

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

**APPLICATIONS OF CIMAREX ENERGY CO.
FOR A HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO**

Case Nos. 23448 – 23455

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

Case Nos. 23594 – 23601

**APPLICATIONS OF READ & STEVENS, INC.
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

Case Nos. 23508 – 23523

SUBPOENA DUCES TECUM

To: Read & Stevens, Inc.;
and Permian Resources Operating, LLC
c/o Adam Rankin
Holland & Hart
110 North Guadalupe Street
Suite 1
Santa Fe, New Mexico 87501

Pursuant to NMSA 1978 §70-2-8 and Oil Conservation Division Rule NMAC 19.15.4.16, you are hereby ordered to appear at 9:00 a.m. on Friday, July 28, 2023, or at an otherwise mutually agreement date and time and/or location, at the offices of the Oil Conservation Division, 1220 South St. Francis Drive (Third Floor), Santa Fe, New Mexico 87505, and to produce the documents and items specified in Exhibit A attached hereto, and to make available all of said documents to Cimarex Energy Co. or its attorney, Darin Savage, for examination and copying.

This subpoena is issued on the application of Cimarex Energy Co., through its attorney,
Darin Savage, Abadie & Schill, 214 McKenzie Street, Santa Fe, New Mexico 87501

Dated this _____ day of July, 2023.

NEW MEXICO OIL CONSERVATION
DIVISION

By: _____

EXHIBIT A**TO SUBPOENA DUCES TECUM****Definitions:**

1. "Communication" or "communicated" when used herein, shall mean any manner of disclosure, transfer, or exchange of information, whether orally or in a Document, and whether face-to-face, by telephone, mail, electronic mail, wire, telex, telecopy, personal delivery or otherwise.

2. Document" shall mean a writing, as defined by Rule 11-1001 NMRA, and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing; and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them both. Document shall include all writings, calendars, diaries, memoranda, letters, reports, notes, faxes, drawings, graphs, charts, photographs, tape or video recordings, electronic documents, including e-mail, and other data compilations from which information can be obtained, translated, if necessary, through detection devices into reasonably usable form.

3. The terms **“relating”**, **“related”** or **“which relate[s]”** to any given subject means anything that constitutes, contains, embodies, evidences, reflects, identifies, states, refers to, deals with, or is in any way pertinent to that subject.

Instructions:

- A. For each document or a piece of information withheld on the claim of privilege state:
- (i) the privilege being relied upon;
 - (ii) if a document, identify the author of the document;
 - (iii) identify the recipient of the document;
 - (iv) set forth the complete factual and legal basis for the claim of privilege;
 - (v) identify all persons who have had access to the information for which privilege is claimed;
 - (vi) identify the date of all communications referenced in the preceding subparagraph; and describe generally the subject matter of the document or communication without disclosing so much of it as to waive the privilege.

B. A party has a duty to seasonably supplement or amend a prior response to a request for production of documents if a party learns that the response is materially incomplete or incorrect and if additional or corrective information has not otherwise been made known to the parties during the discovery process or in writing as provided by Rule 1-026(E) NMRA.

DOCUMENTS TO BE PRODUCED

1. All documents that related to the production attributable to the Batman 131H, Batman 132H, Batman 133H, Batman 134H, and Batman 201H wells (collectively referred to herein as the “Batman Wells”) that are discussed in Exhibit F, the Self-Affirmed Statement of John Fechtel, at Paragraphs 9, 10, and 15 and in Exhibits F-4 and F-8 attached thereof. These documents include, but not limited to, documents that show, on a daily basis, the tubing pressure and the choke data for each of the Batman Wells. This document request covers all production data associated with the Batman Wells from the date of first production and continuing through the present.
2. All documents that evidence any communications concerning the production from the Batman Wells, from the date of first production and continuing through the present, including, but not limited to, any communications that relates to tubing pressure and/or choke data for each of the Batman Wells.