

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

APPLICATION OF PENWELL ENERGY, INC.
FOR COMPULSORY POOLING,
LEA COUNTY NEW MEXICO.

CASE NO. 12048

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OIL CONSERVATION DIV.

SUBPOENA DUCES TECUM

TO: Matador Petroleum Corporation
c/o w. Thomas Kellahin, Esq.
El Patio Building
117 North Guadalupe
Santa Fe, New Mexico 87504-2265

Pursuant to NMSA (1978), Section 70-2-8, and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m., November 18, 1998, at 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 Penwell Energy, Inc. and its attorney, William F. Carr, for copying, all of said documents.

This subpoena is issued on application of Penwell Energy Inc., through its attorneys, Campbell, Carr, Berge & Sheridan, P.A. Post Office Box 2208, Santa Fe, New Mexico 87504.

Dated this 12th day of November, 1998.

NEW MEXICO OIL CONSERVATION DIVISION

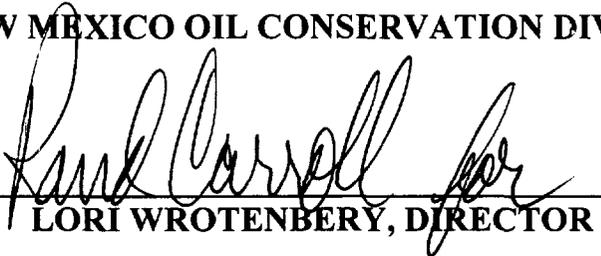
BY: 
LORI WROTENBERY, DIRECTOR

EXHIBIT "A"

**TO SUBPOENA DUCES TECUM
TO MATADOR PETROLEUM CORPORATION
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE NUMBER 12048**

PURPOSE: The purpose of this subpoena is to provide information necessary for Penwell Energy, Inc. to be able to prepare its presentation in NMOCD Case Number 12048.

PRODUCE THE FOLLOWING documents relating to the Diamante 21 Fed. Com. #1 Well located in the S/2 of Section 21, Township 19 South, Range 33 East, NMPM:

1. Reservoir pressure data, by zone, including but not limited to, bottom-hole pressure surveys or pressures, pressure buildup tests, surface pressure readings, daily tubing pressures and casing pressures, drill stem tests, and interference tests, with relevant information as to shutin times and production rates before shutin;
2. PVT data, PVT reports, and gas analysis by zone, including but not limited to molecular weight and API gravity;
3. All production data, by zone, including, but not limited to, all well check records (including gauges and/or charts) on a daily basis from initial testing and completion to date, showing actual production of oil, gas and water, and associated wellhead pressures per day and per month;
4. Chronological reports including details on (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.

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, agents, 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 Matador 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.