



Case No: 13543

August 16, 2005

RECEIVED
AUG 18 2005
OIL CONSERVATION
DIVISION

~~Mr. J. Lanham Higginbotham III
Attorney at Law
4204 Purdue Ave
Dallas TX 75225-6703~~

Re: Application to Surface Commingle Gas Production
Basin Dakota and Otero Chacra
Hare Gas Com D #1, #1E & J #1
T29N, R11W, Sec. 14, San Juan County, New Mexico

Dear Mr. Higginbotham:

On June 1, 2005, you received a notice of application by XTO Energy Inc. to surface commingle gas production from the captioned wells and pools. By letter dated June 2, 2005, you notified XTO and the New Mexico Oil Conservation Division of your intention to protest the surface commingle application.

Please be advised that you have no interest in the subject wells, were notified in error, and accordingly have no right to object the Application to Surface Commingle Gas Production.

Yours truly,


Christopher Spencer, CPL
Landman

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cc: Mr. William Jones
New Mexico Oil and Gas Conservation Division
1220 S St Francis Drive
Santa Fe NM 87505

~~Mr. James Bruce
Attorney at Law
P O Box 1056
Sante Fe NM 87504~~