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May 6, 2005

**HAND DELIVERED**

Mr. Mark E. Fesmire, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

*Case 13501*  
2005 MAY 6 PM 1 36

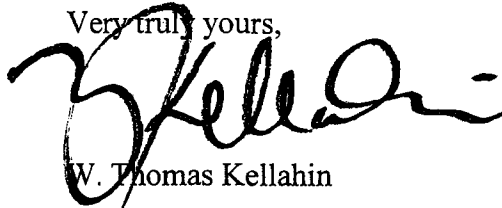
Re: Application of Devon Energy Production Company, L.P.  
for approval of a unit agreement,  
Lea County, New Mexico

Custer Mountain North Federal State Unit  
2,881.28 acres within T22S, R35E and T23S, R35E

Dear Mr. Fesmire:

On behalf of Devon Energy Production Company, L.P., please find enclosed our referenced application that we request to set for hearing on the next available docket currently schedule for June 2, 2005.

Very truly yours,



W. Thomas Kellahin

cc: Devon Energy Production Company, L.P.  
Attn: Richard Winchester

Proposed Advertisement:

Case 13501 : Application of Devon Energy Production Company, L.P. for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the Custer Mountain North Federal State Unit from the surface to the base of the Pennsylvanian formations in area comprising 2,881.28 acres, more or less, of State of New Mexico and Federal lands in the S/2 of Section 33, T22S, R35E and all of Sections 4, 9, 16, and 21 of T23S, R35E, NMPM. This case will be presented by Affidavits. . This unit is located approximately 15 miles southwest of Eunice, New Mexico. **IN THE ABSENCE OF OBJECTION, THIS APPLICATION WILL BE TAKEN UNDER ADVISEMENT.**

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

**IN THE MATTER OF THE APPLICATION OF  
DEVON ENERGY PRODUCTION COMPANY, L.P., FOR  
APPROVAL OF A UNIT AGREEMENT,  
LEACOUNTY, NEW MEXICO.**

*Case 13501*

**APPLICATION**

DEVON ENERGY PRODUCTION COMPANY, L.P. ("Devon") by its attorneys, Kellahin & Kellahin, seeks an order approving its Custer Mountain North Federal State Unit and in support of this application states:

1. The proposed Unit Area consists of 2,881.28 acres, more or less of State of New Mexico and Federal lands, situated in Lea County, New Mexico. The horizontal limits of this unit are described as follows:

**Township 22 south, Range 35 East, NMPM**  
Section 33: S/2

**Township 23 South, Range 35 East, NMPM**  
Section 4: All  
Section 9: All  
Section 16: All  
Section 21: All

2. The Unit Agreement has been approved by a sufficient percentage of the interest owners within the Proposed Unit Area to provide effective control of unit operations.

3. The Applicant, Devon, is designated as Unit Operator in this Unit Agreement all oil and gas in all formations are unitized.

4. The proposed Unit Area covers all, or substantially all of the geological structures and anomaly form the surface to the base of the Pennsylvanian formations.

NMOCD Application  
Devon Energy Production Company, L.P.  
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5. This Unit Agreement and the unitized operations and management of the Unit Area has been filed with the Office of the Commissioner of Public Lands for the State of New Mexico and the applicant anticipates received preliminary approval prior to the hearing of this case before the Division.

6. This Unit Agreement and the unitized operations and management of the Unit Area will be in the interests of conservation, the prevention of waste and the protection of the correlative rights of all parties concerned.

**WHEREFORE**, Devon, as applicant, requests that, after notice and hearing, the Division enter its order approving this unit.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', is written over the typed name and firm name.

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