

**KELLAHIN & KELLAHIN**  
**Attorney at Law**

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Recognized Specialist in the Area of  
Natural Resources-oil and gas law-  
New Mexico Board of Legal Specialization

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August 31, 2004

**VIA FACSIMILE**  
**476-3462**

Mr. Mark E. Fesmire, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

**Re: Request for Dismissal**

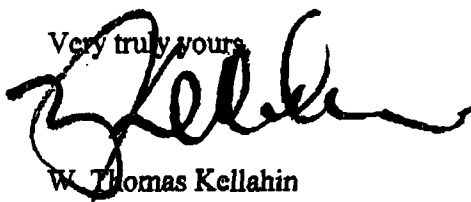
- (1) NMOCD Case 13315  
Application of Apache Corporation for  
Compulsory Pooling, Lea County, New Mexico
- (2) NMOCD Case 13304  
Application of JTD Resources, LLC for  
Compulsory Pooling, Lea County, New Mexico

Dear Mr. Fesmire:

The two referenced cases are competing compulsory pooling cases in which Mr. Carr represents JTD Resources, LLC and I represent Apache Corporation.

My Client has informed me that it believes it has reached a voluntary settlement with JTD Resources, LLC and based upon that settlement desires to dismiss Case 13315 currently set for hearing on the September 2, 2004 docket.

Very truly yours,



W. Thomas Kellahin

Facsimile:

William F. Carr, Esq.  
Attorney for JTD Resources LLC  
Apache Corporation  
Attn: Mario Moreno

W.D.J.  
8/31/04