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September 26, 2006

Florene Davidson
Hearing Clerk
EMNRD
Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

2006 SEP 27 PM 12 10

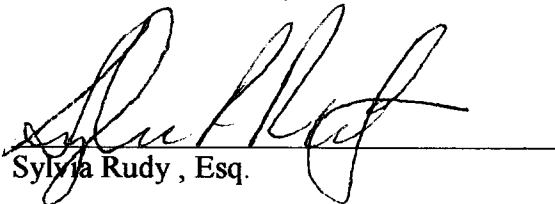
RE: Application for Adjudicatory Hearing on Permit to Drill, Lynx Petroleum, Inc's.
application for a permit to drill the Eddy 'BD' State No. 2 well, located at 660' FNL &
1980' FEL, Section 32, T20S, R30E, Eddy County, New Mexico

Dear Ms. Davidson:

Please find enclosed the original of Lynx's Notice of Filing of Motion for Summary Judgment, which
was fax to you September 26, 2006. A copy of this Motion has been mailed to all counsel of record. I
am enclosing the original for filing with the OCD.

Thank you for your courtesies.

Sincerely,
DOMENICI LAW FIRM, P.C.


Sylvia Rudy, Esq.

Encl.

cc: 1606.02

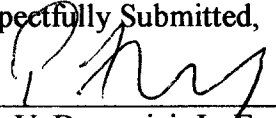
**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONVERSATION DIVISION**

¹³⁷⁶²
**CASE NO. ~~13451~~: APPLICATION OF LYNX PETROLEUM CONSULTANTS, INC.
FOR AN ADJUDICATORY HEARING, EDDY COUNTY, NEW MEXICO**

NOTICE OF FILING OF MOTION FOR SUMMARY JUDGMENT

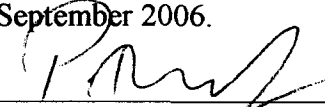
COMES NOW Lynx Petroleum Consultants, Inc. (Lynx), by and through undersigned counsel of record, and provides notice it filed a Motion for Summary Judgment on September 5, 2006, prior to the Order transferring this matter from the Division to the Commission. No response to the Motion has been served by Intrepid. Pursuant to this notice, Plaintiff provides notice requesting that the Commission hear this Motion at the Hearing on the Merits scheduled for October 19, 2006, or before, if possible. Pursuant to the filing with the Division and this Notice, if responsive pleadings are not timely filed, Lynx will request a ruling in its favor on the Motion.

Respectfully Submitted,



Pete V. Domenici, Jr., Esq.
Attorney for Lynx Petroleum Consultants, Inc.
302 Gold Avenue SW, Suite 1000
Albuquerque, NM 87102
(505) 883-6250

I hereby certify that a true and correct copy of the foregoing was served on the parties of record and David Brooks, Esq. by email this 26 day of September 2006.



Pete V. Domenici, Jr., Esq.

2006 SEP 27 PM 12 10