

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION
FOR AMENDMENT OF RULES 7.W (4) AND (7) CONCERNING DEFINITIONS,
202 CONCERNING PLUGGING AND ABANDONMENT, AND 50
CONCERNING PITS AND BELOW GRADE TANKS.**

CASE NO. 13590

MOTION TO DISMISS

1. The New Mexico Oil Conservation Division (the Division) hereby moves to dismiss this case.

2. This case was filed as a proposal for amendment of rules concerning pits. The Division has determined to withdraw the proposal filed in this case and file a completely different proposal for modification of rules concerning pits

**RECEIVED
2007 SEP 21 PM 4 41**

WHEREFORE, the Division hereby moves for dismissal of the Case No. 13590.

RESPECTFULLY SUBMITTED,



David K. Brooks
Assistant General Counsel
Energy, Minerals and Natural
Resources Department of the State of
New Mexico
1220 S. St. Francis Drive
Santa Fe, NM 87505
david.brooks@state.nm.us
Phone: (505)-476-3450
FAX: (505)-476-3462

Attorney for The New Mexico Oil
Conservation Division