

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

**IN THE CONSIDERATION OF THE  
FOLLOWING MATTER:**

**APPLICATION OF DEVON ENERGY  
PRODUCTION COMPANY, L.P.  
FOR A COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**Case No. 25296  
OCC De Novo Case No. 25876**

**MOTION REQUESTING THE COMMISSION TO REVIEW THE  
APPLICATION FILED IN CASE NO. 25296 AND ISSUE POOLING  
ORDERS PURSUANT TO ITS CONCURRENT JURISDICTION**

Devon Energy Production Company, L.P. (“Devon”), through its undersigned attorneys, hereby respectfully submits to the Oil Conservation Commission (“Commission” or “OCC”) Devon’s Motion Requesting the Commission to Review the Application Filed in Case No. 25296 and Issue Pooling Orders Pursuant to Its Concurrent Jurisdiction (“Motion”) in the above-referenced case (“Present Case”). This Motion is submitted to expedite the issuance of pooling orders after what Devon views as an unnecessary seven-month delay that resulted in an unexpected denial of the application originally submitted to the Division. Devon respectfully submits this Motion to afford an opportunity to address the difficulties associated with the assignment of pool names and codes that result in undue delay. It also seeks to further awareness of such issues for the benefit and improvement of the efficiency and fairness of the proceedings at the Division and Commission. In support of its Motion, Devon states the following:

**I. Relevant Procedural History and Background.**

1. On March 19, 2025, Devon submitted an application for the pooling of uncommitted interests in the Bone Spring formation underlying the W/2 of Sections 22 and 27,

Township 25 South, Range 32 East, Lea County, New Mexico (“Subject Lands”). It has been standard practice for an applicant to list only the formation being pooled in the initial application, as pools and pool codes are not required to be listed until submission of the exhibits, such as the landman statement and C-102s, which designate the pool and pool code provided by the OCD. Thus, the description of the formation to be pooled in the application itself would be the same regardless of the pool name and pool code assigned. Accordingly, Devon listed in its application the Bone Spring as the formation to be pooled.

2. A week prior to the hearing, as counsel was gathering the data and documents to be included in the exhibits, counsel became aware from the C-102s that two pool codes were listed. Seven of the C-102s listed the WC-025 G-08 S253235G; LWR BONE SPRING pool [Code 97903] for the Haflinger 22-27 Fed Com 100H Well, the Haflinger 22-27 Fed Com 121H Well, the Haflinger 22-27 Fed Com 125H Well, the Haflinger 22-27 Fed Com 231H Well, the Haflinger 22-27 Fed Com 232H Well, the Haflinger 22-27 Fed Com 233H Well, and the Haflinger 22-27 Fed Com 303H Well, and seven of the C-102s listed the JENNINGS; UPPER BONE SPRING SHALE [Code 97838] for the Haflinger 22-27 Fed Com 300H Well, the Haflinger 22-27 Fed Com 520H Well, the Haflinger 22-27 Fed Com 521H Well, the Haflinger 22-27 Fed Com 522H Well, the Haflinger 22-27 Fed Com 524H Well, the Haflinger 22-27 Fed Com 525H Well, and the Haflinger 22-27 Fed Com 526H Well. During discussions with its client, counsel confirmed with Devon that the Division had issued only two pool codes for the Bone Spring formation.

3. As a result, Devon submitted an amended hearing packet that included two Compulsory Pooling Administrative Checklists (“CPAC”), one for Pool Code 97903 and its wells and one for Pool 97838 and its wells. Furthermore, in addition to submitting the amended hearing packet, counsel for Devon sent the Division an email thoroughly explaining the situation, that the pooling application described the Bone Spring formation, which is standard practice, but that

counsel was unaware of the two pool codes, 97838 and 97903, assigned to the Bone Spring formation until a week before the hearing date. *See* a copy of the email dated May 2, 2025, attached hereto as Exhibit 1. In the email, Devon explained the measures it implemented in the exhibits and hearing packet to accommodate and account for the two pools and explained that notice had been satisfied by the initial application. Devon clearly stated that it “wanted you both [examiners] to be aware of this situation so it doesn’t catch you by surprise or cause a disruption of the proceedings at the hearing,” and that Devon “sincerely believe[s] the application satisfies the elements of an application that need to be satisfied and therefore believe[s] the case should be able to go forward and evaluated as submitted, but would like to know the OCD’s position on this matter.” *See id.* (emphasis added). The Division did not provide any kind of negative response to Devon’s concerns, and therefore, Devon assumed the application was in order and ready to proceed to hearing.

4. The cover letter of Devon’s amended hearing packet and the Prehearing Statement stated that Devon had amended its hearing packet in order to clarify a certain matter regarding the Bone Spring formation, the matter being the pools and pool codes. At the start of the hearing held before the OCD on May 8, 2025, the Hearing Examiner asked about this assertion in the Prehearing Statement, and Devon responded that it had emailed the Division explaining the matter and would expect it to be addressed during the hearing, at which time Devon would answer any questions. *See* Transcript (“Tr.”) Case 25926 (May 8, 2025) at 130: 17-25; 131: 1-5. *See* the pertinent excerpt of the transcript attached hereto as Exhibit 2. After Devon presented its case, the Hearing Examiner concluded the hearing by asking the Technical Examiner if he had reviewed the amended exhibits and the amended Pre-hearing Statement and if his review helped clarify the Bone Spring issue, and the Technical Examiner stated that he did review them, and that yes, it did help clarify the matter. *See id.* at 134: 17-21. Based on these comments and that the case was expressly taken under

advisement without objection, Devon assumed that the issue involving the two pool codes had been reviewed and had concluded it did not pose a problem and therefore the Division would proceed with evaluating any remaining matters of the development plan and inform counsel if there were any other issues.

5. After approximately five months had passed without any word or issuance of an order, Devon reached out to the technical examiner inquiring about the status of the case and was informed that he planned on reviewing the case shortly with an order coming out soon. *See* email dated October 14, attached hereto as Exhibit 3. However, after an additional month passed without a response or order, Devon again reached out with a more thorough inquiry, stating that Devon is a long-time responsible and prudent operator in New Mexico who “should at least be informed if there is a problem” and that if the Division has encountered a problem, “it would be helpful to have the opportunity to address it.” *See* email chain dated November 10-12, 2025, attached hereto as Exhibit 4. The technical examiner responded that it is most likely the order has not been issued due to workload; however, the technical examiner later followed up by stating that there were some items that needed to be reviewed more deeply, such as vacating orders and a request across two separate pools which, he said, is unusual. *See id.* These were the original issues presented to the Division approximately seven months ago prior to the original hearing, and Devon responded with an email dated November 12, 2025, emphasizing that these issues were the items that had been addressed without objection prior to the hearing by Devon’s May 2, 2025 email and its amended exhibits which were evaluated during the hearing. *See id.; see also* Tr. Case 25926 (May 8, 2025) at 130: 17-25; 131: 1-5; 134: 17-21, attached as Exhibit 2.

6. The email exchange on November 12, 2025, was the last communication Devon had with the Division, which was followed by the issuance of OCD Order No. R-24123 denying Devon’s application. Order No. R-24123 is attached hereto as Exhibit 5. In the Order, the Division

asserted the existence of a third pool and pool code as justification for the denial, the WC-025 G-06 S253209L: BONE SPRING [96715], that had not been conveyed to Devon prior to the hearing, an unforeseen development that made it impossible for Devon, through no fault of its own, to have included the third pool in the exhibits for the original hearing. *See* Order No. R-24123 at ¶ 24.

7. On December 19, 2025, Devon filed an application for a *de novo* hearing before the Commission, believing in good faith that this approach would be the most efficient and least burdensome pathway for obtaining a proper compulsory pooling order without excessive administrative burden on Devon and the Division that otherwise would result from starting from scratch considering that notice has already been satisfied and that the original application identified the full scope of the proper formation to be pooled, which encompassed the common sources of supply, those within the Bone Spring formation. *See* Order No. R-24123 at ¶ 19 (finding and concluding that Devon satisfied the notice requirements for the application and the hearing as required by 19.15.4.12 NMAC); *see also* 19.15.4.8.A(3) NMAC (stating that an application to initiate an adjudicatory hearing requires only the name or general description, in this case the Bone Spring formation as provided in the application, of the common sources of supply or the area the order sought affects)<sup>1</sup>.

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<sup>1</sup> *See* Cases Nos. 23448-23455, et al., involving Coterra Energy Operating Co. and Permian Resources Operating, LLC, which confirmed and established the precedent for listing only the formations, acreage and legal descriptions in satisfaction of a compliant pooling application. In these cases, the applicants listed only the formations, the Bone Spring formation and the Wolfcamp formation, without designating the pools and pool codes in the applications themselves. The Division subsequently identified multiple pools and codes in the formations, pools in the upper Bone Spring, the Wolfbone pool encompassing the Third Bone Spring and upper Wolfcamp formations, and the lower Wolfcamp formation. However, the Division found that the original applications and wells located within the formations were sufficient as submitted and did not need to be revised, amended or resubmitted and was able and willing to address the allocation of interests and well locations in the multiple pools within the final order based only on the revised exhibits submitted for the hearing without requiring alteration of the original applications. This was the precedent Devon followed in the present case when it submitted in good faith its amended hearing exhibits to address the additional pools and pool codes, and Devon respectfully submits that it should not be punished or penalized with excessive burdens for following the reasonable precedent and blueprint established by the Division and Commission, especially after Devon had made good-faith efforts to reach out to the OCD to explain the situation and seek guidance prior to the hearing.

8. Furthermore, nothing in the applicable statutes or rules mandates denial of a pooling application based solely on an internal discrepancy in pool nomenclature where notice has been satisfied and the formation and acreage are properly identified. As a result, Devon respectfully submits that a *de novo* hearing benefits both the OCD and Commission by providing an opportunity to address the current, on-going issues associated with the systemic difficulty of obtaining accurate and reliable information, or as in the case of the present application, incomplete information from the Division on the status and existence of pools and pool codes involved with an application. *See, e.g.*, Tr. Cases 25584 et al. (Dec. 18, 2025) at 377 through 418, excerpt attached hereto as Exhibit 6 (an experienced practitioner before the OCD describing the excessive burden on applicants of the requirement to enter the pool codes and pool names [effective November 1, 2025, pursuant to Notice: Changes to the Hearing Submission Process] when such designations are managed by the OCD behind the scenes with no publicly available information about pool codes – where to find them, what they are, when they are constantly changing. Clients are frustrated because they call the OCD to find the pool code and find out [later] they are wrong, and then they have to make amendments and often [have to] come back for a hearing – the amount of time that has been eaten by that is substantial, it's absolutely mind boggling that we have to do that. We know the formation. We know the acreage...if the Division...could simply attach the correct pool to the order it would solve so many issues, streamline the process and make everybody's lives so much easier. [The OCD responded to this comment by stating] Freya, I know is working on the pool code issue, and it will allow submitters to submit an application without selecting a pool code.) (errors from the AI-generated transcript omitted) Devon's application submitted March 19, 2025, prior to the November 1, 2025 Notice, listed the formation, acreage, and legal description in compliance with 19.15.4.8.A(3) NMAC and in compliance with OCD's stated plans for being able to submit an application without selecting a pool code.

**II. Devon Respectfully Asks the Commission to Review Devon's Application and Issue a Compulsory Pooling Order Pursuant to Its Concurrent Jurisdiction with the Division.**

9. The Commission has concurrent jurisdiction with the Division, and therefore, is authorized to perform any adjudication or hearing that would be performed by the Division. *See* NMSA 1978 § 70-2-11(B). Furthermore, even if the Division does not render a final decision, the Division Director has full discretion to request and allow the Commission to hear any matter or case from the Division. *See* NMSA Sec. 70-2-6(B); *see also* legal arguments that outline the full scope of the Commission's appellate authority in Motion and Application for Reconsideration of the Commission's Decision to Deny Review filed in OCC Case No. 25238. In the present case, the Division rendered a final decision by issuing an order that denied Devon's application. The engineering and technical background embodied by the current Commission further supports the propriety of the Commission hearing *de novo* the pooling application and issuing a pooling order.

10. The Haflinger pooling application under review is part of a larger plan in the subject area, which Devon has been developing over the course of a number of years. As early as 2021, Devon has been working with the Division to satisfy the regulatory requirements for the Haflinger wells in the Subject Lands including the early identification of the pools and pool codes underlying the Subject Lands in this area. On February 18, 2021, Devon reached out to the Division to receive the names of the pools and pool codes for its development plans and was informed that only two pools and pool codes apply to the Bone Spring formation in the Subject Lands, the JENNINGS: UPPER BONE SPRING SHALE [Code 97838] and the WC-025 G-08 S253235G; LWR BONE SPRING [Code 97903]. *See* Devon's email to the OCD dated February 18, 2021, attached hereto as Exhibit 7. The third Bone Spring pool, the WC-025 G-06 S253209L; BONE SPRING [Code 96715], referenced in the OCD's final order constituting the basis of the OCD's denial, was not provided to Devon, and therefore, Devon was not aware of the additional pool code. That fact

notwithstanding, Devon's original application seeking to pool the entire Bone Spring formation fully and deliberately encompassed the entire vertical and horizontal extent underlying the Subject Lands in order to include any and all relevant pools, and therefore, Devon provided the Division with all the facts and information that would have allowed the Division to identify the units in the Bone Spring formation pursuant to the three pools and thereby pool all the uncommitted interests within the Bone Spring formation as requested according to units that would be necessary to establish under the rules.

11. In its exhibits, Devon identified the two pools that it was provided and requested orders for both pools, specifically asking the Division to pool all uncommitted interests in the WC-025 G-08 S253235G; LWR BONE SPRING [Code 97903] as one unit and to pool all uncommitted interests in the JENNINGS: UPPER BONE SPRING SHALE [Code 97838] as a separate unit. *See* Landman Statement, Exhibit A, Devon's Hearing Packet in Case No. 25296, at ¶¶ 6-9, excerpt attached hereto as Exhibit 8. Devon respectfully submits that this request satisfies NMSA 1978, § 70-2-17, 19.15.16.15 NMAC, 19.15.16.15(B)(1)(a) NMAC, and 19.15.2.7(P)(6) NMAC because Devon's exhibits and requests provided the Division with the necessary information to draft an order for the two units and common sources of supply to be pooled in the Bone Spring formation underlying the Subject Lands. *Compare* Order No. R-24123 at ¶¶ 17 and 21-24 (concluding that Devon's application and development plan did not comply with §70-2-17, 19.15.16.15(B)(1)(a) NMAC, and 19.15.2.7(P)(6)) NMAC.

12. Because only the Division, not Devon, was aware of the third pool listed in its Order, the Division could have offered to include and account for the third Pool Code 96715 in its final order, thereby promoting procedural fairness, preserving administrative resources, and avoiding unnecessary duplication of proceedings caused by denying the application. *See* Paragraph 8, above, describing the level of frustration and burden created by the denial of an application and



having to repeat the adjudicative process, resulting in excessive costs and the waste of production and denial of correlative rights from unnecessary delay. The Division's Order, as issued, would require the submission of two new applications creating two new cases for hearing of the same subject-matter. Furthermore, if two new applications were to be submitted, both applications would describe and request the pooling of the Bone Spring formation underlying the Subject Lands in the same manner as the original application that was denied, thereby resulting in the waste of administrative resources.

13. Alternative options to such a scenario are available for consideration, such as incorporating contingency language in the pooling application that alerts the OCD to account for the possibility that there may be unforeseen or unidentified pools and pool codes in the vertical extent of the formation. For example, the applicant could incorporate language such as: "Applicant is seeking an order pooling all uncommitted interests in the Bone Spring formation underlying a standard [Acreage], more or less, spacing unit comprised of the [Legal Description], [County], [State], *providing that if the Bone Spring formation should consist of more than one common source of supply, the applicant requests the Division to account for such zones in the final order based on exhibits to be submitted at the hearing outlining the units and/or based on information not available publicly but to which the Division has access that inform what units are to be established by the pooling order.*"

14. This type of provision would alert and remind the OCD of the need to account for such contingencies as discovering an unaccounted for pool in the middle of the adjudicatory process or accounting for the unforeseen fact arising after a hearing that a pool name and pool code is in error, thereby allowing the Division to proceed with approval based on the merits of the development plan, if warranted, and not on the basis of an accidental procedural glitch in the nomenclature for pools and pool codes. However, the proposed provision is merely a precaution

as the Division has the authority to proceed with the adjudication of a case without such a provision as long as notice has been satisfied because proper notice for purposes of due process is the main concern in a hearing affecting property rights. Necessary adjustments and accommodations during review of an application can and should be made based on exhibits and testimony presented at the hearing to ensure that proceedings are judicious and to avoid the waste of administrative resources caused by returning to square one. The Division is aware of the rules and statutes to be applied to an order and should be encouraged to apply them judiciously and thoughtfully without unduly penalizing or punishing the applicant by denying an application.

15. In the present case, Devon provided the Division a thoroughly developed plan for production of the Bone Spring formation underlying the Subject Lands fully supported by geological evidence and testimony demonstrating the potential for production of the Bone Spring formation and by land evidence and testimony describing the location and arrangement of the wells within the vertical extent of the Bone Spring formation. Devon satisfied notice; its application contained the necessary information for initiating a compulsory pooling hearing; and Devon's exhibits showed the location and depth of the wells within Bone Spring formation which provided the necessary information regarding units and zones sufficient to satisfy the statutes under the Oil and Gas Act and related statewide rules.

### **III. Conclusion:**

For the reasons stated above, Devon respectfully requests that the Commission grant this Motion by adjudicating Devon's request for a pooling order that would provide for the operation of units in the Bone Spring formation and production from its common sources of supply based on the merit of Devon's development plan. Devon respectfully has requested a hearing *de novo* to expedite this matter in the hope that it may provide the Commission with additional opportunity to meaningfully help address and resolve the on-going issues associated with the assignment of

pool names and codes and promote the consideration of options for avoiding the waste of administrative resources and substantial delays in the adjudicative process. In order to streamline this process and for the Commission's convenience, Devon will be providing a proposed pooling order along with Devon's exhibits supporting its application for the Commission's review to determine whether Devon's development plan merits approval.

Respectfully submitted,

ABADIE & SCHILL, PC

/s/ Darin C. Savage

Darin C. Savage

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***Attorneys for Devon Energy Production  
Company, L.P.***

**From:** Darin Savage darin@abadieschill.com  
**Subject:** One Bone Spring formation, two pools, question? May 8 hearing...  
**Date:** May 2, 2025 at 10:57 AM  
**To:** McClure, Dean, EMNRD Dean.McClure@emnrd.nm.gov, Garcia, John, EMNRD JohnA.Garcia@emnrd.nm.gov

DW

Mr. McClure and Mr. Garcia, good morning,

We filed a pooling application for Devon in Case No. 25296 for the Bone Spring formation that is set to be heard next week, May 8.

We drafted the application off of the well proposal letter because the C-102s weren't available yet and only the Bone Spring formation was mentioned and listed.

As you know, a pooling application only needs to provide the target formation and not the pool name or pool code which is later provided at the hearing. When I got the C-102s and was going through them, I noticed the some of the C-102s for certain wells were listed for the Jennings Bone Spring Code 97838 and some were listed for the LWR Bone Spring Code 97903. This was very unexpected. Typically, when we file an application for the Bone Spring formation, we receive one pool and one code for the Bone Spring formation, just as when we file an application for the Wolfcamp formation, we get one pool and one code for that formation.

It looks like both Bone Spring pools cover both proposed Sections (Sections 22 and 27) with certain two mile wells in one pool and certain two mile wells in the other pool. I looked at the rules for the initial application, and what an applicant needs to provide in the application is "a reasonable identification of the the adjudication subject matter" (19.15.4.9A(6)), which I believe we have done. Anyone with interest in the Bone Spring formation in these sections would be fully aware that its interest would be affected after receiving notice of this application and/or reading public notice.

For the exhibits in the hearing packet, we included two compulsory pooling checklists, one for each pool in the Bone Spring formation, and the Landman requested two orders, one for each pool in the Bone Spring formation. We do have the need for proximity wells, and we had designated the 232H well for the proximity well, but that well is located in one of the pools (97903) and not in 97838. So I think we need a proximity well for 97838, which would be the 300H wells, which is described in the landman statement.

Given the unusual and rather rare circumstances this application and case present, I am asking for some thoughts and feedback before the May 8 hearing next week, if that is something you can provide. I wanted you both to be aware of this situation so it doesn't catch you by surprise or cause a disruption of the proceedings at the hearing. Notice was satisfied for this case and no party has entered an appearance nor has anyone objected. Upon review, I sincerely believe the the application satisfies the elements of an application that need to be satisfied and therefore believe the case should be able to go forward and evaluated as submitted, but would like to know the OCD's position on this matter.

Thanks for any consideration of this matter you can offer prior to the hearing.

Darin



**DARIN SAVAGE | Attorney**

*Abadie | Schill P.C.*

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**EXHIBIT  
1**

1 STATE OF NEW MEXICO  
2 ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT  
3 OIL CONSERVATION DIVISION  
4  
5 IN THE MATTER OF THE HEARING  
6 CALLED BY THE OIL CONSERVATION  
7 DIVISION FOR THE PURPOSE OF  
8 CONSIDERING:  
9 Case Nos. 24864, 24865, 25091,  
10 25259, 25182, 25193, 25255,  
11 25256, 25258, 25307, 25271,  
12 25285, 25286, 25287, 25289,  
13 25290, 25291, 25293, 25296,  
14 25306, 25308, 25309, 25310,  
15 25311, 25314, 25316, 25317,  
16 25318, 25326, 25327, 25328,  
17 25332, 25335, 25336, 25337,  
18 25339, 25340, 25341, 25342,  
19 25343, 25344, 25345, 25346,  
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HEARING

DATE: Thursday, May 8, 2025  
TIME: 11:11 a.m.  
BEFORE: Hearing Examiner Gregory Chakalian  
LOCATION: State of New Mexico Energy, Minerals  
and Natural Resources Department  
1220 South Francis Drive  
Santa Fe, NM, 87505  
REPORTED BY: 6973001  
JOB NO.: Joni C. Bolden

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1 MS. HARDY: Thank you.

2 THE HEARING OFFICER: Moving on to  
3 Devon Energy, Compulsory Pooling Case 25296. Entries  
4 of appearance, please?

5 Are there any other parties that you  
6 know of? Please, proceed.

7 MR. SAVAGE: Yes. Case 25296 covers  
8 lands in Sections 22 and 27, Township 25 South, Range  
9 32 East, Lee County, New Mexico.

10 The landman, Ryan Cloer, has testified  
11 previously before the division, and his credentials  
12 have been accepted as an expert witness in petroleum  
13 land matters.

14 The geologist, Kate Hughston-Kennedy,  
15 has also testified previously before the division and  
16 has been accepted as an expert witness.

17 THE HEARING OFFICER: Mr. Savage,  
18 question, in your amended pre-hearing statement, the  
19 last sentence of the first paragraph "In order to  
20 clarify a certain matter regarding the Bone Spring  
21 Formation"?

22 MR. SAVAGE: Certain matters. That's  
23 correct.

24 THE HEARING OFFICER: Well, it says "A  
25 certain matter." If it's matters, that's fine too.

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1 MR. SAVAGE: Certain matters. I  
2 actually -- I have emailed previously Mr. Garcia and  
3 Mr. McClure [ph] on this, on that matter, and I assume  
4 that they will bring it up when they find it  
5 appropriate to raise the question --

6 THE HEARING OFFICER: All right. It  
7 just seemed very vague reading this for me. Very  
8 vague. I didn't know about your emails.

9 MR. SAVAGE: Yeah. It's -- need some  
10 explanation.

11 THE HEARING OFFICER: Okay. Good.

12 MR. SAVAGE: Okay. Yeah.

13 THE HEARING OFFICER: Okay. Anyway,  
14 please proceed.

15 MR. SAVAGE: All right. Devon seeks  
16 orders pooling all uncommitted interest in the Bone  
17 Spring Formation designated as an oil pool or oil  
18 pools underlying a standard 640-acre, more or less,  
19 spacing units comprised of the west half of Sections  
20 22 and 27.

21 The units will be dedicated to the  
22 Haflinger 22-27 Fed Com Wells. Orientation of the  
23 wells and the units are standup north to south, and  
24 the location of the wells is standard.

25 Mr. Cloer's Exhibit A includes his

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1 landman self-affirmed statement, C102s, and ownership  
2 breakdown, well proposal letter with AFEs, and the  
3 chronology of contacts.

4 (Exhibit A was marked for  
5 identification.)

6 Ms. Hughston-Kennedy's Exhibit B for  
7 this case includes her self-affirmed geology statement  
8 along with four geology exhibits showing the potential  
9 for development of the unit as described in her  
10 statement.

11 (Exhibit B was marked for  
12 identification.)

13 Exhibit C provides self-affirmed  
14 statement of notice for mailings publication notice.  
15 Notice was timely mailed on April 17, 2025, and timely  
16 published on April 24, 2025.

17 (Exhibit C was marked for  
18 identification.)

19 We also have an existing order similar  
20 to the previous case that was for the east half, west  
21 half, and we would ask that that be vacated and  
22 terminated upon issuance of the new pooling order for  
23 the west half.

24 THE HEARING OFFICER: So what order  
25 number is that?

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1 MR. SAVAGE: That would be R22550 --

2 THE HEARING OFFICER: Was that 2255 --

3 MR. SAVAGE: That's correct. And that  
4 was in Case 23119.

5 THE HEARING OFFICER: So which of your  
6 witnesses need to be qualified as experts?

7 MR. SAVAGE: They're both qualified.  
8 They're both -- have been admitted. They've both been  
9 admitted as --

10 THE HEARING OFFICER: It doesn't say  
11 that here.

12 MR. SAVAGE: In the what? Pre-hearing  
13 statement or --

14 THE HEARING OFFICER: Let me look.

15 MR. SAVAGE: It should say it in their  
16 each individual --

17 THE HEARING OFFICER: Both have been  
18 qualified?

19 MR. SAVAGE: That's correct.

20 THE HEARING OFFICER: Okay. Yeah. If  
21 you could let me know that when you're telling me who  
22 the witnesses are, it's helpful, so -- it makes it go  
23 faster. Okay. Please proceed.

24 MR. SAVAGE: Okay. Well, so at this  
25 time I move that Exhibits A, B, and C and all

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1 sub-exhibits be admitted into the record for this case  
2 and the case be taken under advisement. Counsel and  
3 witnesses are available for questions.

4 THE HEARING OFFICER: Thank you.

5 Are there any objections?

6 Your exhibits in both cases are  
7 admitted into evidence. Actually, not both cases.  
8 One case. Did you say there was --

9 MR. SAVAGE: One case.

10 THE HEARING OFFICER: Okay. Fine.

11 In this case, 25296, is admitted into  
12 evidence.

13 (Exhibit A and Exhibit B and Exhibit C  
14 were received into evidence.)

15 Mr. Garcia, questions?

16 MR. GARCIA: No questions.

17 THE HEARING OFFICER: No questions.

18 All right. So Mr. Garcia, you saw the amended exhibit  
19 and the amended pre-hearing statement and that helped  
20 clarify things for you?

21 MR. GARCIA: I did, and yes.

22 THE HEARING OFFICER: Okay. Okay.  
23 Perfect.

24 Okay. Thank you, Mr. Savage.

25 MR. SAVAGE: Yep. Thank you.

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1 THE HEARING OFFICER: We're off the  
2 record in that case, and it's taken under advisement.

3 We're moving on to Mewbourne Oil  
4 Company amendment to Order Number R23123. It's Case  
5 Number 25306, and I believe it stands on its own.  
6 Entries of appearance, please?

7 MR. RANKIN: Morning, Mr. Hearing  
8 Officer. Adam Rankin, with the Santa Fe office of  
9 Holland & Hart, appearing on behalf of Mewbourne in  
10 this case.

11 THE HEARING OFFICER: Thank you.

12 MR. RANKIN: I'm not aware of any other  
13 parties that have entered an appearance.

14 THE HEARING OFFICER: Perfect. Thank  
15 you.

16 MR. RANKIN: Mr. Hearing Officer, in  
17 this case, Mewbourne seeks a one-year extension, a  
18 time for drilling its well under the order R23123 from  
19 March 28, 2025, to March 28, 2026, a one-year  
20 extension.

21 Units comprised involve Sections 23 and  
22 24 in Township 18 South, Range 31 East, in Eddy  
23 County. Under that order, all uncommitted owners of a  
24 minimum interest were pooled in the Bone Spring and  
25 dedicated to the unit -- the four initial proposed

Page 135

**From:** Darin Savage [darin@abadieschill.com](mailto:darin@abadieschill.com)  
**Subject:** Re: [EXTERNAL] Follow up re Case No. 25296  
**Date:** October 14, 2025 at 9:26 AM  
**To:** Garcia, John, EMNRD [JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)  
**Cc:** McClure, Dean, EMNRD [Dean.McClure@emnrd.nm.gov](mailto:Dean.McClure@emnrd.nm.gov)

DS

Thanks John, appreciate the update.

Darin



**DARIN SAVAGE**

*Abadie | Schill P.C.*

*214 McKenzie Street, Santa Fe, New Mexico 87501*

**P | 970.385.4401 :: F | 970.385.4901 :: C | 970.764.8191**

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On Oct 14, 2025, at 9:23 AM, Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)> wrote:

Darin,

At this time I plan on reviewing shortly with an order coming out soon.

Thank you,  
John Garcia  
Petroleum Specialist Supervisor  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
<[image001.png](#)>

**From:** Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)>  
**Sent:** Friday, October 10, 2025 12:01 PM  
**To:** Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)>  
**Cc:** McClure, Dean, EMNRD <[Dean.McClure@emnrd.nm.gov](mailto:Dean.McClure@emnrd.nm.gov)>  
**Subject:** [EXTERNAL] Follow up re Case No. 25296

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EXHIBIT  
3

prior to clicking on links or opening attachments.

Mr. Garcia, good afternoon,

I am following up in an uncontested case you took under review on May 8, 2025. This was Case No. 25296 involving Devon's Haflinger wells.

No issues were raised during the hearing. I am following up, hoping that things are going okay under the review. Please let me know if I can address any questions.

Thanks for your consideration of my inquiry,

Darin

<~WRD0000.jpg>

DARIN SAVAGE

Abadie / Schill P.C.

214 McKenzie Street, Santa Fe, New Mexico 87501

---

P | 970.385.4401 :: F | 970.385.4901 :: C | 970.764.8191

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**From:** Darin Savage [darin@abadieschill.com](mailto:darin@abadieschill.com)  
**Subject:** Re: [EXTERNAL] Follow up re Case No. 25296  
**Date:** November 12, 2025 at 9:28 AM  
**To:** Garcia, John, EMNRD [JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)  
**Cc:** Andrew Schill [andrew@abadieschill.com](mailto:andrew@abadieschill.com)

DS

John,

I looked at the case, application, and exhibits. This one is a bit unconventional. I can give you some background on this.

Devon wanted to pool the Bone Spring formation, so we did an application for the Bone Spring, as you can see. We were given a pool code for the Bone Spring.

Then as we were collecting exhibits right before the hearing date, we saw that some C-102s had a pool code for an upper Bone Spring and some had a pool code for the lower Bone Spring.

We had thought that the one pool code we originally received covered the entire Bone Spring, but apparently it did not.

As a result, we addressed the two pools in the landman statement in order to provide the OCD with an account of the development plan and we included two compulsory checklists, one for each pool.

At the hearing, the landman statement was presented, and I explained to the Hearing Examiner that we had amended some exhibits to account for the discovery that there were two pools involved and explained that we had emailed the technical examiners prior to the hearing to inquire about this situation.

I've attached the transcript below, the discussion at the hearing starts on page 130. I've also attached the email I sent on May 2, 2025 inquiring about this situation.

We didn't receive any objections or concerns from the email, and at the hearing there were no objections and no questions about this matter.

In my view, based on the rules, notice of the hearing must be satisfied as the main criteria in this matter. Notice only requires the Bone Spring formation to be listed not the pool designations. Therefore, notice was satisfied and any party in the Bone Spring, whether in one pool or the other had sufficient notice to satisfy the requirements of due process. All other matters regarding the explanation of the pools were properly addressed in the exhibits, and any party who had concerns had opportunity to appear in the hearings.

Thanks for looking at all this. Let me know if you want any additional information after you are able to review. I am always available for questions.

Darin



**DARIN SAVAGE**

*Abadie | Schill PC.*

*214 McKenzie Street, Santa Fe, New Mexico 87501*

**P | 970.385.4401 :: F | 970.385.4901 :: C | 970.764.8191**

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On Nov 12, 2025, at 8:13 AM, Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)> wrote:

Darin

**EXHIBIT  
4**

Darin,

FYI I have briefly reviewed the case, and it does seem to have some items that I will need to look deeper into. It has vacating orders and request to pool across two separate pools which is unusual.

Thank you,  
John Garcia  
Petroleum Specialist Supervisor  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
<image001.png>

---

**From:** Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)>  
**Sent:** Wednesday, November 12, 2025 8:10 AM  
**To:** Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)>  
**Cc:** Andrew Schill <[andrew@abadieschill.com](mailto:andrew@abadieschill.com)>  
**Subject:** Re: [EXTERNAL] Follow up re Case No. 25296

Ok, thanks John, that's helpful and appreciated.

I'll let Devon know there's probably no concern.

Sent from my iPhone

On Nov 12, 2025, at 7:15 AM, Garcia, John, EMNRD  
<[johna.garcia@emnrd.nm.gov](mailto:johna.garcia@emnrd.nm.gov)> wrote:

Darin,

I will look into these cases, most likely an order has not been issued more due to work loads of mine as these cases I heard.

Thank you,  
John Garcia  
Petroleum Specialist Supervisor  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
<image001.png>

---

**From:** Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)>  
**Sent:** Monday, November 10, 2025 8:36 PM  
**To:** Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)>  
**Cc:** Andrew Schill <[andrew@abadieschill.com](mailto:andrew@abadieschill.com)>  
**Subject:** Re: [EXTERNAL] Follow up re Case No. 25296



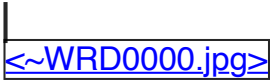
John, good evening,

I am just following up on this order because Devon has been asking about it. Given the length of time involved, it feels like there might be an issue or problem that has been encountered. If there is, please let us know.

Devon is a long-time responsible and prudent operator in New Mexico, and they should at least be informed if there is a problem. I know you all face a lot of on-going work, so if it's a matter of the workload, I will advise patience. If you've encountered a problem, it would be helpful to have the opportunity to address it.

Thanks for your consideration and work on this project. Let me know if you need any additional info.

Darin



**DARIN SAVAGE**

*Abadie / Schill P.C.*

*214 McKenzie Street, Santa Fe, New Mexico 87501*

---

***P | 970.385.4401 :: F | 970.385.4901 :: C | 970.764.8191***

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On Oct 14 2025 at 9:23 AM Garcia ,John FMNRD

ON OCT 11, 2025, at 12:01 PM, Garcia, John, EMNRD  
<[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)> wrote:

Darin,

At this time I plan on reviewing shortly with an order coming out soon.

Thank you,  
John Garcia  
Petroleum Specialist Supervisor  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
<image001.png>

---

**From:** Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)>  
**Sent:** Friday, October 10, 2025 12:01 PM  
**To:** Garcia, John, EMNRD <[JohnA.Garcia@emnrd.nm.gov](mailto:JohnA.Garcia@emnrd.nm.gov)>  
**Cc:** McClure, Dean, EMNRD  
<[Dean.McClure@emnrd.nm.gov](mailto:Dean.McClure@emnrd.nm.gov)>  
**Subject:** [EXTERNAL] Follow up re Case No. 25296

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Mr. Garcia, good afternoon,

I am following up in an uncontested case you took under review on May 8, 2025. This was Case No. 25296 involving Devon's Haflinger wells.

No issues were raised during the hearing. I am following up, hoping that things are going okay under the review. Please let me know if I can address any questions.

Thanks for your consideration of my inquiry,

Darin

  
<~WRD0000.jpg>

**DARIN SAVAGE**

*Abadie | Schill P.C.*

*214 McKenzie Street, Santa Fe, New Mexico 87501*

---

*P | 970.385.4401 :: F | 970.385.4901 :: C | 970.764.8191*

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25296\_Transcript.pdf



Email to McClure and Garcia re  
Case 25296.pdf



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

**IN THE MATTER OF APPLICATION FOR  
COMPULSORY POOLING SUBMITTED BY  
DEVON ENERGY PRODUCTION COMPANY, L.P.**

**CASE NO. 25296  
ORDER NO. R-24123**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on May 8, 2025, and after considering the testimony, evidence, and recommendation of the Hearing and Technical Examiners, issues the following Order.

**FINDINGS OF FACT**

1. Devon Energy Production Company, L.P. (“Operator”) submitted an application (“Application”) to compulsory pool the uncommitted oil and gas interests within three (3) pools in the Bone Spring formation, two (2) of which are vertically separated intervals.
2. The proposed spacing unit (“Unit”) is described as a standard 640-acre, more or less, comprised of the W/2 of Sections 22 and 27, all in Township 25 South, Range 32 East, NMPM, Lea County, New Mexico.
3. The Application differs from a standard compulsory pooling application as it includes three (3) pools, two (2) of which are vertically separated.
4. The Unit pools consist of:
  - The Bone Spring formation underlying Section 22, Township 25 South, Range 32 East, NMPM, Lea County, New Mexico, entirely encompassed by the WC-025 G-06 S253209L; BONE SPRING [96715] pool.
  - The Bone Spring formation underlying Section 27, Township 25 South, Range 32 East, NMPM, Lea County, New Mexico, subdivided into an upper and lower pool. These pools are known as the JENNINGS; UPPER BONE SPRING SHALE [97838] and the WC-025 G-08 S253235G; LWR BONE SPRING [97903].
5. Operator seeks to be designated the Operator of the Unit.
6. Operator also seeks to have Order R-22550 vacated. Order R-22550 was issued by OCD to the Operator on March 3, 2023, which pooled interest in the Lower Bone Spring underlying the E/2 W/2 of Sections 22 and 27, Township 25 South, Range 32 East, NMPM, Lea County, New Mexico.

**EXHIBIT  
5**

7. Operator seeks to dedicate the below horizontal wells (“Wells”) to the Unit.
  - a. HAFLINGER 22-27 FED COM 100H
  - b. HAFLINGER 22-27 FED COM 121H
  - c. HAFLINGER 22-27 FED COM 125H
  - d. HAFLINGER 22-27 FED COM 231H
  - e. HAFLINGER 22-27 FED COM 232H
  - f. HAFLINGER 22-27 FED COM 233H
  - g. HAFLINGER 22-27 FED COM 300H
  - h. HAFLINGER 22-27 FED COM 303H
  - i. HAFLINGER 22-27 FED COM 520H
  - j. HAFLINGER 22-27 FED COM 521H
  - k. HAFLINGER 22-27 FED COM 522H
  - l. HAFLINGER 22-27 FED COM 524H
  - m. HAFLINGER 22-27 FED COM 525H
  - n. HAFLINGER 22-27 FED COM 526H
8. The subset of the Wells below would be drilled and completed in the WC-025 G-06 S253209L; BONE SPRING [96715] pool and the JENNINGS; UPPER BONE SPRING SHALE [97838].
  - a. HAFLINGER 22-27 FED COM 520H
  - b. HAFLINGER 22-27 FED COM 521H
  - c. HAFLINGER 22-27 FED COM 522H
  - d. HAFLINGER 22-27 FED COM 524H
  - e. HAFLINGER 22-27 FED COM 525H
  - f. HAFLINGER 22-27 FED COM 526H
9. The subset of the Wells below would be drilled and completed in the WC-025 G-06 S253209L; BONE SPRING [96715] pool and the WC-025 G-08 S253235G; LWR BONE SPRING [97903].
  - a. HAFLINGER 22-27 FED COM 100H
  - b. HAFLINGER 22-27 FED COM 121H
  - c. HAFLINGER 22-27 FED COM 125H
  - d. HAFLINGER 22-27 FED COM 231H
  - e. HAFLINGER 22-27 FED COM 232H
  - f. HAFLINGER 22-27 FED COM 233H
  - g. HAFLINGER 22-27 FED COM 300H
  - h. HAFLINGER 22-27 FED COM 303H
10. Operator proposes the supervision of \$10,000 while drilling and \$1,000 while producing, and a risk charge of 200% for the Wells.
11. OCD defines a “Horizontal Spacing Unit” as the spacing unit dedicated to a horizontal well.

CASE NO. 25296  
ORDER NO. R-24123

Page 2 of 4

12. OCD further defines “Horizontal well” as a well bore with one or more laterals that extend a minimum of 100 feet laterally in the target zone.
13. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
14. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application.
15. No other party presented evidence at the hearing.

### **CONCLUSIONS OF LAW**

16. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
17. NMSA 1978, Section 70-2-17 says:

*“...Where, however, such owner or owners have not agreed to pool their interests, and where one such separate owner, or owners, who has the right to drill has drilled or proposes to drill a well on said unit to a common source of supply, the division, to avoid the drilling of unnecessary wells or to protect correlative rights, or to prevent waste, shall pool all or any part of such lands or interests or both in the spacing or proration unit as a unit...” [Emphasis added].*
18. Operator is the owner of an oil and gas working interest within the Unit.
19. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
20. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
21. A horizontal spacing unit shall comprise one or more contiguous tracts that the horizontal well’s completed interval penetrates 19.15.16.15 NMAC.
22. Each standard horizontal spacing unit for horizontal oil wells shall comprise of one or more contiguous tracts that the horizontal oil well’s completed interval penetrates, under 19.15.16.15(B)(1)(a) NMAC.
23. Each pool is a zone completely separated from other zones in the structure, under 19.15.2.7(P)(6) NMAC.

24. The three targeted intervals constitute three distinct pools (Pool Codes 96715, 97838, and 97903) two of which are vertically separated and have not been combined into a single common source of supply by prior Division order nor do the pools contain a single well bore with one or more laterals that extend a minimum of 100 feet laterally in the target zone.
25. The Unit contains separately owned uncommitted interests in oil and gas minerals.
26. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.

### **ORDER**

1. The Application is hereby **denied** without prejudice.
2. The request to vacate Order R-22550 is **denied**.
3. The Operator may reapply with two separate cases:
  - one for the WC-025 G-06 S253209L; BONE SPRING [96715] pool and the JENNINGS; UPPER BONE SPRING SHALE [97838].
  - one for the WC-025 G-06 S253209L; BONE SPRING [96715] pool and the WC-025 G-08 S253235G; LWR BONE SPRING [97903].
4. Alternatively, the Operator may reapply under one compulsory pooling case if the Operator first obtains a nomenclature order which confirms the reservoir is one continuous source, and results in a single pool that includes the upper and lower Bone Spring horizons.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**



**ALBERT C.S. CHANG**  
**DIRECTOR**  
AC/jag

**Date:** 11/27/2025

CASE NO. 25296  
ORDER NO. R-24123

Page 4 of 4

1   DISCLAIMER: This transcript was auto-generated with the assistance of Microsoft AI technology  
2   and may contain errors, omissions, or not reflect the original audio's nuances. Its intended  
3   purpose is to provide general information only. The official record is the video recording of the  
4   hearing, which is posted to the **OCD's** YouTube channel, which can be viewed here: [OCD Pecos](#)  
5   [Hall - YouTube](#)

6

7   **OCD Regular Docket December 18, 2025-**  
8   **20251218\_085443-Meeting Recording**

9   December 18, 2025, 3:54PM

10   1h 35m 51s

11

12  **Pecos Hall** started transcription

13

14  **Pecos Hall** 0:03

15   Good morning.

16   It's 854. We're gonna start a few minutes early because I'm gonna ask a little bit off  
17   topic.

18   Question. My name is Gregory Chakalian.

19   This is the oil conservation division. Second, regular docket restricted to status  
20   conferences and continued hearing by affidavits that needed some additional work  
21   and review.

22   Dean.

23   McClure is with us not on camera, but he's listening.

24   And he can participate if necessary.

25   Freya is running the show and we've been recording for, I think about an hour now  
26   so.

27   Before we get into our docket, I thought I would ask the regulated community.

28   For some feedback on the new procedures that we noticed.

29

30  **+15\*\*\*\*\*12** 0:50

31   Thank you.

32

33  **Pecos Hall** 0:56

34   Beginning November 1st, for two of them in December 1st for one of them.



350 You don't have to file applications. You know I I won't repeat everything that's been  
351 said.

352 The evidentiary notice, I would definitely say, you know, I understand the reasoning.  
353 I think behind it based on the discussion here and you know my own thoughts of  
354 observing, but I do think it's a lot of back and forth with the client and I if we are  
355 going to include it, it's much better for it to be in the attor.

356 Statement and not in the Land Man statement.

357 Because it takes just additional coordination.

358 And sometimes can lead to some confusion.

359 In making sure that the information is correct so you know I don't issue doing it. But  
360 if we are going to do it, I would definitely highly recommend that it go in the  
361 attorney state with the attorney statement. Thank you.

362 Thank you, Mr. Padilla.

363 Do you have anything?

364 I don't have anything new to say.

365 OK, all I can say is by way of comment is seems to be easier to file in the Federal  
366 District Court than Oil Conservation Division.

367 That's 'cause you're used to doing it, yes. As a plaintiff, I'm sure.

368 I think I would have to collaborate with Miss Luck over here and.

369 I haven't had that opportunity to file applications, but I'd I.

370 I'd I'd have to relearn everything and do it correctly.

371 OK, let let me hit the back of the room before I come back to you.

372 M's Vance Miss luck.

373 I don't have anything else.

374 Thank you. OK.

375 Thank you, miss.

376 Luck, Mr. Rankin.

377 Anything else from Holland and heart?

378 I just wanna say initially thank you very much for giving sure. The Council who  
379 practice regularly before you the opportunity to comment.

380 I think it's really important to do that.

381 I'm I'm grateful for the opportunity.

382 Thank you. And I think.

383 Whenever the division is considering making changes or making pronouncements or  
384 taking a different direction, I think it would be very helpful and useful if in advance of

385 that they they take the opportunity to to seek input and comment from from  
386 the Council.  
387 I think it's it's a.  
388 An opportunity to for us all to come together and and.  
389 Streamline the process that where where possible. To that point I'm still confused  
390 why we are having to ourselves enter the pool code and pool names.  
391 To me, as an administrative thing that the division manages behind the scenes,  
392 there's no publicly available information about pool codes. Where to find them, what  
393 they are. They constantly are changing.  
394 Clients are frustrated by that because they think that they've called and find the pool  
395 code.  
396 And they find out they're wrong.  
397 And then we have to amend it and sometimes often come back to hearing it.  
398 Let me just say that the amount of time that has been eaten by that, I'm sure on your  
399 side and our side as well on the client side is substantial.  
400 Substantial. I mean, it's just absolutely.  
401 Mind boggling that we have to do that. I think and I and just to be just not not with  
402 with all respect.  
403 I just.  
404 I think it would be very easy.  
405 We know the formation.  
406 We know the acreage and if the division.  
407 A punishment of the pool of the order could simply attach the correct pool to a  
408 quote to the order it would solve.  
409 So many issues streamline the process and make everybody's lives so much easier. I  
410 believe the divisions as well. Thank you.  
411 So, Freya, I know it is working on the pool code issue.  
412 What will happen after they fix it?  
413 It will allow.  
414 Submitters to submit an application.  
415 Without selecting a pool code OK and how will that correct pool code get entered  
416 along the way?  
417 I'm not sure that might be a better question for.  
418 Dean, we have lots of questions.  
419 OK.

**From:** Kautz, Paul, EMNRD paul.kautz@state.nm.us  
**Subject:** [EXTERNAL] RE: Pool code request\_Haflinger  
**Date:** February 18, 2021 at 1:37 PM  
**To:** Harms, Jenny Jenny.Harms@dvn.com

KE

Hi Jenny

Upper Bone Spring [97838] JENNINGS;UPPER BONE SPRING SHALE  
 Lower Bone Spring [97903] WC-025 G-08 S253235G;LWR BONE SPRIN  
 Upper Wolfcamp [98065] WC-025 G-08 S263205N;UPPER WOLFCAMP

Paul Kautz  
 Hobbs District Geologist  
 Energy Minerals Natural Resources Dept.  
 Oil Conservation Division  
 1625 N. French Dr.  
 Hobbs, NM 88240  
 Cell # 575-602-4493

**From:** Harms, Jenny <Jenny.Harms@dvn.com>  
**Sent:** Thursday, February 18, 2021 12:32 PM  
**To:** Kautz, Paul, EMNRD <paul.kautz@state.nm.us>  
**Subject:** [EXT] Pool code request\_Haflinger

Hello Paul,

I would like to request pool codes for the below project. Thank you very much for your time.

				SHL					BHL				
Well Name	Zone	Well Pad	CTB	Section	E/W Footage	Call	N/S Footage	Call	Section	E/W Footage	Call	N/S Footage	Call
Haflinger 22-27 Fed Com 711H	Upper Wolfcamp	Haflinger 22 Wellpad 1	HAFLINGER 22 CTB 2	22-25S-32E	980	FWL	200	FNL	27-25S-32E	330	FWL	20	FNL
Haflinger 22-27 Fed Com 621H	Upper Wolfcamp	Haflinger 22 Wellpad 1	HAFLINGER 22 CTB 2	22-25S-32E	1010	FWL	200	FNL	27-25S-32E	890	FWL	20	FNL
Haflinger 22-27 Fed Com 235H	Lower Bone Spring	Haflinger 22 Wellpad 1	HAFLINGER 22 CTB 2	22-25S-32E	1040	FWL	200	FNL	27-25S-32E	990	FWL	20	FNL
Haflinger 22-27 Fed Com 521H	Upper Bone Spring	Haflinger 22 Wellpad 1	HAFLINGER 22 CTB 2	22-25S-32E	1010	FWL	350	FNL	27-25S-32E	330	FWL	20	FNL
Haflinger 22-27 Fed Com 522H	Upper Bone Spring	Haflinger 22 Wellpad 1	HAFLINGER 22 CTB 2	22-25S-32E	1040	FWL	350	FNL	27-25S-32E	990	FWL	20	FNL
Haflinger 22-27 Fed Com 712H	Upper Wolfcamp	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1860	FWL	200	FNL	27-25S-32E	1650	FWL	20	FNL
Haflinger 22-27 Fed Com 622H	Upper Wolfcamp	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1890	FWL	200	FNL	27-25S-32E	2210	FWL	20	FNL
Haflinger 22-27 Fed Com 236H	Lower Bone Spring	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1920	FWL	200	FNL	27-25S-32E	2310	FWL	20	FNL
Haflinger 22-27 Fed Com 526H	Upper Bone Spring	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1860	FWL	350	FNL	27-25S-32E	330	FWL	20	FNL
Haflinger 22-27 Fed Com 523H	Upper Bone Spring	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1890	FWL	350	FNL	27-25S-32E	1350	FWL	20	FNL
Haflinger 22-27 Fed Com 524H	Upper Bone Spring	Haflinger 22 Wellpad 2	HAFLINGER 22 CTB 2	22-25S-32E	1920	FWL	350	FNL	27-25S-32E	2310	FWL	20	FNL

Thank you,

Jenny Harms

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Devon - General

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EXHIBIT  
7

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

**APPLICATIONS OF DEVON ENERGY  
PRODUCTION COMPANY, L.P.  
FOR A COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**Case No. 25296**

**NOTICE OF FILING: AMENDED HEARING PACKET**

Devon Energy Production Company, L.P., through its undersigned attorneys, hereby submits for filing the following Amended Hearing Packet, attached hereto as Exhibit 1. Devon has amended the Hearing Packet for Case No. 25296 to include an amended Devon Exhibit A, which better clarifies matters involving the pooling of the Bone Spring formation.

Respectfully submitted,

ABADIE& SCHILL, PC

*/s/ Darin C. Savage*

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Darin C. Savage

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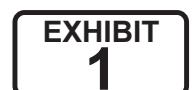
**BEFORE THE OIL CONSERVATION DIVISION  
EXAMINER HEARING MAY 8, 2025**

**APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, L.P.,  
FOR A COMPULSORY POOLING, LEA COUNTY, NEW MEXICO**

**AMENDED HEARING PACKET**

**Case No. 25296**

**HAFLINGER 22-27 FED COM 100H  
HAFLINGER 22-27 FED COM 121H  
HAFLINGER 22-27 FED COM 125H  
HAFLINGER 22-27 FED COM 231H  
HAFLINGER 22-27 FED COM 232H  
HAFLINGER 22-27 FED COM 233H  
HAFLINGER 22-27 FED COM 300H  
HAFLINGER 22-27 FED COM 303H  
HAFLINGER 22-27 FED COM 520H  
HAFLINGER 22-27 FED COM 521H  
HAFLINGER 22-27 FED COM 522H  
HAFLINGER 22-27 FED COM 524H  
HAFLINGER 22-27 FED COM 525H  
HAFLINGER 22-27 FED COM 526H**



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

**APPLICATION OF DEVON ENERGY  
PRODUCTION COMPANY, L.P.  
FOR A COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

Case No. 25296

**AMENDED SELF-AFFIRMED STATEMENT OF RYAN CLOER**

I, Ryan Cloer, state and affirm the following:

1. I am over the age of eighteen years and have the capacity to execute this Statement, which is based on my personal knowledge.

2. I am employed as a Landman with Devon Energy Production Company, L.P. ("Devon"), and I am familiar with the subject application and the lands involved.

3. I graduated from the University of Oklahoma with a Bachelor's degree in Business Administration (Energy Management) in 2008. I have worked at Devon for approximately 17 years, and I have been working in New Mexico for 8 years. My credentials as a petroleum landman have been accepted by the New Mexico Oil Conservation Division ("Division") and made a matter of record.

4. This Statement is submitted in connection with the filing by Devon of the above-referenced spacing and compulsory pooling applications pursuant to 19.15.4.12.A(1).

5. Devon's application for compulsory pooling arises from the need to modify our original development plans for the subject lands. In previous Case No. 23119, Devon pooled the E/2 W/2 of Sections 22 and 27 pursuant to Order No. R-22550. Devon needs to expand this spacing unit, and therefore, we have proposed pooling and spacing the W/2 of Sections 22 and 27, and upon issuance of the new pooling orders, Devon will vacate and terminate Order No. R-22550.



6. In Case No. 25296, Devon submitted an application to pool the Bone Spring formation. However, the Division assigned two pool codes to the Bone Spring formation. Therefore, Devon seeks two orders pooling all uncommitted mineral interests in the Bone Spring formation. Devon seeks one order to pool all uncommitted interest in the Bone Spring formation designated as WC-025 G-08 S253235G; LWR BONE SPRING pool [Code 97903]), an oil pool, underlying a standard 640-acre, more or less, spacing unit comprised of the W/2 of Sections 22 and 27, Township 25 South, Range 32 East, NMPM, Lea County, New Mexico.

7. Devon proposes and dedicates to the unit the **Haflinger 22-27 Fed Com 100H Well**, the **Haflinger 22-27 Fed Com 121H Well**, the **Haflinger 22-27 Fed Com 125H Well**, the **Haflinger 22-27 Fed Com 231H Well**, the **Haflinger 22-27 Fed Com 232H Well**, the **Haflinger 22-27 Fed Com 233H Well**, and the **Haflinger 22-27 Fed Com 303H Well**, as initial wells, to be drilled to a sufficient depth to test the Bone Spring formation in the WC-025 G-08 S253235G; LWR BONE SPRING pool [Code 97903]).

8. And Devon seeks an order to pool all uncommitted interest in the Bone Spring formation designated as the JENNINGS; UPPER BONE SPRING SHALE [Code 97838]), an oil pool, underlying a standard 640-acre, more or less, spacing unit comprised of the W/2 of Sections 22 and 27, Township 25 South, Range 32 East, NMPM, Lea County, New Mexico.

9. Devon proposes and dedicates to the unit the **Haflinger 22-27 Fed Com 300H Well**, the **Haflinger 22-27 Fed Com 520H Well**, the **Haflinger 22-27 Fed Com 521H Well**, the **Haflinger 22-27 Fed Com 522H Well**, the **Haflinger 22-27 Fed Com 524H Well**, the **Haflinger 22-27 Fed Com 525H Well**, and the **Haflinger 22-27 Fed Com 526H Well**, as initial wells, to be drilled to a sufficient depth to test the Bone Spring formation in the JENNINGS; UPPER BONE SPRING SHALE [Code 97838]).