

KELLAHIN & KELLAHIN
ATTORNEY AT LAW

2012 APR 13 A 10:00

W. Thomas Kellahin
706 Gonzales Road
Santa Fe, New Mexico 87501

phone 505.982.4285
Facsimile 505.216.2780
tkellahin@comcast.net

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

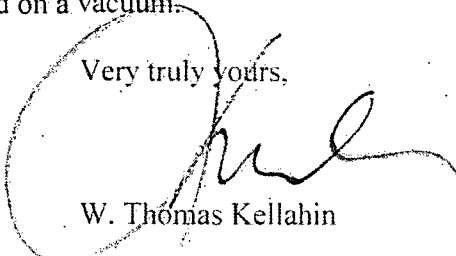
Dear Ms. Bailey:

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.