

RECEIVED:	REVIEWER:	TYPE:	APP NO: pLEL2224257651
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ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
 - Geological & Engineering Bureau -
 1220 South St. Francis Drive, Santa Fe, NM 87505

**ADMINISTRATIVE APPLICATION CHECKLIST**

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Applicant: Devon Energy Production Company, L.P. **OGRID Number:** 6137
Well Name: Burton Flat 26-28 Fed State Com 623H Well **API:** 30-015-49256
Pool: WC Burton Flat Upper Wolfcamp **Pool Code:** 98315

SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW

- 1) **TYPE OF APPLICATION:** Check those which apply for [A]
 A. Location – Spacing Unit – Simultaneous Dedication
☒ NSL ☐ NSP (PROJECT AREA) ☐ NSP (PRORATION UNIT) ☐ SD
- B. Check one only for [I] or [II]
 [I] Commingling – Storage – Measurement
☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM
 [II] Injection – Disposal – Pressure Increase – Enhanced Oil Recovery
☐ WFX ☐ PMX ☐ SWD ☐ IPI ☐ EOR ☐ PPR
- 2) **NOTIFICATION REQUIRED TO:** Check those which apply.
 A. ☒ Offset operators or lease holders
 B. ☐ Royalty, overriding royalty owners, revenue owners
 C. ☐ Application requires published notice
 D. ☒ Notification and/or concurrent approval by SLO
 E. ☒ Notification and/or concurrent approval by BLM
 F. ☐ Surface owner
 G. ☒ For all of the above, proof of notification or publication is attached, and/or,
 H. ☐ No notice required

FOR OCD ONLY

- ☐ Notice Complete
☐ Application Content Complete

- 3) **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Darin Savage

Print or Type Name

/s/ Darin Savage

Signature

August 23, 2022

Date

970-385-4401

Phone Number

darin@abadieschill.com

e-mail Address

SUBMITTED TO THE OIL CONSERVATION DIVISION:

Application of Devon Energy Production Company, L.P., for administrative approval of nonstandard well location (NSL) for its Burton Flat 26-28 Fed State Com 623H Well located in the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28, Township 20 South, Range 28 East NMPM, Eddy County, New Mexico.

TABLE OF CONTENTS

Administrative Checklist for NSL

Exhibit A: C-102 Forms, specifically identifying the NSL (19.15.15.13C)

Exhibit B: A statement discussing the reasons for the unorthodox location (19.15.15.13C)

Exhibit C: Tract map outlining the unit location of the unorthodox well with affected area tracts identified (19.15.15.13C)

Exhibit D: A list of affected persons, with addresses, entitled to notice of the application (19.15.15.13C)

Exhibit E: A copy of the notice letter sent to affected persons, entitled to notice of the application (19.15.15.13C)

Devon Energy Production Company, L.P.



For the Pursuit of Energy

ABADIE | SCHILL PC

Colorado	New Mexico
Louisiana	Texas
Kansas	Utah
Nebraska	Wyoming
Montana	California
Oklahoma	North Dakota

August 30, 2022

Adrienne Sandoval, Director
Oil Conservation Division
New Mexico Department of Energy
Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Copy to: Leonard Lowe, Division Technical Examiner

Re: Application of Devon Energy Production Company, L.P., for administrative approval of unorthodox well location for its Burton Flat 26-28 Fed State Com 623H Well located in the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28, Township 20 South, Range 28 East NMPM, Eddy County, New Mexico.

Dear Director Sandoval:

Devon Energy Production Company, L.P., (“Devon”), OGRID No. 6137, is seeking administrative approval of an unorthodox well location (“NSL”) for the Burton Flat 26-28 Fed State Com 623H Well (the “623H Well”) (API 30-015-49256) that was drilled within the WC Burton Flat Upper Wolfcamp (Pool Code 98315) underlying the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28, Township 20 South, Range 28 East, NMPM, Eddy County, New Mexico. An “as-drilled” C-102 for the Well is attached as Exhibit A-1, which shows the following points of location:

- Surface Location (SL): Located in Section 26-T20S-R28E: 866’ from the South line and 2438’ from the West line of said Section.
- Bottom Hole Location (BHL): Located in Section 28-T20S-R28E: 2417’ from the South line and 34’ from the West line of said Section.
- First Take Point (FTP): Located in Section 26-T20S-R28E: 2250’ from the South line and 2552’ from the West line of said Section.
- Last Take Point (LTP): Located in Section 28-T20S-R28E: 2417’ from the South line and 100’ from the West line of said Section.

abadieschill.com

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901

Also included in Exhibit A-2 is the most recent proposed C-102 drafted prior to the drilling of the 623H well showing the projected location for a comparison of the deviation incurred after drilling.

Devon has included as Exhibit B a letter explaining why this application is needed. This well will produce from the WC Burton Flat Upper Wolfcamp (Pool Code 98315). The standup unit follows the Division's statewide rules for oil well locations, and the completed interval for the proposed well is closer than 330' from the west boundary of the spacing unit.

Because the lateral drifted slightly northward during drilling operations, the unorthodox location will encroach towards the (1) S/2 N/2 unit in Section 28, Township 20 South, Range 28 East, part of a unit operated by Devon. The location of the lateral conforms to the prescribed setback along Sections 26 and 27, Township 20 South, Range 28 East. The well is still within Devon's projected parameters for optimal development and prevention of waste.

Devon is the operator in the S/2 N/2 of Section 28, which is part of a unit covering the S/2 N/2 of Section 27 and the S/2 NW/4 of Section 26, which is the adjacent unit the 623H Well encroaches upon, but encroaching only toward Section 28. Therefore, Devon has provided notice to the working interest owners in the adjacent S/2 N/2 part of the unit pursuant to NMAC 19.15.4.12A(2). Devon has also provided notice to the Bureau of Land Management (BLM) and the New Mexico State Land Office (SLO), as affected persons, as is customary in an NSL application when they own royalty interest in federal and state leases with respect to an offset unit. Devon provides herein a sectional map of this area, attached as Exhibit C. Proof of mailing and a copy of the notice letter sent to listed affected persons and parties are attached hereto as Exhibit D and E, respectively.

The subject unit covering the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28 involved in pooling Case No. 22189.

Your consideration in this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darin C. Savage', written over a horizontal line.

Darin C. Savage
Attorney for Applicant

DISTRICT I

1625 N. FRENCH DR., HOBBS, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720

DISTRICT II

811 S. FIRST ST., ARTESIA, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720

DISTRICT III

1000 RIO BRAZOS RD., AZTEC, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170

DISTRICT IV

1220 S. ST. FRANCIS DR., SANTA FE, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 SOUTH ST. FRANCIS DR.
Santa Fe, New Mexico 87505

Form C-102

Revised August 1, 2011

Submit one copy to appropriate

District Office

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name
Property Code	Property Name	Well Number
6137	BURTON FLAT 26-28 FED STATE COM	623H
OGRID No.	Operator Name	Elevation
6137	DEVON ENERGY PRODUCTION COMPANY, L.P.	3245.4'

Surface Location

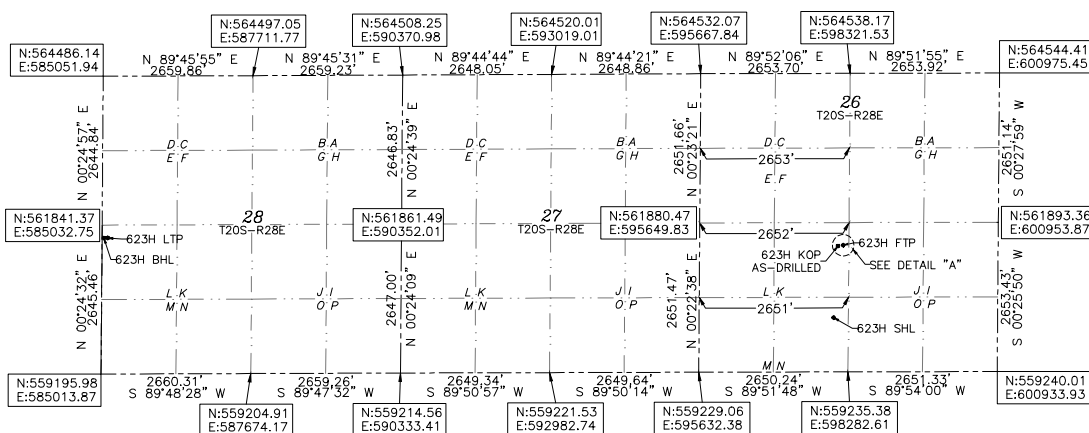
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	26	20-S	28-E		866	SOUTH	2438	WEST	EDDY

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
L	28	20-S	28-E		2417	SOUTH	34	WEST	EDDY

Dedicated Acres	Joint or Infill	Consolidation Code	Order No.

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

BURTON FLAT 26-28
FED STATE COM 623H

EL:3245.4'

LAT:32.539640

LON:104.149212

N:560100.89

E:598076.17

FIRST TAKE POINT

2250' FSL 2552' FWL SEC. 26

LAT:32.543445

LON:104.148805

N:561485.18

E:598199.12

LAST TAKE POINT

2417' FSL 100' FWL SEC. 28

LAT:32.543854

LON:104.191213

N:561613.87

E:585131.12

BOTTOM OF HOLE

LAT:32.543853

LON:104.191428

N:561613.51

E:585064.95

KICK OFF POINT

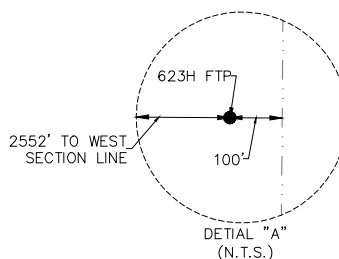
2236' FSL 2460' FWL SEC. 26

LAT:32.543407

LON:104.149105

N:561471.36

E:598106.84

DETAIL "A"
(N.T.S.)

OPERATOR CERTIFICATION

I hereby certify that the information herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unless mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

Signature

Date

Printed Name

E-mail Address

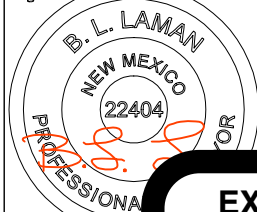
SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

07/2022

Date of Survey

Signature & Seal of Professional Surveyor



Certificate No.

EXHIBIT
A-1

Intent ☐ As Drilled ☒

API #		
Operator Name: DEVON ENERGY PRODUCTION COMPANY, LP.	Property Name: BURTON FLAT 26-28 FED STATE COM	Well Number 623H

Kick Off Point (KOP)

UL K	Section 26	Township 20-S	Range 28-E	Lot	Feet 2236	From N/S SOUTH	Feet 2460	From E/W WEST	County EDDY
Latitude 32.543407					Longitude 104.149105				NAD 83

First Take Point (FTP)

UL K	Section 26	Township 20-S	Range 28-E	Lot	Feet 2250	From N/S SOUTH	Feet 2552	From E/W WEST	County EDDY
Latitude 32.543445					Longitude 104.148805				NAD 83

Last Take Point (LTP)

UL L	Section 28	Township 20-S	Range 28-E	Lot	Feet 2417	From N/S SOUTH	Feet 100	From E/W WEST	County EDDY
Latitude 32.543854					Longitude 104.191213				NAD 83

Is this well the defining well for the Horizontal Spacing Unit? ☐Is this well an infill well? ☐

If infill is yes please provide API if available, Operator Name and well number for Defining well for Horizontal Spacing Unit.

API #		
Operator Name:	Property Name:	Well Number

KZ 06/29/2018

DISTRICT I
1625 N. FRENCH DR., HOBBS, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720

DISTRICT II
811 S. FIRST ST., ARTESIA, NM 88210
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DISTRICT IV
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Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 SOUTH ST. FRANCIS DR.
Santa Fe, New Mexico 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name
Property Code	Property Name	Well Number
OGRID No.	Operator Name	Elevation
6137	DEVON ENERGY PRODUCTION COMPANY, L.P.	623H 3245.4'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	26	20-S	28-E		866	SOUTH	2438	WEST	EDDY

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
L	28	20-S	28-E		2250	SOUTH	20	WEST	EDDY
Dedicated Acres	Joint or Infill	Consolidation Code	Order No.						

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

<p>BURTON FLAT 26-28 FED STATE COM 623H EL: 3245.4' LAT: 32.539640 LON: 104.149212 N: 560100.89 E: 598076.17</p> <p><u>FIRST TAKE POINT</u> 2250' FSL 2552' FWL SEC. 26 LAT: 32.543445 LON: 104.148805 N: 561485.18 E: 598199.12</p> <p><u>LAST TAKE POINT</u> 2250' FSL 100' FWL SEC. 28 LAT: 32.543393 LON: 104.191218 N: 561446.38 E: 585129.93</p> <p><u>BOTTOM OF HOLE</u> LAT: 32.543393 LON: 104.191477 N: 561446.11 E: 585049.93</p>		<p>2552' TO WEST SECTION LINE</p> <p>DETAIL "A" (N.T.S.)</p>		<p>OPERATOR CERTIFICATION</p> <p>I hereby certify that the information herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</p> <p>Signature _____ Date _____</p> <p>Printed Name _____</p> <p>E-mail Address _____</p> <p>SURVEYOR CERTIFICATION</p> <p>I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.</p> <p>03/2021 Date of Survey</p> <p>Signature & Seal of Professional Surveyor B. L. LAMAN NEW MEXICO 22404 PROFESSIONAL SURVEYOR</p> <p>Certificate No. _____</p>	
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**EXHIBIT
A-2**

Intent ☐ As Drilled ☐

API #		
Operator Name: DEVON ENERGY PRODUCTION COMPANY, LP.	Property Name: BURTON FLAT 26-28 FED STATE COM	Well Number 623H

Kick Off Point (KOP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
Latitude					Longitude				NAD

First Take Point (FTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
K	26	20-S	28-E		2250	SOUTH	2552	WEST	EDDY
Latitude					Longitude				NAD
32.543445					104.148805				83

Last Take Point (LTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
L	28	20-S	28-E		2250	SOUTH	100	WEST	EDDY
Latitude					Longitude				NAD
32.543393					104.191218				83

Is this well the defining well for the Horizontal Spacing Unit? ☐Is this well an infill well? ☐

If infill is yes please provide API if available, Operator Name and well number for Defining well for Horizontal Spacing Unit.

API #		
Operator Name:	Property Name:	Well Number

KZ 06/29/2018



Devon Energy Production Company LP
333 West Sheridan Avenue
Oklahoma City, OK 73102

405 552 8002 Phone
www.devonenergy.com

August 25, 2022

Mr. Leonard Lowe
New Mexico Oil Conservation Division
1220 South Francis Drive
Santa Fe, New Mexico 87505

RE: Application for Non-Standard Location
Engineering Statement
Devon Energy Production Company, L.P.
Burton Flat 26-28 Fed State Com 623H
N/2S/2 of Section 28-20S-28E
Eddy County, New Mexico

Dear Mr. Lowe,

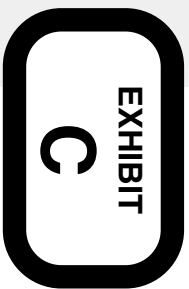
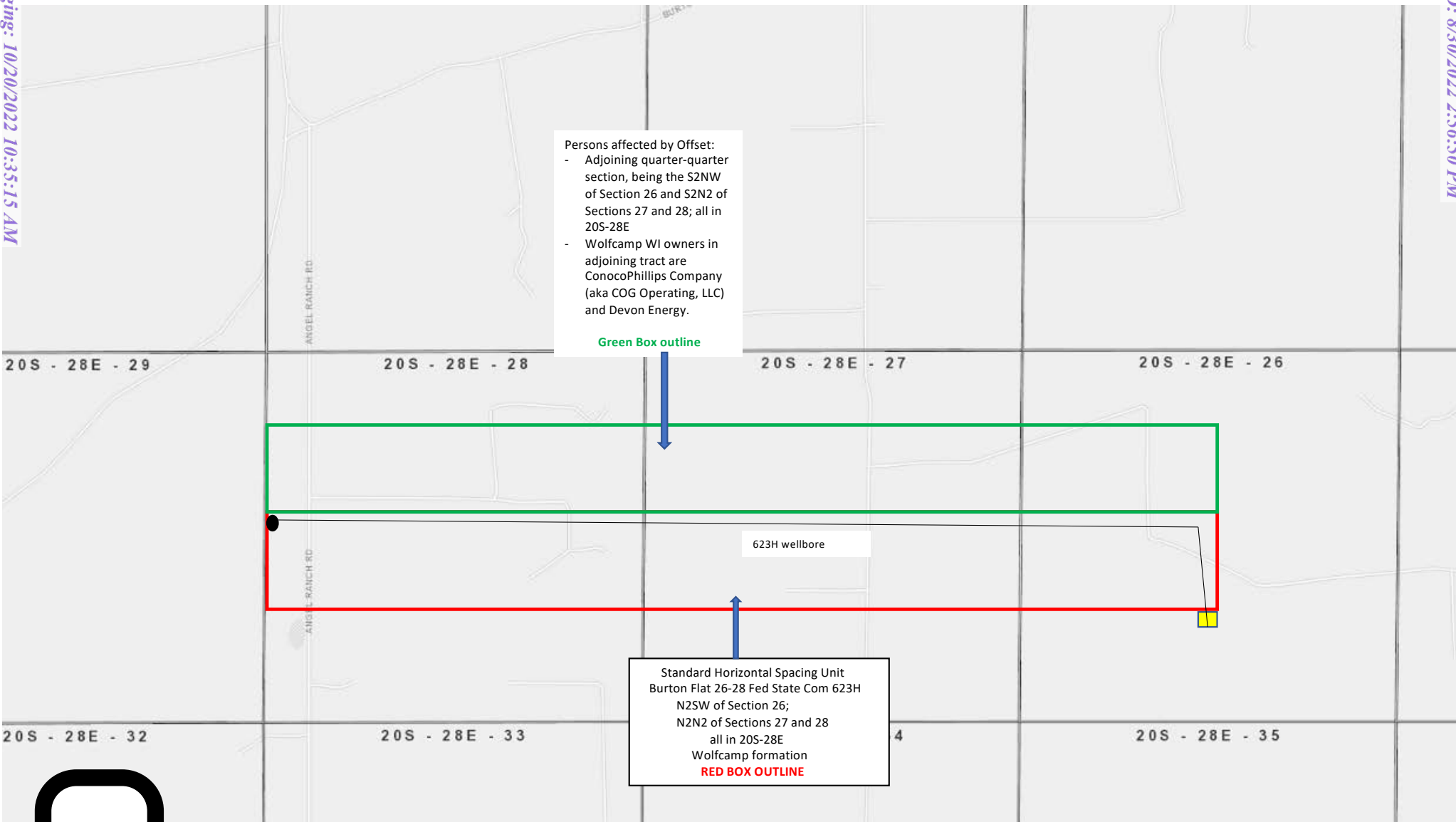
Devon Energy Production Company, L.P. ("Devon") respectfully requests administrative approval of a non-standard location for the Burton Flat 26-28 Fed State Com 623H Well (the "Well") referenced above. The Well was drilled in the WC Burton Flat Upper Wolfcamp Pool; (Pool Code 98315) based on a projected last take point of 2,250' FSL for an orthodox offset to an existing Wolfcamp horizontal spacing unit. However, during drilling, while traversing Section 28, the lateral drifted northward slightly to land at a last take point of 2417' FSL, creating a difference of 167' between the projected take point and the "as drilled" take point, and encroaching toward the S/2 N/2 of Section 28 by 107'. In spite of the encroachment, the "as-drilled" last take point remains within the projected zone for optimal recovery of reserves and approval of the nonstandard location would allow Devon to complete operations and commence production, thereby preventing waste of natural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Keevin Barnes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Keevin Barnes
Reservoir Engineer

EXHIBIT
B



Burton Flat 26-28 Fed State Com 623H					
Non-Standard Location					
Affected Parties					
Affected Parties	Address	Certified Mail #	Status	Date Delivered	Green Card Signed?
COG Operating LLC/ ConocoPhillips Company	600 W. Illinois Ave. Midland, TX 79701	70220410000183772057			
NM State Land Office	310 Old Santa Fe Trail Santa Fe, NM 87501	70220410000183771999			
Bureau of Land Management	620 E. Greene St. Carlsbad, NM 88220	70220410000183772002			

**EXHIBIT
D**



For the Pursuit of Energy

ABADIE | SCHILL PC

Colorado	New Mexico
Louisiana	Texas
Kansas	Utah
Nebraska	Wyoming
Montana	California
Oklahoma	North Dakota

August 30, 2022

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**NOTICE TO AFFECTED PERSONS/PARTIES
RE: APPLICATIONS FOR ADMINISTRATIVE
APPROVAL OF UNORTHODOX WELL LOCATION**

Re: Application of Devon Energy Production Company, L.P., for administrative approval of unorthodox well location for its Burton Flat 26-28 Fed State Com 623H Well located in the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28, Township 20 South, Range 28 East NMPM, Eddy County, New Mexico.

To the Parties/Persons this may concern:

Enclosed in this notice is a copy of the above referenced application filed with the New Mexico Conservation Division on the date referenced above. You are being notified in your capacity as a person or party in an adjoining section or unit pursuant to our request for approval of an unorthodox location of the above-referenced well. Any objections that you have to this application must be filed in writing with the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, within twenty (20) days from the date the Division receives the application filed for administrative approval by the Division. Email correspondence for this matter can be sent to the Division at OCD.Engineer@state.nm.us.

If you have any questions concerning this application, please contact:

Andy D. Bennett
Advising Landman
Devon Energy Production Company, L.P.
(405) 552-8002
Andy.Bennett@dvn.com

abadieschill.com

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901

**EXHIBIT
E**

If you have no objections to this application, please sign the waiver as indicated below and return the original to the address listed on this letterhead. Your assistance and cooperation in this matter are appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darin C. Savage', written over a horizontal line.

Darin C. Savage

Attorney for Devon Energy
Production Company, L.P.

(See waiver on separate page below)

Waiver

_____ hereby waives objection to the above referenced Application for an Unorthodox Location for the Burton Flat 26-28 Fed State Com 623H Well located in the N/2 SW/4 of Section 26 and the N/2 S/2 of Sections 27 and 28, Township 20 South, Range 28 East NMPM, Eddy County, New Mexico.

Dated: _____

Signature: _____

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 139541

CONDITIONS

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 139541
	Action Type: [UF-NSL] Non-Standard Location (NSL)

CONDITIONS

Created By	Condition	Condition Date
llowe	NSL - 8432 is approved. The approved Order can be retrieved at the following OCD website link. https://ocdimage.emnrd.nm.gov/imaging/AEOrderCriteria.aspx	8/30/2022