

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

September 29, 2005

Hand Delivered

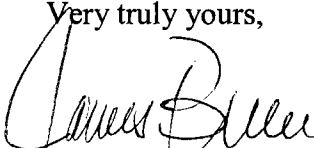
Mark E. Fesmire, P.E.  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Re: Case Nos. 13560, 13561, and 13562/Myco Industries, Inc.

Dear Mr. Fesmire:

Enclosed is a subpoena, which I ask you to issue on behalf of Pogo Producing Company. Thank you.

Very truly yours,



James Bruce

Attorney for Pogo Producing Company

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

**IN THE MATTER OF THE HEARINGS CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:**

**APPLICATION OF MYCO INDUSTRIES, INC.  
FOR COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

**Case No. 13,560**

**APPLICATION OF MYCO INDUSTRIES, INC.  
FOR COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

**Case No. 13,561**

**APPLICATION OF MYCO INDUSTRIES, INC.  
FOR COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

**Case No. 13,562**

**SUBPOENA DUCES TECUM**

To: Myco Industries, Inc.  
c/o Ocean Munds-Dry  
Holland & Hart LLP  
P.O. Box 2208  
Santa Fe, New Mexico 87504

2005 SEP 29 PM 2 03

Pursuant to NMSA 1978 §70-2-8 and Oil Conservation Division Rule 1211, you are hereby ordered to appear at 8:15 a.m. on Thursday, October 6, 2005, 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 Pogo Producing Company, or its attorney, James Bruce, for copying, all of said documents.

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

Dated this 29<sup>th</sup> day of September, 2005.

NEW MEXICO OIL CONSERVATION DIVISION

By: David K. Brooks  
assistant General Counsel  
Mark E. Fesmire, P.E., Director

EXHIBIT A

TO SUBPOENA DUCES TECUM

The purpose of this subpoena is to provide all of the information necessary for Pogo Producing Company to be able to prepare its evidence and testimony in Oil Conservation Division Case Nos. 13560, 13561, and 13562.

PRODUCE THE FOLLOWING DOCUMENTS:

For the Seven Rivers 4 Fee Well No. 1 (API No. 30-015-33937), located in the W½ of Section 4, Township 20 South, Range 26 East, N.M.P.M., Eddy County, New Mexico:

1. Chronological reports of all activity performed by or for you on the subject well, including all daily drilling reports; and
2. Any and all logs prepared by you or for you on the subject well, including radioactivity, electric, and mud logs.

## 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 persons and 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 in interest.

The term "document" as used herein means every writing and record of every type and description in the possession, your custody or control, 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.