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August 31, 2004

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

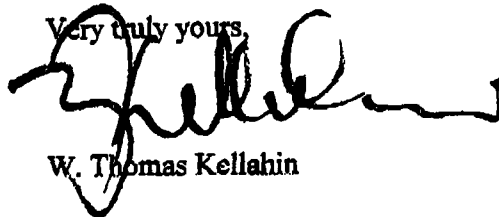
Mr. Mark E. Fesmire, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

**Re: Request for Dismissal**  
NMOCD Case 13323  
Application OXY USA WTP LP  
for compulsory pooling, Eddy County  
W/2 Sec 19, T18S, R28E  
Dymes State Com Well No 1

Dear Mr. Fesmire:

My client, OXY USA WTP LP, has informed me that it has reached a settlement of this case with all the parties to be pooled. Accordingly, please dismiss the referenced case currently set for hearing on the September 2, 2004 docket.

Very truly yours,



W. Thomas Kellahin

Facsimile:

Jim Bruce, Esq.  
Attorney for Chuza Operating  
OXY USA WTP LP  
Attn: Rich Foppiano

4407  
8/31/04