

Brooks, David K., EMNRD

From: Tom Kellahin [tkellahin@comcast.net]
Sent: Thursday, April 05, 2012 11:00 AM
To: Brooks, David K., EMNRD
Cc: mfeldewert@hollandhart.com; Compton.Mark
Subject: NMOCD Case 14582 Order R-13357

Dear Mr. Brooks,

Mr. Feldewert, for Nearburg, and I, for Cimarex, has discussed your request to move the motion hearing from the April 26th Examiner's docket to the May 10th Examiner's docket and have reached an agreement as follows:

Cimarex has voluntarily postponed the drilling of the #3H and the corresponding election and payment period until the Division enters an order either granting or denying Nearburg's motion to reopen Case 14582. Thereafter, the Division may grant or deny further postponements based upon the decision made about the motion to reopen.

We can also agree on the following schedule:

- (1) Cimarex shall file a reply to Nearburg's application to reopen on or before Friday, **April 27th**.
- (2) Nearburg shall file its responsive pleadings on or before Friday, **May 4th**.
- (3) Argument on the application to re-open will be presented on **May 10th**.

Regards,

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