

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

**IN THE MATTER OF THE APPLICATION OF NEW MEXICO
OIL CONSERVATION DIVISION FOR AN ORDER REQUIRING
TEMPO ENERGY, INC., PETERSON PETROLEUM COMPANY
AND/OR JOE D. PETERSON TO PLUG ONE WELL AND
ORDERING FORFEITURE OF APPLICABLE FINANCIAL
ASSURANCE IN EVENT OF OPERATOR'S NONCOMPLIANCE,
LEA COUNTY, NEW MEXICO**

**CASE NO. 13711
ORDER NO. R-12659
DE NOVO**

SUBPOENA DUCES TECUM

TO: JOE PETERSON and PETERSON PETROLEUM COMPANY
1708 North El Paso
Unit C
Hobbs, New Mexico 88240

Pursuant to Section 70-2-8, NMSA (1978), and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m., January 3, 2007, at the offices of the Oil Conservation Commission, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505 and to produce and make available to Tempo Energy, Inc. and The Travelers Indemnity Company and their attorney, J. Scott Hall, Esq., for copying, the documents and items on Exhibit A attached hereto.

This subpoena is issued on behalf of Tempo Energy, Inc. and The Traveler's Indemnity through its attorneys Miller Stratvert P.A., Post Office Box 1986, Santa Fe, New Mexico 87504.

Dated this 14 day of December, 2006.

NEW MEXICO OIL CONSERVATION COMMISSION

By: David K. Burt
Assistant General Counsel
Mark Fesmire, Director

EXHIBIT 'A'

**TO SUBPONEA DUCES TECUM
TO JOE D. PETERSON AND PETERSON PETROLEUM COMPANY
IN THE NEW MEXICO OIL CONSERVATION COMMISSION
CASE NO. 13711**

DEFINITIONS: As used herein, the "Subject Well" refers to the San Simon State Well No. 6 (API # 30-025-29839) located 2310 feet from the North line and 990 feet from the East line in the SE/4 NE/4 Section 4 Township 22 South, Range 35 East, NMPM, Lea County, New Mexico.

PRODUCE THE FOLLOWING:

1. All correspondence, documents and materials relating in any way to the Subject Well.
2. All correspondence, documents and materials evidencing or relating in any way to any interest in the Subject Well or the SE/4 NE/4 of Section 4, T22-S, R-35-E owned or claimed by Joe D. Peterson or Peterson Petroleum Company.
3. All correspondence, documents and materials relating to the disposition of production proceeds from the Subject Well.
4. The drilling contract for the Subject Well and all related correspondence documents and materials.
5. All governmental leases, permits, licenses and authorizations relating to the Subject Well.
6. All correspondence, documents or other materials or communications with Brazeal, Inc. and/or Brazeal, Inc., d/b/a Capstar Drilling relating to the Subject Well.
7. Any single-well or blanket plugging bond issued on behalf of Joe D. Peterson or Peterson Petroleum Company used for the drilling of the Subject Well.

These subpoena items are ongoing and you have the obligation to supplement the production of documents and materials responsive hereto as new documents and materials become available.