



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

April 10, 2006

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Re: Case No. 13686, Amended Application of DKD, LLC for an Order Revoking the Injection Authority for the Gandy Corporation State "T" Well No. 2;
Application of DKD, LLC for Emergency Order

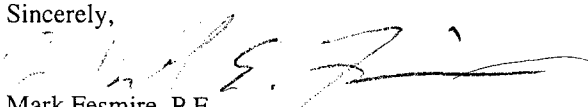
Gentlemen:

Having reviewed the application of DKD, LLC for an emergency order revoking the injection authority for the Gandy Corporation State "T" Well No. 2, and having reviewed Gandy Corporation's response to the application, I find that DKD, LLC has failed to demonstrate that an emergency exists that requires the issuance of an order without a hearing under 19.15.14.1225.A NMAC, and has failed to demonstrate that an emergency exists that requires the Division to suspend the notice rules to conduct an emergency hearing on the application under 19.15.14.1225.B NMAC.

DKD, LLC's application for an emergency order is denied.

Case No. 13686 remains scheduled for hearing before a Division Examiner on the April 27, 2006 docket.

Sincerely,


Mark Fesmire, P.E.
Director, Oil Conservation Division