

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

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

**Case No. 22179
Case No. 22180
Case No. 22382**

**APPLICATIONS OF CIMAREX ENERGY CO.
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

**Case No. 22313
Case No. 22314
Case No. 22315
Case No. 22316**

DEVON'S MOTION TO STRIKE EXHIBITS AND TESTIMONY

Devon Energy Production Company, L.P. ("Devon"), pursuant to the Prehearing Order, submits this motion to strike from the record Cimarex Exhibits D-13 through D-15-B, along with paragraphs 34 through 36 of the affidavit filed as Cimarex Exhibit D referencing these summary exhibits, for the following reasons:

1. This series of summary exhibits filed by Cimarex purport to compare the performance of Cimarex wells in the Upper Wolfcamp intervals with performance of wells drilled by other operators in Lea County at various well lateral lengths.
2. Cimarex has not identified the wells utilized to create these exhibits nor does the affidavit (Exhibit D) filed with these summary exhibits identify or provide the foundational data for these summary exhibits.
3. A review of the Division records further reflects that Cimarex has failed to file production information on the only Cimarex wells specifically identified in these exhibits: The

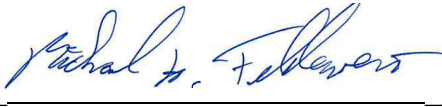
Dos Equis 12-13 86H (30-025-46324), 73H (30-025-46323) and 5H (30-025-46320) wells. See Cimarex Exhibit D-15-A.¹

4. The failure to identify the wells utilized to create these exhibits, compounded by Cimarex's failure to file production records on the only Cimarex wells specifically identified in these exhibits, unduly prejudices the ability of the Division, Devon or any other party from examining the foundational data for these summary exhibits and responding to them.

WHEREFORE, Devon respectfully requests that Cimarex Exhibits D-13 through D-15-B be excluded from consideration by the Division, along with the paragraphs 34 through 36 of the affidavit filed as Cimarex Exhibit D referencing these summary exhibits.

Respectfully submitted,

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**ATTORNEYS FOR DEVON ENERGY PRODUCTION
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¹ Division records reflect that these wells were drilled 2020 and that the Dos Equis 12-13 86H was shut-in in March of 2020 due to "economic hardship/market price and COVID-19."

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2022, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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