

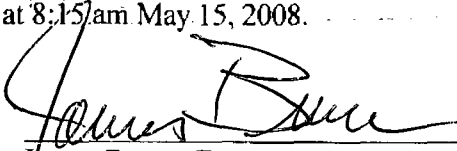
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION
OF CIMAREX ENERGY CO OF COLORADO
FOR SPECIAL POOL RULES
LEA COUNTY, NEW MEXICO

CASE NO. 14124

ACCEPTANCE OF SERVICE OF SUBPOENA

CIMAREX ENERGY CO OF COLORADO ("Cimarex") by its attorney, James Bruce, hereby on 2nd day of May 2008 accepts service for and on behalf of Cimarex of that Subpoena issued by the Division on May 2, 2008 at the request of W. Thomas Kellahin, attorney for Fasken Oil and Ranch, Ltd. ("Fasken") in Case 14124 which commands Cimarex to produce documents set forth in the Subpoena Duces Tecum at 8:15am May 15, 2008.


James Bruce, Esq.
P. O. Box 1056
Santa Fe, New Mexico 87504

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing pleading was transmitted by email to opposing counsel this 5th day of May 2008 as follows:

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
706 Gonzales Road
Santa Fe, New Mexico 87501
505-982-2047 (fx)
tkellahin@copmcaster.net


James Bruce

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

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THE APPLICATION OF CIMAREX ENERGY CO.
OF COLORADO FOR SPECIAL POOL RULES
LEA COUNTY, NEW MEXICO.

CASE NO. 14124

SUBPOENA DUCES TECUM

TO: CIMAREX ENERGY CO. OF COLORADO
c/o James Bruce, Esq.
P. O. Box 1056
Santa Fe, New Mexico, 87504

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., May 15, 2008, to the offices of the Oil Conservation Division, 1200 South St. Francis Drive, Santa Fe, New Mexico 87505 and to produce the documents and items specified in attached Exhibit A and to make available to Fasken Oil and Ranch, Ltd. and their attorney, W. Thomas Kellahin, for copying, all of said documents.

This subpoena is issued on application of Fasken Oil and Ranch Ltd. through their attorneys, Kellahin & Kellahin, 706 Gonzales Road, Santa Fe, New Mexico 87501.

Dated this 21 day of May, 2008.

NEW MEXICO OIL CONSERVATION DIVISION

BY: By David K. Basmire
Mark Fesmire. P. E. DIRECTOR

EXHIBIT "A"
TO SUBPOENA DUCES TECUM
TO CIMAREX ENERGY CO OF COLORADO
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE 14124

PURPOSE: The purpose of this subpoena is to provide all of the information necessary Fasken Oil and Ranch, Ltd to be able to prepare its opposition to Cimarex Energy Co. of Colorado in NMOCD Case 14124

I. PRODUCE THE FOLLOWING DOCUMENTS, including those for the following wellbores: See Exhibit "B" for a list of all wellbores

- (a) Drilling and completion chronological well history reports.
- (b) Drill stem test field reports with pressure, temperature and time in digital form and hard copy.
- (c) Drill stem test analysis reports.
- (d) Open hole electric logging surveys in digital LAS format.
- (e) Specialty open hole electric logging surveys and logs not sent to NMOCD including but not limited to wireline pressure surveys, wireline fluid sample reports, lithology logs (i.e. Schlumberger's ECS log), electromagnetic propagation logs, magnetic resonance logs, calculated logs (i.e. Schlumberger's Cyberlook, VOLAN or ELAN), dipole sonic logs, mechanical rock properties log, perforating and gamma ray/casing collar logs, cement bond logs.
- (f) Wellbore diagrams.
- (g) Stimulation field reports for either acid or fracture stimulations.
- (h) Before and after stimulation logging surveys, analyses and reports.
- (i) Monthly production reports with surface flowing pressures, choke sizes, oil (barrels), water (barrels), and gas (mcf) volumes.
- (j) Daily production reports with surface flowing pressures, choke sizes, oil (barrels), water (barrels), and gas (mcf) volumes.
- (k) Bottom hole flowing pressure and rate surveys (digital form and hard copy), reports and analyses.
- (l) Pressure build up surveys (digital form and hard copy), reports and analyses.
- (m) Production and/or injection logging reports and logs.
- (n) Oil and gas composition analyses and reports.
- (o) Water analyses and reports.
- (p) Core data: Sidewall or whole core analyses and reports.
- (q) Special core analyses and reports including but not limited to oil/water relative permeabilities, oil/gas relative permeabilities, capillary

pressures, waterflood tests (oil zones), waterflood tests (gas zones), wettability, formation resistivity, acoustic properties, pore volume compressibility, porosity and permeability vs net overburden pressure, surface and interfacial tension, petrographic studies, etc.

- (r) Petrophysical analyses and reports including but not limited to scanning electron microscope analyses, fluid and rock compatibility studies.
- (s) Isopach maps and reservoir limits of each producing zone.
- (t) Structure maps of each zone.

PLUS All data you are utilizing in making your determination to (a) INCREASE THE OIL ALLOWABLE (b) INCREASE THE GAS OIL RATIO and (c) to make the changes retroactive to August 1, 2007.

If not already provided above then all the following

1. Electric Log data
2. Drilling Time data
3. Drill Cutting of Log Cores
4. Mud Logs
5. Completion data
6. Gas Analysis
7. Water Analysis
8. Fluid data
9. Reservoir Performance
10. Geologic data
11. Well Performance data
12. Permeability data
13. Porosity data
14. Reservoir Thickness data
15. Pressure data
16. Initial Water/Gas Saturation data

IF NOT ALREADY INCLUDED ABOVE THEN THE FOLLOWING ADDITIONAL DATA:

17. 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. Provide surveys in digital and hard copy form.

18. Gas-liquid ratios and tests including a description of any and all test data and zones per well.

19. any core data and analysis including but not limited to conventional or sidewall core data and samples.

20. 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.

21. Chronological reports to include details of:

- a. perforating and perforation locations
- b. stimulation fluids, volumes, rates, and pressures for each treated interval
- c. Swabbing, flowing and/or pumping results for each interval that was perforated and tested including Pre and Post stimulation results as applicable.

22. If your client has conducted any reservoir simulation which includes any well within 2 sections from Sec 31 T19S, R34E , then provide: model software description, model parameters and assumptions, model variables, model history matching data, model predictions, subsequent modification.

23. Any petroleum engineering data used or to be used by Cimarex Energy Co. of Colorado to justify its application in NMOCD Case 14124 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;

24. 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);

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

26. Any and all geophysical data/studies and exhibits, including 2-D and 3-D Seismic that data including vertical seismic profile lines, structural

maps, velocity maps, including isochron or velocity converted depth maps, and copies of any and all maps including initial and final ispoach contour maps of structure and any "isometric displays" or presentations that could be used by Cimarex Energy Co of Colorado to justify its applications;

27. Any geologic data including geologic maps, structure maps, ispoachs, cross-sections, and/or logs being used by Cimarex Energy Co of Colorado to justify its applications;

28. Any and all geologic and/or engineering studies and interpretations by which Cimarex Energy Co. of Colorado justifies and evaluates these applications;

29. Any and all detailed plans of operation including drilling, completion and well bore design for each well;

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 Cimarex Energy Co. of Colorado, 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.

API	OPERATOR	WELLNAME	No.	SECTION	TOWNSHIP	RANGE	SPOTCALL	FOOTAGE
300253838800	CIMAREX ENERGY OF CO	AFTON 24 FEDERAL CO	1	24	19S	33E	NW SE SE	1165 FEL 700 FS
300253448400	CIMAREX ENERGY OF CO	ESMERALDA FEDERAL 2	1	24	19S	33E	S2 NE SW	1980 FWL 1650 F
300253625500	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	7	36	19S	33E	E2 SW NW	950 FWL 1980 FN
300253665900	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	8	25	19S	33E	C SW SW	660 FWL 660 FSL
300253799200	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	12	25	19S	33E	NW SE SW	1650 FWL 990 FS
300253856600	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	16	36	19S	33E	C NE SW	1980 FWL 1980 F
300253865700	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	17	36	19S	33E	C SE SW	1980 FWL 660 FS
300253863100	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	18	36	19S	33E	C NW SW	660 FWL 1980 FS
300253863200	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	19	36	19S	33E	N2 SW SW	660 FWL 985 FSL
300253863300	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	20	36	19S	33E	C SE NW	1980 FWL 1980 F
300253863400	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	21	36	19S	33E	C NE NW	1980 FWL 660 FN
300253875500	CIMAREX ENERGY OF CO	LAGUNA DEEP UNIT	11	25	19S	33E	W2 NW NW	410 FWL 660 FNL
300253438500	CIMAREX ENERGY OF CO	MALLON 29 FEDERAL	2	29	19S	34E	SW NW NW	2310 FEL 2310 F
300253438600	CIMAREX ENERGY OF CO	MALLON 29 FEDERAL	32	29	19S	34E	SW NE	1980 FEL 1980 F
300253438700	CIMAREX ENERGY OF CO	MALLON 29 FEDERAL	41	29	19S	34E	NE NE	660 FEL 760 FNL
300253438800	CIMAREX ENERGY OF CO	MALLON 29 FEDERAL	31	29	19S	34E	C NW NE	1980 FEL 660 FN
300253438900	CIMAREX ENERGY OF CO	MALLON 30 FEDERAL	34	30	19S	34E	SW SE	1980 FEL 660 FS
300253444800	CIMAREX ENERGY OF CO	MALLON 30 FEDERAL	43	30	19S	34E	W2 NE SE	860 FEL 1980 FS
300253598200	CIMAREX ENERGY OF CO	MESCALERO 19 FEDERAL	1	19	19S	34E	E2 NW SE	1650 FEL 1980 F
300253597200	CIMAREX ENERGY OF CO	MESCALERO 29 FEDERAL	2	29	19S	34E	SE NW NE	1700 FEL 1200 F
300253592600	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	1	30	19S	34E	SE SE	990 FEL 510 FSL
3002535381300	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	4	30	19S	34E	SE NW SW	1330 FEL 1330 F
3002535673700	CIMAREX ENERGY OF CO	MESCALERO 19 FEDERAL	2	19	19S	34E	SE NW SW	990 FWL 1650 FS
300253799900	CIMAREX ENERGY OF CO	MESCALERO 19 FEDERAL	2	19	19S	34E	W2 NE SE	1200 FEL 1980 F
300253609900	CIMAREX ENERGY OF CO	MESCALERO 20 FEDERAL	3	20	19S	34E	SE NW SE	1650 FEL 1650 F
300253648800	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	2	30	19S	34E	N2 SE SW	1980 FWL 1200 F
300253842500	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	5	30	19S	34E	SE NW NW	1280 FWL 820 FN
300253854400	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	6	30	19S	34E	SW SW SE	2180 FEL 330 FS
300253859500	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	7	30	19S	34E	N2 SW SW	660 FWL 760 FSL
300257253820	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	8	30	19S	34E	S2 NW SW	660 FWL 1900 FS
300257253920	CIMAREX ENERGY OF CO	MESCALERO 30 FEDERAL	9	30	19S	34E	C NE SW	1980 FWL 1980 F
300257253720	CIMAREX ENERGY OF CO	MESCALERO B 29 FEDERAL	2	29	19S	34E	NE SE SW	2310 FWL 710 FS
300253867700	CIMAREX ENERGY OF CO	MESCALERO B FEDERAL	1	29	19S	34E	S2 SW SW	660 FWL 330 FSL
30025318900	CIMAREX ENERGY OF CO	MESCALERO RIDGE UNIT	1	20	19S	34E		660 FWL 660 FSL
300253828300	CIMAREX ENERGY OF CO	MESCALERO 29 FDR CM	1	29	19S	34E	N2 NW SW	1650 FWL 1980 F
300252991800	CIMAREX ENERGY OF CO	PENNZOIL 36 STATE	1	36	19S	33E	NE SE	660 FEL 1980 FS
300253597100	CIMAREX ENERGY OF CO	PENNZOIL 36 STATE	2	36	19S	33E	SW NE NE	1210 FEL 1050 F
300253799100	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	1	36	19S	33E	C SE NE	660 FEL 1980 FN
300253830000	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	2	36	19S	33E	N2 NW SE	1980 FEL 2310 F
300253855800	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	3	36	19S	33E	C SW NE	1980 FEL 1980 F
300253855900	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	4	36	19S	33E	N2 SW SE	1980 FEL 990 FS
300253862400	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	7	36	19S	33E	C SE SE	660 FEL 660 FSL
300253863500	CIMAREX ENERGY OF CO	PENNZOIL B 36 STATE	6	36	19S	33E	C NW NE	1980 FEL 660 FN
300253766700	CIMAREX ENERGY OF CO	OUAL RIDGE 32 STATE	1	32	19S	34E	C NE SE	660 FEL 1980 FS
300253770300	CIMAREX ENERGY OF CO	OUAL RIDGE 32 STATE	2	32	19S	34E	C NE SW	1980 FWL 1980 F
300252770500	CIMAREX ENERGY OF CO	SMITH	1	25	19S	33E	NW SE	1980 FEL 1980 F

