

Protested

NSL

Application

**From:** [Kaitlyn A. Luck](#)  
**To:** [Lowe, Leonard, EMNRD](#)  
**Cc:** [Joby Rittenhouse](#); [Powell, Brandon, EMNRD](#); [Chloe Sawtelle](#)  
**Subject:** [EXT] RE: Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20  
**Date:** Tuesday, December 15, 2020 11:07:53 AM  
**Attachments:** [image003.png](#)

---

Mr. Lowe, there have been no changes to the NSL application as submitted.

Thanks,

Kaitlyn

---

[Kaitlyn A. Luck](#) – Associate | Holland & Hart LLP | (o) 505.954.7286 (m) 361.648.1973

---

**From:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>  
**Sent:** Tuesday, December 15, 2020 11:04 AM  
**To:** Kaitlyn A. Luck <[KALuck@hollandhart.com](mailto:KALuck@hollandhart.com)>  
**Cc:** Joby Rittenhouse <[JRittenhouse@bwenergylaw.com](mailto:JRittenhouse@bwenergylaw.com)>; Powell, Brandon, EMNRD <[Brandon.Powell@state.nm.us](mailto:Brandon.Powell@state.nm.us)>; Chloe Sawtelle <[Chloe\\_Sawtelle@eogresources.com](mailto:Chloe_Sawtelle@eogresources.com)>  
**Subject:** RE: Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20

**External Email**

Ms. Kaitlyn A. Luck,

Good morning,

The OCD recognizes the protest withdrawal from EOG Resources, INC.

Has the initial NSL application for this well been modified in any manner in resolution to the protest from EOG Resources, INC.?

Update the OCD on this so that the Order can move forward for signature/approval from the Director.

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/oed/>

---

**From:** Joby Rittenhouse <[JRittenhouse@bwenergylaw.com](mailto:JRittenhouse@bwenergylaw.com)>  
**Sent:** Tuesday, December 15, 2020 9:11 AM  
**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>  
**Cc:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>; Powell, Brandon, EMNRD <[Brandon.Powell@state.nm.us](mailto:Brandon.Powell@state.nm.us)>; Kaitlyn A. Luck <[KALuck@hollandhart.com](mailto:KALuck@hollandhart.com)>; Chloe Sawtelle <[Chloe\\_Sawtelle@eogresources.com](mailto:Chloe_Sawtelle@eogresources.com)>  
**Subject:** [EXT] RE: Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20

Mr. Lowe,

On behalf of EOG Resources, Inc., I hereby withdraw the subject objection to Devon Energy's Right Meow 31 30 Federal Com Well No. 232H. The parties have reached an agreement resolving all issues.

With this withdrawal, NMOCD may proceed with the administrative review and approval of Devon's NSL application, and EOG hereby further requests expedited review and that NMOCD prioritize this application.

**From:** [Joby Rittenhouse](#)  
**To:** [Lowe, Leonard, EMNRD](#)  
**Cc:** [Engineer, OCD, EMNRD](#); [Powell, Brandon, EMNRD](#); [Kaitlyn A. Luck](#); [Chloe Sawtelle](#)  
**Subject:** [EXT] RE: Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20  
**Date:** Tuesday, December 15, 2020 9:11:48 AM

---

Mr. Lowe,

On behalf of EOG Resources, Inc., I hereby withdraw the subject objection to Devon Energy's Right Meow 31 30 Federal Com Well No. 232H. The parties have reached an agreement resolving all issues.

With this withdrawal, NMOCD may proceed with the administrative review and approval of Devon's NSL application, and EOG hereby further requests expedited review and that NMOCD prioritize this application.

Please do not hesitate to reach out if you have any questions or if you need anything further from EOG. Additionally, at your earliest convenience, please confirm EOG's withdrawal.

Thank you,

Joby

**Joby Rittenhouse** | Associate  
**Beatty & Wozniak, P.C.**

303.407.4457 | Direct  
800.886.6566 | Fax  
970.302.3561 | Cell  
[www.bwenergylaw.com](http://www.bwenergylaw.com)

**Confidentiality:** This Beatty & Wozniak, P.C. email, its attachments and data ("email") are intended to be Confidential and may contain Attorney-Client Communications or Work Product. If you are not the intended recipient or may have received this message in error, notify the sender immediately and permanently delete the email and all copies thereof from any drives or storage media and destroy any printouts. Any unauthorized use or distribution of any of the information in this email is **Strictly Prohibited**.

---

**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Thursday, November 19, 2020 3:19 PM  
**To:** Kaitlyn A. Luck <KALuck@hollandhart.com>  
**Cc:** Joby Rittenhouse <JRittenhouse@bwenergylaw.com>; Engineer, OCD, EMNRD <OCD.Engineer@state.nm.us>; Powell, Brandon, EMNRD <Brandon.Powell@state.nm.us>  
**Subject:** Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20  
**Importance:** High

**CAUTION: EXTERNAL SOURCE**

Ms. Kaitlyn A. Luck,

Applicant	OGRID	WELL NAME	API #
Devon Energy Production, L.P.	6137	Right Meow 31 30 Federal Com Well No. 232H	30-025-47212

The OCD was notified that **EOG Resources, INC.** has protested your application for approval of a Non Standard Location of the above subject well. This party have been identified as an affected person for their specific location.

Therefore, you are being notified that if **Devon Energy Production Company L.P.**, 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

**11/19/20, Noticed date**  
**12/19/20, 30 day ends**

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

Protestant contact information:

Joby Rittenhouse  
Attorney for EOG Resources, INC.  
E-mail: [jrittenhouse@bwenergylaw.com](mailto:jrittenhouse@bwenergylaw.com)  
Office: 303-407-4457  
Cell: 970-302-3591

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/ocd/>

---

**From:** Joby Rittenhouse <[JRittenhouse@bwenergylaw.com](mailto:JRittenhouse@bwenergylaw.com)>

**Sent:** Thursday, November 19, 2020 1:38 PM

**To:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>

**Cc:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>; [kaluck@hollandhart.com](mailto:kaluck@hollandhart.com); James Parrot <[JParrot@bwenergylaw.com](mailto:JParrot@bwenergylaw.com)>; Grace Go-Hoveland <[GGoHoveland@bwenergylaw.com](mailto:GGoHoveland@bwenergylaw.com)>

**Subject:** [EXT] EOG Objection to Devon NSL Admin App

Good afternoon,

Please find attached for filing, EOG Resources' Entry of Appearance and Objection to Unorthodox Well Location of Devon Energy.

Please let me know if you have any questions. Thank you.

Joby



Joby Rittenhouse | Beatty & Wozniak, P.C.  
Associate

O: 303-407-4457  
C: 970-302-3591  
[www.bwenergylaw.com](http://www.bwenergylaw.com)

Energy in the Law

**Confidentiality:** This Beatty & Wozniak, P.C. email, its attachments and data ("email") are intended to be Confidential and may contain Attorney-Client Communications or Work Product. If you are not the intended recipient or may have received this message in error, notify the sender immediately and permanently delete the email and all copies thereof from any drives or storage media and destroy any printouts. Any unauthorized use or distribution of any of the information in this email is **Strictly Prohibited**.

## Lowe, Leonard, EMNRD

---

**From:** Kaitlyn A. Luck <KALuck@hollandhart.com>  
**Sent:** Thursday, November 19, 2020 3:22 PM  
**To:** Lowe, Leonard, EMNRD  
**Cc:** Adam Rankin; Michael Feldewert  
**Subject:** [EXT] RE: Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20

Thanks for this notification.

---

Kaitlyn A. Luck – Associate | Holland & Hart LLP | (o) 505.954.7286 (m) 361.648.1973

---

**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Thursday, November 19, 2020 3:19 PM  
**To:** Kaitlyn A. Luck <KALuck@hollandhart.com>  
**Cc:** jrittenhouse@bwenenergy.com; Engineer, OCD, EMNRD <OCD.Engineer@state.nm.us>; Powell, Brandon, EMNRD <Brandon.Powell@state.nm.us>  
**Subject:** Protest of Devon Energy Prod. Co. L.P.. Right Meow 31 30 Federal Com Well No. 232H by EOG Resources, INC.\_11/19/20  
**Importance:** High

External Email

Ms. Kaitlyn A. Luck,

Applicant	OGRID	WELL NAME	API #
Devon Energy Production, L.P.	6137	Right Meow 31 30 Federal Com Well No. 232H	30-025-47212

The OCD was notified that **EOG Resources, INC.** has protested your application for approval of a Non Standard Location of the above subject well. This party have been identified as an affected person for their specific location.

Therefore, you are being notified that if **Devon Energy Production Company L.P.**, 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

11/19/20, Noticed date

12/19/20, 30 day ends

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

Protestant contact information:

Joby Rittenhouse  
Attorney for EOG Resources, INC.  
E-mail: [jrittenhouse@bwenergylaw.com](mailto:jrittenhouse@bwenergylaw.com)  
Office: 303-407-4457  
Cell: 970-302-3591

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/oed/>

---

**From:** Joby Rittenhouse <[JRittenhouse@bwenergylaw.com](mailto:JRittenhouse@bwenergylaw.com)>

**Sent:** Thursday, November 19, 2020 1:38 PM

**To:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>

**Cc:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>; [kaluck@hollandhart.com](mailto:kaluck@hollandhart.com); James Parrot <[JParrot@bwenergylaw.com](mailto:JParrot@bwenergylaw.com)>; Grace Go-Hoveland <[GGoHoveland@bwenergylaw.com](mailto:GGoHoveland@bwenergylaw.com)>

**Subject:** [EXT] EOG Objection to Devon NSL Admin App

Good afternoon,

Please find attached for filing, EOG Resources' Entry of Appearance and Objection to Unorthodox Well Location of Devon Energy.

Please let me know if you have any questions. Thank you.

Joby



Joby Rittenhouse | Beatty & Wozniak, P.C.  
Associate

O: 303-407-4457

C: 970-302-3591

[www.bwenergylaw.com](http://www.bwenergylaw.com)

*Energy in the Law*

**Confidentiality:** This Beatty & Wozniak, P.C. email, its attachments and data ("email") are intended to be Confidential and may contain Attorney-Client Communications or Work Product. If you are not the intended recipient or may have received this message in error, notify the sender immediately and permanently delete the email and all copies thereof from any drives or storage media and destroy any printouts. Any unauthorized use or distribution of any of the information in this email is **Strictly Prohibited**.

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

**APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, L.P. FOR  
UNORTHODOX WELL LOCATION, LEA COUNTY, NEW MEXICO.**

**CASE NO. NOT YET ASSIGNED**

**ENTRY OF APPEARANCE AND  
OBJECTION TO UNORTHODOX WELL LOCATION OF  
DEVON ENERGY PRODUCTION, LP**

COMES NOW, Joby Rittenhouse of Beatty & Wozniak, P.C., and hereby enters his appearance on behalf of EOG Resources Inc. (“EOG”).

EOG hereby submits this Objection (“Objection”) to the Application (“Application”) of Devon Energy Production, LP (“Devon”) for administrative approval of an unorthodox well location for its Right Meow 31-30 Fed Com #232H Well (API No. 30-025-47212) (“Subject Well”) in the W½ of Sections 30 and 31, Township 23 South, Range 32 East, N.M.P.M. (“Subject Lands”), Lea County, New Mexico.

1. The Application requests approval for an unorthodox location for the Subject Well, authorizing the well’s encroachment on the E½ of Section 30, Township 23 South, Range 32 East, N.M.P.M. (“EOG Lands”), which is covered by two leases owned and operated by EOG and a horizontal spacing unit operated by EOG.

2. If granted, the Application would authorize completion of the Subject Well a short distance (approximately 15 feet) from the eastern boundary of the Subject Lands. Specifically, more than 2,300 feet of the Subject Well’s lateral would be completed an average of approximately 157 feet past the 280-foot setback line established for the spacing unit covering the Subject Lands. *See* Application, Exhibit B.

3. The encroachment will harm EOG's correlative rights in the EOG Lands. Furthermore, the encroachment will cause waste by interfering with the well spacing in, and EOG's orderly development of, the EOG Lands.

4. EOG and Devon are currently in discussions and negotiations to resolve EOG's concerns regarding encroachment of the Subject Well. EOG anticipates that a settlement may be reached, but any such settlement will not be reached prior to the deadline for filing an objection to the Application pursuant to NMAC 19.15.15.13. Therefore, to protect its rights, EOG objects to the Application on the grounds cited hereinabove and reserves the right to appear in opposition at a hearing on the Application.

WHEREFORE, EOG respectfully requests that the Application be set for hearing, and after notice and hearing, the Division enter its order:

- A. DENYING the Application in all respects; and
- B. Granting such other relief as shall be deemed appropriate.

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By:   
Joby Rittenhouse  
500 Don Gaspar Avenue  
Santa Fe, New Mexico 87505  
(505) 983-8545 or (505) 983-8765 (direct)  
(800) 886-6566 (fax)  
jrittenhouse@bwenergyllaw.com  
Attorney for EOG Resources Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on November 19<sup>th</sup>, 2020.

Kaitlyn A. Luck  
Holland & Hart LLP  
P.O. Box 2208  
Santa Fe, NM 87504-2208  
[kaluck@hollandhart.com](mailto:kaluck@hollandhart.com)



---