST'S STATEMENT OF  
NON-OPPOSITION TO APPLICANT'S MOTION TO CONTINUE**

Currently pending before the Oil Conservation Commission ("OCC") is Applicant Approach Operating, LLC's motion to continue the merits hearing in this case from September 9, 2009 until an unspecified date in the future. Proposed-Intervenor Rice Family Living Trust does not oppose this motion, and specifically reserves its right to seek information from the Applicant pursuant to NMAC 19.15.4.16(A) while the Applicant's applications remain pending before this Commission.

Respectfully submitted,

/s/ Steven Sugarman  
Steven Sugarman  
1210 Luisa Street, Suite 2  
Santa Fe, NM 87505  
(505) 672-5082

Attorney for Proposed-Intervenor Rice Family  
Living Trust

I hereby certify that a true and correct copy of the foregoing was sent by telefax and e-mail to Ms. Cheryl Bada (attorney for the Commission) at cbada@state.nm.us and (505) 476-3220, by telefax and e-mail to Mr. J. Scott Hall (attorney for the Applicant) at shall@montand.com and (505) 982-4289, and by telefax and e-mail to Mr. Adan Trujillo (attorney for Rio Arriba County) at adantrujillo@gmail.com and (505) 753-4750 on this 8th day of September, 2009.

/s/ Steven Sugarman  
Steven Sugarman