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William F. Carr wcarr@hollandhart.com

March 24, 2009

VIA HAND DELIVERY

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

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CASE NO. 14292: Application of the New Mexico Oil Conservation Division for Re: the adoption of amendments to Rule 19.15.17 (the "Pit Rule"), Statewide.

Dear Chairman Fesmire:

This letter is to advise the Oil conservation Commission that the Industry Committee (Burlington Resources Oil & Gas Company LP, Chesapeake Operating, Inc., ConocoPhillips Company, Devon Energy Corporation, Dugan Production Corporation, Energen Resources Corporation, D. J. Simmons, Inc., Williams Production Company, and XTO Energy, Inc.) does not oppose the request for continuance of the hearing in the above referenced case filed on behalf of OGAP and the New Mexico Citizens for Clean Air and Water.

Sincerely,

William F. Carr

cc: Secretary Joanna Prukop Eric D. Jantz, Esq Alletta Belin, Esq. Industry Committee

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com 110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208 Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. 3