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Carol Leach, General Counsel
State of New Mexico
Energy, Minerals & Natural Resources Dept.
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

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EMNRD-LEGAL

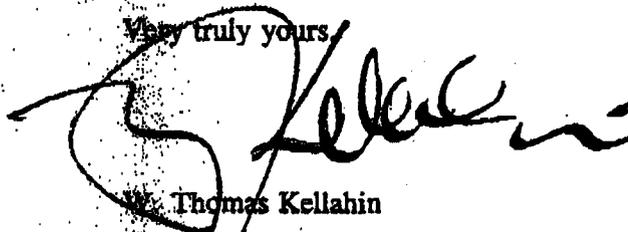
Re: NMOCDC Case: 12734 Commission's Order R-11775-B
Application of Richardson Operating Company
to establish a Special "Infill Well" Area within
the Basin-Fruitland Coal Gas Pool,
San Juan County, New Mexico

Dear Ms. Leach:

On behalf of Richardson Operating Company, I just received a copy of a letter from Mr. Larry Ausherman requesting the Secretary to issue a stay of Oil Conservation Commission Order R-11775-B. I am unable to find any authority for the Secretary to issue a stay of a Commission order and Mr. Ausherman cites none.

For your information, the Division issued a stay of the Examiner order pending a De Novo Order issued by the Commission. After the issuance of a Commission order, neither the Division, Commission nor the Secretary can stay a Commission order. Once the Commission decided in Richardson's favor there was no stay. Mr. Richardson's drilling has taken place after the Commission issued its Order and in compliance with that order.

Very truly yours,



W. Thomas Kellahin

cc: Lori Wrotenbery, Director of Division
Steve Ross, Esq. Commission's Attorney
James Bruce, Esq., Larry Ausherman, Esq.
Attorneys for San Juan Coal Company
William F. Carr, Esq.
Attorney for Richardson Operating Company