

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

**IN THE MATTER OF THE HEARING CALLED BY
THE OIL CONSERVATION DIVISION FOR THE
PURPOSE OF CONSIDERING:**

**APPLICATION OF CHESAPEAKE OPERATING, INC.
FOR AN UNORTHODOX OIL WELL LOCATION,
LEA COUNTY, NEW MEXICO**

CASE NO. 11894

SUBPOENA DUCES TECUM

**TO: YATES PETROLEUM CORPORATION
c/o William F. Carr, Esq.
Campbell, Carr, Berge & Sheridan
P. O. Box 2208
Santa Fe, New Mexico, 87504-2208**

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 8:15 a.m., February 5, 1998, to the offices of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico, 87505 and to produce the documents and items specified in attached Exhibit A and to make available to Chesapeake Operating, Inc. and their attorney, W. Thomas Kellahin, for copying, all of said documents.

This subpoena is issued on application of Chesapeake Operating, Inc. through their attorneys, Kellahin & Kellahin, P. O. Box 2265, Santa Fe, New Mexico 87504.

Dated this 27th day of January, 1998.

NEW MEXICO OIL CONSERVATION DIVISION

BY: Kathleen A. Garland B.M.E.S.
KATHLEEN GARLAND, ACTING DIRECTOR

EXHIBIT "A"

**TO SUBPOENA DUCES TECUM
TO YATES PETROLEUM CORPORATION
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE 11894(DeNovo)**

PURPOSE: The purpose of this subpoena is to provide all of the information necessary for Chesapeake Operating Inc. to be able prepare its Case 11894 (DeNovo) which is being opposed by Yates Petroleum Corporation.

PRODUCE THE FOLLOWING DOCUMENTS:

- (1) copies of any geologic data and exhibits including geologic maps, structure maps, ispoachs, cross-sections, and/or logs to be used by Yates Petroleum Corporation in its opposition to this application.
- (2) copies of any and all geophysical data/studies and exhibits to be used by Yates Petroleum Corporation in its opposition to this application.
- (3) copies of any and all petroleum engineering data/studies and exhibits to be used by Yates Petroleum Corporation in its opposition to this application.

INSTRUCTIONS

This Subpoena Duces Tecum seeks all information available to you or in your possession, custody or control from any source, wherever situated, including but not limited to information from any files, records, computers documents, employees, former employees, consultants, counsel and former counsel. It is directed to each person to whom such information is a matter of personal knowledge.

When used herein, "you" or "your" refers to the person or entity to whom this Subpoena Duces Tecum is addressed to including all of his or its attorneys, officers, agent, consultants, employees, directors, representatives, officials, departments, divisions, subdivisions, subsidiaries, or predecessors.

The term "document" as used herein means every writing and record of every type and description in the possession, custody or control of Thompson Engineering & Production Company, whether prepared by you or otherwise, which is in your possession or control or known by you to exist, including but not limited to all drafts, papers, books, writings, records, letters, photographs, computer disks, tangible things, correspondence, communications, telegrams, cables, telex messages, memoranda, notes, notations, work papers, transcripts, minutes, reports and recordings of telephone or other conversations or of interviews, conferences, or meetings. It also includes diary entries, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, contracts, agreements, jottings, agenda, bulletins, notices, announcements, plans, specifications, sketches, instructions charts, manuals, brochures, publications, schedules, price lists, client lists, journals, statistical records, desk calendars, appointment books, lists, tabulations sound recordings, computer printouts, books of accounts, checks, accounting records, vouchers, and invoices reflecting business operations, financial statements, and any notice or drafts relating to the foregoing, without regard to whether marked confidential or proprietary,. It also includes duplicate copies if the original is unavailable or if the duplicate is different in any way, including marginal notations, from the original.