



October 13, 2004

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**VIA HAND DELIVERY**

Mr. Mark E. Fesmire, P.E.  
Director  
Oil Conservation Division  
New Mexico Energy, Minerals &  
Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87504

**Re: Case No. 13226 (de novo): Application of OXY USA WTP Limited Partnership for Rescission of the Approval of an Application for Permit to Drill and for Compulsory Pooling, Eddy County, New Mexico**

Dear Mr. Fesmire:

OXY USA WTP Limited Partnership respectfully requests that the above-referenced case, scheduled for hearing on October 21, 2004, be dismissed. Your attention to this request is appreciated.

Very truly yours,

William F. Carr  
of Holland & Hart<sup>LLP</sup>

WFC:keh

cc: Rick Foppiano  
James Bruce, Esq.

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