

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

**APPLICATIONS OF DEVON ENERGY PRODUCTION
COMPANY, L.P., FOR A HORIZONTAL SPACING UNIT AND
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

Case Nos. 22958, 22959 & 22960

MOTION TO DISMISS WITHOUT PREJUDICE

Devon Energy Production Company, L.P. (“Devon”) moves the New Mexico Oil Conservation Division (“Division”) to dismiss Case Nos. 22958, 22959 and 22960, as above referenced, without prejudice. Counsel for all parties involved have been notified, and no objections have been expressed. In support, Devon states as follows:

REASONING

1. Devon participated in a hearing on August 18, 2022, in Case Nos. 22958, 22959 and 22960, as well as in Case Nos. 22961, 22962, 22963 and 22964, to review and address questions of first impression regarding the proper spacing of horizontal units in correction sections covering lands in the N/2 of Sections 1, 2 and 3, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico.

2. At the hearing, the Division addressed these questions by recognizing correction lots as tracts, defined as legal subdivisions of the PLSS pursuant to Rule 19.15.16.7(O) and therefore equivalent to governmental quarter-quarter sections for the purpose of allowing standard horizontal spacing units pursuant to Rule 19.15.16.15(B)(1)(a).

3. Devon respectfully requests that its applications in Case Nos. 22962 and 22964 be reviewed as applications seeking standard horizontal spacing units pursuant to this conclusion

along with Case Nos. 22961 and 22963, and requests that Case Nos. 22958, 22959, and 22960 be dismissed accordingly.

WHEREFORE, Devon respectfully requests that the Division grant its Motion to Dismiss Case Nos. 22958, 22959, and 22960.

Respectfully submitted,

ABADIE & SCHILL, PC

/s/ Darin C. Savage

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico Oil Conservation Division and was served on counsel of record via electronic mail on August 22, 2022:

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