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November 7, 2005

## **BY HAND DELIVERY**

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

Re: <u>Case No. 13367</u>: (De Novo) Application of Bass Enterprises Production Co. for an order authorizing the drilling of a well in the Potash Area, Eddy County, New Mexico.

Dear Mr. Fesmire:

Since the Oil Conservation Commission hearing dockets for November and December 2005 must be devoted to rule hearings, Bass Enterprises Production Co. requests that the above referenced case be continued from the November 10, 2005 Commission hearing docket to the Oil Conservation Commission docket scheduled for January 12, 2006. It will take at least one hearing day to present this case and the pending Devon Energy Production Company L.P. cases for well locations in the Potash Area. Therefore, unless the January 12th docket is devoted to the Division's proposed Pit Rules, Bass also requests that this <u>de novo</u> hearing, and the other pending cases for locations in the Potash Area, be scheduled first on that docket.

I have reviewed this matter with Charles High, attorney for Mosaic Potash Carlsbad Inc., who concurs in this request.

ry truly yours,

William F. Carr Attorney for Bass Enterprises Production, Co.

cc: Mr. J. Wayne Bailey Bass Enterprises Production Co.

> Charles C. High, Jr. Kemp, Smith, Duncan & Hammond, P.C. Mosiac Potash Carlsbad Inc.

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