

**LAW OFFICES OF TED J. TRUJILLO**

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April 22, 2008

**Fax Letter to (505) 476-3462 (F) / Original by Mail**

Mark E. Fesmire, Director of Oil Conservation Division  
STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
1220 S. St. Francis Drive  
Santa Fe, New Mexico 87505

Re: *Agreement to Withdraw Request for Hearing and Emergency Order  
In Favor of Placement on the Regularly Scheduled Hearing Docket  
of May 29, 2008 In the Permit Matters of Approach Operating, LLC*

Dear Mr. Fesmire:


This will confirm my agreement to withdraw the County's request of April 17, 2008 for hearing and emergency order in the permit matters of Approach Operating, LLC. Instead, the County by this Motion requests placement of these permit matters on the regularly scheduled hearing docket of May 29, 2008, with an understanding that an extension to another date may be required in order to fully prepare the county's case.

On April 16, 2008, the Board of County Commissioners of Rio Arriba authorized this firm to request a public hearing before the OCD in the following permits:

API Number	3003930342	Sultermeyer No. 001
API Number	3003930386	Sena No. 001
API Number	3003930394	Sena No. 002
API Number	3003930397	Woolley Family LP No. 001

The County's basis for requesting this hearing is to show that the drilling of these wells will cause waste, violate correlative rights or not be protective of human health and the environment.

Respectfully submitted,

  
Ted J. Trujillo

cc: County Commission, Alfredo Montoya, Felipe Martinez, Elias Coriz  
County Manager, Lorenzo Valdez

TJT

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