

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

**IN THE MATTER OF THE APPLICATION OF  
LYNX PETROLEUM CONSULTANTS, INC.  
FOR PERMIT TO DRILL IN POTASH AREA,  
EDDY 'BD' STATE NO. 2 WELL,  
EDDY COUNTY, NEW MEXICO.**

**Case No. 13762**

**SUBPOENA DUCES TECUM FOR PRODUCTION OF DOCUMENTS**

**TO: Lynx Petroleum Consultants, Inc.  
c/o Charles N. Lakins  
Domenici Law Firm, PC  
320 Gold Avenue SW, Suite 1000  
Albuquerque, NM 87102**

2006 SEP 13 PM 3 02

**YOU ARE HEREBY COMMANDED TO APPEAR as follows:**

**PLACE: New Mexico Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, New Mexico 87505**

**DATE: Thursday, September 21, 2006      TIME: 10:00 a.m.**

**To permit inspection of the following described documents or objects:**

**INSTRUCTIONS**

This Subpoena Duces Tecum seeks all information, not subject to any applicable privilege, 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/CDs, 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.

Please produce the following documents:

1. Isopach (thickness) maps and documents related to the pay horizon, zone or area of the Morrow Formation and every other producing formation and any other oil and gas target zones, including without limitation gross isopach, net isopach, net pay isopach, channel and valley fill maps within the "Nine Section Area," which Intrepid defines as Sections 28, 29, 30, 31, 32, 33, Township 20 South, Range 30 East, and Sections 3, 4, and 5, Township 21 South, Range 30 East, all in Eddy County, New Mexico, and encompassing State Section 32 and each of the surrounding eight sections of land.
2. Structure maps for the Morrow Formation and every other oil and gas producing formation and any other oil and gas target zones within the Nine Section Area, including mapping of marker beds.
3. 2D seismic and/or 3D seismic maps, attribute maps, isochron maps, maps interpreting seismic data, and other documents describing the seismic features within the Nine Section Area, and digital copies of the actual seismic data associated with each map.
4. Any memoranda, correspondence, reports or other documents interpreting the maps and data described in Item Nos. 1 through 3 of this Subpoena.
5. Authorizations For Expenditures (AFE) for every well in the Nine Section Area.
6. Documents providing all information for every well in the Nine Section Area, including without limitation costs to drill, costs to complete, costs to fracture the well, operating costs and costs to treat and deliver hydrocarbons to market.

7. Documents providing cost estimates for the proposed well in State Section 32, including without limitation, cost estimates for conventional drilling, directional drilling, and horizontal drilling.

8. Documents describing what alternative locations you considered to the proposed well in State Section 32, including without limitation documents reflecting your consideration of horizontal or directional well alternatives, efforts to avoid waste of the potash reserves in State Section 32, and documents describing your technical experience and expertise in drilling horizontal and directional wells.

9. Documents describing any and all problems encountered in the drilling and operation of all wells located within the Known Potash Leasing Area, including without limitation information about cementing, casing collapse, blow-outs, and any other problems encountered in completion, drilling, plugging and abandonment of any well.

10. Documents pertaining to any wells in the Nine Section Area that were drilled at a location other than the permitted location or that were mis-surveyed in any fashion.

11. All oil and gas reserve estimates and related reservoir engineering information for the proposed well in State Section 32 and for all wells within the Nine Section Area, including without limitation, internal reserve calculations, reserve calculations shared with regulatory agencies or potential working interest owners, investors or others with any interest in leases within the Nine Section Area, decline curves, pricing scenarios, oil and gas prices and price projections for the Nine Section Area for 2006.

12. Documents identifying all persons or entities with any interest in oil and gas leases within the Nine Section Area and describing the interest held by each person or entity, including working interest owners, royalty and overriding royalty interest owners, farmees, and farmers, and any other interests. Please provide copies of all farmout agreements, leases, division orders, title opinions, operating agreements, and unit or communitization agreements relating to the Nine Section Area. Please include information identifying these persons or entities before and after payout.

13. All documents describing your well drilling program, mud and fracing program, and well designs for any wells located within the Nine Section Area.

14. All correspondence and other documents describing communications with any working interest owners or prospective working interest owners, including without limitation, any sales or promotional materials about the wells and reserves or resources in the Nine Section Area.

15. All correspondence and other documents discussing or regarding safety and other risks of drilling oil and gas wells in the Known Potash Leasing Area, including without limitation the risks of wasting the potash reserves (and rendering those reserves unmineable in proximity to the well bores), and safety risks to underground mining operations associated with oil and gas development activities.

16. Correspondence and other documents describing communications with the State Land Office or the New Mexico Commissioner of Public Lands concerning safety and other risks of drilling oil and gas wells in the Known Potash Leasing Area, including without limitation the risks of wasting the potash reserves (and rendering those reserves unmineable in proximity to the well bores), and safety risks to underground mining operations associated with oil and gas development activities.

17. Correspondence and other documents describing communications with the U.S. Bureau of Land Management or the United States Department of the Interior concerning safety and other risks of drilling oil and gas wells in the Known Potash Leasing Area, including without limitation the risks of wasting the potash reserves (and rendering those reserves unmineable in proximity to the well bores), and safety risks to underground mining operations associated with oil and gas development activities.

18. Correspondence and other documents describing communications with the New Mexico Oil Conservation Division, Oil Conservation Commission, and/or the New Mexico Energy, Minerals and Natural Resources Department concerning safety and other risks of drilling oil and gas wells in the Known Potash Leasing Area, including without limitation the risks of wasting the potash reserves (and rendering those reserves unmineable in proximity to the well bores), and safety risks to underground mining operations associated with oil and gas development activities.

19. All documents describing or derived from any investigation you made concerning the existence of potash reserves in the Nine Section Area, including without limitation, reserve and economic information and correspondence or descriptions of communications with the Bureau of Land Management, the State Land Office or New Mexico Commissioner of Public Lands, or any agency of the New Mexico Energy, Minerals, and Natural Resources Department.

20. Log analyses by formation in the Nine Section Area, including without limitation, downhole geophysical logs, electric logs, gamma logs, and including any annotations on logs and any other log analyses.

21. All documents reflecting that the New Mexico Commissioner of Public Lands or the U.S. Bureau of Land Management approval of Life-of-Mine Reserve ("LMR") designations under OCC Order No. R-111-P, or any other statute, regulation, administrative order, or other decision.

22. Copies of all exhibits to be used by you at hearing in this matter.

23. All data and documents utilized for support of all exhibits and testimony you will present at the hearing.

THIS SUBPOENA issued by or at request of:

Larry P. Ausherman  
Walter E. Stern  
Attorneys for Intrepid Potash-New Mexico, LLC

Modrall, Sperling, Roehl, Harris, & Sisk, P.A.  
Post Office Box 2168  
Albuquerque, New Mexico 87103-2168  
Telephone: (505) 848-1800  
Facsimile: (505) 848-9710  
Email: lpa@modrall.com

*Walter E. Stern* PE  
*Director* AMCOO  
*SE*

James E. Haas  
Counsel for Intervenors Yates Petroleum Corporation  
Losee, Carson & Haas, P.A.  
P.O. Box 1720  
Artesia, NM 88211-1720  
(505) 746-3505

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