

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

January 26, 2009

Via fax

Mark E. Fesmire, P.E.
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Mr. Fesmire:

Please continue the following case to the March 5, 2009 Examiner hearing:

Case No. 14269 (Cimarex Energy Co.)

The wells at issue in this case (for APD cancellation) are the subject of competing pooling applications between Cimarex Energy Co. (Case Nos. 14253 and 14254) and COG Operating LLC (Case Nos. 14203 and 14204). Until a decision is reached in those cases, there is no need to hold a hearing on the APD cancellation issue.

Mr. Hall does not object to the continuance.

Thank you.

Very truly yours,



James Bruce

Attorney for applicant

WVD 1/27/09