



September 13, 2005

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**VIA HAND DELIVERY**

Mark E. Fesmire, P.E.  
Oil Conservation Commission  
Energy, Minerals & Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re: Case No. 13504 (de novo): Application of Apache Corporation for Statutory Unitization, Lea County, New Mexico.**

Dear Mr. Fesmire:

BP America Production Company respectfully requests that the above-referenced case, scheduled for hearing on September 15, 2005, be dismissed. Your attention to this request is appreciated.

Very truly yours,

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

WFC:keh