

# MILLER STRATVERT

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August 14, 2006

## VIA FACSIMILE

Mr. Mark Fesmire, Director  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico

Re: NMOCD Case No. 13756: In The Matter Of The Application Of XTO Energy, Inc.  
For Compulsory Pooling, Eddy County, New Mexico

Dear Mr. Fesmire:

On behalf of the Applicant, XTO Energy, Inc., we request that the referenced matter be continued to the September 14, 2006 Examiner Hearing docket.

Thank you for your attention to this matter.

Very truly yours,

MILLER STRATVERT P.A.

*J. Scott Hall*

J. Scott Hall

JSH/glb

cc: Mark Dale, XTO Energy  
Wm. F. Carr, Esq. Attorney for BEPCO, L. P.  
Cheryl O'Connor, Esq. NMOCD

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