

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

IN THE MATTER OF THE APPLICATION OF
BLUE DOLPHIN PRODUCTION, LLC FOR
COMPULSORY POOLING, RIO ARRIBA
COUNTY, NEW MEXICO

Case No. 14629

JICARILLA APACHE NATION'S WRITTEN REQUEST
FOR ISSUANCE OF SUBPOENA

COMES NOW the Jicarilla Apache Nation (hereafter "Nation"), by and through its attorneys, pursuant to 19.15.4.16 NAMC, and requests that the Director or the Director's authorized representative issue a subpoena to compel the individual listed below to appear and testify on behalf of the Nation at the hearing scheduled in this matter on May 26, 2011, and to produce the books, papers, records, other tangible things, or electronic data listed below:

1. Sherryl Vigil, Superintendent
Jicarilla Apache Agency
Bureau of Indian Affairs
United States Department of the Interior
208 Hawks Drive
P.O. Box 167
Dulce, NM 87528

Items to Be Produced:

The Items to Be Produced concern either of the following: A) the "Theis Ranch" a 55,00 acre parcel of land acquired by the Jicarilla Apache Nation via a warranty deed from the Theis Company (a Kansas partnership) dated June 21, 1985, which was originally a part of the Tierra Amarilla Land Grant, confirmed by Congress in 1860 and patented by the United States Government a Mr. Francisco Martinez in 1881; or B) the "Subject Section" a 640 acre parcel of land located within the Theis Ranch that can be further described as Section 27, T. 30 N. Range 1 East in Rio Arriba County, New Mexico.

With respect to the "Theis Ranch" produce any and all records relating to the transfer of ownership and title from the Jicarilla Apache Nation to the United States in Trust for the Jicarilla Apache Nation and/or the commencement of

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federal trust supervision over any land or interest in land constituting any part, portion or interest in the Theis Ranch or any portion thereof and/or declaration of Reservation status with respect to any land or interest in land constituting any part, portion or interest in the Theis Ranch or any portion thereof pursuant to federal law.

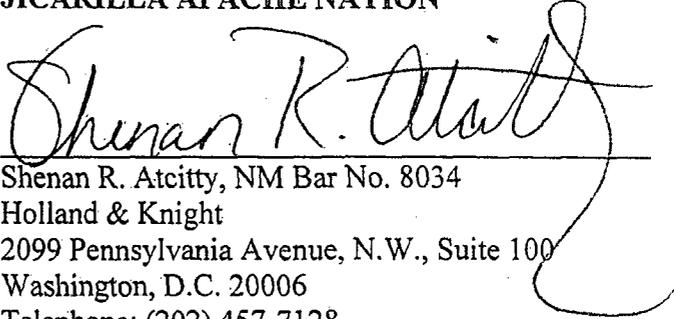
With respect to the "Subject Lands" produce records, if any, constituting a contract, lease, or agreement that reflects either approval of the Secretary of the Interior or any subordinate official acting on behalf of the Secretary of the Interior that grants (or purports to grant) the approval by or on behalf of the United States for the lease, use, development or exploitation of any and all gas, oil, or any other minerals of any kind that are situated, on, under or within the Subject Lands. The preceding shall, without limitation, include any lease under the *Indian Mineral Leasing Act of 1938*, 25 U.S.C. 396a *et seq.*, the *Indian Mineral Development Act of 1982*, 25 U.S.C. § 2101 *et seq.*, or any other federal law relating to the leasing or development of any and all gas, oil, or any other minerals of any kind.

Dated: May 19, 2011

Respectfully submitted,

JICARILLA APACHE NATION

By:


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*Attorneys for the
Jicarilla Apache Nation*

CERTIFICATE OF SERVICE

I, Walter Roybal, swear that a copy of the foregoing was sent by email attachment to the following:

Mr. J. Scott Hall, Esq. ,(Email to: shall@montand.com)
Montgomery & Andrews PA
523 Paseo de Perlata
Sante Fe, New Mexico 87051

Superintendent Sherryl Vigil (Email to: Sherryl.Vigil@bia.gov)
PO Box 167
Dulce, NM 87528

Dixon Sandoval, Director (Email to: dixonsandoval@jicarillaoga.com)
Oil and Gas Administration
Jicarilla Apache Nation
P.O. Box 146
Dulce, New Mexico 87528
(575) 759.3485

And Overnight Mail (2 copies) and facsimile to:

Oil and Gas Conservation Division
Department of Energy Minerals and Natural Resources
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
Fax: (505) 476-3462


Walter Roybal