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January 3, 2006

HAND-DELIVERED

Mr. Mark Fesmire, Director
New Mexico Oil Conservation Division
1220 South St. Francis
Santa Fe, New Mexico 87504

Re: NMOCD Case No. 13847; Application of Encore Operating, L.P. for Compulsory
Pooling, Eddy County, New Mexico

Dear Mr. Fesmire.

On behalf of the Applicant, Encore Operating, L.P., we respectfully request that the hearing
on the above-referenced Application be dismissed.

Very truly yours,

MILLER STRATVERT P.A.



J. Scott Hall

JSH/glb
cc: Zack Brittain

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