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April 13, 2012

**VIA EMAIL**

Jami Bailey, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

Re: NMOCD Case 14752 (Cimarex's SWD)  
Nearburg's Motion to Stay Order R-13494

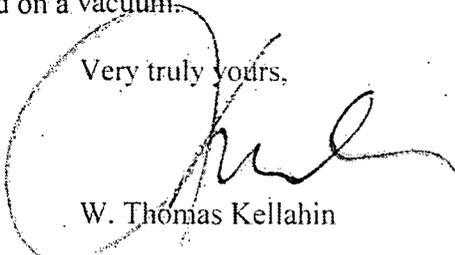
Dear Ms. Bailey:

On behalf of Cimarex Energy Company "Cimarex" I have received a copy of Nearburg Producing Company's motion to stay Order R-13494 filed yesterday by Mr. Scott Hall.

Rule 19.15.4.23.B NMAC provides in part that parties will be afforded an opportunity to respond. (*Paraphrased*). I have contacted Mr. Hall and obtained his concurrence that Cimarex will file its response on Tuesday, April 17, 2012. I would appreciate your withholding action on Nearburg's motion until I have filed Cimarex's response on the agreed date.

Among other things, Cimarex will demonstrate that it is too late to "preserve the status quo." In reliance upon the approval Order R-13494, Cimarex has completed the SWD well, at an estimated cost of \$1,200.00 dollars and started injection on April 11, 2011, pumping 5400 bwpd on a vacuum.

Very truly yours,



W. Thomas Kellahin

cc by email: J. Scott Hall, Esq.