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W. THOMAS KELLAHIN*

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

May 9, 1995

HAND DELIVERED

Mr. William J. LeMay, Director
Oil Conservation Division
310 Old Santa Fe Trail
Santa Fe, New Mexico 87501

RECEIVED

MAY 9 1995

Re: **REQUEST FOR ISSUANCE OF SUBPOENA**

Oil Conservation Division

NMOCD Case 11283

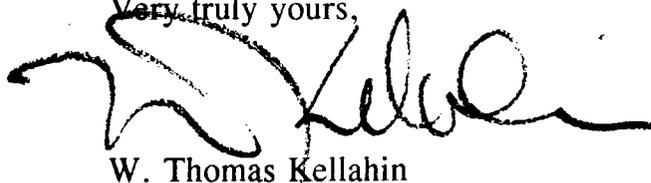
Application of Yates Petroleum Corporation
to amend Order R-9976-A approving an
unorthodox gas well location,
Pecos Slope-Abo Gas Pool,
Chaves County, New Mexico

Dear Mr. LeMay:

On April 19, 1995 and on behalf of Tide West Oil Company, I requested Yates Petroleum Corporation through its attorney, William F. Carr, to voluntarily produce certain data in their exclusive possession necessary for my preparation for the hearing of the referenced case now set for May 18, 1995. On May 3, 1995, Mr. Carr advised me that Yates Petroleum Corporation was refusing to voluntarily provide this data.

Accordingly, I would appreciate you issuing the enclosed subpoena in which I am seeking data from Yates Petroleum Corporation in the referenced matter.

Very truly yours,



W. Thomas Kellahin

cc: William F. Carr, Esq.
cc: Tide West Oil Company
Attn: Kim Goss

**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:**

**THE APPLICATION OF YATES PETROLEUM
CORPORATION TO AMEND ORDER R-9976-A
APPROVING AN UNORTHODOX GAS WELL
LOCATION, PECOS SLOPE-ABO GAS POOL,
CHAVES COUNTY, NEW MEXICO**

CASE NO. 11283

SUBPOENA DUCES TECUM

**TO: YATES PETROLEUM CORPORATION
c/o William F. Carr, Esq.
110 N. Guadalupe
Santa Fe, New Mexico 87501**

Pursuant to Section 70-2-8 NMSA (1978) and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, and in accordance with the power vested in this Division, you are commanded to appear at 8:15 a.m., May 18, 1995, to the offices of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico

87502 and to produce the documents and items specified in attached Exhibit A and to make available to Tide West Oil Company and its attorney, W. Thomas Kellahin, for copying, all said documents.

This subpoena is issued on application of Tide West Oil Company through its attorneys, Kellahin & Kellahin, P. O. Box 2265, Santa Fe, New Mexico 87504.

ISSUED THIS 10th day of May, 1995 at Santa Fe, New Mexico.

NEW MEXICO OIL CONSERVATION
DIVISION

BY:

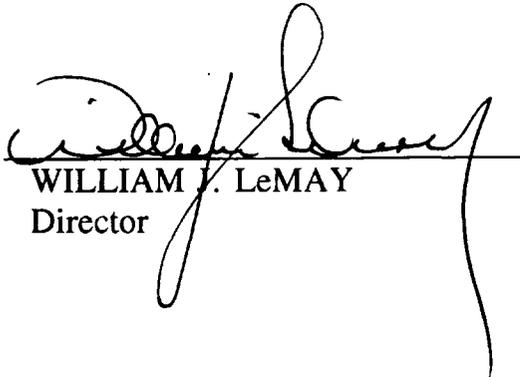

WILLIAM J. LeMAY
Director

EXHIBIT "A"

**TO SUBPOENA DUCES TECUM
TO YATES PETROLEUM CORPORATION
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE 11283**

PURPOSE: The purpose of this subpoena is to provide all of the information necessary for Tide West Oil Company to be able to adequately prepare its opposition to Yates Petroleum Corporation in NMOCD Case 11283.

I. PRODUCE THE FOLLOWING DOCUMENTS:

For the Yates Petroleum Corporation's Pilot Gas Enhanced Recovery Project as described in New Mexico Oil Conservation Division Order R-9976-A issued July 26, 1994 in so far as involves Section 21, T7S, R26E and any of the eight adjoining sections, including but not limited to the following wells: (a) its Catterson "SS" Federal Well No. 7 drilled in the NE/4SE/4 of Section 21, T7S, R26E and (b) its Catterson "SS" Federal Well No. 7 drilled in the SE/4SE/4 of Section 21, T7S, R26E.

- 1. Open-hole Resistivity logs, e.g. Dual Latrologs
supplying both a one-inch scale log and a five-inch scale log.**
- 2. Open-hole Porosity logs, e.g., Compensated Neutron-Litho-Density logs, supplying both a one-inch scale log and a five-inch scale log.**
- 3. Mudlogs**

- 4. All cased-hole production logs, including but not limited to caliper logs, spinner surveys, tracer surveys.**
- 5. Fluid data including recombination analysis and/or bottom hole analysis.**
- 6. Reservoir temperature data.**
- 7. Reservoir water saturation data.**
- 8. Reservoir pressure data including but not limited to bottom-hole surveys or pressures, surface pressure readings, daily tubing pressure and casing pressures, drill stem tests, build-up tests, and interference tests, with relevant information as to shut-in time and production rates prior to shut-in.**
- 9. any core data and analysis including but not limited to conventional or sidewall core data and samples.**
- 10. all production data including, but not limited to all well check records, including gauges/charts for each well on a daily basis from initial testing/completion to date showing actual production of oil, gas and water for each well per day and per month.**
- 11. Chronological reports to include details of: (a) perforating and perforation locations, (b) stimulation fluids, volumes, rates, and pressures for each treated interval, and (c) swabbing, flowing and/or pumping results for each interval that was perforated and tested including Pre and Post stimulation results as applicable.**
- 12. If your client has conducted any reservoir simulation which includes any wells within this 9-section area, then provide: model software description, model parameters**

and assumptions, model variables, model history matching data, model predictions, subsequent modification.

13. Any petroleum engineering data used or to be used by Yates Petroleum Corporation to justify its application for approval of the location for the Catterson "SS" Federal Well No. 7 including all pressure data, including but not limited to bottom hole pressure surveys, daily tubing pressure and casing pressure surveys, with relevant information as to shut-in time and production rate prior to shut-in;

14. Any and all reserve calculations, including but not limited to estimates of ultimate recovery, production decline curves, pressure decline curves, material balance calculations (including reservoir parameters), volumetric calculation (including reservoir parameters);

15. Any and all reservoir studies, including but not limited to drainage calculations, well interference studies, pressure studies or well communication studies;

16. Any geologic data including geologic maps, structure maps, isopachs, cross-sections, and/or logs being used by Yates Petroleum Corporation to justify its application and/or its project as approved in Division Order R-9976-A;

17. Any and all geologic and/or engineering studies and interpretations by which Yates Petroleum Corporation justifies and evaluates its application and/or its project as approved in Division Order R-9976-A.

18. If not otherwise produced for any above number request, then any and all geologic and petroleum engineering data, reports, conclusions and summaries it has acquired from the referenced pilot project (Order R-9976-A).

AND PRODUCE:

- 1. Copies of any possible geologic exhibits for use by Yates Petroleum Corporation at the subject hearing;**
- 2. Copies of any possible engineering exhibits for use by Yates Petroleum Corporation at the subject hearing;**
- 3. Copies of any possible land exhibits for use by Yates Petroleum Corporation at the subject hearing;**
- 4. Copies of any other exhibits which you could use at the hearing;**

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 Yates Petroleum Corporation, 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.