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May 9, 2006

VIA FACSIMILE

Mr. Mark Fesmire

New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: NMOCD Case No. 13659; Application of David H. Arrington Oil and Gas, Inc.
for Compulsory Pooling, Eddy County, New Mexico

Dear Mr. Fesmire:

On behalf of David H. Arrington Oil and Gas, Inc., we request the Application in the referenced matter be dismissed.

Very truly yours,

MILLER STRATVERT P.A.

J. Scott Hall

J. Scott Hall

JSH/glb

cc: William F. Carr
David Catanach
Gail MacQuesten
Jamey Lucas

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