

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

**IN THE MATTER OF THE APPLICATION OF  
DKD, LLC FOR AN ORDER REVOKING THE  
INJECTION AUTHORITY FOR THE GANDY  
CORPORATION STATE "T" WELL NO. 2,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 13686  
ORDER NO. R-12649  
DE NOVO**

**DKD, LLC'S REPLY  
PURSUANT TO  
GANDY CORPORATION'S RESPONSE TO DKD'S  
REQUEST FOR HEARING**

DKD, LLC, for its Reply to Gandy Corporation's Response to DKD's Request for Hearing On Gandy's Notice of Withdrawal states:

DKD's position is set forth in its Motion To Strike Notice of Withdrawal and its Response to Gandy Corporation's Motion To Continue.

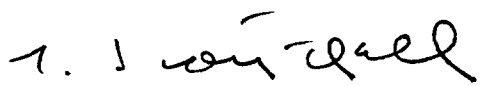
However, DKD notes that Gandy Corporation's Response to DKD's Request For Hearing indicates at paragraph 10 that "*Exhibits have not been exchanged between the parties.*"

In fact, as evidenced by the attached correspondence to counsel dated January 5, 2007, (Exhibit "A"), DKD's exhibits were delivered to Gandy Corporation's counsel.

Respectfully submitted:

MILLER STRATVERT P.A.

By: \_\_\_\_\_

  
J. Scott Hall, Esq.  
Post Office Box 1986  
Santa Fe, New Mexico 87504  
(505) 989-9614  
Attorneys for DKD, LLC

**Certificate of Mailing**

I hereby certify that a true and correct copy of the foregoing was delivered to counsel of record on the 9th day of January 2007, as follows:

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January 5, 2007

**VIA FACSIMILE**

Pete V. Domenici, Jr., Esq.  
Charles Lakins, Esq.  
Domenici Law Firm, P.C.  
320 Gold Avenue SW, Suite 1000  
Albuquerque, New Mexico 87102

Re: NMOCC Case No. 13686 *De Novo*; Amended Application of DKD, LLC for an Order Revoking the Injection Authority for the Gandy Corporation State "T" Well No. 2, Lea County, New Mexico

Dear Counsel:

This morning, I called to discuss the exchange of hearing exhibits in the above-referenced de novo proceeding when you informed me that Gandy Corporation would be filing its Notice of Withdrawal. I have not yet received a copy of Gandy Corporation's hearing exhibits. Correspondingly, I delayed the delivery of a set of the DKD, LLC exhibits which were en-route to your office in Albuquerque.

This afternoon, I have filed a Request for Hearing on Gandy Corporation's Notice of Withdrawal in order to discuss the matter before the Commission Chairman. To my knowledge, the Commission has not taken action on the Notice and the hearing has not been cancelled. In view of the possibility that the hearing de novo will proceed as scheduled on January 11, 2007, I suggest we plan on completing the exchange of exhibits. I will plan to have a set delivered to you on Monday and request that you make arrangements to deliver your set to me in Santa Fe. With both parties receiving the other's set of hearing exhibits on the same day, no prejudice results.

Exhibit "A"

A PROFESSIONAL ASSOCIATION

ALBUQUERQUE  
(505) 842-1950

FARMINGTON  
(505) 326-4521

LAS CRUCES  
(505) 523-2481

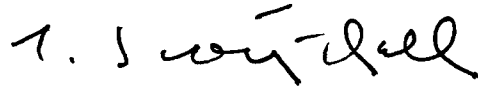
SANTA FE  
(505) 989-9614

Pete V. Domenici, Jr., Esq.  
Charles Lakins, Esq.  
January 5, 2007  
Page 2

Thank you for your cooperation.

Very truly yours,

MILLER STRATVERT P.A.

A handwritten signature in black ink, appearing to read "J. Scott Hall", written in a cursive style.

J. Scott Hall

JSH/glb

cc: Danny Watson  
Cheryl Bada, Esq.