

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

**IN THE MATTER OF THE APPLICATION OF
LYNX PETROLEUM CONSULTANTS, INC.
FOR PERMIT TO DRILL IN POTASH AREA,
EDDY 'BD' STATE NO. 2 WELL,
EDDY COUNTY, NEW MEXICO.**

Case No. 13762

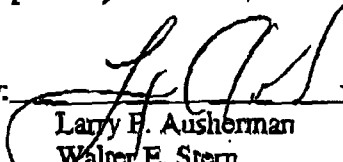
**STIPULATED JOINT MOTION OF LYNX PETROLEUM CONSULTANTS, INC.
AND INTREPID POTASH-NEW MEXICO, LLC
TO DISMISS CASE**

Lynx Petroleum Consultants, Inc. ("Lynx") and Intrepid Potash-New Mexico, LLC ("Intrepid") hereby request that Case No. 13,762 currently pending before the Oil Conservation Commission be dismissed with prejudice. As grounds for this Motion, Lynx and Intrepid state as follows:

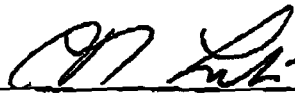
1. Lynx and Intrepid have reached a confidential settlement agreement that resolves in full all disputes between Lynx and Intrepid related to this case.
2. In light of reaching a settlement with Lynx, Intrepid hereby withdraws its opposition to the drilling of the Eddy "BD" State No. 2 Well proposed by Lynx in the APD that is the subject of this proceeding.
3. Based upon the settlement reached with Intrepid, and Intrepid's withdrawal of its protest, Lynx hereby withdraws its Request for Hearing in this case.
4. Intervenor's reflect their approval as to the form of this Motion, but have not been apprised of the terms of the confidential settlement agreement. Intervenor's' approval as to the form of this Motion and their concurrence to allow the action to be dismissed with prejudice does not reflect, and shall not be interpreted, that Intervenor's agree with any substantive aspects of the confidential settlement agreement. Lynx and Intrepid represent to Intervenor's and confirm that the settlement agreement does not:
 - (a) establish any precedent with respect to the administration of Rule R-111-P;
 - (b) establish as fact any allegations made by either party in this case that will be used against any of the Intervenor's in the future; and
 - (c) bind Intervenor's to any obligations, duties or responsibilities.

THEREFORE, based on the foregoing, Lynx and Intrepid respectfully request that the Commission dismiss this case with prejudice.

Respectfully Submitted,


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APPROVAL AS TO FORM:

E-mail approval 10/13/06


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Mary Lynn Bogle
Gregory J. Nibert
Counsel for Intervenor Devon Energy Production, L.P.

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James E. Haas
Counsel for Intervenor Yates Petroleum Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile this 16th day of October 2006:

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