

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

APPLICATION OF YATES PETROLEUM CORPORATION TO RE-OPEN CASE NO. 13153 TO PERMIT YATES TO WITHDRAW ITS ELECTION TO PARTICIPATE IN FURTHER OPERATIONS ON THE STATE "X" WELL NO. 1 AND HEREAFTER BE A "NON-CONSENTING WORKING INTEREST OWNER" IN THE WELL AND, PURSUANT TO THE PROVISIONS OF ORDER NO. R-12108-C, TO DETERMINE THE REASONABLENESS OF THE ACTUAL WELL COSTS TO BE REFUNDED BY PRIDE ENERGY CORPORATION TO YATES PETROLEUM CORPORATION PURSUANT TO THIS ORDER, LEA COUNTY, NEW MEXICO.

CASE NO. 13153

SUBPOENA DUCES TECUM

TO: Pride Energy Company  
c/o James Bruce, Esq.  
Post office Box 1056  
Santa Fe, New Mexico 87504-1056

Pursuant to Section 70-2-8, NMSA (1978) and Rule 1211 of the New Mexico Oil Conservation Divisions Rules of Procedure, you are hereby ORDERED to appear at 8:15 a.m., May 17, 2005, at the offices of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87504, and to produce the documents and items specified in attached Exhibit "A" and to make available to Yates Petroleum Corporation, and its attorneys, Holland & Hart, LLP, for copying, all of said documents.

This subpoena is issued on application of Yates Petroleum Corporation, through their attorneys, Holland & Hart, LLP, Post Office Box 2208, Santa Fe, New Mexico 87504.

Dated this 10th day of May, 2005

NEW MEXICO OIL CONSERVATION DIVISION

*David K. Brooks*  
BY: *Assistant General Counsel*  
MARK E. FESMIRE, P.E., DIRECTOR

**EXHIBIT A**  
**TO SUBPOENA DUCES TECUM**  
**TO PRIDE ENERGY COMPANY**  
**IN NEW MEXICO OIL CONSERVATION DIVISION**  
**CASE NO. 13153**

**PURPOSE:** The purpose of this subpoena is to provide all of the information necessary for Yates Petroleum Corporation to be able to prepare its evidence and testimony for New Mexico Oil Conservation Division Case 13153.

**PRODUCE THE FOLLOWING DOCUMENTS:**

For the State "X" Well No. 1(API No. 30-025-01838), also known as the Limbaugh AYO State Well No. 1, located 1980 feet from the North and West lines of Section 12, Township 12 South, Range 34 East, NMPM, Lea County, New Mexico.

1. Chronological reports of all activity performed on the well including all daily drilling and completion reports;
2. Any and all documents and data concerning "workover" actually conducted, attempted or contemplated;
3. A detailed accounting of all expenses, and payments for any activity conducted on the subject well including copies of all invoices;
4. All openhole logs, including but not limited to wireline logs.

**HEARING EXHIBITS:**

1. Copies of all land exhibits and ownership data and exhibits to be used by you;
2. If not already included above, all data and documents utilized by you for support of all exhibits you will present at 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 persons and entity to whom this Subpoena Duces Tecum is addressed to including all of his or its attorneys, officers, agents, consultants, employees, directors, representatives, officials, departments, divisions, subdivisions, subsidiaries, or predecessors in interest.

The term "document" as used herein means every writing and record of every type and description in the possession, your custody or control, 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.

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CASE NO. 13153

**ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM**

I, James Bruce, Esq., the attorney of record for Pride Energy Company, hereby accept service of the original Subpoena Duces Tecum dated May 10, 2005, issued in this matter for Yates Petroleum Corporation on this \_\_th day of May, 2005.

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James Bruce, Esq.  
Post Office Box 1056  
Santa Fe, New Mexico 87504-1056