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MAR 30 2010
SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF MARION ENERGY, INC. FOR AN ORDER GRANTING AN AQUIFER EXEMPTION AND APPROVING THE CONVERSION OF THE ALPINE SCHOOL DISTRICT #6-17 WELL LOCATED IN SECTION 17, TOWNSHIP 13 SOUTH, RANGE 7 EAST, CARBON COUNTY, UTAH, TO A CLASS II INJECTION WELL	**MOTION FOR LEAVE TO FILE PETITIONER'S EXHIBITS OUT OF TIME** Docket No. 2010-021 Cause No. UIC-362.1

COMES NOW, Marion Energy, Inc. ("Marion"), acting by and through its attorneys, Beatty & Wozniak, P.C., and respectfully moves the Board of Oil, Gas and Mining ("Board"), pursuant to its authority under R641-100-400, for leave to file its exhibits no later than Monday, April 5, 2010.

As a result of Marion's ongoing discussions with Staff of the Division of Oil, Gas and Mining ("Division"), Marion requests additional time to revise certain of the Exhibits it intends to file in order to address the Division's concerns.

Marion is unaware of any protests or objections to this Request for Agency Action. The Exhibits do not alter Marion's analysis or conclusions; they will clarify and enhance the record. Therefore, good cause exists for the Board to permit a deviation from strict adherence to Utah Admin. Code Rule R641-105-500 as allowed under Utah Admin. Code Rule R641-100-400.

WHEREFORE, Marion respectfully requests that the Board grant Marion leave to file Exhibits out of the time allowed by Utah Admin. Code Rule R649-105-500.

Respectfully submitted this 30th day of March, 2010.

BEATTY & WOZNIAK, P.C.

By: _____

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