

MONTGOMERY & ANDREWS  
PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

Paul R. Owen  
Direct Dial: (505) 986-2538  
powen@montand.com

Post Office Box 2307  
Santa Fe, New Mexico 87504-2307  
325 Paseo de Peralta  
Telephone (505) 982-3873  
Fax (505) 982-4289  
www.montand.com

April 21, 2003  
**VIA FACSIMILE**

David Brooks, Esq.  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Re: ***NMOCD Case No. 13004; Application of the New Mexico Oil Conservation Division, Through the Environmental Bureau Chief, for an Order Determining the Responsible Party or Parties and Ordering the Responsible Party or Parties to Conduct Division-Approved Corrective Action With Respect to a Hydrocarbon Release; Lea County, New Mexico.***

Dear Mr. Brooks:

Last week in a series of telephone calls and electronic mail messages we discussed Lori Wrotenbery's concern with paragraph 9 of the Stipulated Conditional Dismissal which I sent to you by letter dated April 8, 2003.

Samedan Oil Corporation agrees that Paragraph 9 of the Stipulated Conditional Dismissal does not prevent the Bureau from using the data derived from Samedan's investigation plan, as defined in the Stipulated Conditional Dismissal, in any related proceeding.

Samedan is prepared to submit its proposed investigation upon the Division's approval of the Stipulated Conditional Approval. If you have any questions, please let me know.

Very truly yours,



Paul R. Owen

cc: Arnold J. Johnson, Esq. (via facsimile)  
J. Scott Hall, Esq. (via facsimile)  
W. Thomas Kellahin, Esq. (via facsimile)  
Mr. Michael Stogner (via facsimile)