

MILLER STRATVERT

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July 9, 2007

HAND DELIVERED

Mark Fesmire, Director
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: NMOCD Case No. 13943; Application of Encore Operating, LP for Compulsory Pooling, Lea County, New Mexico

Dear Mr. Fesmire:

On behalf of the Applicant in Case No. 13943, we request that this matter, which is on the July 12, 2007 hearing docket, be dismissed.

Very truly yours,

MILLER STRATVERT P.A.



J. Scott Hall

JSH/rrw

Cc: James Bruce, Esq.

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