

ID NO. 316017

NSP - 2190

Revised March 23, 2017

RECEIVED: 02/20/24	REVIEWER:	TYPE:	APP NO: pLEL2405232987
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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 3-1 Fed State Com 335H, 337H, and 339H Wells **API:** 30-015-54707, 30-015-54701,
Pool: Avalon; Bone Spring, East **30-015-Pending**
Pool Code: 3713

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.

February 19, 2024

Darin Savage

Date

Print or Type Name

970-385-4401

/s/ Darin Savage

Phone Number

darin@abadieschill.com

Signature

e-mail Address

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 Devon Energy
Production Company, L.P.



For the Pursuit of Energy

ABADIE | SCHILL PC

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

February 20, 2024

Dylan M. Fuge, 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 a nonstandard spacing and proration unit for its Burton Flat 3-1 Fed State Com 335H Well, Burton Flat 3-1 Fed State Com 337H Well, and Burton Flat 3-1 Fed State Com 339H Well, in the Bone Spring formation underlying Lots 13, 14, 15, and 16 and the S/2 (aka Units I through P) of Sections 1, 2 and 3, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico.

Dear Director Fuge:

Devon Energy Production Company, L.P., ("Devon"), OGRID No. 6137, is seeking administrative approval of a 1440 acre, more or less, nonstandard spacing and proration unit ("NSP") for the Burton Flat 3-1 Fed State Com 335H (API 30-015-54707), 337H (API 30-015-54701) and 339H (API 30-015-Pending) Wells, oil wells, to be completed within the Avalon; Bone Spring, East Pool (Pool Code 3713) underlying Lots 13, 14, 15, and 16 and the S/2 (aka Units I through P) of Sections 1, 2 and 3, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico.

Devon had previously pooled, and orders were issued for, three units which together cover the same 1440-acre, more or less, area as the non-standard unit requested herein. Those three units consist of (1) Lots 13 through 16 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 335H Well (as established in Case No. 23914, Order No. R-22999); (2) the N/2 S/2 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 337H Well (as established in Case No. 23913, Order No. R-22998); and (3) the S/2 S/2 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 339H Well (as established in Case No. 23912, Order No. R-22996). In this NSP Application, the non-standard unit is requested as part of a process to reconfigure the three existing units into the larger non-standard unit, a process which also involved Devon seeking a pooling order in related Case No. 24250.

C-102s for the Wells are attached as Exhibit A. These are horizontal wells that will be drilled as follows:

abadieschill.com

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901

Burton Flat 3-1 Fed State Com 335H Well:

- Surface Location (SL): 2958' from the South line and 150' from the West line of Section 3, Township 21 South, Range 27 East;
- Bottom Hole Location (BHL): 3346' from the South line and 20' from the East line of Section 1, Township 21 South, Range 27 East;
- First Take Point (FTP): 3346' from the South line and 100' from the West line of Section 3, Township 21 South, Range 27 East;
- Last Take Point (LTP): 3346' from the South line and 100' from the East line of Section 1, Township 21 South, Range 27 East.

Burton Flat 3-1 Fed State Com 337H Well:

- Surface Location (SL): 2156' from the South line and 150' from the West line of Section 3, Township 21 South, Range 27 East;
- Bottom Hole Location (BHL): 1846' from the South line and 20' from the East line of Section 1, Township 21 South, Range 27 East;
- First Take Point (FTP): 1846' from the South line and 100' from the West line of Section 3, Township 21 South, Range 27 East;
- Last Take Point (LTP): 1846' from the South line and 100' from the East line of Section 1, Township 21 South, Range 27 East.

Burton Flat 3-1 Fed State Com 339H Well:

- Surface Location (SL): 205' from the South line and 205' from the West line of Section 3, Township 21 South, Range 27 East;
- Bottom Hole Location (BHL): 346' from the South line and 20' from the East line of Section 1, Township 21 South, Range 27 East;
- First Take Point (FTP): 346' from the South line and 100' from the West line of Section 3, Township 21 South, Range 27 East;
- Last Take Point (LTP): 346' from the South line and 100' from the East line of Section 1, Township 21 South, Range 27 East.

Devon has included as Exhibit B, a letter explaining why this application is needed. These wells will produce from the Avalon; Bone Spring, East Pool (Pool Code 3713). The Avalon; Bone Spring, East Pool is designated as an oil pool and statewide rules apply.

The non-standard horizontal spacing unit will be comprised of Lots 13, 14, 15, 16, and the S/2 (aka Units I through P) of Sections 1, 2, and 3, all in Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico, and therefore notice was provided to affected persons adjoining the non-standard unit, pursuant to 19.15.16.15B(5)(b)(ii) NMAC.

Devon attests that, on or before submission of this application, it provided notice to the affected persons as described herein; said notice described satisfies all provisions of 19.15.16.15B(5)(b) NMAC. Devon has also provided notice to the New Mexico State Land Office and the Bureau of Land Management to the extent that state and federal leases are involved, pursuant to 19.15.2.7A(8)(d) NMAC. Copies of the application and required plat maps are furnished. Devon provides herein a sectional map of this area, attached as Exhibit C. Proof of mailing, along with a copy of the notice letter sent to listed affected persons and parties, is attached hereto as Exhibit D.

SUBMITTED TO THE OIL CONSERVATION DIVISION:

Application of Devon Energy Production Company, L.P., for administrative approval of a nonstandard spacing and proration unit for its Burton Flat 3-1 Fed State Com 335H Well, Burton Flat 3-1 Fed State Com 337H Well, and Burton Flat 3-1 Fed State Com 339H Well, in the Bone Spring formation underlying Lots 13, 14, 15, and 16 and the S/2 (aka Units I through P) of Sections 1, 2 and 3, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico.

TABLE OF CONTENTS

Administrative Checklist for NSP

- Exhibit A: C-102 Forms, specifically identifying the NSP (19.15.15.11B)
- Exhibit B: A statement discussing the reasons for the nonstandard unit (19.15.15.11B(3)(c))
- Exhibit C: Tract map outlining (1) the proposed nonstandard unit with all adjoining spacing units; (2) an applicable standard spacing unit; and (3) the proposed dedications (19.15.15.11B(3)(a))
- Exhibit D: A list of affected persons, with addresses, entitled to notice of the application, along with a copy of the notice letter sent to affected persons, entitled to notice of the application (19.15.15.11B(3)(b))

Devon Energy Production Company, L.P.

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
	3713	AVALON BONE SPRING, EAST
Property Code	Property Name	Well Number
	BURTON FLAT 3-1 FED STATE COM	335H
OGRID No.	Operator Name	Elevation
6137	DEVON ENERGY PRODUCTION COMPANY, L.P.	3195.6'

Surface Location

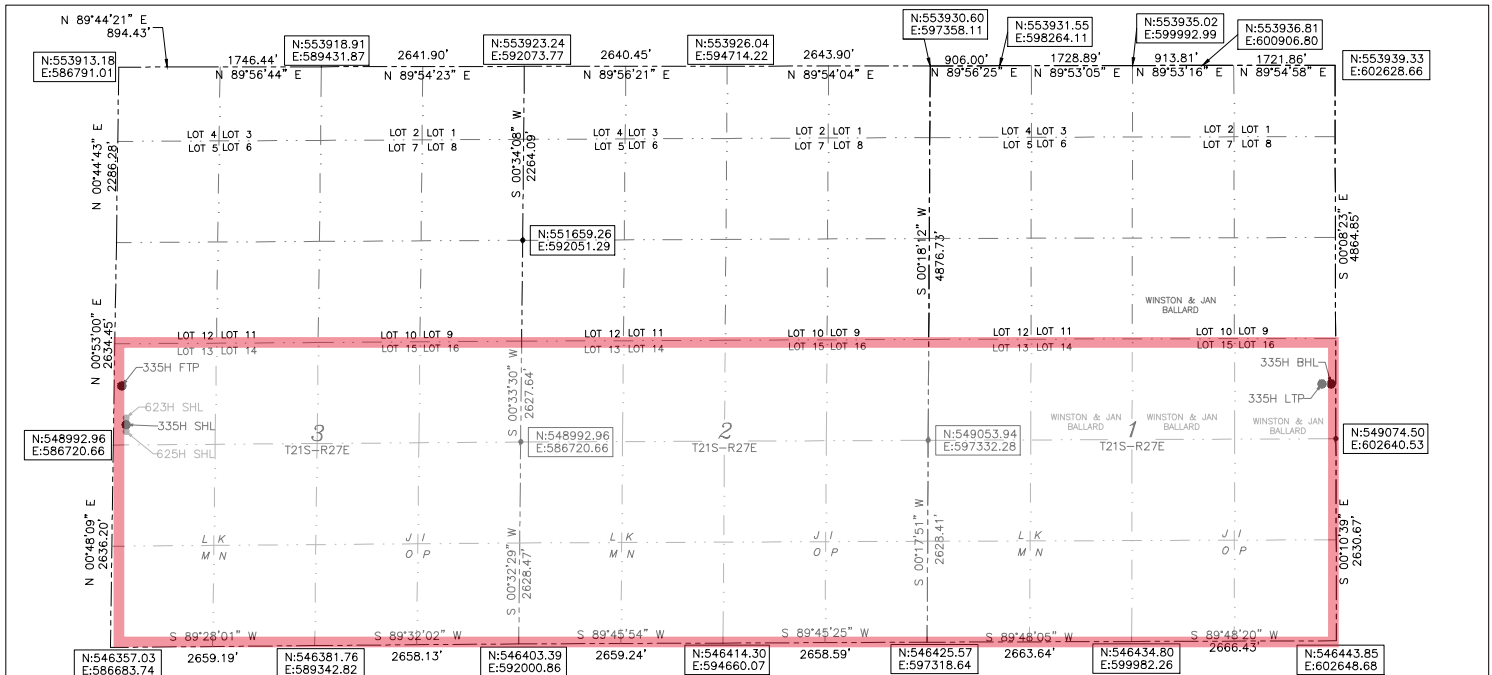
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
LOT 13	3	21-S	27-E		2958	SOUTH	150	WEST	EDDY

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
LOT 16	1	21-S	27-E		3346	SOUTH	20	EAST	EDDY

Dedicated Acres	Joint or Infill	Consolidation Code	Order No.
1440			

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 3-1
FED STATE COM 335H
LAT:32.510046
LON:104.185608
N:549316.91
E:586875.31

FIRST TAKE POINT
3346' FSL 100' FWL SEC. 3
LAT:32.511111
LON:104.185745
N:549704.41
E:586832.55

LAST TAKE POINT
3346' FSL 100' FEL SEC. 1
LAT:32.511274
LON:104.134793
N:549789.20
E:602538.78

BOTTOM OF HOLE
LAT:32.511274
LON:104.134533
N:549789.32
E:602618.78

are based on the New Mexico
State Plane Coordinate System,
NAD 83, New Mexico East Zone
3001, US Survey Feet, all
distances are grid.

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.

Arianna Evans 10/26/22
Signature Date

Arianna Evans
Printed Name

arianna.evans@dvn.com
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.

Signature & Seal of Professional Surveyor
B. L. LAMAN 4/10/2022

22404
PROFESSIONAL SURVEYOR
4/19/22
Certificate No. 22404 B.L. LAMAN

EXHIBIT
A

API #		
Operator Name: DEVON ENERGY PRODUCTION COMPANY, LP.	Property Name: BURTON FLAT 3-1 FED STATE COM	Well Number 335H

Kick Off Point (KOP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
	3	21S	27E	13	3378	SOUTH	54	WEST	EDDY
Latitude 32.51110550					Longitude -104.18597673				NAD 83

First Take Point (FTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
	3	21-S	27-E	13	3346	SOUTH	100	WEST	EDDY
Latitude 32.511111					Longitude 104.185745				NAD 83

Last Take Point (LTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
	1	21-S	27-E	16	3346	SOUTH	100	EAST	EDDY
Latitude 32.511274					Longitude 104.134793				NAD 83

Is this well the defining well for the Horizontal Spacing Unit? ☐ YESIs this well an infill well? ☐ NO

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

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
	3713	AVALON BONESPRING, EAST
Property Code	Property Name	Well Number
	BURTON FLAT 3-1 FED STATE COM	337H
OGRID No.	Operator Name	Elevation
6137	DEVON ENERGY PRODUCTION COMPANY, L.P.	3195.7'

Surface Location

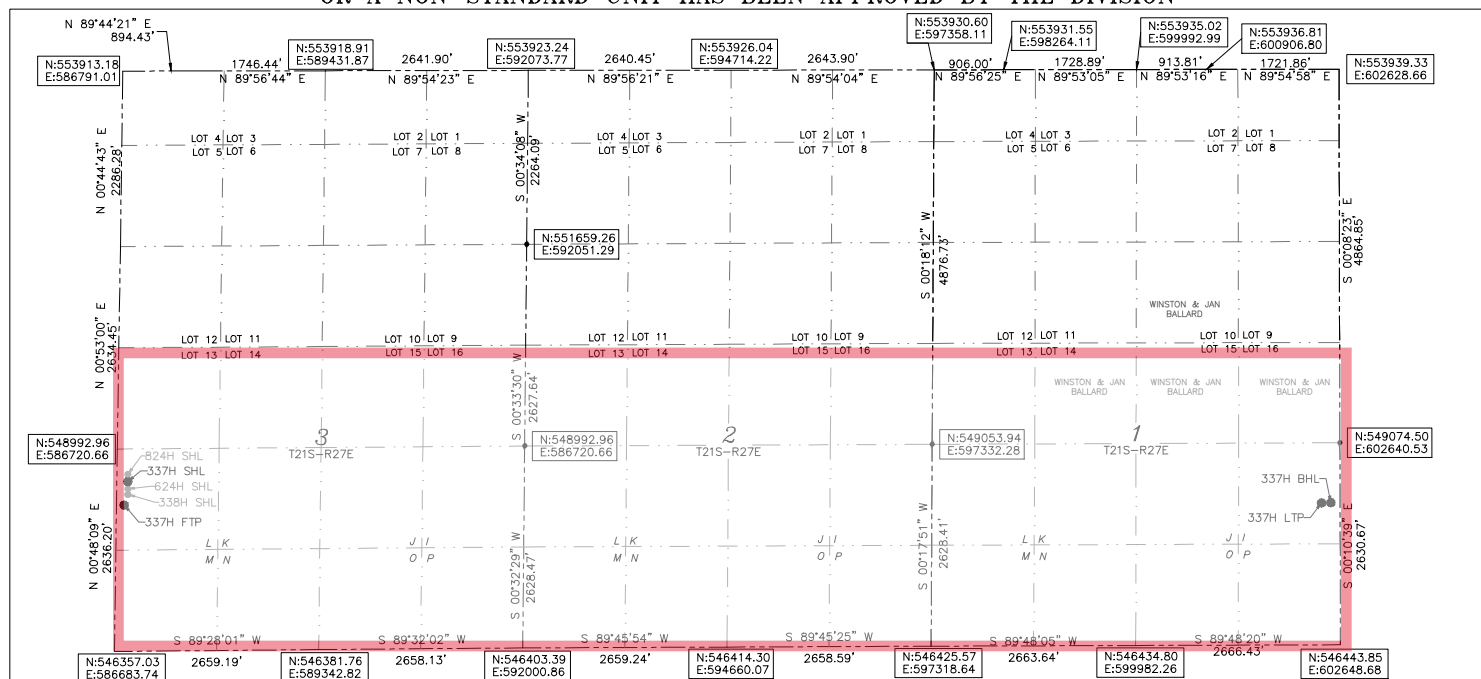
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
L	3	21-S	27-E		2156	SOUTH	150	WEST	EDDY

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
I	1	21-S	27-E		1846	SOUTH	20	EAST	EDDY

Dedicated Acres	Joint or Infill	Consolidation Code	Order No.
1440			

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 3-1
FED STATE COM 337H
LAT:32.507841
LON:104.185648
N:548514.79
E:586863.98

FIRST TAKE POINT
1846' FSL 100' FWL SEC. 3
LAT:32.506986
LON:104.185826
N:548203.83
E:586809.61

LAST TAKE POINT
1846' FSL 100' FEL SEC. 1
LAT:32.507151
LON:104.134788
N:548289.20
E:602542.96

BOTTOM OF HOLE
LAT:32.507151
LON:104.134529
N:548289.32
E:602622.96

are based on the New Mexico
State Plane Coordinate System,
NAD 83, New Mexico East Zone
3001, US Survey Feet, all
distances are grid.

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.

Arianna Evans 10/26/22
Signature Date

Arianna Evans
Printed Name

arianna.evans@dvn.com
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.

B. L. LAMAN 05/2022
Signature & Seal of Professional Surveyor

NEW MEXICO
PROFESSIONAL SURVEYOR
REV: 5/13/22
Certificate No. 22404 B.L. LAMAN
DRAWN BY: CM

Intent ☒ As Drilled ☐

API #		
Operator Name: DEVON ENERGY PRODUCTION COMPANY, LP.	Property Name: BURTON FLAT 3-1 FED STATE COM	Well Number 337H

Kick Off Point (KOP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
	3	21S	27E		1846	SOUTH	41	WEST	EDDY
Latitude 32.50689162					Longitude -104.18609867				NAD 83

First Take Point (FTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
L	3	21-S	27-E		1846	SOUTH	100	WEST	EDDY
Latitude 32.506986					Longitude 104.185826				NAD 83

Last Take Point (LTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
I	1	21-S	27-E		1846	SOUTH	100	EAST	EDDY
Latitude 32.507151					Longitude 104.134788				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
Phone: (575) 748-1283 Fax: (575) 748-9720

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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 3713	Pool Name AVALON; BONE SPRING, EAST
Property Code	Property Name BURTON FLAT 3-1 FED STATE COM	Well Number 339H
OGRID No. 6137	Operator Name DEVON ENERGY PRODUCTION COMPANY, L.P.	Elevation 3206.6'

Surface Location

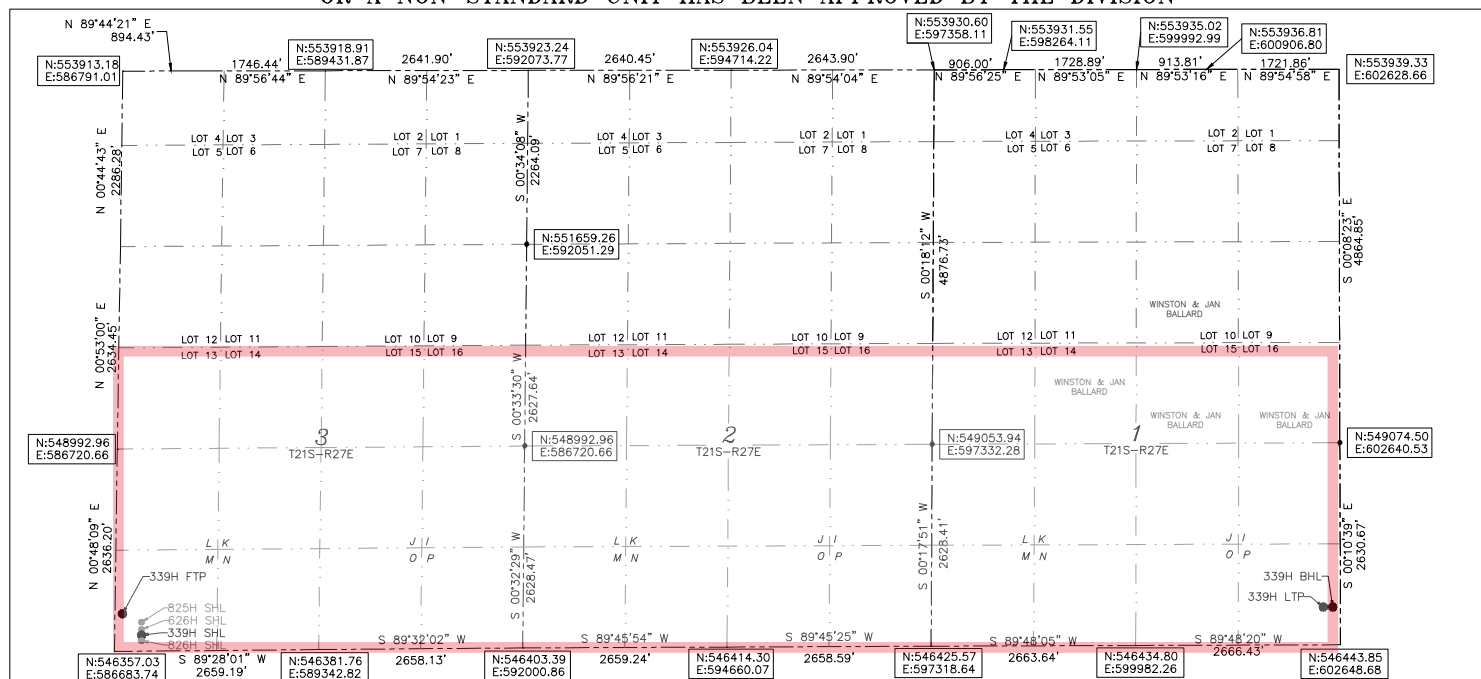
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
M	3	21-S	27-E		205	SOUTH	205	WEST	EDDY

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
P	1	21-S	27-E		346	SOUTH	20	EAST	EDDY

Dedicated Acres 1440	Joint or Infill	Consolidation Code	Order No.
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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 3-1
FED STATE COM 339H

LAT:32.502478
LON:104.185567
N:546563.97
E:586891.65

FIRST TAKE POINT

346' FSL 100' FWL SEC. 3
LAT:32.502864
LON:104.185901
N:546704.02
E:586788.61

LAST TAKE POINT

346' FSL 100' FEL SEC. 1
LAT:32.503028
LON:104.134782
N:546789.21
E:602547.60

BOTTOM OF HOLE

LAT:32.503028
LON:104.134523
N:546789.32
E:602627.60

Note: All bearings recited herein
are based on the New Mexico
State Plane Coordinate System,
NAD 83, New Mexico East Zone
3001, US Survey Feet, all
distances are grid.

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.

Arianna Evans 11/30/22
Signature Date

ARIANNA EVANS

Printed Name
arianna.evans@dvn.com

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.

Signature & Seal of Professional Surveyor
5/2022

NEW MEXICO
22404
PROFESSIONAL SURVEYOR

11/29/22

Certificate No. 22404 B.L. LAMAN

DRAWN BY: CM

Intent ☒ As Drilled ☐

API #		
Operator Name: DEVON ENERGY PRODUCTION COMPANY, LP.	Property Name: BURTON FLAT 3-1 FED STATE COM	Well Number 339H

Kick Off Point (KOP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
	3	21S	27E		346	SOUTH	48	WEST	EDDY
Latitude 32.50276824					Longitude -104.18615013				NAD 83

First Take Point (FTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
M	3	21-S	27-E		346	SOUTH	100	WEST	EDDY
Latitude 32.502864					Longitude 104.185901				NAD 83

Last Take Point (LTP)

UL	Section	Township	Range	Lot	Feet	From N/S	Feet	From E/W	County
P	1	21-S	27-E		346	SOUTH	100	EAST	EDDY
Latitude 32.503028					Longitude 104.134782				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

February 15, 2024

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

RE: Application for Non-standard Spacing Unit
Engineering Statement
Devon Energy Production Company, L.P.
Burton Flat 3-1 Fed State Com 335H, 337H, and 339H
(the "Burton Flat Wells")
Lots 13, 14, 15, 16, and the S/2 of Sections 1, 2, and 3
Township 21 South, Range 27 East, NMPM ("Unit")
Eddy County, New Mexico

Dear Mr. Lowe:

Devon Energy Production Company, L.P. ("Devon") respectfully requests administrative approval of a non-standard spacing unit for the Burton Flat Wells referenced above. The wells are in the Avalon; Bone Spring, East Pool (Pool Code 3713).

Devon previously pooled and orders were issued for three units which cover the same 1,440-acre area as the proposed non-standard unit herein. Those three units consist of (1) Lots 13 through 16 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 335H Well (as established in Case No. 23914, Order No. R-22999); (2) the N/2 S/2 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 337H Well (as established in Case No. 23913, Order No. R-22998); and (3) the S/2 S/2 of Sections 1, 2 and 3, containing the Burton Flat 3-1 Fed State Com 339H Well (as established in Case No. 23912, Order No. R-22996).

Sections 1, 2 and 3 are unusual, irregular sections. First, the north half of each section is comprised of 16 lots; thus, each Section is expanded far beyond a typical section by approximately 320 acres. For example, Section 1 is a sizable 912.80 acres because its north half has eight extra lots (Lots 9 through 16) that are 40 acres each.

Because Devon's development plans for all of Sections 1, 2, and 3, extend across and cover the full 2743.92 acres, more or less, Devon is encountering operational and logistical difficulties with the placement of its equipment and facilities. These difficulties became apparent when Devon drilled wells in the most northern units of the Sections covering Lots 1-4, and Lots 5-9. Devon has not yet drilled the above-referenced wells in the southern units of the three sections and has filed new pooling applications concurrently with this administrative application for a

Page 2

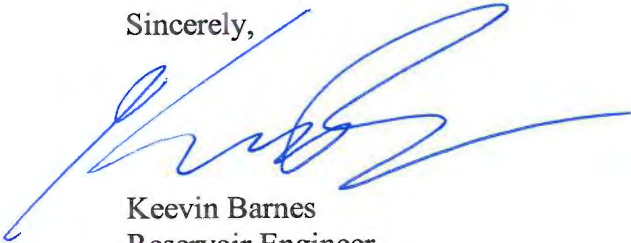
1440 acre, more or less, non-standard spacing unit in the Bone Spring underlying Lots 13 – 16 and the S/2 of Section 1, 2 and 3.

Devon has a responsibility to be a prudent operator and approval of the non-standard unit would allow Devon to set up facilities and operations in a prudent manner that provides the efficient development of these irregular sections and avoid significant economic waste, by eliminating the unnecessary duplication of production facilities. This would also benefit the environment by reducing the impact on surface area and eliminating potential emissions from separate facilities.

In addition, the BLM is directing Devon to enter into a Communization Agreement that encompasses larger areas, and establishing a non-standard unit that encompasses Lots 13 – 16 and the S/2 of Section 1, 2, and 3, would satisfy BLM's preference on these federal lands.

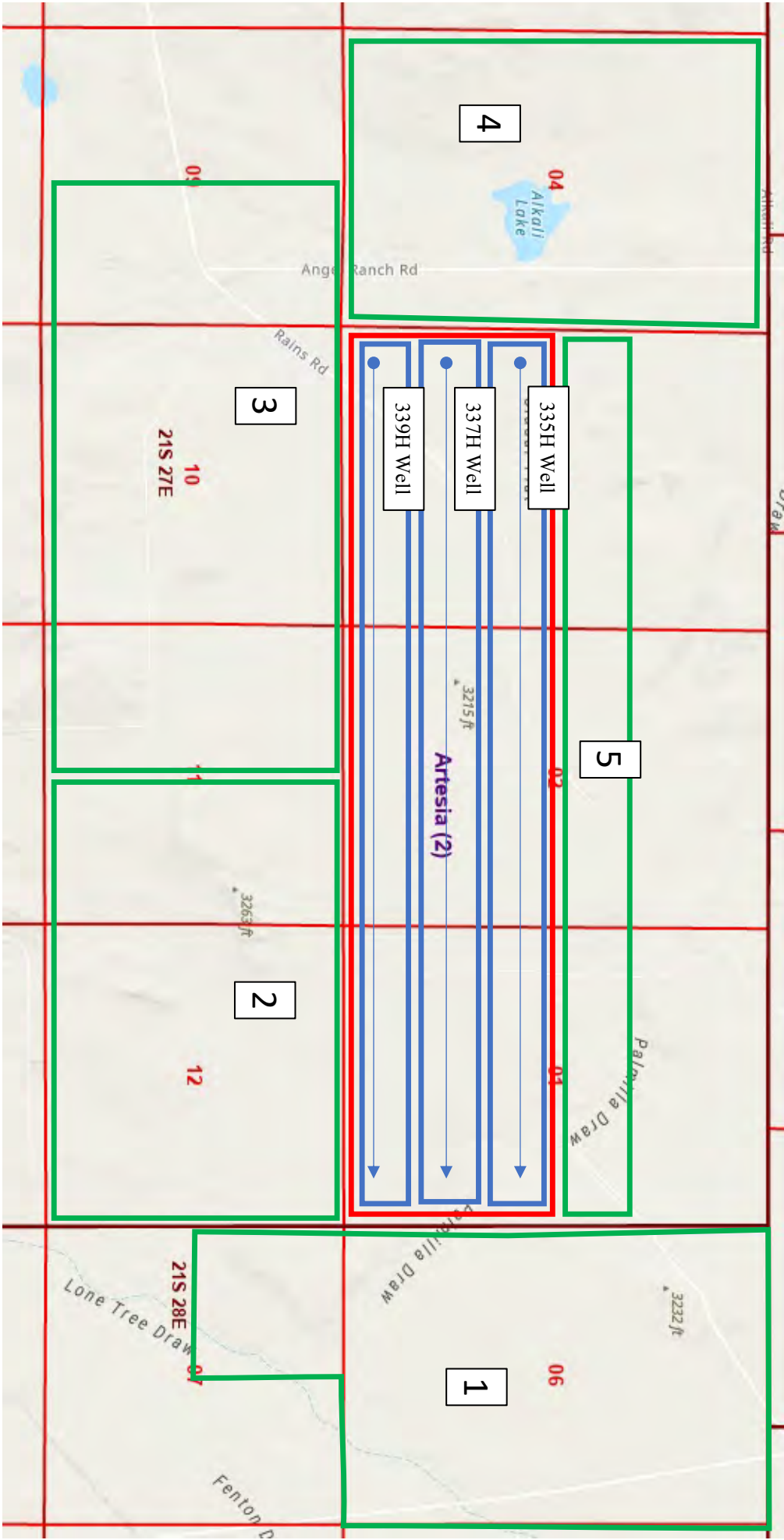
For the foregoing reasons, Devon is requesting approval of the non-standard unit.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keevin Barnes', is written over the word 'Sincerely,'.

Keevin Barnes
Reservoir Engineer

Burton Flat 3-1 Fed State Com Area



Affected Offset Units

1. Big Eddy Unit
2. Bo Howard Unit
3. Cert/Bent Tree Units
4. Section 4, Township 21 South, Range 27 East, NMPM
5. Burton Flat 3-1 Fed State Com 333H Unit

 Applicable Standard Units

 Proposed Non-Standard Unit

WI Owner/Operator:

1. XTO Energy, Inc./Exxon Mobil Corporation
2. Matador Resources Co./Matador Production Co.
3. Devon Energy Production Co., L.P.
4. XTO Energy, Inc./Exxon Mobil Corporation
4. Mewbourne Oil Company
4. Chevron
4. Magnum Hunter
5. Devon Energy Production Co., L.P.

WI Owners:

5. Working interest owners in the Burton Flat 3-1 Fed State Com 333H Well, identified on Mailing List



ReferenceNumber	Name1	Name2	Address1	Address2	Address3	City	State	Zip	ReturnReceiptType
4188.54	Bureau of Land Management		620 E. Greene Street			Carlsbad	NM	88220-6292	RRE
4188.54	New Mexico State Land Office		310 Old Santa Fe Trail			Santa Fe	NM	87501	RRE
4188.54	CLAREMONT CORPORATION		PO BOX 3226			Tulsa	OK	74101-3226	RRE
4188.54	GW HOLDINGS INC GREAT WESTERN DRILLING LTD	DBA GREAT WESTERN DRILLING COMPANY	PO BOX 1659			MIDLAND	TX	79702-1659	RRE
4188.54	ZORRO PARTNERS LTD		616 TEXAS ST			FT WORTH	TX	76102-4612	RRE
4188.54	DAVOIL INC		PO BOX 122289			FT WORTH	TX	76121-2269	RRE
4188.54	SIEB RESOURCES		PO BOX 1107			RICHMOND	TX	77406	RRE
4188.54	SABINAL ENERGY LLC DBA SABINAL ENERGY OPERATING LLC		1780 HUGES LANDING BLVD	STE 1200		THE WOODLANDS	TX	77380	RRE
4188.54	JAVELINA PARTNERS		616 TEXAS ST			FT WORTH	TX	76102-4612	RRE
4188.54	REDDEFIN ENTERPRISES INC		PO BOX 2127			MIDLAND	TX	79702-2127	RRE
4188.54	MRC PERMAN COMPANY		5400 LBJ FREEWAY	SUITE 1500		DALLAS	TX	75240	RRE
4188.54	CHEVRON USA, INC.		6301 DEAUVILLE BLVD			MIDLAND	TX	79706	RRE
4188.54	MAGNUM HUNTER PRODUCTION INC.	c/o CIMAREX ENERGY CO.	600 MARENFIELD STREET	SUITE 600		MIDLAND	TX	79701	RRE
4188.54	XTO Energy Inc.	/ ExxonMobil Corporation	22777 Springwoods Village Parkway			Spring	TX	77389	RRE
4188.54	Matador Resources Company	/ Matador Production Company	5400 LBJ Freeway	Suite 1500		DALLAS	TX	75240	RRE
4188.54	Mexbourne Oil Company		500 W. Texas Avenue			MIDLAND	TX	79701	RRE



For the Pursuit of Energy

ABADIE | SCHILL PC

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

February 20, 2024

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**NOTICE TO AFFECTED PERSONS/PARTIES
RE: APPLICATIONS FOR ADMINISTRATIVE APPROVAL OF NONSTANDARD
SPACING AND PRORATION UNIT**

Re: Application of Devon Energy Production Company, L.P., for administrative approval of a nonstandard spacing and proration unit for its Burton Flat 3-1 Fed State Com 335H Well, Burton Flat 3-1 Fed State Com 337H Well, and Burton Flat 3-1 Fed State Com 339H Well, in the Bone Spring formation underlying Lots 13, 14, 15, and 16 and the S/2 (aka Units I through P) of Sections 1, 2 and 3, Township 21 South, Range 27 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 tract or unit pursuant to our request for approval of a nonstandard spacing and proration unit. 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 applications filed for administrative approval by the Division. Email correspondence for this matter can be sent to the Division at OCD.Engineer@emnrd.nm.gov.

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

Andy 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

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.

Waiver

_____ hereby waives objection to the above referenced Application of Devon Energy Production Company, L.P., for administrative approval of a nonstandard spacing and proration unit for its Burton Flat 3-1 Fed State Com 335H Well, Burton Flat 3-1 Fed State Com 337H Well, and Burton Flat 3-1 Fed State Com 339H Well, in the Bone Spring formation underlying Lots 13, 14, 15, and 16 and the S/2 (aka Units I through P) of Sections 1, 2 and 3, Township 21 South, Range 27 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 316017

CONDITIONS

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 316017
	Action Type: [UF-NSP] Non-Standard Proration (NSP)

CONDITIONS

Created By	Condition	Condition Date
llowe	None	2/21/2024