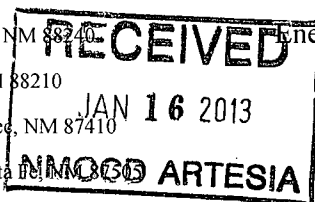


District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505



State of New Mexico
Energy Minerals and Natural Resources
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-129
Revised August 1, 2011

Submit one copy to appropriate
District Office

NFO Permit No. _____
(For Division Use Only)

APPLICATION FOR EXCEPTION TO NO-FLARE RULE 19.15.18.12

(See Rule 19.15.18.12 NMAC and Rule 19.15.7.37 NMAC)

- A. Applicant Cimarex Energy Co. of Colorado 30-015-39616
whose address is 600 N Marienfeld St, Suite 600, Midland, TX 79701,
hereby requests an exception to Rule 19.15.18.12 for 120 days or until May 14, 2013,
for the following described tank battery (or LACT):
Name of Lease Montana 1 Fee Name of Pool Penasco Draw; SA-Yeso (Assoc)
Location of Battery: Unit Letter M Section 1 Township 19S Range 25E
Number of wells producing into battery 1
- B. Based upon oil production of 150 barrels per day, the estimated * volume
of gas to be flared is 300 MCF; Value \$600 per day.
- C. Name and location of nearest gas gathering facility:
DCP*
- D. Distance _____ Estimated cost of connection _____
- E. This exception is requested for the following reasons: DCP plant down for repairs. Anticipate 9 months of flaring.

OPERATOR

I hereby certify that the rules and regulations of the Oil Conservation Division have been complied with and that the information given above is true and complete to the best of my knowledge and belief.

Signature Michelle Chappell

Printed Name
& Title Michelle Chappell, Regulatory

E-mail Address mchappell@cimarex.com

Date: 1/15/2013 Telephone No. 432-620-1959

OIL CONSERVATION DIVISION

Approved Until May 14th 2013

By RDade

Title Dist # Supervisor

Date Jan 18th 2013

* Gas-Oil ratio test may be required to verify estimated gas volume.