

RECEIVED:	REVIEWER:	TYPE:	APP NO: <b>pLEL2224257651</b>
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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

<b>FOR OCD ONLY</b>	
<input type="checkbox"/>	Notice Complete
<input type="checkbox"/>	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) 476-3462

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

**Surface Location**

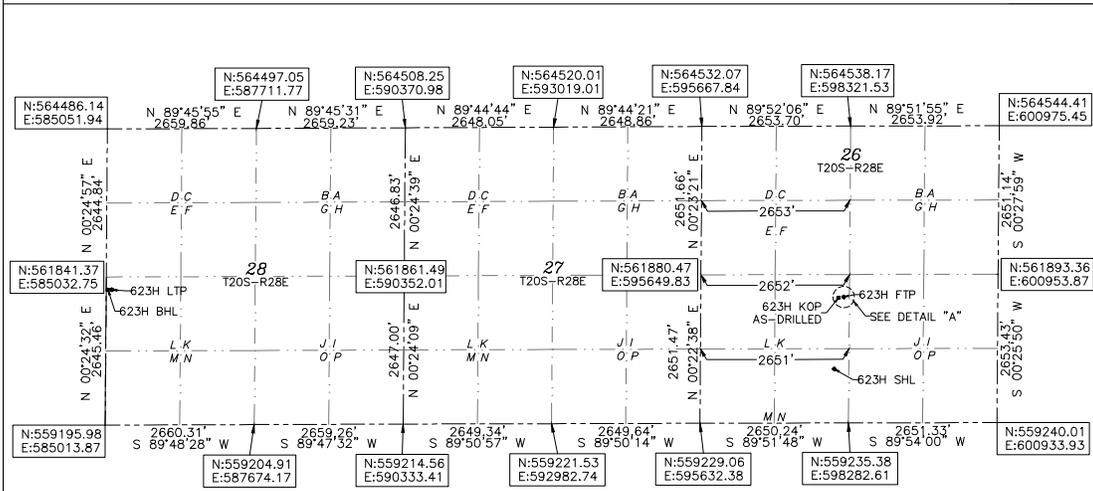
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	26	20-S	28-E		866	SOUTH	2438	WEST	EDDY

**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

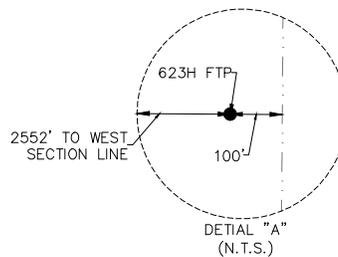
2417' FSL 100' FWL SEC. 28  
LAT:32.543854  
LON:104.191213  
N:561613.87  
E:585131.12

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



**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 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.*

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.*

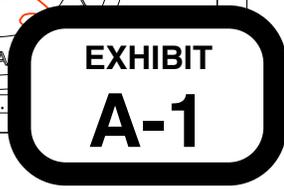
07/2022

Date of Survey

Signature & Seal of Professional Surveyor



Certificate No. \_\_\_\_\_



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
K	26	20-S	28-E		2236	SOUTH	2460	WEST	EDDY
Latitude 32.543407					Longitude 104.149105				NAD 83

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 32.543445					Longitude 104.148805				NAD 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		2417	SOUTH	100	WEST	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) 393-6181 Fax: (575) 393-0720

**DISTRICT II**  
811 S. FIRST ST., ARTESIA, NM 88210  
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**DISTRICT III**  
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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) 476-3462

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	BURTON FLAT 26-28 FED STATE COM	623H
	DEVON ENERGY PRODUCTION COMPANY, L.P.	3245.4'

**Surface Location**

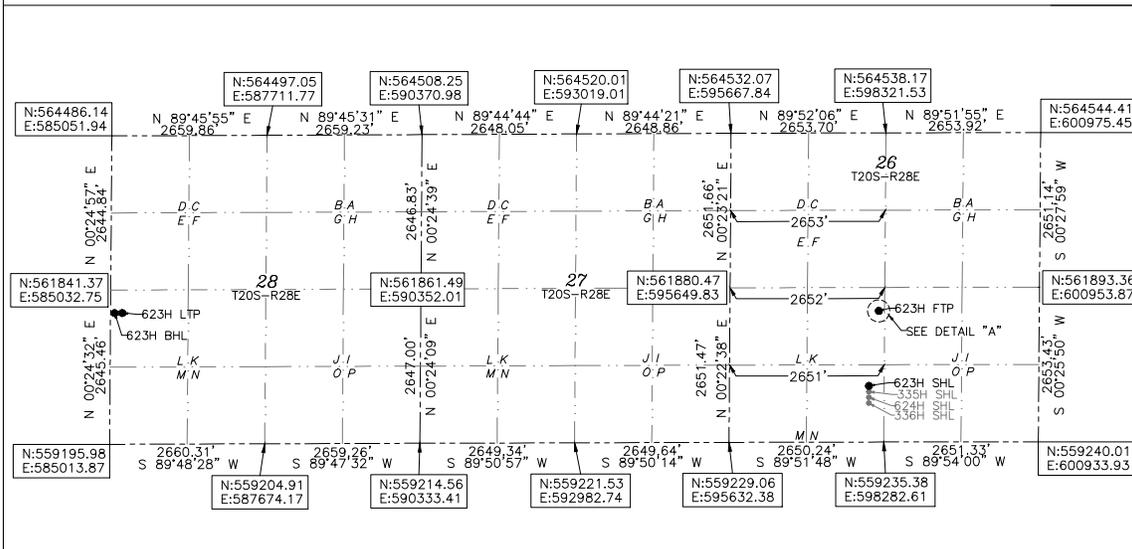
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	26	20-S	28-E		866	SOUTH	2438	WEST	EDDY

**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		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



**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 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.

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.

03/2021  
Date of Survey

Signature & Seal of Professional Surveyor

**B. L. LAMAN**  
NEW MEXICO  
22404  
PROFESSOR

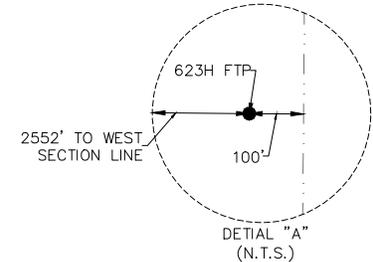
Certificate No. \_\_\_\_\_

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**  
2250' FSL 100' FWL SEC. 28  
LAT: 32.543393  
LON: 104.191218  
N: 561446.38  
E: 585129.93

**BOTTOM OF HOLE**  
LAT: 32.543393  
LON: 104.191477  
N: 561446.11  
E: 585049.93



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 32.543445					Longitude 104.148805				NAD 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 32.543393					Longitude 104.191218				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



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

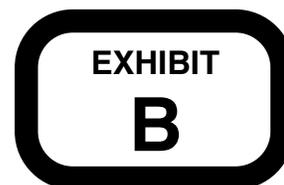
Dear Mr. Lowe,

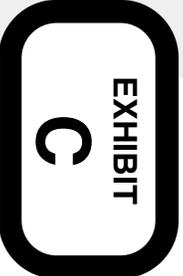
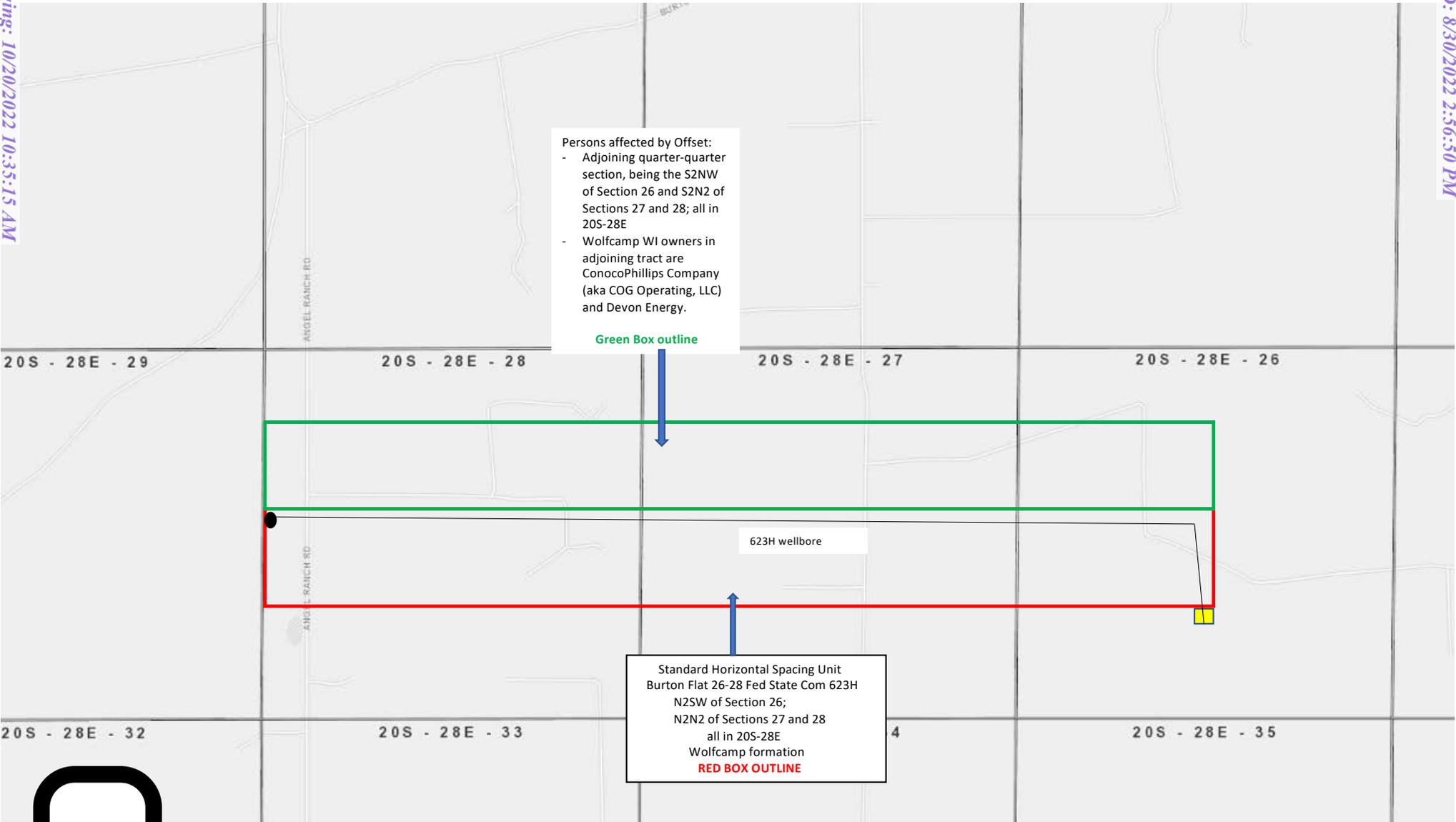
Devon Energy Production Company, L.P. ("Devon") respectfully requests administrative approval of a non-standard location for the Burton Flat 26-28 Fed State Com 623H Well (the "Well") referenced above. The Well was drilled in the WC Burton Flat Upper Wolfcamp Pool; (Pool Code 98315) based on a projected 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, written over a light blue horizontal line.

Keevin Barnes  
Reservoir Engineer





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			





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](mailto: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](mailto:Andy.Bennett@dvn.com)

[abadieschill.com](http://abadieschill.com)

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901



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. <a href="https://ocdimage.emnrd.nm.gov/imaging/AEOrderCriteria.aspx">https://ocdimage.emnrd.nm.gov/imaging/AEOrderCriteria.aspx</a>	8/30/2022