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

APPLICATION OF FAE II OPERATING, LLC TO EXTEND THE VERTICAL LIMITS OF THE LANGLIE-MATTIX; SEVEN RIVERS-QUEEN-GRAYBURG POOL WITHIN THE NORTH JAL UNIT, LEA COUNTY, NEW MEXICO.

CASE NO. 25422

MOTION TO DISMISS

FAE II Operating, LLC ("FAE") requests that the Division enter an order dismissing the

above-referenced application. As grounds for dismissal, FAE states that it has been determined an

amendment is required and will re-file the application. No other party has entered an appearance.

Respectfully submitted,

HARDY MCLEAN LLC

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COUNSEL FOR FAE II OPERATING, LLC