

**BEFORE THE OIL CONSERVATION DIVISION  
EXAMINER HEARING MARCH 5, 2020**

**APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, L.P.,  
FOR A HORIZONTAL SPACING UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO**

**Case No. 21119**

Hot Potato 26-23 Fed 333H Well

**Case No. 21120**

Hot Potato 26-23 Fed 399H Well  
Hot Potato 26-23 Fed 332H Well

**Case No. 21121**

Hot Potato 26-23 Fed 331H Well

**Case No. 21122**

Hot Potato 26-23 Fed 622H Well  
Hot Potato 26-23 Fed 712H Well

**Case No. 21123**

Hot Potato 26-23 Fed 621H Well  
Hot Potato 26-23 Fed 711H Well

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

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Checklist Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells  
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  - Exhibit C-2: Mailing List for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
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- TAB 5:**
- Exhibit A: Affidavit of Verl Brown, Landman – SEE TAB 2
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- Exhibit A-5: Tracts, Ownership and Sectional Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
- Exhibit A-6: Well Proposal Letter and Authorization for Expenditure for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
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- TAB 6:**
- Exhibit B: Affidavit of Miranda Childress, Geologist – SEE TAB 3
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  - Exhibit B-2: Subsea Structure Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
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- Exhibit C: Affidavit of Notice, Darin C. Savage for Case Nos. 21120
  - Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit C-2: Mailing List for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit C-3: Affidavit of Publication for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells

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  - Exhibit B-4: Isochore Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well

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- Exhibit C: Affidavit of Notice, Darin C. Savage for Case Nos. 21121

- Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
- Exhibit C-2: Mailing List for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
- Exhibit C-3: Affidavit of Publication for Case No. 21121 – Hot Potato 26-23 Fed 331H Well

**TAB 11: Reference for Case Nos. 21123 & 21122**

- Application Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Checklist Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Application Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells
- Checklist Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

**TAB 12: Exhibit A: Affidavit of Verl Brown, Landman for Case Nos. 21123 & 21122**

- Exhibit A-1: Form C-102 for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit A-2: Tracts, Ownership and Sectional Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit A-3: Well Proposal Letter and Authorization for Expenditure for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit A-3.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

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- Exhibit B-1: Locator Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit B-2: Subsea Structure Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
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- Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit C-2: Mailing List for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
- Exhibit C-3: Affidavit of Publication for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

**TAB 15: Exhibit D: Nonstandard Location Approval Request for Case No. 21123**

- Exhibit D-1: Notice Letter for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-2: List of Parties for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-3: Letter to NMOCD for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

**TAB 16:**

Exhibit A: Affidavit of Verl Brown, Landman – SEE TAB 12

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Exhibit A-5: Tracts, Ownership and Sectional Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit A-6: Well Proposal Letter and Authorization for Expenditure for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit A-6.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

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Exhibit B-2: Subsea Structure Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit B-4: Isochore Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

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Exhibit C: Affidavit of Notice, Darin C. Savage Case No. 21122

Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit C-2: Mailing List for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit C-3: Affidavit of Publication for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

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Exhibit D: Nonstandard Location Approval Request for Case No. 21122

Exhibit D-1: Notice Letter for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit D-2: List of Parties for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-3: Letter to NMOCD for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

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

**APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY LP FOR A HORIZONTAL SPACING UNIT  
AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

**CASE NOS. 21119, 21120 & 21121**

**AFFIDAVIT OF MIRANDA CHILDRESS  
IN SUPPORT OF CASE NOS. 21119, 21120 & 21121**

Miranda Childress, of lawful age and being first duly sworn, declares as follows:

1. My name is Miranda Childress. I work for Devon Energy Production Company, L.P. (“Devon”) as a geologist.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum geology. My credentials as a petroleum geologist have been accepted by the Division and made a matter of record.
3. This affidavit is submitted in connection with the filing by Devon of the above-referenced compulsory pooling applications pursuant to 19.15.4.12.A(1) NMAC.
4. I am familiar with the applications filed by Devon in Case Nos. 21119, 21120 and 21121, and I have conducted a geologic study of the lands in the subject areas.

**CASE NO. 21119**

5. In this case, Devon is targeting the Bone Spring formation.
6. **Devon Exhibit B-1** is a locator map. It shows the path of the proposed wellbores for the proposed **Hot Potato 26-23 Fed 333H** well. Nearby existing producing Bone Spring wells are also shown on this exhibit.
7. **Devon Exhibit B-2** is a subsea structure map that I prepared off the top of the 3<sup>rd</sup> Bone Spring formation with a contour interval of 25 feet. The proposed wells are depicted with



red lines and I have identified the first and last take points for each well. The structure map shows the Bone Spring is gently dipping to the east. The structure appears consistent across the proposed wellbore paths. I do not observe any faulting, pinchouts, or other geologic impediments to horizontal drilling.

8. **Devon Exhibit B-2** also shows the location of the wells used to create the stratigraphic cross-section on **Devon Exhibit B-3**. These three wells from A to A' are representative of the geology in the area.

9. **Devon Exhibit B-3** is a stratigraphic cross-section that I prepared displaying open-hole logs run over the Bone Spring from three representative wells denoted from A to A'. For each well in the cross-section, the exhibit shows the following logs: gamma ray, resistivity, and porosity. The proposed target interval is labeled and marked. The logs in the cross-section demonstrate that the target interval, within the Bone Spring, is consistent in thickness, across the entire proposed spacing unit, as also shown by Devon Exhibit B-4, a gross isochore of the Bone Spring target formation.

#### **CASE NO. 21120**

10. In this case, Devon is targeting the Bone Spring formation.

11. **Devon Exhibit B-1** is a locator map. It shows the path of the proposed wellbores for the proposed **Hot Potato 26-23 Fed 399H** and the **Hot Potato 26-23 Fed 332H** wells.

Nearby existing producing Bone Spring wells are also shown on this exhibit.

12. **Devon Exhibit B-2** is a subsea structure map that I prepared off the top of the 3<sup>rd</sup> Bone Spring formation with a contour interval of 25 feet. The proposed wells are depicted with red lines and I have identified the first and last take points for each well. The structure map shows

the Bone Spring is gently dipping to the east. The structure appears consistent across the proposed wellbore paths.

13. **Devon Exhibit B-2** also shows the location of the wells used to create the stratigraphic cross-section on **Devon Exhibit B-3**. These three wells from A to A' are representative of the geology in the area.

14. **Devon Exhibit B-3** is a stratigraphic cross-section that I prepared displaying open-hole logs run over the 3<sup>rd</sup> Bone Spring from three representative wells denoted from A to A'. For each well in the cross-section, the exhibit shows the following logs: gamma ray, resistivity, and porosity. The proposed target interval is labeled and marked. The logs in the cross-section demonstrate that the target interval, within the Bone Spring, is consistent in thickness, across the entire proposed spacing unit, as also shown by **Devon Exhibit B-4**, a gross isochore of the Bone Spring target formation.

#### **CASE NO. 21120**

15. In this case, Devon is targeting the Bone Spring formation.

16. **Devon Exhibit B-1** is a locator map. It shows the path of the proposed wellbores for the proposed Hot Potato 26-23 Fed 399H and the Hot Potato 26-23 Fed 332H wells. Nearby existing producing Bone Spring wells are also shown on this exhibit.

17. **Devon Exhibit B-2** is a subsea structure map that I prepared off the top of the 3<sup>rd</sup> Bone Spring formation with a contour interval of 25 feet. The proposed wells are depicted with red lines and I have identified the first and last take points for each well. The structure map shows the Bone Spring is gently dipping to the east. The structure appears consistent across the proposed wellbore paths.

18. **Devon Exhibit B-2** also shows the location of the wells used to create the stratigraphic cross-section on **Devon Exhibit B-3**. These three wells from A to A' are representative of the geology in the area.

19. **Devon Exhibit B-3** is a stratigraphic cross-section that I prepared displaying open-hole logs run over the 3<sup>rd</sup> Bone Spring from three representative wells denoted from A to A'. For each well in the cross-section, the exhibit shows the following logs: gamma ray, resistivity, and porosity. The proposed target interval is labeled and marked. The logs in the cross-section demonstrate that the target interval, within the Bone Spring, is consistent in thickness, across the entire proposed spacing unit, as also shown by **Devon Exhibit B-4**, a gross isochore of the Bone Spring target formation.

20. For **Case Nos. 21119, 21120, and 21121**, I conclude the following from my review of the attached exhibits: (1) the horizontal spacing and proration units are justified from a geologic standpoint; (2) there are no structural impediments or faulting that will interfere with horizontal development; and (3) each tract comprising the proposed horizontal spacing units will be productive and contribute more-or-less equally to production from the wellbore.

21. The preferred well orientation in this area is south to north, because the interfered orientation of the maximum horizontal stress is roughly 45 degrees.

22. In my opinion, each tract comprising the proposed horizontal spacing units in **Case Nos. 21119, 21120, and 21121** will be productive and contribute more-or-less equally to production from the wellbore.

23. In my opinion, the granting of Devon's applications in these cases is in the best interest of conservation, the prevention of waste, and protection of correlative rights.

24. **Devon Exhibits B-1 through B-4** were either prepared by me or compiled under my direction and supervision.

25. The foregoing is correct and complete to the best of my knowledge and belief.

*[Signature page to follow]*

FURTHER AFFIANT SAYETH NOT.

*Miranda Childress*

Miranda Childress

STATE OF OKLAHOMA )

)

COUNTY OF OKLAHOMA )

SUBSCRIBED and SWORN to before me this 4<sup>th</sup> day of March 2020 by  
Miranda Childress.



*Clint Dake*

NOTARY PUBLIC

My Commission Expires:

5/7/23



## NMOCD – Potato Basin, Bone Spring, Hot Potato Hearing

Secs 26/23-23S-29E

Geological Exhibits, Cases 21119, 21120, 21121

Delaware Basin – Eddy County, NM

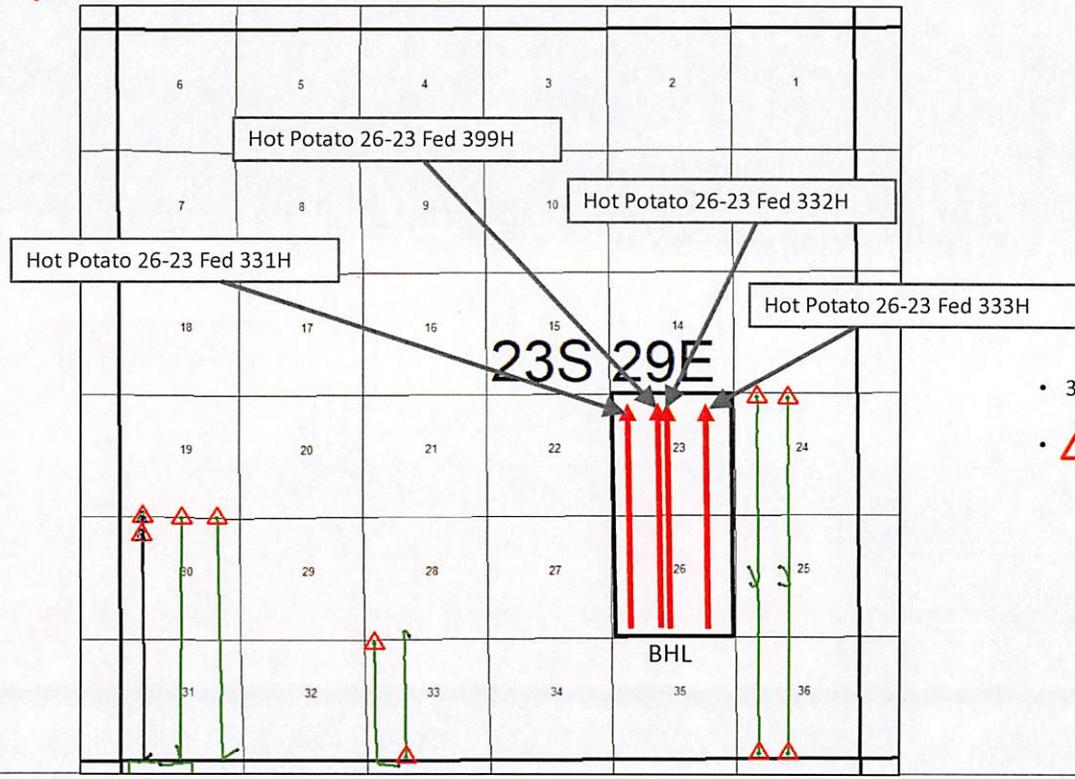
Miranda Childress – 27FEB2020

NYSE: DVN  
[devonenergy.com](http://devonenergy.com)

**devon**

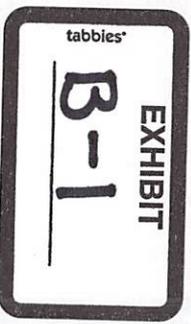
# Bone Spring Well Locator Map

## 3<sup>rd</sup> Bone Spring Proposed Locations, secs 26/23-23S-29E



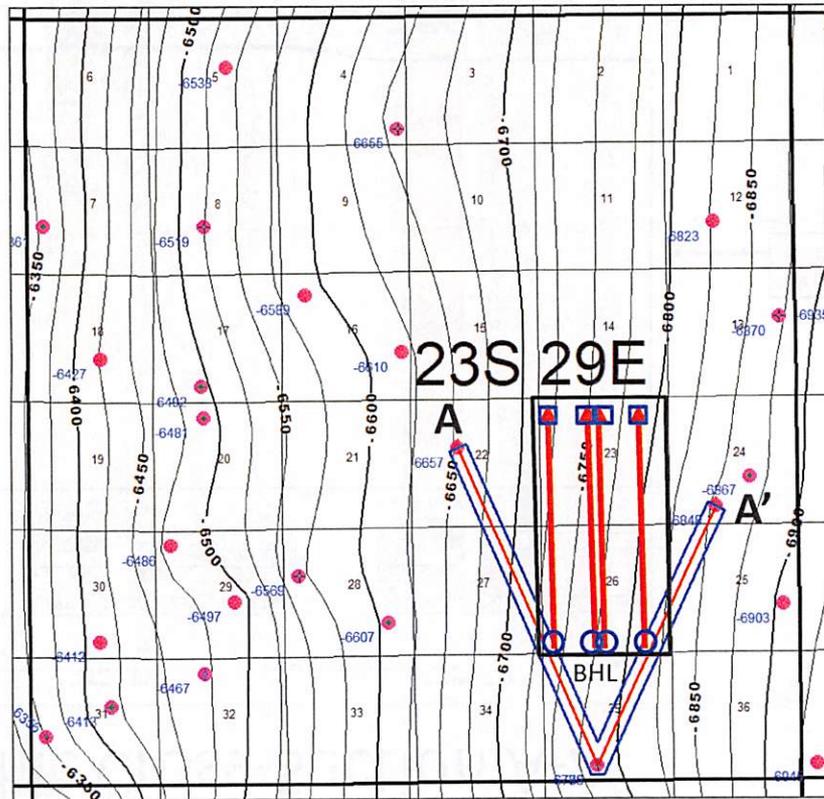
- 300 series = 3BSSS
-  existing producing 3BSSS wells

Devon Energy  
Cases 21119, 21120, 21121  
Exhibit B-1



# Top 3<sup>rd</sup> Bone Spring Structure CI = 25'

tabbies'  
**B-2**  
 EXHIBIT

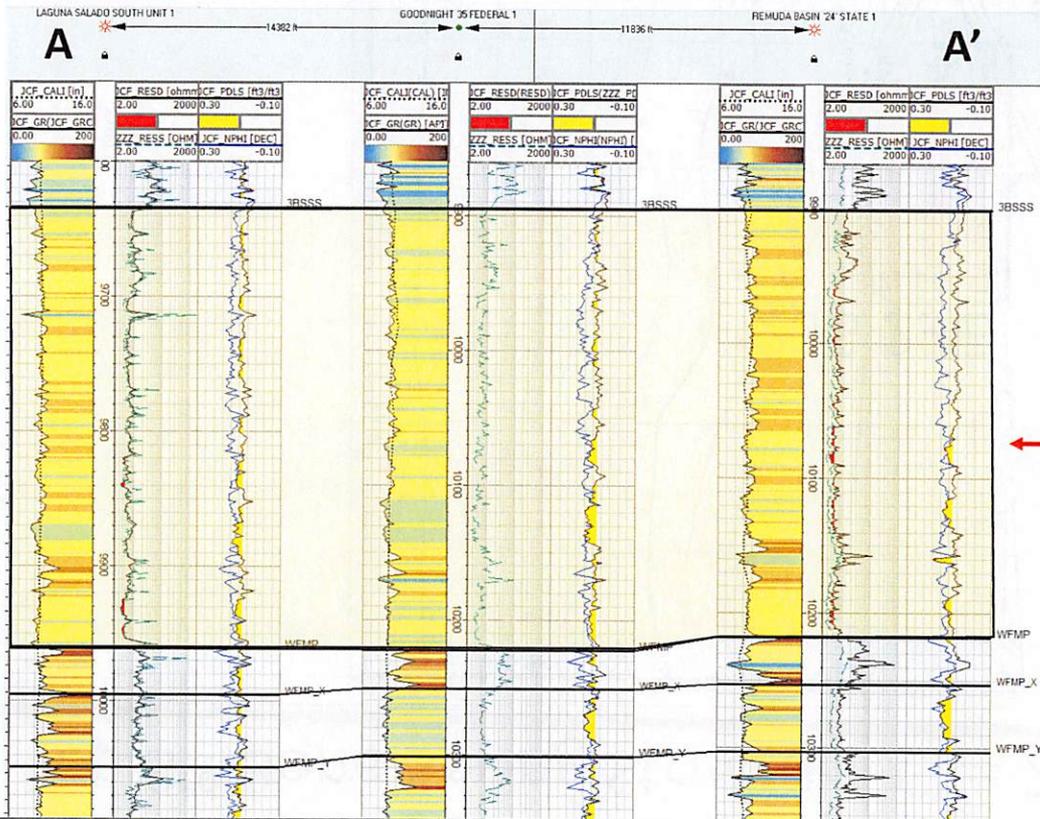


- Posted well data
- LTP
- FTP

Cases 21119, 21120, 21121  
 Exhibit B-2



# Stratigraphic Cross-Section A-A'

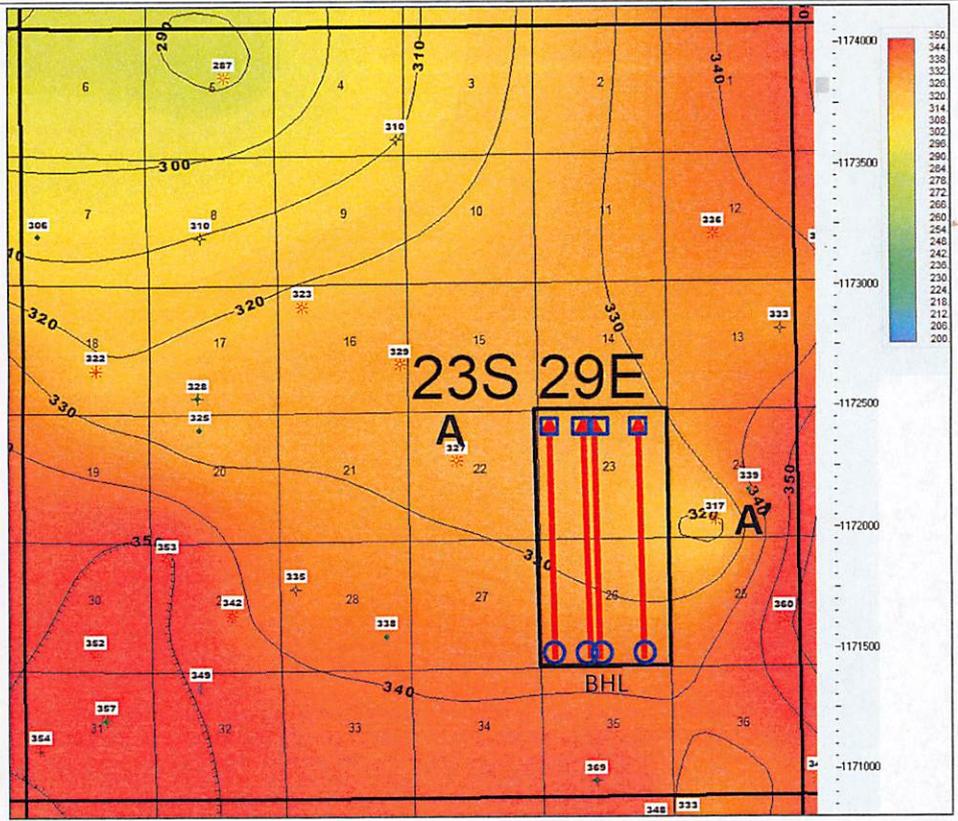


tabbles  
**B-3**  
EXHIBIT

Cases 21119, 21120, 21121  
Exhibit B-3



# 3<sup>rd</sup> Bone Spring Isochore, C.I. = 10'



- Consistent thickness in 3<sup>rd</sup> Bone Spring
- Greater than 300' through 26/23-23S-29E

- LTP
- FTP

Cases 21119, 21120, 21121  
Exhibit B-4



Thank you.



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

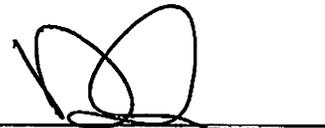
**APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY LP FOR APPROVAL OF A HORIZONTAL SPACING  
UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

Case No. 21119

**AFFIDAVIT**

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

Darin C. Savage, attorney and authorized representative of Devon Energy Production Company, L.P., the Applicant herein, being first duly sworn, upon oath, states that the above referenced Application was provided under a notice letter and that proof of receipt is attached hereto.



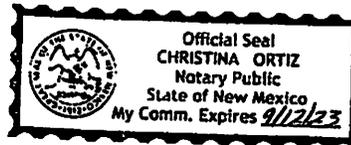
Darin C. Savage

SUBSCRIBED AND SWORN to before me this 4th of March, 2020 by Darin C. Savage.

  
Notary Public

My commission expires:

9/12/23





For the Pursuit of Energy

ABADIE | SCHILL PC

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

February 12, 2020

VIA CERTIFIED MAIL

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of Devon Energy Production Company, L.P., for a horizontal spacing and compulsory pooling, Lea County, New Mexico  
Hot Potato 26-23 Fed Com 333H Well

Case No. 21119

Dear Interest Owners:

This letter is to advise you that Devon Energy Production Company, L.P., has filed the enclosed application, Case No. 21119, with the New Mexico Oil Conservation Division for creating a standard 640-acre, more or less, horizontal spacing unit and the compulsory pooling of the Bone Spring formation underlying the E/2 of Sections 23 and 26, in T23S, R29E, NMPM, Eddy County, New Mexico. The description of the well is included in the enclosed Application. Also to be considered will be the cost of drilling and completing the wells and the allocation of the costs thereof; actual operating costs and charges for supervision; the designation of the Applicant as Operator of the wells; downhole commingling; and a 200% charge for the risk involved in drilling and completing the wells. The well and lands are located approximately 2 miles east of Loving, New Mexico, and approximately 10 miles southeast of Carlsbad, New Mexico.

A hearing has been requested before a Division Examiner on March 5, 2020, and the status of the hearing can be monitored through the Division's website. Division hearings will commence at 8:15 a.m. in Porter Hall at the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico

[abadieschill.com](http://abadieschill.com)

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901



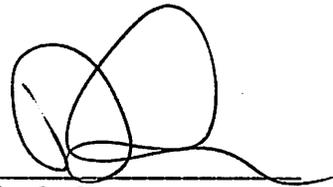
87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 19.15.4.13.B NMAC to file a Pre-hearing Statement at least four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: The names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

The Hot Potato 26-23 Fed Com 333H Well is also referred to, and is the same well, as the Hot Potato 26-23 Fed 333H Well.

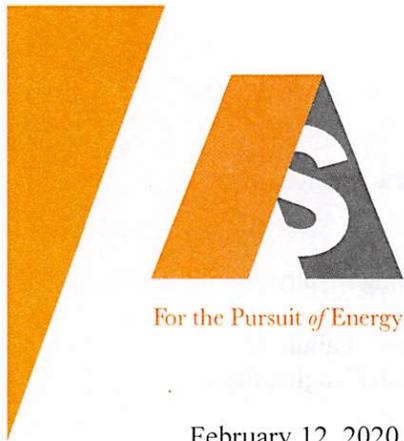
If you have any questions about this matter, please contact Verl Brown at (405) 228-8804 or at [Verl.Brown@dvn.com](mailto:Verl.Brown@dvn.com).

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal tail stroke.

Darin C. Savage

Attorney for Devon Energy  
Production Company, L.P.



For the Pursuit of Energy

ABADIE | SCHILL PC

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

February 12, 2020

VIA CERTIFIED MAIL

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of Devon Energy Production Company, L.P., for a horizontal spacing and compulsory pooling, Lea County, New Mexico  
Hot Potato 26-23 Fed Com 333H Well

Case No. 21119

Dear Interest Owners:

This letter is to advise you that Devon Energy Production Company, L.P., has filed the enclosed application, Case No. 21119, with the New Mexico Oil Conservation Division for creating a standard 640-acre, more or less, horizontal spacing unit and the compulsory pooling of the Bone Spring formation underlying the E/2 of Sections 23 and 26, in T23S, R29E, NMPM, Eddy County, New Mexico. The description of the well is included in the enclosed Application. Also to be considered will be the cost of drilling and completing the well and the allocation of the costs thereof; actual operating costs and charges for supervision; the designation of the Applicant as Operator of the well; downhole commingling; and a 200% charge for the risk involved in drilling and completing the well. The well and lands are located approximately 2 miles east of Loving, New Mexico, and approximately 10 miles southeast of Carlsbad, New Mexico.

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[abadieschill.com](http://abadieschill.com)

214 McKenzie Street, Santa Fe, New Mexico, 87501

O : 970.385.4401 • F : 970.385.4901

Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505.

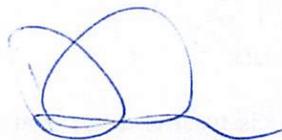
You are being notified in your capacity as an owner of an overriding royalty interest. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 19.15.4.13.B NMAC to file a Pre-hearing Statement at least four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: The names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

The Hot Potato 26-23 Fed Com 333H Well is also referred to, and is the same well, as the Hot Potato 26-23 Fed 333H Well.

If you have any questions about this matter, please contact Verl Brown at (405) 228-8804 or at [Verl.Brown@dvn.com](mailto:Verl.Brown@dvn.com).

Sincerely,



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Darin C. Savage

Attorney for Devon Energy  
Production Company, L.P.

Transaction Report Details - CertifiedPro.net  
 Date Created: 2/13/2020 - 3/3/2020  
 Generated: 3/3/2020 11:55:42 AM

USPS Article Number	Date Created	Reference	Name/Company	Address1	Address2	City	State	Zip	Status	Service	Delivery Date
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931486990430068818955	2020-02-13 9:07 PM	WI 21123	Bureau of Land Management	301 Dinosaur Trail		Santa	NM	87508	Delivered	Certified Mail	02-18-2020
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931486990430068818801	2020-02-13 9:07 PM	WI 21120	Bureau of Land Management	301 Dinosaur Trail		Santa	NM	87508	Delivered	Certified Mail	02-18-2020
931486990430068818757	2020-02-13 9:07 PM	WI 21119	Bureau of Land Management	301 Dinosaur Trail		Santa	NM	87508	Delivered	Certified Mail	02-18-2020
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931486990430068818498	2020-02-13 8:59 PM	ORRI 21120	ESTATE OF JOHN THOMA, C/O SUSAN ENGEBRECHT	6002 COUNTY ROAD 106		ELBERT	CO	80106-9756	Delivered	Certified Mail	02-19-2020
931486990430068818436	2020-02-13 8:59 PM	ORRI 21119	ESTATE OF JOHN THOMA, C/O SUSAN ENGEBRECHT	6002 COUNTY ROAD 106		ELBERT	CO	80106-9756	Delivered	Certified Mail	02-19-2020
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931486990430068818535	2020-02-13 8:59 PM	ORRI 21120	ESTATE OF JOHN THOMA, C/O CORNERSTONE TRUST	PO BOX 558		PEYTON	CO	80831-0558	Delivered	Certified Mail	02-22-2020
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931486990430068818917	2020-02-13 9:07 PM	WI 21122	FRANKLIN MOUNTAIN ENERGY, LLC	2401 E 2ND AVE STE 300		DENVER	CO	80206-4761	Delivered	Certified Mail	02-18-2020
931486990430068818863	2020-02-13 9:07 PM	WI 21121	FRANKLIN MOUNTAIN ENERGY, LLC	2401 E 2ND AVE STE 300		DENVER	CO	80206-4761	Delivered	Certified Mail	02-24-2020
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931486990430068818528	2020-02-13 8:59 PM	ORRI 21120	FRANKLIN MOUNTAIN ROYALTY INVESTMENTS, LLC	2401 E 2ND AVE STE 300		DENVER	CO	80206-4761	Delivered	Certified Mail	02-18-2020
931486990430068818467	2020-02-13 8:59 PM	ORRI 21119	FRANKLIN MOUNTAIN ROYALTY INVESTMENTS, LLC	2401 E 2ND AVE STE 300		DENVER	CO	80206-4761	Delivered	Certified Mail	02-18-2020
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931486990430068818924	2020-02-13 9:07 PM	WI 21123	THE ALLAR COMPANY	PO BOX 1567		GRAHAM	TX	76450-7567	Delivered	Certified Mail	02-18-2020
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931486990430068818870	2020-02-13 9:07 PM	WI 21122	THE ALLAR COMPANY	PO BOX 1567		GRAHAM	TX	76450-7567	Delivered	Certified Mail	02-18-2020
931486990430068818832	2020-02-13 9:07 PM	WI 21121	THE ALLAR COMPANY	735 ELM ST		GRAHAM	TX	76450-3018	Delivered	Certified Mail	02-18-2020
931486990430068818825	2020-02-13 9:07 PM	WI 21121	THE ALLAR COMPANY	PO BOX 1567		GRAHAM	TX	76450-7567	Delivered	Certified Mail	02-18-2020
931486990430068818788	2020-02-13 9:07 PM	WI 21120	THE ALLAR COMPANY	735 ELM ST		GRAHAM	TX	76450-3018	Delivered	Certified Mail	02-18-2020
931486990430068818771	2020-02-13 9:07 PM	WI 21120	THE ALLAR COMPANY	PO BOX 1567		GRAHAM	TX	76450-7567	Delivered	Certified Mail	02-18-2020
931486990430068818733	2020-02-13 9:07 PM	WI 21119	THE ALLAR COMPANY	735 ELM ST		GRAHAM	TX	76450-3018	Delivered	Certified Mail	02-18-2020
931486990430068818726	2020-02-13 9:07 PM	WI 21119	THE ALLAR COMPANY	PO BOX 1567		GRAHAM	TX	76450-7567	Delivered	Certified Mail	02-18-2020
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931486990430068818689	2020-02-13 8:59 PM	ORRI 21123	TUMBLER ENERGY PARTNERS, LLC	1701 RIVER RUN STE 306	Building 8	FORT WORTH	TX	76107-6547	Delivered	Certified Mail	02-18-2020
931486990430068818634	2020-02-13 8:59 PM	ORRI 21122	TUMBLER ENERGY PARTNERS, LLC	3300 N A Street	Building 8	Midland	TX	79705	Delivered	Certified Mail	02-18-2020
931486990430068818627	2020-02-13 8:59 PM	ORRI 21122	TUMBLER ENERGY PARTNERS, LLC	1701 RIVER RUN STE 306	Building 8	FORT WORTH	TX	76107-6547	Delivered	Certified Mail	02-18-2020
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931486990430068818511	2020-02-13 8:59 PM	ORRI 21120	TUMBLER ENERGY PARTNERS, LLC	1701 RIVER RUN STE 306	Building 8	FORT WORTH	TX	76107-6547	Delivered	Certified Mail	02-18-2020
931486990430068818504	2020-02-13 8:59 PM	ORRI 21120	TUMBLER ENERGY PARTNERS, LLC	3300 N A Street	Building 8	Midland	TX	79705	Delivered	Certified Mail	02-18-2020
931486990430068818450	2020-02-13 8:59 PM	ORRI 21119	TUMBLER ENERGY PARTNERS, LLC	1701 RIVER RUN STE 306	Building 8	FORT WORTH	TX	76107-6547	Delivered	Certified Mail	02-18-2020
931486990430068818443	2020-02-13 8:59 PM	ORRI 21119	TUMBLER ENERGY PARTNERS, LLC	3300 N A Street	Building 8	Midland	TX	79705	Delivered	Certified Mail	02-18-2020
931486990430068819143	2020-02-13 9:13 PM	NSL 21123	TWIN MONTANA INC.	PO BOX 1210		GRAHAM	TX	76450-1210	Delivered	Certified Mail	02-24-2020
931486990430068819044	20										

# Carlsbad Current Argus.

PART OF THE TEXAS TODAY NETWORK

## Affidavit of Publication

Ad # 0004063984

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ABADIE SCHILL  
214 MCKENZIE STREET

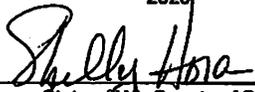
SANTA FE, NM 87501

I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

February 18, 2020

  
Kathleen Allen  
Legal Clerk

Subscribed and sworn before me this February 18, 2020;

  
Shelly Hora  
State of W., County of Brown  
NOTARY PUBLIC

8-25-23

My commission expires

SHELLY HORA  
Notary Public  
State of Wisconsin

Ad # 0004063984

PO #: 21119  
# of Affidavits 1

This is not an invoice

**CASE No. 21119:** Notice to all affected parties and persons having any right, title interest or claim to this case, including overriding royalty interest owners, as well as the known and unknown heirs, devisees, assigns and successors of THE ALLAR COMPANY, HIGHLAND (TEXAS) ENERGY COMPANY, FRANKLIN MOUNTAIN ENERGY, LLC, CROWNROCK MINERALS, L.P., ESTATE OF JOHN THOMA, DECEASED, TUMBLER ENERGY PARTNERS, LLC, FRANKLIN MOUNTAIN ROYALTY INVESTMENTS, LLC, and CORNERSTONE TRUST of Devon Energy Production Company, L.P.'s application for approval of a spacing unit and compulsory pooling, Eddy County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division Examiner will conduct a public hearing at 8:15 a.m. on March 5, 2020, at 1220 S. St. Francis, Santa Fe, New Mexico, 87505. Devon Energy Production Company, L.P., at 333 W. Sheridan Ave, Oklahoma City, OK 73102, seeks an order from the Division: (1) creating a standard 640-acre, more or less, horizontal spacing and proration unit comprised of the E/2 of Sections 23 and 26, Township 23 South, Range 29 East, NMPM, Eddy County, New Mexico, and (2) pooling all mineral interests in the Bone Spring formation (LAGUNA SALADO; BONE SPRING [96721]), underlying the unit. Said horizontal spacing unit is to be dedicated to the Hot Potato 26-23 Fed Com 333H Well, an oil well, proposed to be horizontally drilled from a surface location in the SW/4 SE/4 (Unit O) of Section 26, approximately 325' FSL and 1499' FEL, more or less, to a bottom hole location in the NE/4 NE/4 (Unit A) of Section 23, approximately 20' FNL and 1254' FEL, more or less. This Well defines the HSU. The Hot Potato 26-23 Fed Com 333H Well is also referred to, and is the same well, as the Hot Potato 26-23 Fed 333H Well. The completed interval and first take and last take points for well proposed in the unit meet the Division's statewide setback requirements for horizontal oil wells; Devon will utilize proximity tracts. Also to be considered will be the cost of drilling and completing the wells and the allocation of the costs thereof; actual operating costs and charges for supervision; the designation of the Applicant as Operator of the wells; downhole commingling; and a 200% charge for the risk involved in drilling and completing the wells. The well and lands are located approximately 2 miles east of Loving, New Mexico, and approximately 10 miles southeast of Carlsbad, New Mexico.

February 18, 2020



**BEFORE THE OIL CONSERVATION DIVISION  
EXAMINER HEARING MARCH 5, 2020**

**APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, L.P.,  
FOR A HORIZONTAL SPACING UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO**

**Case No. 21119**

Hot Potato 26-23 Fed 333H Well

**Case No. 21120**

Hot Potato 26-23 Fed 399H Well  
Hot Potato 26-23 Fed 332H Well

**Case No. 21121**

Hot Potato 26-23 Fed 331H Well

**Case No. 21122**

Hot Potato 26-23 Fed 622H Well  
Hot Potato 26-23 Fed 712H Well

**Case No. 21123**

Hot Potato 26-23 Fed 621H Well  
Hot Potato 26-23 Fed 711H Well

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

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Application Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells  
Checklist Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells  
Application Case No. 21121 – Hot Potato 26-23 Fed 331H Well  
Checklist Case No. 21121 – Hot Potato 26-23 Fed 331H Well

- TAB 2:**
- Exhibit A: Affidavit of Verl Brown, Landman, for Case Nos. 21119, 21120 & 21121
  - Exhibit A-1: Form C-102 for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit A-2: Tracts, Ownership and Sectional Map for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit A-3: Well Proposal Letter and Authorization for Expenditure for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit A-3.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21119 – Hot Potato 26-23 Fed 333H Well

- TAB 3:**
- Exhibit B: Affidavit of Miranda Childress, Geologist, for Case Nos. 21119, 21120 & 21121
  - Exhibit B-1: Locator Map for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit B-2: Subsea Structure Map for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit B-4: Isochore Map for Case No. 21119 – Hot Potato 26-23 Fed 333H Well

- TAB 4:**
- Exhibit C: Affidavit of Notice, Darin C. Savage for Case No. 21119
  - Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit C-2: Mailing List for Case No. 21119 – Hot Potato 26-23 Fed 333H Well
  - Exhibit C-3: Affidavit of Publication for Case No. 21119 – Hot Potato 26-23 Fed 333H Well

- TAB 5:**
- Exhibit A: Affidavit of Verl Brown, Landman – SEE TAB 2
  - Exhibit A-4: Form C-102 for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells

- Exhibit A-5: Tracts, Ownership and Sectional Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
- Exhibit A-6: Well Proposal Letter and Authorization for Expenditure for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
- Exhibit A-6.1: Chronology of Contacts with Non-Joined Working Interest Owner for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells

- TAB 6:**
- Exhibit B: Affidavit of Miranda Childress, Geologist – SEE TAB 3
  - Exhibit B-1: Locator Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit B-2: Subsea Structure Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit B-4: Isochore Map for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells

- TAB 7:**
- Exhibit C: Affidavit of Notice, Darin C. Savage for Case Nos. 21120
  - Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit C-2: Mailing List for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells
  - Exhibit C-3: Affidavit of Publication for Case No. 21120 – Hot Potato 26-23 Fed 399H & 332H Wells

- TAB 8:**
- Exhibit A: Affidavit of Verl Brown, Landman – SEE TAB 2
  - Exhibit A-7: Form C-102 for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit A-8: Tracts, Ownership and Sectional Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit A-9: Well Proposal Letter and Authorization for Expenditure for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit A-9.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21121 – Hot Potato 26-23 Fed 331H Well

- TAB 9:**
- Exhibit B: Affidavit of Miranda Childress, Geologist – SEE TAB 3
  - Exhibit B-1: Locator Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit B-2: Subsea Structure Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
  - Exhibit B-4: Isochore Map for Case No. 21121 – Hot Potato 26-23 Fed 331H Well

- TAB 10:**
- Exhibit C: Affidavit of Notice, Darin C. Savage for Case Nos. 21121

- Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
- Exhibit C-2: Mailing List for Case No. 21121 – Hot Potato 26-23 Fed 331H Well
- Exhibit C-3: Affidavit of Publication for Case No. 21121 – Hot Potato 26-23 Fed 331H Well

**TAB 11: Reference for Case Nos. 21123 & 21122**

Application Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells  
 Checklist Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells  
 Application Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells  
 Checklist Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

- TAB 12:**
- Exhibit A: Affidavit of Verl Brown, Landman for Case Nos. 21123 & 21122
  - Exhibit A-1: Form C-102 for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit A-2: Tracts, Ownership and Sectional Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit A-3: Well Proposal Letter and Authorization for Expenditure for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit A-3.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

- TAB 13:**
- Exhibit B: Affidavit of Miranda Childress, Geologist for Case Nos. 21123 & 21122
  - Exhibit B-1: Locator Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit B-2: Subsea Structure Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit B-4: Isochore Map for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

- TAB 14:**
- Exhibit C: Affidavit of Notice, Darin C. Savage Case No. 21123
  - Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit C-2: Mailing List for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells
  - Exhibit C-3: Affidavit of Publication for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

- TAB 15:**
- Exhibit D: Nonstandard Location Approval Request for Case No. 21123
  - Exhibit D-1: Notice Letter for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-2: List of Parties for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-3: Letter to NMOCD for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

**TAB 16:**

Exhibit A: Affidavit of Verl Brown, Landman – SEE TAB 12

Exhibit A-4: Form C-102 for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit A-5: Tracts, Ownership and Sectional Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit A-6: Well Proposal Letter and Authorization for Expenditure for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit A-6.1: Chronology of Contacts with Non-Joined Working Interest Owners for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

**TAB 17:**

Exhibit B: Affidavit of Miranda Childress, Geologist – SEE TAB 13

Exhibit B-1: Locator Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 7112H Wells

Exhibit B-2: Subsea Structure Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit B-3: Stratigraphic Cross-section Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit B-4: Isochore Map for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

**TAB 18:**

Exhibit C: Affidavit of Notice, Darin C. Savage Case No. 21122

Exhibit C-1: Notice Letters (WI & ORRI) for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit C-2: Mailing List for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit C-3: Affidavit of Publication for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

**TAB 19:**

Exhibit D: Nonstandard Location Approval Request for Case No. 21122

Exhibit D-1: Notice Letter for Case No. 21122 – Hot Potato 26-23 Fed 622H & 712H Wells

Exhibit D-2: List of Parties for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells

Exhibit D-3: Letter to NMOCD for Case No. 21123 – Hot Potato 26-23 Fed 621H & 711H Wells