

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

APPLICATION OF COG OPERATING LLC FOR
SPECIAL RULES AND REGULATIONS FOR THE
ARTESIA GLORIETA-YESO POOL *ET AL.*, LEA AND
EDDY COUNTIES, NEW MEXICO.

Case No. 14613

APPLICATION OF BURNETT OIL CO., INC. AND
HUDSON OIL COMPANY OF TEXAS FOR CONSOLIDATION
AND EXPANSION OF AND ADOPTION OF SPECIAL
POOL RULES FOR CERTAIN YESO POOLS IN
LEA AND EDDY COUNTIES, NEW MEXICO.

Case No. 14647

SUBPOENA DUCES TECUM

TO: Burnett Oil Co., Inc. and Hudson Oil Co. of Texas
c/o Michael Campbell
110 North Guadalupe St., Suite 6
Santa Fe, NM 87501

Pursuant to N.M.S.A. 1978, § 70-2-8 and 19.15.4.16 NMAC of the New Mexico Oil Conservation Division Rules of Procedure, you are hereby ORDERED to appear at 8:15 a.m., May 9, 2011, at the offices of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87504, and to produce the documents and items specified in attached Exhibit A and to make available to COG Operating, LLC, and its attorneys, Holland & Hart, LLP, for copying, all of said documents.

This subpoena is issued on application of COG Operating, LLC.

Dated this 27 day of April, 2011.

NEW MEXICO OIL CONSERVATION DIVISION

BY: 
JAMI BAILEY, DIRECTOR

EXHIBIT A
TO SUBPOENA DUCES TECUM
TO BURNETT OIL COMPANY AND HUDSON OIL COMPANY OF TEXAS
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE NO. 14613 & CASE NO. 14647

PURPOSE: The purpose of this subpoena is to provide all of the information necessary for COG Operating, LLC to be able to prepare its evidence and testimony for New Mexico Oil Conservation Division Case No. 14613 and Case No. 14647.

PRODUCE THE FOLLOWING DOCUMENTS:

1. All materials, exhibits and documents to be presented or submitted to the Division by Burnett Oil Company in support of:
 - (a) Consolidating and expanding the Cedar Lake Glorieta-Yeso Pool, the Fren-Glorieta Yeso Pool, the East Fren Glorieta Yeso Pool, the Loco Hills Glorieta Yeso Pool, the West Maljamar Yeso Pool and the North Maljamar Paddock Pool;
 - (b) Special rules and regulations to provide for (i) a depth bracket allowable of 240 barrels of oil a day and a limiting gas-oil ratio of 2500 SCF:1 BO; (ii) a special additional allowable for newly completed wells as described in Burnett and Hudson's application; and (iii) a density rule of two wells per 40 acre spacing/proration unit as described in the application.
 - (c) Cancelling overproduction or alternatively allowing a "balancing rule" for overproduction as described in the application.
2. Calculations done and spreadsheets used to determine production allowable and over-production with respect to Burnett Oil Company's (and Hudson Oil Company of Texas, if applicable) over-allowable status.
3. Maps or plats showing those spacing units that are calculated to be over-allowable for Burnett and Hudson operated wells.
4. All engineering studies, reports or analyses prepared by Burnett and/or Hudson with respect to the issues in Case Nos. 14613 and 14647 including those that show the existence (or not) of economic waste or harm to the subject reservoirs which have caused or may have been caused by over-allowable production.
5. All engineering studies, reports or analyses regarding protection of correlative rights and drainage of offset operators and properties.

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.

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Case No. 14647

ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM

I, Michael Campbell, Esq., the attorney of record for Burnett Oil Company and Hudson Oil Company of Texas, hereby accept service of the original Subpoena Duces Tecum dated April ____, 2011.

Michael Campbell, Esq.
110 North Guadalupe Street, Suite 6
Santa Fe, New Mexico 87501