

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

APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY, L P FOR A NON-STANDARD OIL SPACING  
AND PRORATION UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO

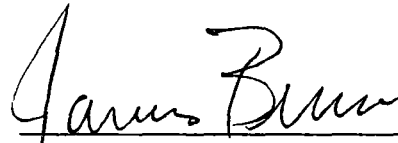
Case No 15,634

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE     )  
  ) ss  
STATE OF NEW MEXICO    )

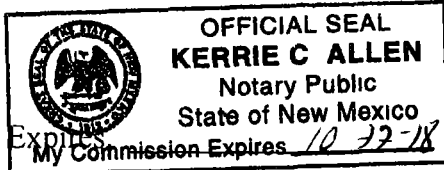
James Bruce being duly sworn upon his oath deposes and states

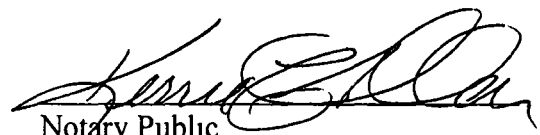
- 1       I am over the age of 18 and have personal knowledge of the matters stated herein
- 2       I am an attorney for Devon Energy Production Company L P
- 3       Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein
- 4       Notice of the application was provided to the interest owners at their last known addresses by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Attachment A
- 5       Applicant has complied with the notice provisions of Division Rules NMAC 19 15 4 9 and 19 15 4 12 C

  
James Bruce

SUBSCRIBED AND SWORN TO before me this 1st day of March 2017 by James  
Bruce

My Commission Expires



  
Notary Public

EXHIBIT

5

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE NEW MEXICO 87504

369 MONTEZUMA NO 213  
SANTA FE NEW MEXICO 87501

(505) 982 2043 (Phone)  
(505) 660 6612 (Cell)  
(505) 982 2151 (Fax)  
[jamesbruce@aol.com](mailto:jamesbruce@aol.com)

February 9 2017

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To Persons on Exhibit A

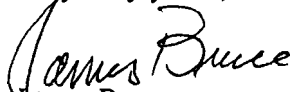
Ladies and gentlemen

Enclosed is a copy of an application for a non standard unit and compulsory pooling filed with the New Mexico Oil Conservation Division by Devon Energy Production Company L P regarding a Wolfcamp well in the W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 1 and the W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 12, Township 23 South Range 31 East, N M P M , Eddy County, New Mexico

This matter is scheduled for hearing at 8 15 a m on Thursday March 2 2017 at the Division s offices at 1220 South St Francis Drive Santa Fe New Mexico 87505 You are not required to attend this hearing, but as an owner of an interest that may be affected by this application you may appear and present testimony Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date

A party appearing in a Division case is required by Division Rules to file a Pre Hearing Statement no later than Thursday, February 23 2017 This statement must be filed with the Division s Santa Fe office at the above address and should include The names of the party and its attorney a concise statement of the case the names of the witnesses the party will call to testify at the hearing the approximate time the party will need to present its case and identification of any procedural matters that need to be resolved prior to the hearing The Pre Hearing Statement must also be provided to the undersigned

Very truly yours,

  
James Bruce

Attorney for Devon Energy Production Company L P

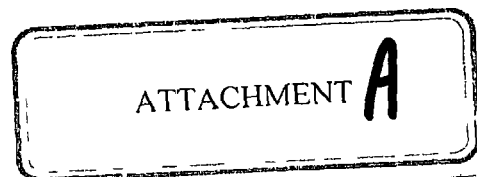


EXHIBIT A

ExxonMobil Corporation  
c/o XTO Energy Inc  
810 Houston Street  
Fort Worth, Texas 76102

Attention Angie Repka

Wells Fargo Bank National Association  
1525 West W T Harris Boulevard  
(MAC vD1109 019)  
Charlotte North Carolina 28262

Linn Energy Holdings LLC  
Berry Petroleum, LLC  
Suite 5100  
600 Travis Street  
Houston Texas 77002

7014 0510 0000 9539 7201

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

1 Article Addressed to

Wells Fargo Bank National Association  
 1525 West W T Harris Boulevard  
 (MAC vD1109 019)  
 Charlotte North Carolina 28262

PS Form 3811 August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1 2 and 3
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece or on the front if space permits

1 Article Addressed to

Linn Energy Holdings LLC  
 Berry Petroleum LLC  
 Suite 5100  
 600 Travis Street  
 Houston Texas 77002

9590 9402 1676 6053 7675 27

7014 0510 0000 9539 7195

PS Form 3811 July 2015 PSN 7530 02-000 9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) Feb 21 2017 Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES enter delivery address below

- 3 Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®              | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Restricted Delivery                     |   |

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1 2 and 3
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece or on the front if space permits

1 Article Addressed to

Wells Fargo Bank National Association  
 1525 West W T Harris Boulevard  
 (MAC vD1109-019)  
 Charlotte North Carolina 28262

9590 9402 1676 6053 6632 32

2 Article Number (Transfer from service label)

7014 0510 0000 9539 7201

PS Form 3811 July 2015 PSN 7530 02 000 9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) Feb 21 2017 Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES enter delivery address below

- 3 Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®              | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Restricted Delivery                     |   |

Domestic Return Receipt

7014 0510 0000 9539 7195

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

1 Article Addressed to

Linn Energy Holdings LLC  
 Berry Petroleum LLC  
 Suite 5100  
 600 Travis Street  
 Houston Texas 77002

PS Form 3811 August 2006 See Reverse for Instructions



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## Product & Tracking Information

### Postal Product

### Features

Certified Mail

## Available Actions

Text Updates

Email Updates

February 16 2017 8:00  
am

Delivered To Agent

FORT WORTH TX 76102

## Track Another Package

Tracking (or receipt) number

## Manage Incoming Packages

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Postage	\$
Certified Fee	
Restricted Delivery Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To

Street Apt No  
or PO Box No  
City State ZIP 4

**ExxonMobil Corporation**  
c/o XTO Energy Inc  
810 Houston Street  
Fort Worth Texas 76102

PS Form 3800, August 2006 See Reverse for Instructions

7014 0510 0000 9539 7218