

**Brooks, David K., EMNRD**

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**From:** Brooks, David K., EMNRD  
**Sent:** Tuesday, June 05, 2012 4:27 PM  
**To:** jamesbruc@aol.com  
**Cc:** mfeldewert@hollandhart.com; 'wcarr@hollandhart.com'  
**Subject:** Cases 14770 and 14771 Applications of Cimarex Energy Co. of Colorado for Compulsory Pooling, etc.

Dear Jim

You may recall these cases that you presented by affidavit at my hearing on May 10, over the objection of Mike Feldewert for COG.

I heard these cases and took them under advisement despite the objection due to the Director's three-continuance policy, and your representation that the parties might be able to reach agreement in another two weeks.

However, it has now been almost four weeks, Mr. Feldewert has flown the coop, and I have heard nothing about the status of the cases.

Since it is undoubtedly correct that a contested case cannot be presented by affidavit, I will be forced to dismiss these cases unless I am advised that COG has withdrawn its objections.

I am copying Mr. Carr, in case that he, in Mr. Feldewert's absence, has any relevant knowledge.

Sincerely

David K. Brooks  
Legal Examiner