



February 17, 2009

HAND-DELIVERED

Mr. Mark E. Fesmire, P.E.
Director
Oil Conservation Division
New Mexico Energy, Minerals and
Natural Resources Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

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Re: Case No. 14145: Application of Fasken and Ranch, Ltd. for Compliance Order requiring Cimarex Energy Co. of Colorado to comply with the Division's oil proration rules for the Apache Ridge-Bone Spring Pool. Lea County, New Mexico.

Dear Mr. Fesmire:

Fasken Oil and Ranch, Ltd. hereby requests that the Commission Hearing in the above-referenced case that is currently scheduled for February 24, 2009, be dismissed.

Your attention to this request is appreciated.

Sincerely,

Ocean Munds-Dry
for Holland & Hart^{LLP}

cc: James Bruce, Esq.