



February 17, 2009

**HAND-DELIVERED**

Mr. Mark E. Fesmire, P.E.  
Director  
Oil Conservation Division  
New Mexico Energy, Minerals and  
Natural Resources Department  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

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**Re: Case No. 14145: Application of Fasken and Ranch, Ltd. for Compliance Order requiring Cimarex Energy Co. of Colorado to comply with the Division's oil proration rules for the Apache Ridge-Bone Spring Pool. Lea County, New Mexico.**

Dear Mr. Fesmire:

Fasken Oil and Ranch, Ltd. hereby requests that the Commission Hearing in the above-referenced case that is currently scheduled for February 24, 2009, be dismissed.

Your attention to this request is appreciated.

Sincerely,

Ocean Munds-Dry  
for Holland & Hart LLP

cc: James Bruce, Esq.