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**Michael H. Feldewert**  
Recognized Specialist in the Area of  
Natural Resources - oil and gas law -  
New Mexico Board of Legal  
Specialization

mfeldewert@hollandhart.com

December 23, 2005

Mark E. Fesmire, Director  
Oil Conservation Division  
New Mexico Energy, Minerals &  
Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, NM 87504  
(505) 476-3462 facsimile

**Re: CASE NO. 13480 De Novo**  
**Application of Gandy Marley, Inc. to modify their existing NMOCD Rule 711**  
**Permit No. NM-01-019 so that they may accept salt contaminated oilfield wastes.**

Dear Mr. Fesmire:

Pursuant to Division Order R-12306-B, Gandy Marley Inc. (GMI) filed a revised application for permit modification that is scheduled for hearing before the Commission on January 12th. By letter dated December 1, 2005, the Division's Environmental Bureau determined that GMI's revised application is administratively complete.

Controlled Recovery Inc. wishes to thank the Division and the Commission for its steadfast attention to this matter, and to express its support for the restrictions and modifications contained in GMI's revised application, as well as Commission Order R-12306-E. Accordingly, Controlled Recovery Inc. does not intend to present witnesses at any hearing in this matter or offer any comments in opposition to GMI's revised application.

Sincerely,

Michael H. Feldewert

cc: David Brooks, attorney for the Commission  
Pete V. Domenici, attorney for GMI  
Ken Marsh, Controlled Recovery Inc.

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

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