

HOLLAND & HART LLP



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February 23, 2006

VIA HAND DELIVERY

Mark E. Fesmire, P.E.
Director
Oil Conservation Division
Energy, Minerals & Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

2006 FEB 23 PM 4 22

Re: Case No. 13655: Application of Nearburg Exploration Company, L.L.C. for Compulsory Pooling, Eddy County, New Mexico.

Dear Mr. Fesmire:

Nearburg Exploration Company, L.L.C., respectfully requests that the above-referenced case, scheduled for hearing on March 2, 2006, be dismissed. Your attention to this request is appreciated.

Very truly yours,

Ocean Munds-Dry
for Holland & Hart LLP

OMD:keh

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Holland & Hart LLP

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