

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

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PAUL R. OWEN
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JACK M. CAMPBELL
OF COUNSEL

July 13, 1999

OIL CONSERVATION DIV.

99 JUN 14 AM 8:15

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VIA HAND-DELIVERY

Ms. Lori Wrotenbery, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Re: **Case 12207** Application of St. Mary Land & Exploration Company for
statutory unitization, Eddy and Lea counties, New Mexico.

Case 12208 Application of St. Mary Land & Exploration Company for
approval of a waterflood project and to qualify the project for the recovered
oil tax rate pursuant to the Enhanced Oil Recovery Act, Eddy and Lea
Counties, New Mexico.

Dear Ms. Wrotenbery:

Enclosed is the motion of Intoil, Inc. for a two week continuance of the hearings in the
above referenced cases.

Your attention to this motion is appreciated.

Very truly yours,



PAUL R. OWEN

enc.

cc: James Bruce

OIL CONSERVATION DIV.

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

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING THE APPLICATIONS OF:**

**ST. MARY LAND & EXPLORATION COMPANY
FOR STATUTORY UNITIZATION, EDDY AND
LEA COUNTIES, NEW MEXICO.**

Case No. 12207

**ST. MARY LAND & EXPLORATION COMPANY
FOR APPROVAL OF A WATERFLOOD PROJECT
AND TO QUALIFY THE PROJECT FOR THE
RECOVERED OIL TAX RATE PURSUANT TO
THE ENHANCED OIL RECOVERY ACT, EDDY
AND LEA COUNTIES, NEW MEXICO.**

Case No. 12208

**INTOIL, INC.'S
MOTION FOR CONTINUANCE**

Intoil, Inc., ("Intoil") through its undersigned attorneys, hereby moves the Division for a two week continuance of the Examiner hearings set in the above referenced cases from the July 22, 1999 to the hearing scheduled for August 5, 1999. In support of this motion, Intoil states:

1. Intoil, Inc. is a working interest owner in the proposed East Shugart (Delaware) Unit whose interests will be affected by the applications of St. Mary Land & Exploration Company ("St. Mary") for statutory unitization and waterflood project which are the subject of the above referenced applications.

2. Intoil and St. Mary have been in communication with each other for the last nine months concerning the proposed unit and waterflood project and the impact the plans of St. Mary will have on the interests of Intoil.

3. Intoil has entered its appearance in these cases and will present testimony and exhibits which will show the impact of the proposals on Intoil's interests in the Delaware formation in the unit area and recommend amendments to these proposals to make them fair, reasonable and equitable Intoil.

4. This case has been continued once because of a conflict in the schedule of Intoil's engineering witness.

5. Campbell, Carr, Berge and Sheridan, P. A. has worked with Intoil's engineering witness since March of this year to prepare for this hearing.

6. Due to a prior commitment the attorney who has worked with Intoil on these cases will be out of the state on July 22, 1999, and due to this conflict must request an additional two week continuance of the hearing on these applications.

7. Unless a two week continuance is granted, Intoil will be forced to appear at the July 22, 1999 hearing and then seek a de novo hearing before the full Commission as soon as the Division enters its order in these cases thereby assuring delays in a final resolution of the issues in this case.

8. James Bruce, attorney for St. Mary has advised that St. Mary will not agree to this continuance.

WHEREFORE, INTOIL, INC. moves for a continuance of the Examiner hearing currently scheduled for July 22, 1999 in Division Cases 12207 and 12208 to the Examiner hearing scheduled for August 5, 1999.

Respectfully submitted,

CAMPBELL, CARR, BERGE AND
SHERIDAN, P.A.

By: 
PAUL R. OWEN
ATTORNEYS FOR
INTOIL, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of Intoil, Inc.'s Motion for Continuance was served by Facsimile and mail on this 13th day of July, 1999, to James Bruce, Attorney for St. Mary Land & Exploration Company.



PAUL R. OWEN

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DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
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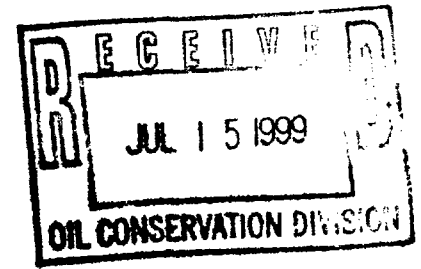
PAUL R. OWEN

JAMES BRUCE
ATTORNEY AT LAW

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SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)



July 14, 1999

Via Fax and U.S. Mail

Mark Ashley
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Re: Cases 12207 and 12208

Dear Mr. Ashley:

Enclosed for filing are an original and one copy of a response in opposition to Intoil, Inc.'s motion for a continuance.

Very truly yours,


James Bruce

Attorney for St. Mary Land
& Exploration Company

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF ST. MARY LAND &
EXPLORATION COMPANY FOR STATUTORY
UNITIZATION, EDDY AND LEA COUNTIES,
NEW MEXICO.

Case No. 12207

APPLICATION OF ST. MARY LAND &
EXPLORATION COMPANY FOR APPROVAL
OF A WATERFLOOD PROJECT AND TO
QUALIFY THE PROJECT FOR THE
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AND LEA COUNTIES, NEW MEXICO.

Case No. 12208

APPLICANT'S RESPONSE IN OPPOSITION
TO INTOIL'S MOTION FOR A CONTINUANCE

St. Mary Land & Exploration Company ("St. Mary") opposes Intoil, Inc.'s ("Intoil's") motion for a continuance. In support thereof, St. Mary states:

1. These cases were originally set for hearing on June 24, 1999. Intoil's engineering witness was unavailable for both the June 24th and July 8th hearings, so St. Mary voluntarily agreed to a four week continuance. Another continuance is therefore improper.

2. Bottomhole pressures in the subject pool are very low, and injection into and re-pressuring of the reservoir needs to commence as soon as possible. Therefore, another delay in the hearing is detrimental to the reservoir.

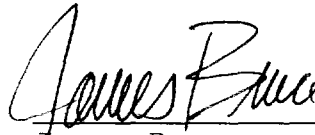
3. St. Mary's geologic witness is unavailable for all of the August 5th hearing, and thus a continuance should not be granted.

4. Another attorney can present Intoil's case at the July 22nd hearing.

WHEREFORE, St. Mary requests the Division to deny Intoil's motion for a continuance. **If a continuance is granted, St. Mary**

requests a special hearing date early in the week of August 2nd (preferably August 3rd). This request is made because (a) the number of cases currently scheduled for the August 5th hearing may preclude all cases from being heard on August 5th, and (b) the number of cases scheduled for the August 19th hearing, combined with several Commission cases set during that same period, may preclude these cases from being heard until September.

Respectfully submitted,



James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

Attorney for St. Mary Land &
Exploration Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served this 14th day of July, 1999 by facsimile transmission and United States Mail upon William F. Carr, P.O. Box 2208, Santa Fe, New Mexico 87504, (505) 983-6043.



James Bruce

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF ST. MARY LAND &
EXPLORATION COMPANY FOR STATUTORY
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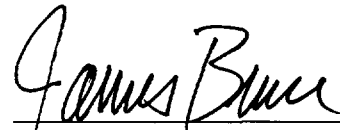
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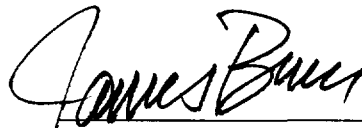


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Attorney for St. Mary Land &
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James Bruce