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2010 DEC 14 P 3: 33
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December 14, 2010

VIA EMAIL

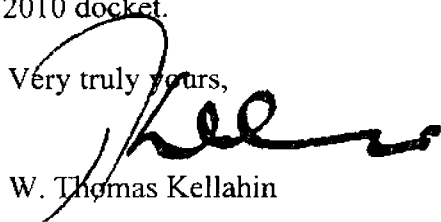
Mr. Mark E. Fesmire, Director
Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Request for Dismissal
NMOCD Case 14573
Application of Cimarex Energy Co. of Colorado
for designation of a non-standard spacing unit and
for compulsory pooling,
North Young "15" Well No 2-H,
E/2W/2 of Section 15, T18S, R32E, Lea County, New Mexico

Dear Mr. Fesmire:

As part of settlement agreement involving three pooling cases with Devon Energy Production Company, L.P., Cimarex Energy Co. of Colorado and with the concurrence of Devon's attorney, Scott Hall, I am requesting that this case now be dismissed. It appears on the December 16, 2010 docket.

Very truly yours,


W. Thomas Kellahin

Email cc:

J. Scoot Hall, Esq.
Attorney for Devon Energy Production Company, L.P.
Cimarex Energy Co of Colorado
Attn: Mark Compton

APPLICANT Case 14573

ATTORNEY

**Cimarex Energy Co. of Colorado
600 N. Marienfeld St., Suite 600
Midland, TX 79701**

**Attn: Mark Compton
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CIMAREX'S STATEMENT OF THE CASES

- (1) In Case 14569, Devon seeks to pooling of the N/2N/2 of Sec 15 for its Shinnery 15 Federal Co No. 2-H Well.
- (2) In Case 14570, Devon seeks to pooling of the S/2N/2 of Sec 15 for its Shinnery 15 Federal Co No. 3-H Well.
- (3) In Case 14573, Cimarex seeks to pooling of the E/2W/2 of Sec 15 for its North Young 15 Federal Com No. 2-H

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EST. EXHIBIT

None at this time

PROCEDURAL MATTERS

- (1) There is Cimarex's motion of dismiss Devon's Case 14569 and contested by Devon that is pending a decision by the Examiner. In accordance with its settlement with Devon, Cimarex intends to withdraw its motion to dismiss case 14569.
- (2) In accordance with its settlement with Devon, Cimarex intends to dismiss Case 14573.
- (3) In accordance with its settlement with Cimarex, Devon shall (a) proceed with Case 14569 and dismiss Cimarex from this pooling and shall (b) proceed with Case 14570 substitute Cimarex as the designated operator and dismissing Cimarex from this pooling.