



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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Re: CASE NO. 14292: Application of the New Mexico Oil Conservation Division for 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