

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

NFO Permit No.

Form C-129
Revised June 10, 2003

Submit 3 Copies to appropriate
District Office

2-996
(For Division Use Only)

APPLICATION FOR EXCEPTION TO NO-FLARE RULE 306

(See Rule 306 and Rule 1129)

30-015-36602

A. Applicant Cimarex Energy Co. of Colorado

whose address is 5215 N. O'Connor Blvd ste 1500; Irving, TX 75039

hereby requests an exception to Rule 306 for 30 days or until

Yr 2009, for the following described tank battery (or LACT):

Name of Lease Marquardt Federal 8 Name of Pool Black River; Delaware South

Location of Battery: Unit Letter M Section 1 Township 25S Range 26E

Number of wells producing into battery 1

B. Based upon oil production of 20 barrels per day, the estimated * volume
of gas to be flared is 5 MCF; Value per day.

C. Name and location of nearest gas gathering facility:

Hunter Gas Gathering

D. Distance Estimated cost of connection

E. This exception is requested for the following reasons: Expect Hunter gas pipeline and treatment
Facility to be completed in mid October.

OPERATOR

I hereby certify that the rules and regulations of the Oil Conservation
Division have been complied with and that the information given above
is true and complete to the best of my knowledge and belief.

Signature Zeno Farris

Printed Name

& Title Zeno Farris, Manager Operations Administration

E-mail Address zfarris@cimarex.com

Date 4/6/09 Telephone No. 972-443-6489

OIL CONSERVATION DIVISION

Approved Until MAY 13 2009

By

Signed By Mike Brannon

Title

Date APR 13 2009

* Gas-Oil ratio test may be required to verify estimated gas volume.