

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

**APPLICATION OF PENDRAGON ENERGY  
PARTNERS, INC. PURSUANT TO ORDER  
NO. R-11133-A TO RESTORE THE CHACO  
2-R PICTURED CLIFFS WELL TO PRODUCTION,  
SAN JUAN COUNTY, NEW MEXICO**

OCD CASE NO. 12479

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OIL CONSERVATION DIV.

**SUBPOENA DUCES TECUM**

TO: Pendragon Energy Partners, Inc.  
c/o J. Scott Hall, Esquire  
Miller, Stratvert & Torgerson, P.A.  
150 Washington Avenue  
Santa Fe, New Mexico 87501

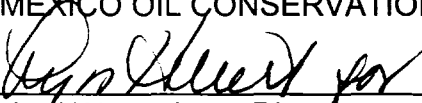
Pursuant to Section 70-2-8, and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m. on Friday, August 18, 2000, at the offices of the Oil conservation Division, 2040 South Pacheco, Santa Fe, new Mexico 87505 and to produce the documents and items specified in attached Exhibit A and to make available to Whiting Petroleum Corp. and Maralex Resources, Inc., and their attorney, Gallegos Law Firm, P.C., for copying, all of said documents.

This subpoena is issued on behalf of Whiting and Maralex through their attorneys Gallegos Law Firm, P.C., 460 St. Michael's Drive, Bldg. 300, Santa Fe, New Mexico 87505.

Dated this 9<sup>th</sup> day of August, 2000.

NEW MEXICO OIL CONSERVATION DIVISION

By

  
Lori Wrotenbery, Director

## **EXHIBIT A**

### **DEFINITIONS AND INSTRUCTIONS**

The following definitions and instructions apply to this Subpoena Duces Tecum:

- A. "Whiting" means Whiting Petroleum Corp.
- B. "You" or "yours" refers to Pendragon Energy Partners, J.K. Edwards Associates, Inc., and any of their agents, corporate affiliates, employees or representatives.
- C. Hereinafter "the person" or "persons" shall mean each and every individual, corporation, partnership, joint venture, trust, estate, or associations.
- D. Corporate affiliate is any corporation with common officers, directors, employees, shareholders or accounts.
- E. "Document" refers to any original, written, recorded or graphic matter whatsoever and all non-identical copies thereof whether or not privileged, classified or marked or treated as confidential, including but not limited to, papers, books, records, letters, photographs, correspondence, communications, telegrams, cables, telex messages, memorandum, notations, workpapers, jottings, agendas, statistical records, desk calendars, appointment books, expense account vouchers, blueprints, plans, diaries, lists, tabulations, transcripts, minutes, reports, affidavits, statements, summaries, opinions, studies, analyses, evaluations, contract, agreements, bulletins, notices, announcements, advertisements, instructions, charts, manuals, brochures, publications, schedules, price lists, client lists, journals, books of account, records, invoices, statements of account, credit memoranda, records reflecting business operations, sound recordings, recordings by any means of telephone or other

conversations, or of interviews or of conferences, or of other meetings, computer printouts, data processing program library, data processing input and output, microfilm, all records kept by electronic, photographic or mechanical means, pleadings, motions, responses to discovery, any notes or drafts relating to any of the foregoing, all things similar to any of the foregoing, however denominated by the parties and any other documents within the scope of Rule 1-034 NMRA 2000.

F. If you do not respond to any request or subpart thereof, on the basis of any privilege, or claim of privilege, state the privilege asserted, and the facts upon which they rely to support the claim of privilege.

G. If, in response to any request for production of documents, it is claimed that the documents requested are protected by the attorney/client privilege or attorney work-product doctrine, you are requested to identify such documents according to the criteria set forth in Rule 1-026(b)(5) NMRA 2000. Specifically, you are requested to list and describe each document showing (a) the nature of the documents, communications, or things not produced or disclosed, (b) the identity and corporate position of the person or persons interviewed or supplying the information, (c) the place, approximate date, and manner of recording or otherwise preparing the documents, (d) the names of the person or persons (other than stenographical or clerical assistants) participating in the interview and preparation of the document, and (e) the name and corporate position, if any, of each person to whom the contents of the documents have heretofore been communicated by copy, exhibition, reading or substantial summarization. In addition, you should set forth the precise and certain reason for preserving the confidentiality of the documents.

This Subpoena Duces Tecum seek 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, documents, employees, former employees, counsel and former counsel.

### **REQUESTS FOR PRODUCTION**

#### **REQUEST NO. 1:**

Produce all documents on which you have relied, or intend to rely, to support your application to restore the Chaco 2-R well to producing status.

#### **RESPONSE:**

#### **REQUEST NO. 2:**

Produce all documents which indicate the of gas flowing from the well the portion which will be Pictured Cliffs gas which would be produced through the Chaco 2-R well if it were restored to producing status and how that production will be controlled and measured.

#### **RESPONSE:**

**REQUEST NO. 3:**

Produce all documents which indicate the portion of coal seam gas which would be produced through the Chaco 2-R well if it were restored to producing status.

**RESPONSE:**

**REQUEST NO. 4:**

Produce all exhibits you intend to introduce at hearing on your application to restore the Chaco 2-R well to producing status.

**RESPONSE:**

**REQUEST NO. 5:**

Produce all documents from the Chaco 2-R well file, from field reports or other documents concerning the conditions of the well for the period June 1998 to the present.

**RESPONSE:**

**REQUEST NO. 6:**

Produce all documents which demonstrate how you will be able to operate the Chaco 2-R well so that it produces gas only from the WAW Fruitland Sand-Pictured Cliffs Gas Pool.

**RESPONSE:**

**REQUEST NO. 7:**

Produce any studies, evaluations, Authorities for Expenditures or other documents concerning squeezing, setting bridge plugs, recompleting or other subsurface work or remediation which is or has been considered for the Chaco 2R well or the Chaco wells 1, 4 and 5.

**RESPONSE:**

Respectfully submitted,  
GALLEGOS LAW FIRM, P.C.

By \_\_\_\_\_  
J.E. GALLEGOS  
MICHAEL J. CONDON  
460 St. Michael's Drive, Bldg. 300  
Santa Fe, New Mexico 87505  
(505) 983-6686

Attorneys for Whiting and Maralex

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of the Subpoena Duces Tecum to be served by hand-delivery on this \_\_\_\_ day of August, 2000 to the following counsel for defendants:

J. Scott Hall  
Miller, Stratvert, Torgerson & Schlenker, P.A.  
150 Washington Avenue  
Santa Fe, New Mexico 87501

\_\_\_\_\_  
J. E. GALLEGOS