

ID NO. 279313

NSL - 8675

Revised March 23, 2017

RECEIVED:	REVIEWER:	TYPE:	APP NO: pLEL2329951821
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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: XTO Permian Operating, LLC **OGRID Number:** 373075
Well Name: Poker Lake Unit 21 DTD 174H **API:** 30-015-50184
Pool: WC-015 2330S16 J Wolfcamp and Purple Sage; Wolfcamp **Pool Code:** 98268 & 98220

**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.

October 19, 2023

Date

Paula M. Vance

Print or Type Name

505-954-7286

Phone Number

Signature

pmvance@hollandhart.com

e-mail Address



Paula M. Vance
Associate
Phone (505) 954-7286
 PMVance@hollandhart.com

October 19, 2023

VIA ONLINE FILING

Dylan Fuge, Division Director
 Oil Conservation Division
 Energy, Minerals and Natural Resources Department
 1220 South Saint Francis Drive
 Santa Fe, New Mexico 87505

Re: XTO Permian Operating, LLC
Request for Administrative Approval of Unorthodox Well Location

Poker Lake Unit 21 DTD 174H well
 E/2 Section 33, Township 23 South, Range 30 East, and E/2 Sections 4, 9, and 16,
 Township 24 South, Range 30 East, NMPM, Eddy County, New Mexico
 WC-015 2330S16 J Wolfcamp [98268] and Purple Sage; Wolfcamp [98220]
 API No. 30-015-50184

Dear Mr. Fuge:

XTO Permian Operating, LLC (“XTO”) (OGRID No. 373075), pursuant to Division Rules 19.15.16.15(C)(6) and 19.15.15.13 NMAC and applicable rules governing acreage and well location requirements for the WC-015 2330S16 J Wolfcamp [98268]¹, seeks administrative approval of an unorthodox well location for its **Poker Lake Unit 21 DTD 174H** well (API No. 30-015-50184), in a 1280.75-acre, more or less, horizontal well spacing unit comprised of the E/2 of Section 33, Township 23 South, Range 30 East, and the E/2 of Sections 4, 9, and 16, Township 24 South, Range 30 East, NMPM, Eddy County, New Mexico.

The proposed location for the **Poker Lake Unit 21 DTD 174H** gas well is as follows:

- SHL: 1,127’ FNL and 1,456’ FEL (Unit B) of Section 21, T24S-R30E
- FTP: 100’ FSL and 1,430’ FEL (Unit O) of Section 21, T24S-R30E
- LTP: 100’ FNL and 1,430’ FEL (Unit B) of Section 33, T23S-R30E
- BHL: 50’ FNL and 1,430’ FEL (Unit B) of Section 33, T23S-R30E

¹ The first take point is within the unitized area; therefore, the setbacks prescribed by Subsection C of 19.15.16.15 NMAC apply only to the outer boundaries of the unitized area. See 19.15.16.15.C.7 NMAC.

Since the acreage in Section 33, Township 23 South, Range 30 East, is governed by the Division's statewide gas rules, the projected last take point for this well will be unorthodox because it is closer than the standard offset to the northern boundary of the spacing unit/unitized area—thus, encroaching on the tracts encompassing the E/2 of Section 28, Township 23 South, Range 30 East.²

XTO respectfully requests administrative approval of a non-standard location for the **Poker Lake Unit 21 DTD 174H** and provides the following reason for the request: Approval of the unorthodox, completed last take point is necessary to allow XTO to maximize recovery and prevent waste.

Exhibit A are the Form C-102s with the dedicated acreage for each pool the well penetrates, which show the proposed Poker Lake Unit 21 DTD 174H well encroaches on the tracts to the north in the E/2 of Section 28, Township 23 South, Range 30 East.

Exhibit B is a plat for the subject area, that shows the proposed Poker Lake Unit 21 DTD 174H well in relation to the adjoining tracts to the north. The affected working interest owners in the tracts to the north include ConocoPhillips Company, Devon Energy Production Company, L.P., and WPX Energy Permian, LLC. In addition, the exhibit identifies that this includes State Land Office ("SLO") and Bureau of Land Management ("BLM") leases. Accordingly, the "affected persons"³ are ConocoPhillips Company, Devon Energy Production Company, L.P., WPX Energy Permian, LLC, SLO, and BLM.

Exhibit C is a spreadsheet listing all affected persons requiring notice and includes tracking information demonstrating that each of the affected persons requiring notice was sent a copy of this application with all attachments by certified mail advising that any objections must be filed in writing with the Division within 20 days from the date the Division receives the application. The following are the affected persons:

Type	Affected Party	Location
WIO	ConocoPhillips Company	SE/4, S/2 NE/4 and NW/4 NE/4 of Section 28 T23S-R30E
WIO	Devon Energy Production Company, L.P.	NE/4 NE/4 Section 28 T23S-R30E
WIO	WPX Energy Permian, LLC	SE/4 and S/2 NE/4 of Section 28 T23S-R30E
Mineral	SLO	NE/4 NE/4 of Section 28 T23S-R30E
Mineral	BLM	SE/4 and S/2 NE/4 of Section 28 T23S-R30E

² Because a portion of the well penetrates the Purple Sage; Wolfcamp, XTO has elected to use 320-acre building blocks; however, XTO has been advised by the Division that the statewide rules for gas wells apply to the setbacks.

³ See NMAC §§ 19.15.2.7.A(8) [defining "affected persons" as, "in the absence of an operator, or with respect to an application wherein the operator of the spacing unit or identified tract is the applicant, each working interest owner"] and 19.15.4.12.A(2)(a).

Your attention to this matter is appreciated.

Sincerely,



Paula M. Vance
ATTORNEY FOR XTO PERMIAN OPERATING, LLC

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 Road, 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, NM 87505

Form C-102

Revised August 1, 2011

Submit one copy to appropriate

District Office

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number 30-015-50184		² Pool Code 98220		³ Pool Name Purple Sage; Wolfcamp	
⁴ Property Code		⁵ Property Name POKER LAKE UNIT 21 DTD			⁶ Well Number 174H
⁷ OGRID No. 373075		⁸ Operator Name XTO PERMIAN OPERATING, LLC			⁹ Elevation 3,374'

¹⁰ Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
B	21	24 S	30 E		1,127	NORTH	1,456	EAST	EDDY

¹¹ 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
B	33	23 S	30 E		50	NORTH	1,430	EAST	EDDY

¹² Dedicated Acres 960.75	¹³ Joint or Infill	¹⁴ Consolidation Code	¹⁵ 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.

¹⁶ SHL (NAD83 NME) Y = 439,474.7 X = 680,838.1 LAT. = 32.207388° N LONG. = 103.882298° W FTP (NAD83 NME) Y = 440,701.4 X = 680,860.3 LAT. = 32.210760° N LONG. = 103.882209° W CORNER COORDINATES (NAD83 NME) A - Y = 440,592.6 N, X = 679,615.4 E B - Y = 443,235.0 N, X = 679,610.5 E C - Y = 445,873.6 N, X = 679,605.7 E D - Y = 448,513.2 N, X = 679,594.8 E E - Y = 451,154.1 N, X = 679,583.9 E F - Y = 453,793.5 N, X = 679,569.1 E G - Y = 456,442.3 N, X = 679,554.2 E H - Y = 459,095.7 N, X = 679,540.3 E I - Y = 461,748.3 N, X = 679,526.5 E J - Y = 464,402.1 N, X = 680,953.0 E K - Y = 443,243.9 N, X = 680,947.1 E L - Y = 445,881.2 N, X = 680,945.3 E M - Y = 448,520.0 N, X = 680,934.3 E N - Y = 451,159.6 N, X = 680,922.8 E O - Y = 453,798.3 N, X = 680,907.9 E P - Y = 456,451.4 N, X = 680,892.9 E Q - Y = 459,102.7 N, X = 680,878.5 E R - Y = 461,753.3 N, X = 680,863.2 E SHL (NAD27 NME) Y = 439,415.5 X = 639,654.3 LAT. = 32.207264° N LONG. = 103.881811° W FTP (NAD27 NME) Y = 440,642.1 X = 639,676.6 LAT. = 32.210636° N LONG. = 103.881723° W CORNER COORDINATES (NAD27 NME) A - Y = 440,533.3 N, X = 638,431.7 E B - Y = 443,175.7 N, X = 638,426.9 E C - Y = 445,814.2 N, X = 638,422.1 E D - Y = 448,453.7 N, X = 638,411.3 E E - Y = 451,094.5 N, X = 638,400.6 E F - Y = 453,733.9 N, X = 638,385.8 E G - Y = 456,382.6 N, X = 638,371.0 E H - Y = 459,036.0 N, X = 638,357.2 E I - Y = 461,688.4 N, X = 638,343.5 E J - Y = 464,342.8 N, X = 639,769.3 E K - Y = 443,184.6 N, X = 639,763.4 E L - Y = 445,821.8 N, X = 639,761.7 E M - Y = 448,460.5 N, X = 639,750.8 E N - Y = 451,100.0 N, X = 639,739.4 E O - Y = 453,738.7 N, X = 639,724.6 E P - Y = 456,391.7 N, X = 639,709.7 E Q - Y = 459,042.9 N, X = 639,695.4 E R - Y = 461,693.4 N, X = 639,680.2 E		¹⁷ OPERATOR CERTIFICATION I hereby certify that the information contained 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 a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division. Jessica Dooling 10/17/2022 Signature Date Jessica Dooling Printed Name jessica.dooling@exxonmobil.com E-mail Address	
¹⁸ 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. 10-17-2022 Date of Survey Signature and Seal of Professional Surveyor: MARK DILLON HARP 23786 Certificate Number		AW 2021091191	

EXHIBIT

A

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office
☐ AMENDED REPORT

¹ API Number 30-015-50184	² Pool Code 98268	³ Pool Name WC-015 2330S16 J WOLFCAMP
⁴ Property Code	⁵ Property Name POKER LAKE UNIT 21 DTD	⁶ Well Number 174H
⁷ OGRID No. 373075	⁸ Operator Name XTO PERMIAN OPERATING, LLC	⁹ Elevation 3,374'

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
B	21	24 S	30 E		1,127	NORTH	1,456	EAST	EDDY

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
B	33	23 S	30 E		50	NORTH	1,430	EAST	EDDY

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.

16

SHL (NAD83 NME)		LTP (NAD83 NME)	
Y = 439,474.7	X = 680,838.1	Y = 461,652.9	X = 680,770.7
LAT. = 32.207388° N	LONG. = 103.882298° W	LAT. = 32.268353° N	LONG. = 103.882215° W

FTP (NAD83 NME)		BHL (NAD83 NME)	
Y = 440,701.4	X = 680,860.3	Y = 461,702.9	X = 680,770.4
LAT. = 32.210760° N	LONG. = 103.882209° W	LAT. = 32.268490° N	LONG. = 103.882215° W

CORNER COORDINATES (NAD83 NME)

A - Y = 440,592.6 N	X = 679,615.4 E
B - Y = 443,235.0 N	X = 679,610.5 E
C - Y = 445,873.6 N	X = 679,605.7 E
D - Y = 448,513.2 N	X = 679,594.8 E
E - Y = 451,154.1 N	X = 679,583.9 E
F - Y = 453,793.5 N	X = 679,569.1 E
G - Y = 456,442.3 N	X = 679,554.2 E
H - Y = 459,095.7 N	X = 679,540.3 E
I - Y = 461,748.3 N	X = 679,526.5 E
J - Y = 440,602.1 N	X = 680,953.0 E
K - Y = 443,243.9 N	X = 680,947.1 E
L - Y = 445,881.2 N	X = 680,945.3 E
M - Y = 448,520.0 N	X = 680,934.3 E
N - Y = 451,159.6 N	X = 680,922.8 E
O - Y = 453,798.3 N	X = 680,907.9 E
P - Y = 456,451.4 N	X = 680,892.9 E
Q - Y = 459,102.7 N	X = 680,878.5 E
R - Y = 461,753.3 N	X = 680,863.2 E

SHL (NAD27 NME)		LTP (NAD27 NME)	
Y = 439,415.5	X = 639,654.3	Y = 461,593.1	X = 639,587.7
LAT. = 32.207264° N	LONG. = 103.881811° W	LAT. = 32.268229° N	LONG. = 103.881725° W

FTP (NAD27 NME)		BHL (NAD27 NME)	
Y = 440,642.1	X = 639,676.6	Y = 461,643.1	X = 639,587.3
LAT. = 32.210636° N	LONG. = 103.881723° W	LAT. = 32.268366° N	LONG. = 103.881726° W

CORNER COORDINATES (NAD27 NME)

A - Y = 440,533.3 N	X = 638,431.7 E
B - Y = 443,175.7 N	X = 638,426.9 E
C - Y = 445,814.2 N	X = 638,422.1 E
D - Y = 448,453.7 N	X = 638,411.3 E
E - Y = 451,094.5 N	X = 638,400.6 E
F - Y = 453,733.9 N	X = 638,385.8 E
G - Y = 456,382.6 N	X = 638,371.0 E
H - Y = 459,036.0 N	X = 638,357.2 E
I - Y = 461,688.4 N	X = 638,343.5 E
J - Y = 440,542.8 N	X = 639,769.3 E
K - Y = 443,184.6 N	X = 639,763.4 E
L - Y = 445,821.8 N	X = 639,761.7 E
M - Y = 448,460.5 N	X = 639,750.8 E
N - Y = 451,100.0 N	X = 639,739.4 E
O - Y = 453,738.7 N	X = 639,724.6 E
P - Y = 456,391.7 N	X = 639,709.7 E
Q - Y = 459,042.9 N	X = 639,695.4 E
R - Y = 461,693.4 N	X = 639,680.2 E

17 OPERATOR CERTIFICATION

I hereby certify that the information contained 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 a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

Jessica Dooling 10/17/2022
Signature Date

Jessica Dooling
Printed Name


jessica.dooling@exxonmobil.com
E-mail Address

18 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.

10-17-2022
Date of Survey

Signature and Seal of Professional Surveyor:



MARK DILLON HARP 23786
Certificate Number

AW 2021091191



21 DOG TOWN DRAW POKER LAKE UNIT

EDDY COUNTY, NM

- DSU
- Impacted Tract
- Unit
- XTO Federal Lease
- XTO State Lease
- XTO Private Lease

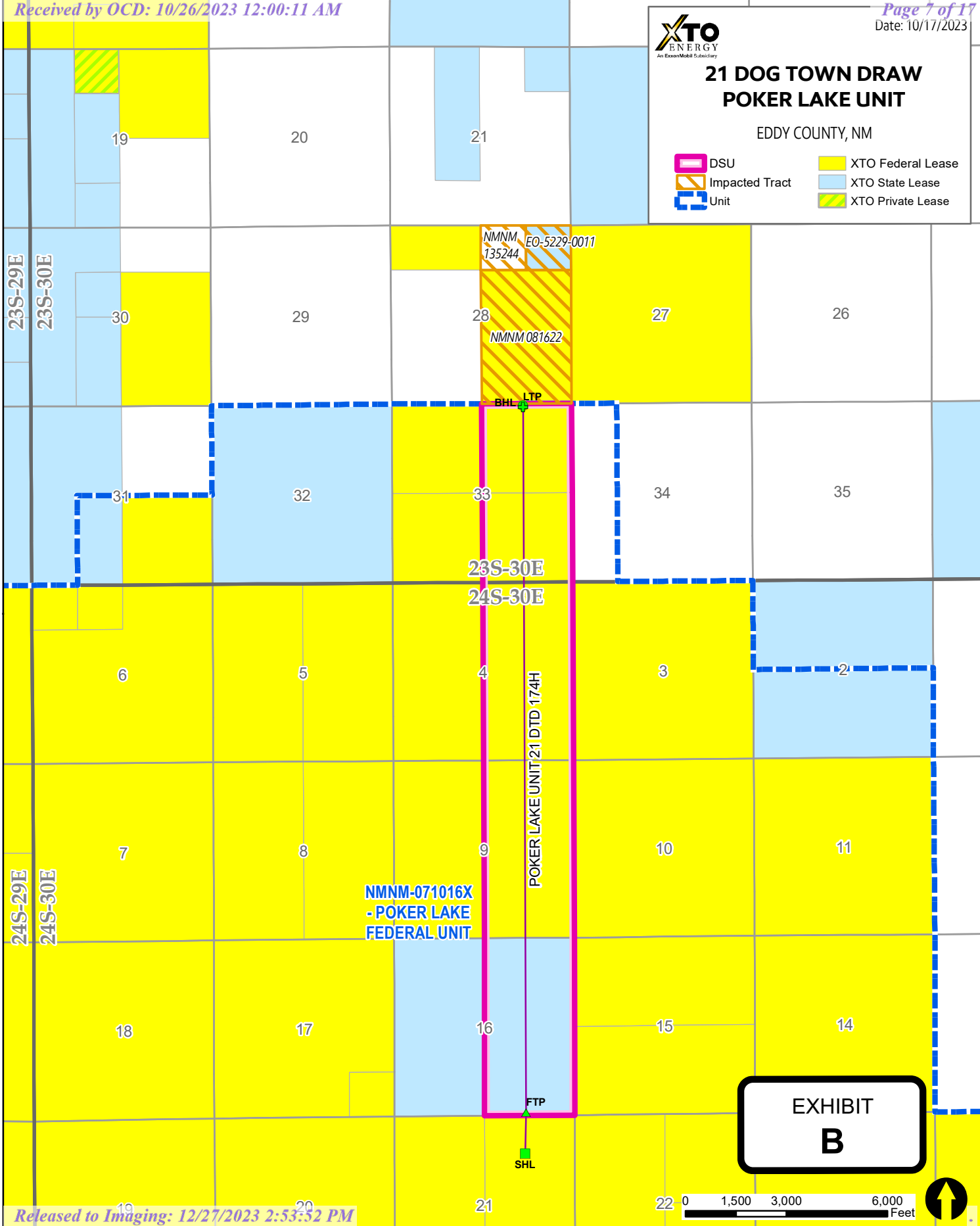
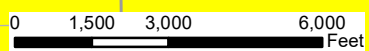


EXHIBIT
B



ConocoPhillips Company	600 West Illinois Avenue	Midland	TX	79701
WPX Energy Permian, LLC	3500 One Williams Center	Tulsa	OK	74172
Devon Energy Production Company, L.P.	333 West Sheridan Ave.	Oklahoma City	OK	73102-5015
Bureau of Land Management	301 Dinosaur Trail	Santa Fe	NM	87508
NM State Land Office	310 Old Santa Fe Trail	Santa Fe	NM	87501
NM State Land Office	P.O. Box 1148	Santa Fe	NM	87504

EXHIBIT

C



Paula M. Vance
Associate Attorney
Phone (505) 988-4421
Email pmvance@hollandhart.com

October 19, 2023

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL AFFECTED PERSONS

Re: XTO Permian Operating, LLC
Request for Administrative Approval of Unorthodox Well Location

Poker Lake Unit 21 DTD 174H well
E/2 Section 33, Township 23 South, Range 30 East, and E/2 Sections 4, 9, and 16,
Township 24 South, Range 30 East, NMPM, Eddy County, New Mexico
WC-015 2330S16 J Wolfcamp [98268] and Purple Sage; Wolfcamp [98220]
API No. 30-015-50184

Ladies and Gentlemen:

Enclosed is a copy of the above-referenced application which was filed with the New Mexico Oil Conservation Division on this date. Any objection to this application must be filed in writing within twenty days from the date this application is received by the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505. If no objection is received within this twenty-day period, this application may be approved administratively by the Division.

If you have any questions about this application, please contact the following:

Chad Tschirhart Commercial & Land Advisor
XTO Energy, Inc.
Office: (346) 502-7977
chad.c.tschirhart@exxonmobil.com

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paula M. Vance'.

Paula M. Vance
ATTORNEY FOR XTO PERMIAN OPERATING, LLC

XTO - Poker Lake Unit 174H - NSL
Postal Delivery Report

Tracking Number	Recipient	Status
9214890194038334535225	ConocoPhillips Company 600 West Illinois Avenue Midland TX 79701	Submitted
9214890194038334535232	WPX Energy Permian LLC 3500 One Williams Center Tulsa OK 74172	Submitted
9214890194038334535249	Devon Energy Production Company L P 333 West Sheridan Ave Oklahoma City OK 73102-5015	Submitted
9214890194038334535256	Bureau of Land Management 301 Dinosaur Trail Santa Fe NM 87508	Submitted
9214890194038334535263	NM State Land Office 310 Old Santa Fe Trail Santa Fe NM 87501	Submitted
9214890194038334535270	NM State Land Office PO BOX 1148 Santa Fe NM 87504	Submitted

From: [Paula M. Vance](#)
To: [Lowe, Leonard, EMNRD](#)
Subject: RE: [EXTERNAL] Dismissal of Protest of XTO NSL Application
Date: Tuesday, December 12, 2023 10:10:56 AM

Mr. Lowe,

I apologize for the delay. There have been no changes to the application since the protest was dropped.

Let me know if you need anything else from me.

Paula Vance
Associate, Holland & Hart LLP

pmvance@hollandhart.com | T: (505) 954-7286 | M: (337) 280-9055

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please reply to the sender that you received the message in error; then please delete this email.

From: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>
Sent: Tuesday, December 12, 2023 8:59 AM
To: Paula M. Vance <PMVance@hollandhart.com>
Subject: RE: [EXTERNAL] Dismissal of Protest of XTO NSL Application
Importance: High

Ms. Vance,

Your lack of reply will discard this applications further process. Has anything changed pertaining to the resolution of the protested application? I will discard the application by COB if not updated.

From: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov> **On Behalf Of** Engineer, OCD, EMNRD
Sent: Tuesday, November 28, 2023 4:17 PM
To: Ryan, Beth (LDZX) <Beth.Ryan@conocophillips.com>
Cc: Ortiz, Lisa (LDZX) <Lisa.Ortiz@conocophillips.com>; Paula M. Vance <PMVance@hollandhart.com>; chad.c.tschirhart@exxonmobil.com; McArthur, Douglas W <douglas.w.mcarthur@exxonmobil.com>; Cook, Reece <Reece.Cook@conocophillips.com>
Subject: RE: [EXTERNAL] Dismissal of Protest of XTO NSL Application
Importance: High

Ms. Beth Ryan,

The OCD has received your protest withdrawal for the stated NSL well.

Request: the attached to this e-mail had the official letter from you indicating the withdrawal of the protest. Can you convert that document into a PDF format and resend. All documents can only be accepted in PDF format.

Ms. Paula Vance,

Were there any changes made to the application as far as Take Points for the NSL Well? Or any other changes?

Leonard R. Lowe

November 28, 2023

Via Email & U.S. Mail

Dylan Fuge, Acting Director
Oil Conservation Division
New Mexico Department of Energy, Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505
OCD.engineer@state.nm.us

**Re: Withdrawal of Objection to NSL Application
XTO's Poker Lake Unit 21 DTD 174H Well
E/2 Sec. 33, T23S-R30E, E/2 Secs. 4, 9, 16, T24S-30E, NMPM, Eddy County
WC-015 2330S16J Wolfcamp [98268] and Purple Sage; Wolfcamp [98220]
API No. 30-015-50184**

Dear Director Fuge:

On November 1, 2023, as offset operator ConocoPhillips ("COP") entered its appearance and objected to the above referenced NSL application by XTO. COP no longer objects to this Application and hereby removes its protest.

Sincerely,



Elizabeth A. Ryan
Senior Counsel

Encls.

Cc:

Via Email ONLY

Holland & Hart
Paula Vance
pmvance@hollandhart.com
Attorney for XTO Energy, Inc.

Via Email ONLY

XTO Energy, Inc.
Chad Tschirhart
chad.c.tschirhart@exxonmobil.com

From: [Paula M. Vance](#)
To: [Lowe, Leonard, EMNRD](#)
Subject: [EXTERNAL] FW: Dismissal of Protest of XTO NSL Application
Date: Tuesday, November 28, 2023 4:02:35 PM

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

Please let me know if you need anything further from me/XTO regarding this NSL application for it to continue to move forward. Thank you!

Paula Vance
Associate, Holland & Hart LLP

pmvance@hollandhart.com | T: (505) 954-7286 | M: (337) 280-9055

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please reply to the sender that you received the message in error; then please delete this email.

From: Ryan, Beth (LDZX) <Beth.Ryan@conocophillips.com>
Sent: Tuesday, November 28, 2023 10:34 AM
To: OCD.engineer@state.nm.us
Cc: Ortiz, Lisa (LDZX) <Lisa.Ortiz@conocophillips.com>; Paula M. Vance <PMVance@hollandhart.com>; chad.c.tschirhart@exxonmobil.com; McArthur, Douglas W <douglas.w.mcarthur@exxonmobil.com>; Cook, Reece <Reece.Cook@conocophillips.com>
Subject: Dismissal of Protest of XTO NSL Application

External Email

To Whom It May Concern:

Please find attached COP's dismissal of its protest related to XTO's NSL application for its Poker Lake Unit 21 DTD 174H Well. An original is forthcoming by US Mail. If you have any questions, please do not hesitate to contact me.

Very truly,
Beth Ryan

Elizabeth A. Ryan | Senior Counsel Regulatory, Lower 48 | **ConocoPhillips**
O: 432-685-4391 | **C:** 575-703-2039 | 600 W. Illinois Ave, Midland, Texas 79701

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Lowe, Leonard, EMNRD

From: Lowe, Leonard, EMNRD
Sent: Monday, November 6, 2023 4:26 PM
To: Paula M. Vance
Cc: Ortiz, Lisa (LDZX)
Subject: NSL XTO Permian Oper. LLC PROTEST BY ConocoPhillips_WELL: Poker Lake Unit 21 DTD Well No. 174H

Importance: High

Ms. Paula M. Vance

Re: XTO Permian Operating, LLC
Poker Lake Unit 21 DTD Well No. 174H
Non Standard Location Administrative Application

The OCD was notified that **Conoco Phillips** has protested your NSL application for an Unorthodox location of the above subject well. This party has been identified as an affected person for their specific location.

Therefore, you are being notified that if **XTO Permian Operating, LLC** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL application will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the application(s) will be cancelled/rejected.**

11/01/23, Notice date

12/02/23, 30 day concludes

Protestant contact information:

Lisamarie Ortiz
ConocoPhillips
1048 Paseo de Peralta, Santa Fe, New Mexico 87501
OFFICE: 505-780-8000
CELL: 505-927-3583

Please call or e-mail with any questions regarding this matter.

Leonard R. Lowe
Engineering Bureau
OCD - EMNRD
8801 Horizon Blvd NE
Albuquerque, N.M. 87113
CELL NUMBER: 505-930-6717
<http://www.emnrd.state.nm.us/ocd/>

From: Ortiz, Lisa (LDZX) <Lisa.Ortiz@conocophillips.com>

Sent: Wednesday, November 1, 2023 2:46 PM

To: Engineer, OCD, EMNRD <OCD.Engineer@emnrd.nm.gov>; Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>; Paula M. Vance <pmvance@hollandhart.com>; chad.c.tschirhart@exxonmobil.com

Cc: Ryan, Beth (LDZX) <Beth.Ryan@conocophillips.com>; Trejo Rojo, Brian <Brian.TrejoRojo@conocophillips.com>; Ortiz, Lisa (LDZX) <Lisa.Ortiz@conocophillips.com>

Subject: [EXTERNAL] ConocoPhillips objection to NSL Application - XTO's Poker Lake Unit 21 DTD 174H Well

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good afternoon,

Attached please find ConocoPhillips Objection to XTO's NSL Application for the Poker Lake Unit 21 DTD 174H Well. Please let me know if you have any problems with the attachment.

Thank you,

Lisamarie Ortiz | Administrative Assistant | **ConocoPhillips**

O: 505-780-8000 | **C:** 505-927-3583 | 1048 Paseo de Peralta, Santa Fe, New Mexico 87501



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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

COMMENTS

Action 279313

COMMENTS

Operator: XTO PERMIAN OPERATING LLC. 6401 HOLIDAY HILL ROAD MIDLAND, TX 79707	OGRID: 373075
	Action Number: 279313
	Action Type: [UF-NSL] Non-Standard Location (NSL)

COMMENTS

Created By	Comment	Comment Date
llowe	Application Protested by ConocoPhillips - 11/01/23 30 Day Protest Period ends - 12/02/23 Protest removed by Protestant - 11/28/23 Continued processing	12/12/2023

District I
1625 N. French Dr., Hobbs, NM 88240
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State of New Mexico
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CONDITIONS

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Operator: XTO PERMIAN OPERATING LLC. 6401 HOLIDAY HILL ROAD MIDLAND, TX 79707	OGRID: 373075
	Action Number: 279313
	Action Type: [UF-NSL] Non-Standard Location (NSL)

CONDITIONS

Created By	Condition	Condition Date
llowe	None	10/26/2023