

**BEFORE THE OIL CONSERVATION DIVISION
EXAMINER HEARING NOVEMBER 04, 2021**

CASE NOS. 22291-22292

*WHITE DOVE 17 FED COM #23H WELL
WHITE DOVE 17 FED COM #24H WELL*

LEA COUNTY, NEW MEXICO



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

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
TERMS OF ORDER NO. R-21761,
LEA COUNTY, NEW MEXICO.**

CASE NO. 22291

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
TERMS OF ORDER NO. R-21762,
LEA COUNTY, NEW MEXICO.**

CASE NO. 22292

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

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
TERMS OF ORDER NO. R-21761,
LEA COUNTY, NEW MEXICO.**

CASE NO. 22291

APPLICATION

Devon Energy Production Company, L.P. (“Devon” or “Applicant”) (OGRID No. 6137), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to pool additional interest owners under the terms of Order No. R-21761 (the “Order”). In support of this application, Devon states:

1. The Division entered the Order on June 24, 2021, in Case No. 21965, that created a standard 160-acre, more or less, horizontal spacing unit in the Bone Spring formation comprised of the W/2 E/2 of Section 17, Township 23 South, Range 34 East, NMPM, Lea County, New Mexico.
2. The Order dedicated the horizontal spacing unit to the initial **White Dove 17 Fed Com #23H well**.
3. Since the entry of Order No. R-21761, Devon has determined that there are additional interest owners in the Unit who were not provided notice of the hearing in Case No. 21965, and as a result, whose interests were not pooled by the terms of the Order.
4. Devon has sought and been unable to obtain voluntary agreement for the development of these lands from all of the interest owners in the subject spacing unit.

**BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. A
Case No. 22291-22292
Submitted by: Devon Energy Production Company, LP
Hearing Date: November 04, 2021**

5. The pooling of interests will avoid the drilling of unnecessary wells, will prevent waste, and will protect correlative rights.

6. In order to permit Devon to obtain its just and fair share of the oil and gas underlying the subject lands, the additional interest owners should be pooled in the Unit pursuant to the terms of Order No. R-21761.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on November 4, 2021, and, after notice and hearing as required by law, the Division pool the additional interest owners pursuant to the terms of Order No. R-21761.

Respectfully submitted,

HOLLAND & HART LLP

By: 

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Kaitlyn A. Luck
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Email: kaluck@hollandhart.com

**ATTORNEYS FOR DEVON ENERGY PRODUCTION
COMPANY, L.P.**

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

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
TERMS OF ORDER NO. R-21762,
LEA COUNTY, NEW MEXICO.**

CASE NO. 22292

APPLICATION

Devon Energy Production Company, L.P. (“Devon” or “Applicant”) (OGRID No. 6137), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to pool additional interest owners under the terms of Order No. R-21762 (the “Order”). In support of this application, Devon states:

1. The Division entered the Order on June 24, 2021, in Case No. 21966, that created a standard 160-acre, more or less, horizontal spacing unit in the Bone Spring formation comprised of the E/2 E/2 of Section 17, Township 23 South, Range 34 East, NMPM, Lea County, New Mexico.
2. The Order dedicated the horizontal spacing unit to the initial **White Dove 17 Fed Com #24H well**.
3. Since the entry of Order No. R-21762, Devon has determined that there are additional interest owners in the Unit who were not provided notice of the hearing in Case No. 21966, and as a result, whose interests were not pooled by the terms of the Order.
4. Devon has sought and been unable to obtain voluntary agreement for the development of these lands from all of the interest owners in the subject spacing unit.

5. The pooling of interests will avoid the drilling of unnecessary wells, will prevent waste, and will protect correlative rights.

6. In order to permit Devon to obtain its just and fair share of the oil and gas underlying the subject lands, the additional interest owners should be pooled in the Unit pursuant to the terms of Order No. R-21762.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on November 4, 2021, and, after notice and hearing as required by law, the Division pool the additional interest owners pursuant to the terms of Order No. R-21762.

Respectfully submitted,

HOLLAND & HART LLP



By: _____

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Kaitlyn A. Luck
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
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Email: jbroggi@hollandhart.com
Email: kaluck@hollandhart.com

**ATTORNEYS FOR DEVON ENERGY PRODUCTION
COMPANY, L.P.**

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

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
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CASE NO. 22291

**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
TERMS OF ORDER NO. R-21762,
LEA COUNTY, NEW MEXICO.**

CASE NO. 22292

AFFIDAVIT OF RYAN CLOER

Ryan Cloer, of lawful age and being first duly sworn, declares as follows:

1. My name is Ryan Cloer, and I am a Landman with Devon Energy Production Company, L.P. ("Devon").
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters, and my credentials have been accepted and made a matter of public record.
3. I am familiar with the applications filed by Devon in these cases and the status of the lands in the subject area. None of the interest owners to be pooled in these cases have expressed opposition to this proceeding, so I do not expect opposition at the hearing.
4. In these consolidated cases, Devon is seeking to pool only the additional overriding royalty interest owners that Devon provided notice to as reflected in **Devon Exhibits E and F**.
5. In Case No. 22291, Devon seeks to pool additional overriding royalty interest owners under the terms of Order No. R-21761. The Division entered the Order on June 24, 2021, in Case No. 21965, that created a standard 160-acre, more or less, horizontal spacing unit in the Bone Spring

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. B
Case No. 22291-22292

Submitted by: Devon Energy Production Company, LP
Hearing Date: November 04, 2021

formation comprised of the W/2 E/2 of Section 17, Township 23 South, Range 34 East, NMPM, Lea County, New Mexico. The Order dedicated the horizontal spacing unit to the initial **White Dove 17 Fed Com #23H well**.

6. In Case No. 22292, Devon seeks to pool additional overriding royalty interest owners under the terms of Order No. R-21762. The Division entered the Order on June 24, 2021, in Case No. 21966, that created a standard 160-acre, more or less, horizontal spacing unit in the Bone Spring formation comprised of the E/2 E/2 of Section 17, Township 23 South, Range 34 East, NMPM, Lea County, New Mexico. The Order dedicated the horizontal spacing unit to the initial **White Dove 17 Fed Com #24H well**.

7. Devon was not able to locate contact information for all parties it seeks to pool but Devon has undertaken good faith to locate those parties in my opinion.

8. In my opinion, Devon has made good faith efforts to reach agreement with the parties it is seeking to pool in these consolidated cases. If Devon reaches an agreement with any of the pooled parties before the Division enters any order, I will let the Division know that Devon is no longer seeking to pool that party.

9. I provided the law firm of Holland & Hart LLP a list of names and addresses for the uncommitted interest owners shown on **Devon Exhibits E and F**. In compiling these addresses, Devon conducted a diligent search of all public records in the county where the wells are located and of phone directories, including computer searches

10. Devon seeks to pool these overriding royalty interest owners under the same terms and conditions of Order No. R-21761 and Order No. R-21762.

FURTHER AFFIANT SAYETH NOT

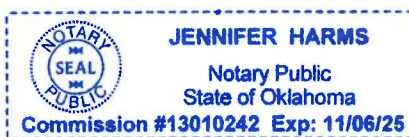
Ryan Cloer
Ryan Cloer

STATE OF OKLAHOMA)
COUNTY OF Oklahoma)

SUBSCRIBED and SWORN to before me this 2 day of November 2021
by Ryan Cloer.

Jennifer Harms
NOTARY PUBLIC

My Commission Expires:
11/6/2025



**APPLICATION OF DEVON ENERGY
PRODUCTION COMPANY, L.P. TO POOL
ADDITIONAL INTERESTS UNDER THE
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**APPLICATION OF DEVON ENERGY
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LEA COUNTY, NEW MEXICO.**

AFFIDAVIT

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

Kaitlyn A. Luck, attorney in fact and authorized representative of Devon Energy Production Company, L.P., the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications have been provided under the notice letters and proof of receipts attached hereto.

Brookville

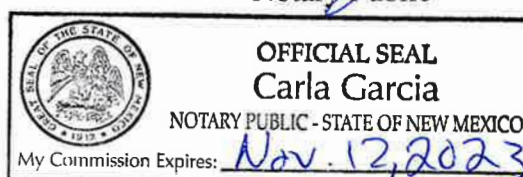
Kaitlyn A. Luck

SUBSCRIBED AND SWORN to before me this 2nd day of November, 2021 by Kaitlyn
A. Luck.


Notary Public

My Commission Expires:

Nov. 12, 2023



Released to Imaging: 11/3/2021 8:03:53 AM



Kaitlyn A. Luck
Associate
Phone (505) 988-4421
kaluck@hollandhart.com

October 15, 2021

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of Devon Energy Production Company, L.P. to Pool Additional Interest Owners Under the Terms of Order No. R-21761, Lea County, New Mexico.
White Dove 17 Fed Com #23H well

Ladies & Gentlemen:

This letter is to advise you that Devon Energy Production Company, L.P., has filed the enclosed application with the New Mexico Oil Conservation Division.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on November 4, 2021 beginning at 8:15 a.m., until it is concluded. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <https://www.emnrd.nm.gov/ocd/hearing-info/>.

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 challenging the matter at a later date. Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed online or in person at the Division's Santa Fe office and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all 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 are to be resolved prior to the hearing.

If you have any questions about this matter, please contact Ryan Cloer at (405) 228-2448, or at Ryan.Cloer@dvn.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kaitlyn Luck", written over a horizontal line.

Kaitlyn A. Luck
ATTORNEY FOR DEVON ENERGY PRODUCTION COMPANY, L.P.

T 505.988.4421 F 505.983.6043
110 North Guadalupe, Suite 1, Santa Fe, NM 87501-1849
Mail to: P.O. Box 2208, Santa Fe, NM 87504-2208
www.hollandhart.com

Alaska	Montana	Utah
Colorado	Nevada	Washington, D.C.
Idaho	New Mexico	



Kaitlyn A. Luck
Associate
Phone (505) 988-4421
kaluck@hollandhart.com

October 15, 2021

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CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

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White Dove 17 Fed Com #24H well

Ladies & Gentlemen:

This letter is to advise you that Devon Energy Production Company, L.P., has filed the enclosed application with the New Mexico Oil Conservation Division.

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Sincerely,

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KAITLYN A. LUCK
ATTORNEY FOR DEVON ENERGY PRODUCTION COMPANY, L.P.

T 505.988.4421 F 505.983.6043
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Alaska	Montana	Utah
Colorado	Nevada	Washington, D.C.
Idaho	New Mexico	Wyoming

TrackingNo	ToName	DeliveryAddress	City	State	Zip	USPS_Status
9414811898765850505174	TLW Investments, LLC	PO Box 301535	Dallas	TX	75303-1535	Your item was delivered at 3:47 am on October 18, 2021 in DALLAS, TX 75266.
9414811898765850505358	Diane Barwis, wife of Paul R. Barwis	PO Box 230	Midland	TX	79702-0230	Your item was delivered at 12:22 pm on October 25, 2021 in MIDLAND, TX 79701.

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated
October 22, 2021
and ending with the issue dated
October 22, 2021.

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Exhibit No. D

Case No. 22291-22292

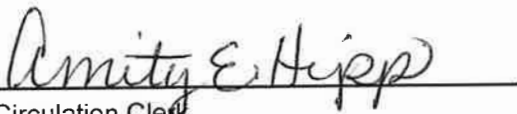
Submitted by: Devon Energy Production Company, LP

Hearing Date: November 04, 2021



Publisher

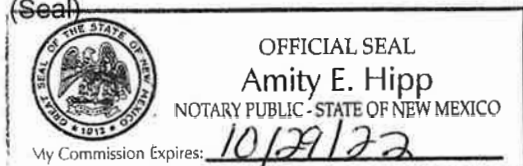
Sworn and subscribed to before me this
22nd day of October 2021.



Circulation Clerk

My commission expires
October 29, 2022

(Seal)



This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL NOTICE
October 22, 2021**STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL
RESOURCES DEPARTMENT OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO**

The State of New Mexico, Energy Minerals and Natural Resources Department, Oil Conservation Division ("Division") hereby gives notice that the Division will hold public hearings before a hearing examiner on the following case. During the COVID-19 Public Health Emergency, state buildings are closed to the public and Division hearings will be conducted remotely. The public hearing for the following case will be electronic and conducted remotely. The hearing will be conducted on **Thursday, November 4, 2021, beginning at 8:15 a.m.** To participate in the electronic hearing, see the instructions posted below. The docket may be viewed at <https://www.emnrd.nm.gov/ocd/hearing-info/> or obtained from Marlene Salvidrez, at Marlene.Salvidrez@state.nm.us. Documents filed in the case may be viewed at <http://ocdimage.emnrd.state.nm.us/imaging/CaseFileCriteria.aspx>. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in a hearing, contact Marlene Salvidrez at Marlene.Salvidrez@state.nm.us, or the New Mexico Relay Network at 1-800-659-1779, no later than **October 24, 2021**.

Persons may view and participate in the hearings through the following link:

<https://nmemnrd.webex.com/nmemnrd/onstage/g.php?MTID=e12bd776b32e14edf7deee3425ea99347>
Event number: 2497 665 1056
Event password: JYvf8wjp55w

Join by video: 24976651056@nmemnrd.webex.com
Numeric Password: 256526

You can also dial 173.243.2.68 and enter your meeting number

Join by audio: 1-844-992-4726 United States Toll Free
Access code: 2497 665 1056

STATE OF NEW MEXICO TO:

**All named parties and persons
having any right, title, interest
or claim in the following case
and notice to the public.**

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All pooled working interest owners, including: TLW Investments, LLC; Estate of June Blauw, Deceased, her heirs and devisees; Estate of Alma Doyle Thornhill, Deceased, her heirs and devisees; and Diane Barwis, wife of Paul R. Barwis, their heirs and devisees.

Case No. 22291: Application of Devon Energy Production Company, L.P. to Pool Additional Interest Owners Under the Terms of Order No. R-21761, Lea County, New Mexico. Applicant in the above-styled cause seeks to pool additional interest owners under the terms of Division Order No. R-21761. The Order pooled the standard 160-acre, more or less, horizontal spacing unit in the Bone Spring formation comprised of the W/2 E/2 of Section 17, Township 23 South, Range 34 East, NMPM, Lea County, New Mexico. Applicant proposes to dedicate the above-referenced spacing unit to the following proposed initial **White Dove 17 Fed Com #23H well**. Said area is located approximately 21 miles northwest of Jal, New Mexico.
#36957

67100754

00259779

HOLLAND & HART LLC
PO BOX 2208
SANTA FE, NM 87504-2208

**BEFORE THE OIL CONSERVATION DIVISION Santa
Fe, New Mexico
Exhibit No. D
Case No. 22291-22292
Submitted by: Devon Energy Production Company, LP
Hearing Date: November 04, 2021**

Affidavit of Publication

STATE OF NEW MEXICO
COUNTY OF LEA

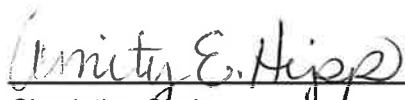
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated
October 22, 2021
and ending with the issue dated
October 22, 2021.



Publisher

Sworn and subscribed to before me this
22nd day of October 2021.



Circulation Clerk

My commission expires
October 29, 2022

(Seal)



OFFICIAL SEAL
Amity E. Hipp
NOTARY PUBLIC - STATE OF NEW MEXICO

Commission Expires: 10/29/22

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL NOTICE
October 22, 2021

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

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Persons may view and participate in the hearings through the following link:

<https://nmemnrd.webex.com/nmemnrd/onstage/g.php?MTID=e12bd776b32e14edf7deee3425ea99347>
Event number: 2497 665 1056
Event password: JYvf8wjp55w

Join by video: 24976651056@nmemnrd.webex.com
Numeric Password: 256526
You can also dial 173.243.2.68 and enter your meeting number

Join by audio: 1-844-992-4726 United States Toll Free
Access code: 2497 665 1056

STATE OF NEW MEXICO TO:
All named parties and persons
having any right, title, interest
or claim in the following case
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All pooled working interest owners, including: TLW Investments, LLC; Estate of June Blauw, Deceased, her heirs and devisees; Estate of Alma Doyle Thornhill, Deceased, her heirs and devisees; and Diane Barwis, wife of Paul R. Barwis, their heirs and devisees.

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