



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

June 10, 2004

Hearing Examiner, Oil Conservation Division
EMNRD
1220 South St. Francis Drive
Santa Fe, NM 87505

Hand delivered

Re: Case No. 13258, APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT III, FOR AN ORDER REQUIRING INTER-CONTINENTAL ENERGY INC. TO BRING ONE WELL INTO COMPLIANCE WITH 19.15.4.201 NMAC and 19.15.4.202 NMAC, ASSESSING APPROPRIATE CIVIL PENALTIES, AUTHORIZING THE DIVISION TO PLUG SAID WELL AND ORDERING A FORFEITURE OF THE APPLICABLE PLUGGING BOND; RIO ARRIBA COUNTY, NEW MEXICO.

Dear Sir:

The OCD requests that the above-captioned case, currently scheduled for hearing on a trailing docket for June 24, 2004, be dismissed.

The OCD's application in this case sought an order requiring Inter-Continental Energy Inc. to comply with Rule 202.B(2) and (3) by setting a marker at the location and closing the pit. That work has since been completed, and the site has been inspected and approved by an OCD field inspector.

Very truly yours,

Gail MacQuesten
Assistant General Counsel

Cc: Mr. Terry Davis
Greg Elison, Registered Agent for Inter-Continental Energy Inc.
RLI Insurance Company

ec: Charlie Perrin, District III