

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

APPLICATION OF AVANT OPERATING II, LLC  
FOR APPROVAL OF A NON-STANDARD UNIT  
AND COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO

CASE NO. 25832

**REVISED UNOPPOSED MOTION TO DISMISS CERTAIN WELLS**

Avant Operating II, LLC, hereby submits this Revised<sup>1</sup> Unopposed Motion to Dismiss Certain Wells from its application in Case No. 25748. As grounds for this motion, Avant states as follows:

1) Avant's application in Case No. 25832 seeks an order from the Division approving a non-standard 960-acre, more or less, Wolfcamp horizontal spacing unit and pooling all uncommitted interests in all of Section 23 and the N/2 of Section 26, Township 20 South, Range 32 East, N.M.P.M., Lea County, New Mexico, in the Salt Lake; Wolfcamp pool (Pool code 53570).

2) As originally proposed, Avant sought to dedicate this unit to the following wells: **Spicy Chicken 23-26 Fed Com #751H, Spicy Chicken 23-26 Fed Com #801H** wells with proposed surface hole locations in the NE/4 NW/4 (Unit C) of Section 23, and proposed last take points in the SW/4 NW/4 (Unit E) of Section 26; **Spicy Chicken 23-26 Fed Com #701H, Spicy Chicken 23-26 Fed Com #752H, Spicy Chicken 23-26 Fed Com #802H** wells with proposed surface hole locations in the NE/4 NW/4 (Unit C) of Section 23, and proposed last take points in the SE/4 NW/4 (Unit F) of Section 26; **Spicy Chicken 23-26 Fed Com #702H, Spicy Chicken 23-26 Fed Com #753H, Spicy Chicken 23-26 Fed Com #803H** wells with a proposed surface hole location in the NW/4 NE/4 (Unit B) of Section 23, and a proposed last take points in the SW/4 NE/4 (Unit G) of Section 26; and **Spicy Chicken 23-26 Fed Com #754H, Spicy Chicken 23-26**

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<sup>1</sup> This Motion is revised pursuant to the email from the Division on April 14, 2026.

**Fed Com #804H** wells with proposed surface hole locations in the NE/4 NE/4 (Unit B) of Section 23, and proposed last take points in the SE/4 NE/4 (Unit H) of Section 26.

3) Based on discussions with the Division regarding the formation and pool for wells with similar depths as the Spicy Chicken 23-26 Fed Com 800 series wells, Avant has determined to dismiss the following wells from its application: **Spicy Chicken 23-26 Fed Com #801H, Spicy Chicken 23-26 Fed Com #802H, Spicy Chicken 23-26 Fed Com #803H, and Spicy Chicken 23-26 Fed Com #804H** wells (the Spicy Chicken 800 series wells).

4) As precedent for Avant's request, the Division, in Case No. 25748, proposed this approach to AO II under similar circumstances. In that case, as here, Avant's Wolfcamp application included Wolfcamp wells (the Triple Stamp 700 series wells) and what turned out to be Upper Penn wells (the Triple Stamp 800 series wells). At the hearing in Case No. 25748, the Technical Examiner proposed that Avant should dismiss the Triple Stamp 800 series wells from Case No. 25748, and the Hearing Examiner requested that Avant file a notice of dismissal for those wells, which Avant did. The Examiners also requested that Avant revise the compulsory pooling checklist for Case No. 25748 to remove the Triple Stamp 800 series wells.<sup>2</sup> Avant filed a notice of dismissal of the Triple Stamp 800 series wells, which was granted.<sup>3</sup> Avant also filed a revised hearing exhibit packet as requested by the Division, which removed the Triple Stamp 800 series wells from the compulsory pooling checklist.

5) Avant filed its Spicy Chicken applications on December 8, 2025, which was before the hearing on Avant's Triple Stamp cases. The Spicy Chicken 800 series wells are at a similar

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<sup>2</sup> The discussion between the Division and AO II counsel can be found in the AI generated transcript, available here [https://ocdimage.emnrd.nm.gov/Imaging/FileStore/santafe/cf/20260216/25747\\_02\\_16\\_2026\\_10\\_11\\_12.pdf](https://ocdimage.emnrd.nm.gov/Imaging/FileStore/santafe/cf/20260216/25747_02_16_2026_10_11_12.pdf), at pages 190 to 193.

<sup>3</sup> The Order granting the dismissal is available here:

[https://ocdimage.emnrd.nm.gov/Imaging/FileStore/santafe/cf/20260209/25748\\_02\\_09\\_2026\\_08\\_54\\_48.pdf](https://ocdimage.emnrd.nm.gov/Imaging/FileStore/santafe/cf/20260209/25748_02_09_2026_08_54_48.pdf)

depth as the Triple Stamp 800 series wells and, as a result, if the Spicy Chicken 800 series wells remain in the application and hearing materials for Case No. 25832, Avant anticipates that questions similar to those raised with respect to the Triple Stamp 800 series wells could arise. Thus, to streamline the upcoming hearings, Avant is requesting to dismiss the Spicy Chicken 800 series wells from Case No. 25832, which is consistent with the approach taken in Avant Case No. 25748 with respect to the Triple Stamp 800 series wells.


6) This dismissal does not impact the remaining wells Wolfcamp wells identified in Case No. 25832.

7) Counsel for WR Non-Op LLC, Permian Resources Operating, LLC, and EOG Resources, Inc. were contacted for their positions on this motion and do not object.

8) A proposed form of order will be emailed to the Division for the Division's consideration.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS  
& SISK, P.A.

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2026, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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