



February 27, 2004

Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505**HAND DELIVERED**

FEB 27 2004

Ms. Lori Wrotenbery, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

RECEIVED

Re: Case No. 13226 Application of OXY USA WTP Limited Partnership for rescission of the approval of an application for permit to drill and fro compulsory pooling, Eddy County, New Mexico.
MOTION FOR STAY OF DRILLING PERMIT

IMMEDIATE ACTION REQUESTED

Dear Ms. Wrotenbery;

On February 25th, OXY USA WTP, Limited Partnership, filed a motion seeking a stay of a drilling permit in the above referenced case pending the March 4th examiner hearing in the above-referenced case. Tom Brown Inc. responded to the Motion on February 26th. The reason for this request for stay is to prevent Tom Brown Inc. from commencing drilling of a well on the acreage that is the subject of the OXY pooling application and thereby maintain the status quo until the matter can be heard by a Division Examiner.

We have learned this afternoon that Tom Brown may commence drilling over the weekend. OXY requests an immediate hearing on this motion or, in the alternative, requests that the Division rule on this motion based on the written motion and response of the parties.

Very truly yours,

William F. Carr

cc: Gail MacQuesten, Esq.
James Bruce (by Facsimile)
Rick Foppiano