

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST C & D MANAGEMENT COMPANY D/B/A FREEDOM VENTURES COMPANY, FINDING THAT THE OPERATOR KNOWINGLY AND WILLFULLY VIOLATED 19.15.13.1115 NMAC AND KNOWINGLY AND WILLFULLY VIOLATED 19.15.4.201 NMAC; ASSESSING PENALTIES; REQUIRING OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.13.1115 NMAC AND 19.15.4.201 NMAC BY A DATE CERTAIN; AND IN THE EVENT OF NON-COMPLIANCE, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, EDDY COUNTY, NEW MEXICO.

CASE NO. 14055  
ORDER NO. R-12913

MOTION FOR CONTINUANCE AND, IN THE ALTERNATIVE, FOR AN  
EXTENSION OF TIME WITHIN WHICH TO FILE REQUESTED FINDING OF  
FACT AND CONCLUSION OF LAW

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C & D Management Company D/B/A Freedom Ventures Company by its

undersigned attorney moves the Commission for a continuance of the hearing, and in the alternative for an extension of time, in the above-captioned matter and as grounds therefore states:

1. By letter dated August 26, 2009, the OCD, through its counsel, submitted to undersigned counsel certain invoices for the plugging of five oil and gas wells operated by C & D Management.
2. The invoices submitted by the OCD did not contain supporting data, such as Daily Work Tickets, to verify the accuracy of the invoices. For example, there appears to be some overlap or error in the invoices as to the location of the rig used for plugging

the oil and gas wells. Additionally, the cost of plugging shallow wells (approximately 400 feet) appear extremely high.

3. In order to be fully informed as to the plugging well costs, C & D Management requires additional discovery from the OCD's plugging contractor, including a possible deposition, as to the exact nature of the costs.

4. C & D Management's expert, who was retained within the last two weeks requires additional information to render an opinion as to the propriety of the well expenses contained in the invoices.

5. Counsel for the OCD opposes this motion.

***EXTENSION OF TIME TO SUBMIT REQUESTED FINDINGS OF FACT  
AND CONCLUSIONS OF LAW***

6. At the close of the hearing on this matter on August 13, 2009, the Commission directed counsel for the parties to submit requested findings of fact and conclusions of law at the continuation of the hearing.

7. The transcript of the hearing to undersigned counsel's knowledge did not become available until sometime in mid-September.

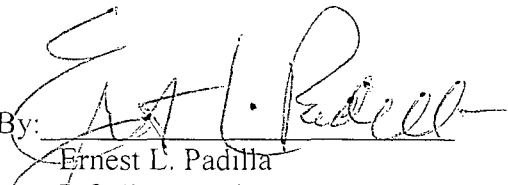
8. Undersigned counsel's normal work schedule has been extraordinarily increased the past two weeks due to the following:

- a. an appellate brief due on October 6, 2009;
- b. an assignment submitted late last week for examination of title of forty-eight federal and state oil and gas leases located in Nevada and Utah for acquisition closing October 5, 2009.

9. Additional testimony and evidence has not been finalized such that supplementary findings of fact and conclusions of law would be necessary in any event.

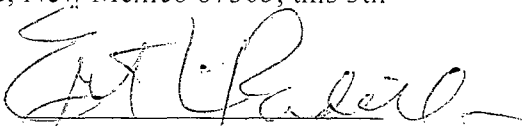
WHEREFORE, for the foregoing reasons C & D Management Company D/B/A Freedom Ventures Company requests a continuance to the Commission's next regularly scheduled hearing docket, and in the alternative, for a an extension of time of two weeks within which to file requested findings of fact and conclusions of law.

PADILLA LAW FIRM, P.A.

By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was hand-delivered to Sonny Swazo, Esq., Assistant General Counsel, New Mexico Oil Conservation Division, 1220 S. St. Francis Drive, Santa Fe, New Mexico 87505, this 5th day of October, 2009.

  
ERNEST L. PADILLA