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June 23, 2004

VIA HAND DELIVERY

Mr. David Catanach, Hearing Examiner Oil Conservation Division New Mexico Department of Energy, Minerals and Natural Resources 1220 South Saint Francis Drive Santa Fe, New Mexico 87505

Re: <u>Case No. 13290</u>: Application of Nearburg Exploration Company, L.L.C. for Compulsory Pooling, Eddy County, New Mexico.

Dear Mr. Catanach:

Nearburg Exploration Company, L.L.C. hereby requests that the hearing in the abovereferenced case be continued to the July 8, 2004 examiner hearing docket. Nearburg believes that it has reached an agreement with the other affected interest owners in the subject spacing unit and hopes that the case can be dismissed when it is called on July 8th.

Your attention to this request is appreciated.

Very truly yours

William F. Carr

cc: Robert Shelton James Bruce, Esq.

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

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