

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

**APPLICATION OF ST MARY LAND &
EXPLORATION COMPANY FOR
APPROVAL OF A WATERFLOOD
PROJECT AND TO QUALIFY THE PROJECT
FOR THE RECOVERED OIL TAX RATE
PURSUANT TO THE ENHANCED OIL
RECOVERY ACT, EDDY COUNTY,
NEW MEXICO.**

CASE NO. 12278
(De Novo)

SUBPOENA DUCES TECUM

TO: St. Mary Land & Exploration Company
c/o James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504

Pursuant to Section 70-2-8, NMSA (1978) 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 12, 1999, 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 Intoil, Inc., and their attorney, William F. Carr, for copying, all of said documents.

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

Dated this 5th day of November, 1999.

NEW MEXICO OIL CONSERVATION DIVISION

BY: 
LORI WROTENBERY, DIRECTOR

EXHIBIT "A"

**TO SUBPOENA DUCES TECUM
TO ST. MARY LAND AND EXPLORATION COMPANY
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE 12208 (De Novo)**

PURPOSE: The purpose of this subpoena is to provide all of the information necessary for Intoil, Inc. to be able to prepare its opposition to St. Mary Land & Exploration Company, in New Mexico Oil Conservation Division Case 12208 (De Novo).

PRODUCE THE FOLLOWING DOCUMENTS:

(1) All data used to calculate cumulative production for Tract 6 of the proposed East Shugart Delaware Unit. Include all data previously utilized and all corrected or revised information which you have used, or will use, to calculate the cumulative production for Tract 6.

(2) Any and all data which has been used, or will be used to calculate cumulative production for each other Tract in the proposed East Shugart Delaware Unit.

(3) All monthly production records which show rates and volumes produced from 1992 through the present, including all data filed with the Oil Conservation Division for each well in the proposed East Shugart Unit Area.

(4) The results of all new well tests, including those performed in March and April 1999 which were referenced in the October 20, 1999 letter from James Bruce to David Catanach, which provide new information with regard to the producing rate related to Tract 6 and to all other tracts in the proposed East Shugart Unit Area.

(5) Copies of all exhibits which St Mary Land & Exploration, Inc. will present at the de novo hearing before the Oil Conservation Commission in this case.

(6) Copies of any and all geophysical data/studies and exhibits which St. Mary Land & Exploration Company will use in support of its application in the de novo hearing in this case.

(7) Copies of any and all petroleum engineering data studies specifically, any data including, but not limited to, or reflecting, reserves recoverable through primary or secondary recovery techniques, and all exhibits which St. Mary Land & Exploration Company will use in support of its application in the de novo hearing in is case.

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 St. Mary Land & Exploration Company, 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.

JAMES BRUCE

ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)

OIL CONSERVATION DIV.
99 OCT 23 AM 12:48

October 22, 1999

Hand Delivered

Lori Wrotenbery
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505

Re: Case No. 12207
East Shugart Delaware Unit

Dear Ms. Wrotenbery:

Enclosed for filing are an original and two copies of an application for a hearing de novo.

Very truly yours,


James Bruce

Attorney for St. Mary Land
& Exploration Company

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

OIL CONSERVATION DIV.

RECEIVED
OCT 13 AM 12:48

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

APPLICATION OF ST. MARY LAND &
EXPLORATION COMPANY FOR STATUTORY
UNITIZATION, EDDY AND LEA COUNTIES,
NEW MEXICO.

Case No. 12207
Order No. R-11255

APPLICATION FOR HEARING DE NOVO

St. Mary Land & Exploration Company, a party of record adversely affected by the above order, applies for the above case to be heard de novo by the Oil Conservation Commission pursuant to NMSA 1978 §70-2-13 (1996) and Division Rule 1220.

Respectfully submitted,



James Bruce
P.O. Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

Attorney St. Mary Land & Exploration Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application was mailed to William F. Carr, P.O. Box 2088, Santa Fe, New Mexico 87504, this 22nd day of October, 1999.



James Bruce