

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.

RECEIVED OGD

2012 JUN -4 A 10: 21

Case No. 14,855

SUBPOENA DUCES TECUM

To: COG Operating LLC
c/o J. Scott Hall
Montgomery & Andrews PA
P.O. Box 2307
Santa Fe, New Mexico 87504

Pursuant to NMSA 1978 §70-2-8 and Oil Conservation Division Rule NMAC 19.15.4.16, you are hereby ordered to appear at 8:15 a.m. on Thursday, June 7, 2012, at the offices of the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, and to produce the documents and items specified in Exhibit A attached hereto, and to make available to Chisos, Ltd., or its agents or attorneys, for examination and copying, all of said documents.

This subpoena is issued on the application of Chisos, Ltd. through its attorney, James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504.

Dated this 4th day of June, 2012.

NEW MEXICO OIL CONSERVATION
DIVISION

By: Deirdre A. Gerber

Title: Assistant General Counsel

EXHIBIT A

TO SUBPOENA DUCES TECUM

The purpose of this subpoena is to provide all of the information necessary for Chisos, Ltd. ("Chisos") to be able to prepare its case.

Definition: "The wells" refers to the Burkett 16 State Well No. 15H, Burkett 16 State Well No. 16H, and Burkett 16 State Well No. 1, located in Section 16, Township 17 South, Range 31 East, N.M.P.M.. Eddy County, New Mexico.

PRODUCE THE FOLLOWING DOCUMENTS:

- A. All documents evidencing COG Operating LLC's ("COG") attempts to obtain the voluntary agreement of Chisos, Apache Corporation ("Apache"), Cross Border, Inc. ("Cross Border"), and any other working interest owner to voluntarily participate in the wells.
- B. All Authorizations for Expenditure for the wells sent to Chisos, Apache, Cross Border, and any other working interest owner by COG.
- C. All operating agreements for the wells, or covering acreage on which the wells are located, sent to Chisos, Apache, Cross Border, and any other working interest owner.
- D. All drilling contracts for the drilling of the wells.
- E. All filings with the Oil Conservation Division for the wells.
- F. All non-privileged internal communications of COG relating to the compulsory pooling of the wells.
- G. All drilling schedules which include the wells.