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January 10, 2010

Hand Delivered

Richard Ezeanyim
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

David K. Brooks
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Chi Energy, Inc.
Benson Delaware Unit
Order No. R-13262

Gentlemen:

Wesley Ingram at the BLM noticed that the order describes the unitized interval as a depth of 4370-5300 feet (Finding Paragraph 6 and Ordering Paragraph 3), and 4470-5200 feet (Ordering Paragraph 9). The Unit Agreement defined the interval as:

"Unitized Formation" shall mean the Brushy Canyon member of the Delaware formation underlying the Unit Area, the vertical limits of which are described as the stratigraphic interval from 4370 to 5500 feet subsurface as shown on the Density Neutron log for the Munchkin Federal Well No. 9, located 990 feet from the north line and 300 feet from the east line of Section 11, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico.

Also, attached is a part of the hearing transcript where the unitized interval is described as 4370-5500 feet. Chi Energy, Inc. requests that the Division enter a *nunc pro tunc* order correcting the unitized interval to be 4370-5500 feet. Thank you.

Very truly yours,



James Bruce

Attorney for Chi Energy, Inc.

cc: Wesley Ingram
John W. Qualls