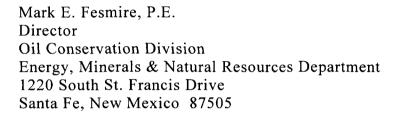
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June 21, 2004

VIA HAND DELIVERY



Re: <u>Case No. 13291</u>: Application of Marbob Energy Corporation for an Order • Rescinding Special Pit Closure Stipulations and Conditions, Eddy County, New Mexico.

Dear Mr. Fesmire:

Marbob Energy Corporation respectfully requests that the above-referenced case, scheduled for hearing on June 24, 2004, be dismissed. Your attention to this request is appreciated.

Very truly yours,

William F. Carr of Holland & Hart LLP

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