

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST MARKS AND GARNER PRODUCTION LTD. CO., (1) FINDING THAT THE OPERATOR IS IN VIOLATION OF 19.15.4.201 NMAC AS TO TWENTY THREE WELLS, OR ALTERNATIVELY IS IN VIOLATION OF 19.15.13.1115; (2) REQUIRING THE OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC AND/OR 19.15.13.1115 NMAC BY A DATE CERTAIN AND (3) REQUIRING THAT THE OPERATOR PAY PENALTIES, AND IN THE EVENT OF NON-COMPLIANCE, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE WELLS -- LEA AND SAN JUAN COUNTIES, NEW MEXICO.

*De Novo* CASE NO. 14041

STIPULATED MOTION TO CONTINUE

The Oil Conservation hereby submits this Stipulated Motion to Continue requesting that the above-referenced matter to the Commission's December 16, 2009 hearing docket, on the basis that both parties desire to continue this matter to the Commission's next, regularly scheduled docket. Telephonic approval/stipulation to the continuance was provided by counsel for Respondent, Ernest Padilla, at approximately 9:30 a.m. on October 29, 2009.

WHEREFORE, the parties respectfully request that the hearing regarding the Division's Motion be reset to the Commission's docket, December 16, 2009.

Respectfully submitted  
this 29<sup>th</sup> day of October, 2009 by:



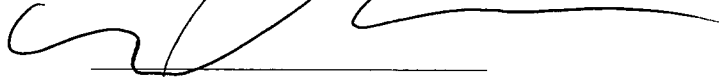
MIKAL ALTOMARE  
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Approved by:  
Telephonic - 9:30 a.m. 10/29/09  
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### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon counsel for Marks & Garner Production Ltd., Co. email at [epadillapl@qwestoffice.net](mailto:epadillapl@qwestoffice.net) this 29<sup>th</sup> day of October, 2009.



Mikal Altomare