

July 28, 2004

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BY HAND DELIVERY

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

**Re: Application for Hearing De Novo in Case No. 13226, Order No. R-12163 -
Application of OXY USA WTP Limited Partnership for Rescission of the
Approval for Permit to Drill and for Compulsory Pooling, Eddy County,
New Mexico.**

Dear Mr. Fesmire:

Enclosed is the Application for Hearing De Novo of OXY USA WTP Limited Partnership in the above-referenced case. OXY requests that this matter be placed on the September 9, 2004, Commission Hearing docket, as OXY is facing a lease expiration. Thank you for your consideration in this matter.

Very truly yours,



William F. Carr
of Holland & Hart LLP

WFC:keh
Enclosures

cc: Richard E. Foppiano
OXY USA Inc.

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

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APPLICATION OF OXY USA WTP LIMITED
PARTNERSHIP FOR RESCISSION OF THE
APPROVAL FOR PERMIT TO DRILL AND
FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.

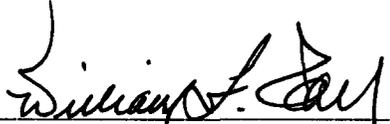
CASE NO. 13226
ORDER NO. R-12163

APPLICATION FOR HEARING DE NOVO

COMES NOW OXY USA WTP LIMITED PARTNERSHIP, a party
adversely affected by Order No. R-12163, and hereby applies for a hearing *De
Novo* before the full Commission, pursuant to NMSA 1978, Section 70-2-13.

Respectfully submitted,

HOLLAND & HART, LLP

By: 
WILLIAM F. CARR
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Santa Fe, New Mexico 87504-2208
Telephone: (505) 988-4421

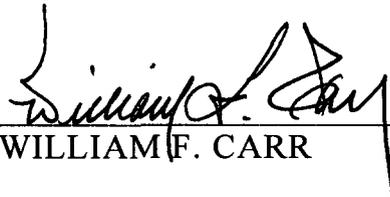
ATTORNEYS FOR OXY USA WTP
LIMITED PARTNERSHIP

CERTIFICATE OF SERVICE

I certify that on July 28, 2004 I served a copy of the foregoing document to the following by

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax
- Electronic Service by LexisNexis File & Serve

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