

## NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON Governor Joanna Prukop Cabinet Secretary Mark E. Fesmire, P.E. Director Oil Conservation Division

January 11, 2007

K.P. Kauffmann Company, Inc. 1675 Broadway Suite 2800 Denver, CO 80202

Fidelity and Deposit Company 1400 American Lane, Tower 1 Schaumburg, IL 60196-1056

VIA CERTIFIED MAIL

**Re:** Case No. 13709: Application of the New Mexico Oil Conservation Division for an Order Requiring K.P. Kauffman Company, Inc. to Plug One Well and Ordering Forfeiture of Applicable Financial Assurance in Event of Operator's Non-Compliance; Lea County, New Mexico

Ladies and Gentlemen:

On March 22, 2006, you were notified that OCD had filed an application in the above case for an order requiring you to plug your Mesa Queen State Well No. 1 in Lea County, New Mexico.

On August 16, 2006, you signed an Agreed Compliance Order, agreeing to plug this well not later than December 31, 2006, which you have not done.

Be advised that a hearing on the Division's request for an order directing you to plug this well or forfeit your plugging bond is now set before a Division hearing examiner on Thursday, February 1, 2007, at 8:15 a.m., in Porter Hall at 1220 S. St. Francis Drive, in Santa Fe, New Mexico.

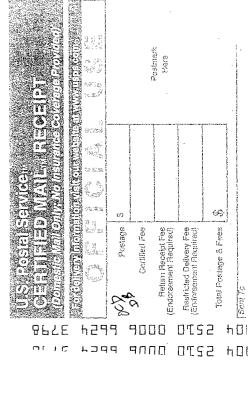
The Agreed Compliance Order also provided that you would pay a penalty of \$1,000 if you failed to plug the subject well within the time provided. This penalty is now owed regardless of the outcome of the February 1 administrative hearing, and even if you now or subsequently plug the well. Demand is hereby made for immediate payment. In event you fail to pay this penalty on or before February 1, 2007, the Division reserves the right to bring suit against K.P. Kauffmann Company, Inc. to collect this penalty.

Case No. 13709 February 1, 2007

OCD Exhibit Oil Conservation Division \* 1220 5 Phone: (505) 476-3440 \* Fax

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