

**KEMP, SMITH, DUNCAN & HAMMOND, P.C.**

**Attorneys at Law**

2000 State National Plaza  
El Paso, Texas 79901-1447  
(915) 533-4424  
FAX (915) 546-5360

**FAX COVER SHEET**

**OTHER OFFICES:**

**Albuquerque, New Mexico 87102-2121**  
500 Marquette, N.W., Suite 1200  
(505) 247-2315 - FAX (505) 843-6099

**Midland, Texas 79701-4310**  
400 West Illinois, Suite 1400  
(915) 687-0011 - FAX (915) 687-1735

**Santa Fe, New Mexico 87501-1861**  
300 Paseo de Peralta, Suite 200  
(505) 982-1913 - FAX (505) 988-7563

*To Stewart*

**PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY**

**TO: Name:** William J. LeMay, Director **Date:** March 12, 1992  
**Firm:** State of New Mexico  
Energy, Minerals and Natural Resources Department  
Oil Conservation Division **Time:** 4:24 PM  
**City:** Santa Fe **State:** New Mexico  
**FAX Telephone Number:** 505-827-5741

**FROM: Name:** Charles C. High, Jr. **File No.** 07781.00100

THERE ARE 3 PAGES INCLUDING THIS COVER SHEET. IF YOU HAVE ANY PROBLEMS REGARDING TRANSMISSION OR IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL Jackie Alvarado AT (915) 533-4424.

\_\_\_\_\_  
Signature of Operator

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

*Objection to Subpoena  
P. 1*

BEFORE THE OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION OF )  
YATES PETROLEUM CORPORATION FOR ) CASES NOS. 10446,  
PERMITS TO DRILL, EDDY COUNTY, ) 10447, 10448. 10449  
NEW MEXICO )

OBJECTIONS TO SUBPOENA DUCES TECUM

NEW MEXICO POTASH CORPORATION objects to the subpoena issued by the New Mexico Oil Conservation Division to Bob Lane, New Mexico Potash Corporation, on March 5, 1992, for the following reasons:

1. The subpoena seeks documents and information protected from disclosure by Order R-111-P, Section G, which states:

Information used by the potash lessee in identifying its LMR shall be filed with the BLM and SLO but will be considered privileged and confidential "trade secrets and commercial...information" within the meaning of 43 C.F.R. § 2.13(c)(4) (1986), Section 19-1-2, 1 NMSA 1978, and not subject to public disclosure.

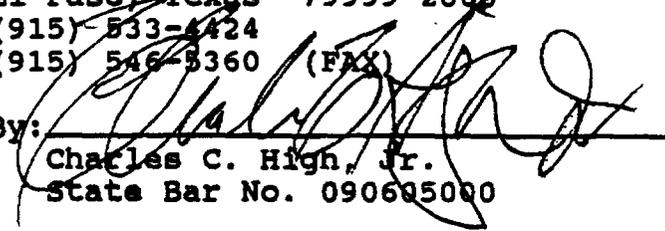
2. The documents and information sought by the subpoena, with the exception of information concerning Section 2 of Township 22 South, Range 31 East, are irrelevant to the issues raised by the applications for permit to drill at issue in these cases.

3. The documents and information sought by the subpoena are unnecessary to the resolution of any issue in these cases because the information sought is on file with the State Land Office even though protected from public disclosure. Therefore, the fact that the proposed well locations are within New Mexico Potash Corporation's LMR and should not be allowed (see Order R-111-P, Section G(e)(3)), can be verified by the SLO as provided in Order R-111-P, Section G(b), without disclosure of the confidential, trade secret information sought by the subpoena.

4. Information concerning Core Hole No. 162, located in Section 2 of Township 22 South, Range 31 East, and within approximately 2600' of all of the proposed well locations, has been provided to counsel for Yates Petroleum Corporation.

Respectfully submitted,

KEMP, SMITH, DUNCAN & HAMMOND, P.C.  
P.O. Drawer 2800  
El Paso, Texas 79999-2800  
(915) 533-4424  
(915) 546-3360 (FAX)

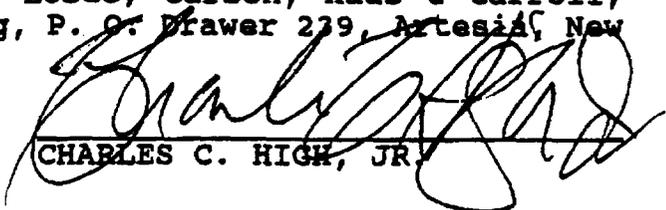
By:   
Charles C. High, Jr.  
State Bar No. 090605000

Charles E. Roybal  
ROYBAL AND ASSOCIATES  
6020 Academy, Suite 201  
Albuquerque, New Mexico 87109-3315  
(505) 857-0377  
(505) 857-9103 (FAX)

Attorneys for New Mexico Potash  
Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Objections to Subpoena Duces Tecum was sent by facsimile and mailed this 13 day of March, 1992 to Losee, Carson, Haas & Carroll, P.A., 300 Yates Petroleum Building, P. O. Drawer 239, Artesia, New Mexico 88211-0239.

  
CHARLES C. HIGH, JR.



State of New Mexico

OFFICE OF THE

Commissioner of Public Lands

Santa Fe

P.O. BOX 1148  
SANTA FE, NEW MEXICO 87504-1148

JIM BACA  
COMMISSIONER

February 10, 1992

New Mexico Potash Corporation  
Attn: Mr. R. H. Lane  
P. O. Box 610  
Hobbs, NM 88240

Dear Mr. Lane:

Acknowledging receipt of your updated LMR map, in compliance with O.C.D. Order R111-P. A study of your map reveals a significant change from your 1991 LMR submittal, being an extension southward to include N. M. Section 2 and continuing rather vaguely southward in Township 22 South, Range 31 East.

During discussions in Santa Fe on January 10, 1992, mention was made that New Mexico Potash does not process langbeinite. It was also pointed out that mineralization in Section 2 is langbeinite.

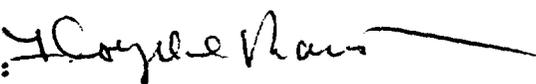
This office has never received any data to justify the outlines of any LMR and certainly has no data to justify extending your LMR into an area where mineralization is of a type which is not utilized in your operations.

This office cannot approve this change in your LMR outline until we are convinced that there are adequate data to justify this addition and that the indefinite southward extension is not arbitrary and capricious. We would also request some evidence that your operation has enough flexibility to process both sylvite and langbeinite ore.

Sincerely

JIM BACA  
COMMISSIONER OF PUBLIC LANDS

BY:

  
FLOYD O. PRANDO, Director  
Oil, Gas and Minerals Division  
(505) 827-5744

JB/FOP/ES/dj



State of New Mexico  
**ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT**  
Santa Fe, New Mexico 87505



**BRUCE KING**  
GOVERNOR

ANITA LOCKWOOD  
CABINET SECRETARY

MATTHEW BACA  
DEPUTY SECRETARY

March 23, 1992

LOSEE, CARSON, HAAS & CARROLL  
Attorneys at Law  
P. O. Drawer 239  
Artesia, New Mexico 88211-0239

RE: CASE NO. ~~10447~~ 10447, 10448, 10449,  
ORDER NO. R-9650, R-9651, R-9654, R-9655

Dear Sir:

Enclosed herewith are two copies of each of the above-referenced Division orders recently entered in the subject cases.

Sincerely,

*Florene Davidson*  
*by sl*

Florene Davidson  
OC Staff Specialist

FD/sl

cc: BLM Carlsbad Office  
Jerry Losee  
Charles High  
James Bruce  
Tom Kellahin

VILLAGRA BUILDING - 408 Galisteo  
Forestry and Resources Conservation Division  
P.O. Box 1948 87504-1948  
827-5830  
Park and Recreation Division  
P.O. Box 1147 87504-1147  
827-7465

2040 South Pacheco  
Office of the Secretary  
827-5950  
Administrative Services  
827-5925

LAND OFFICE BUILDING - 310 Old Santa Fe Trail  
Oil Conservation Division  
P.O. Box 2088 87504-2088  
827-5800

Energy Conservation & Management  
827-5900  
Mining and Minerals  
827-5970

LAW OFFICES

LOSEE, CARSON, HAAS & CARROLL, P. A.

300 YATES PETROLEUM BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88211-0239

OIL CONSERVATION DIVISION  
RECEIVED

1992 FEB 17 11 08 39  
TELEPHONE  
(505) 746-3500  
TELECOPY  
(505) 746-6316

ERNEST L. CARROLL  
JOEL M. CARSON  
JAMES E. HAAS  
A. J. LOSEE  
DEAN B. CROSS  
MARY LYNN BOGLE

February 10, 1992

Mr. Michael Stogner, Examiner  
Oil Conservation Division  
P. O. Box 2088  
Santa Fe, NM 87501

Re: Applications of Yates Petroleum Corporation  
for Permits to Drill, Eddy County, New Mexico

Dear Mike:

Pursuant to our conversation of this morning, I am writing to confirm my request that the hearings on Cases numbered 10446, 10447, 10448, and 10449 set for February 20, 1992, be re-scheduled. You have agreed that these cases will now be heard on March 19, 1992.

If the above does not correctly reflect the Division's docket, please advise. I am providing notice to the interested parties of this change in scheduling today.

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.

  
Ernest L. Carroll

ELC:kth

xc: Randy Patterson

OIL CONSERVATION DIVISION  
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LAW OFFICES

LOSEE, CARSON, HAAS & CARROLL, P. A.

ERNEST L. CARROLL  
JOEL M. CARSON  
JAMES E. HAAS  
A. J. LOSEE

DEAN B. CROSS  
MARY LYNN BOGLE

300 YATES PETROLEUM BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88211-0239

TELEPHONE  
(505) 746-3505  
TELECOPY  
(505) 746-6316

March 12, 1992

**VIA FACSIMILE AND FIRST CLASS MAIL**

Mr. William J. LeMay, Director  
New Mexico Oil Conservation Division  
P. O. Box 2088  
Santa Fe, New Mexico 87501

Re: Applications of Yates Petroleum  
Corporation for Permits to Drill,  
Eddy County, New Mexico, Case Nos.  
10446, 10447, 10448 and 10449

Dear Mr. LeMay:

Enclosed for filing, please find three copies of Yates  
Petroleum's Consolidated Pre-hearing Statement in the above-  
referenced Applications.

Yours truly,

LOSEE, CARSON, HAAS & CARROLL, P.A.



Ernest L. Carroll

ELC:bjk  
Enclosures

cc w/encl: Mr. Randy Patterson  
Mr. Charles C. High, Jr.



OPPOSITION OR OTHER PARTY

It is anticipated that New Mexico Potash Corporation will appear and protest the application. We are presently unaware of any other parties who will appear or protest.

**PROPOSED EVIDENCE**

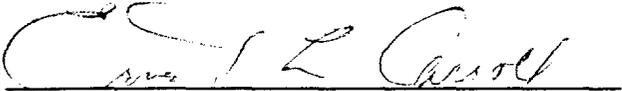
APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Rob Bullock, Landman	15 mins.	6
Brent May, Geologist	15 - 20 mins.	5
Dave Boneau, Engineer	15 - 20 mins.	5
George Warnock, Mining Engineer	30 - 45 mins.	5
Randy Patterson, Landman	15 mins.	2
Larry Brooks, Geologist	15 mins.	2

OPPOSITION

Unknown.

LOSEE, CARSON, HAAS & CARROLL, P.A.

By: 

Ernest L. Carroll  
P. O. Drawer 239  
Artesia, New Mexico 88210  
(505/746-3505)

Attorneys for Yates Petroleum  
Corporation

**BEFORE THE OIL CONSERVATION DIVISION  
OF THE STATE OF NEW MEXICO**

IN THE MATTER OF THE APPLICATIONS OF :  
YATES PETROLEUM CORPORATION FOR : CASE NOS. 10446, 10447  
PERMITS TO DRILL, EDDY COUNTY, : 10448, 10449  
NEW MEXICO :  
:

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**CONSOLIDATED  
PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Yates Petroleum Corporation, as required by the Oil Conservation Division. The issues in Case Nos. 10446, 10447, 10448 and 10449 are the same and Yates Petroleum Corporation will move to consolidate the hearings on its applications, and therefore files this Consolidated Pre-hearing Statement.

**APPEARANCES OF PARTIES**

**APPLICANT**

Yates Petroleum Corporation

**ATTORNEY**

Ernest L. Carroll  
Losee, Carson, Haas  
& Carroll, P. A.  
P. O. Drawer 239  
Artesia, New Mexico 88210  
(505)746-3505

**OPPOSITION OR OTHER PARTY**

New Mexico Potash Corporation

**ATTORNEY**

Charles C. High, Jr.  
Kemp, Smith, Duncan & Hammond  
2000 State National Plaza  
El Paso, Texas 79901  
(915)533-4424

**STATEMENT OF CASE**

**APPLICANT**

Applicant is the operator of the Delaware and intermediate formations underlying Section 2 of Township 22 South, Range 31 East, N.M.P.M., and seeks to test the Delaware and intermediate formations by drilling the following proposed wells at the following locations:

Graham "AKB" State No. 3	660' FNL, 1,650' FEL
Graham "AKB" State No. 4	1,980' FNL, 1,650' FEL
Flora "AKF" State No. 1	660' FSL, 2,310' FWL
Flora "AKF" State No. 2	1,980' FSL, 2,310' FWL

to a depth of 8500 feet. The potash lessee underlying this same acreage objects to the drilling of said wells.

OPPOSITION OR OTHER PARTY

It is anticipated that New Mexico Potash Corporation will appear and protest the application. We are presently unaware of any other parties who will appear or protest.

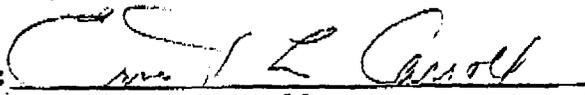
PROPOSED EVIDENCEAPPLICANT

<u>WITNESSES</u> (Name and expertise)	<u>EST. TIME</u>	<u>EXHIBITS</u>
Rob Bullock, Landman	15 mins.	6
Brent May, Geologist	15 - 20 mins.	5
Dave Boneau, Engineer	15 - 20 mins.	5
George Warnock, Mining Engineer	30 - 45 mins.	5
Randy Patterson, Landman	15 mins.	2
Larry Brooks, Geologist	15 mins.	2

OPPOSITION

Unknown.

LOSEE, CARSON, HAAS & CARROLL, P.A.

By: 

Ernest L. Carroll  
P. O. Drawer 239  
Artesia, New Mexico 88210  
(505/746-3505)

Attorneys for Yates Petroleum  
Corporation

# Kemp, Smith, Duncan & Hammond, P.C.

ATTORNEYS AT LAW

## EL PASO\*

TAD R. SMITH  
JOSEPH P. HAMMOND  
JAMES F. GARNER  
LEIGHTON GREEN, JR.  
RAYMOND H. MARSHALL  
ROBERT B. ZABOROSKI†  
W. ROYAL FURGESON, JR.  
CHRIS A. PAUL  
CHARLES C. HIGH, JR.  
JIM CURTIS  
DANE GEORGE  
LARRY C. WOOD  
MICHAEL D. MCQUEEN  
JOHN J. SCANLON, JR.  
TAFFY D. BAGLEY  
LUIS CHAVEZ  
DAVID S. JEANS  
DARRELL R. WINDHAM  
ROGER D. AKSAMIT  
CHARLES A. BECKHAM, JR.  
MARGARET A. CHRISTIAN  
MARK E. MENDEL  
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NANCY C. SANTANA

MITZI G. TURNER  
CHRISTOPHER J. POWERS†  
ALLAN GOLDFARB  
RAYMOND E. WHITE  
SUSAN F. AUSTIN  
RUBEN S. ROBLES  
PAUL M. BRACKEN\*\*  
KEN COFFMAN†  
DONNA CHRISTOPHERSON  
ELIZABETH J. VANN  
TERRY BASSHAM†  
DAVID M. HUGHES  
WILLIAM J. DERRICK  
MARK N. OSBORN  
TIMOTHY AUSTIN  
JOHN R. BOOMER  
CYNTHIA S. ANDERSON†  
GREGORY G. JOHNSON  
KARL O. WYLER, III†  
RAUL STEVEN PASTRANA  
MARCELLENE J. MALOUF  
KAY C. JENKINS†  
JAMES W. BREWER†  
KATHRYN A. HALSELL†

BURTON I. COHEN  
SUSAN K. PINE†  
PAUL A. BRADEN  
ANGELA D. MORROW†  
JEFFERY V. STRAHAN  
KEVIN E. SHANNON  
ERNESTO RODRIGUEZ  
LAUREN K. S. MURDOCH  
GARY SANDERS  
JOHN R. JONES  
CLARA B. BURNS  
JOHN L. WILLIAMS  
KEVIN P. O'SHEA

## MIDLAND\*

J. RANDY TURNER†  
JOHN A. DAVIS, JR.  
FRANK N. CREMER†  
JAMES R. FULLER††  
ROD J. MACDONALD†  
PATRICK S. GERALD

## ALBUQUERQUE†

JOHN P. EASTHAM  
THOMAS SMIDT III†  
ROBERT A. JOHNSON  
DONALD B. MONNHEIMER  
CHARLES L. SAUNDERS, JR.†††  
ROBERT D. TAICHERT\*\*  
STEVEN P. BAILEY\*\*\*  
BRUCE E. CASTLE\*  
JAMES L. RASMUSSEN  
STEPHEN R. NELSON  
A. DREW HOFFMAN\*  
CELIA F. RANKIN  
CHARLOTTE LAMONT  
CLINTON W. MARRS  
VICKIE L. AUDETTE  
ALAN HALL

## SANTA FE†

JOE L. McCLAUGHERTY\*\*\*  
CAMERON PETERS\*\*\*\*  
BILL PANAGAKOS

## EL PASO, TEXAS 79901-1441

2000 MBANK PLAZA  
P. O. DRAWER 2800, 79999-2800  
(915) 533-4424 FAX: (915) 548-5360  
TELEX: 5106016999 KEMP UO

## ALBUQUERQUE, NEW MEXICO 87102-2121

500 MARQUETTE, N.W., SUITE 1200  
P. O. BOX 1276, 87103-1276  
(505) 247-2315 FAX: (505) 843-6099

## MIDLAND, TEXAS 79701-4310

400 WEST ILLINOIS, SUITE 1400  
P. O. BOX 2796, 79702-2796  
(915) 687-0011 FAX: (915) 687-1735

## SANTA FE, NEW MEXICO 87501-1861

300 PASEO DE PERALTA, SUITE 200  
P. O. BOX 8680, 87504-8680  
(505) 982-1913 FAX: (505) 988-7563

OF COUNSEL WILLIAM B. DUNCAN

\*MEMBERS TEXAS BAR  
†MEMBERS NEW MEXICO BAR  
\*\*MEMBERS ARIZONA BAR  
\*\*\*MEMBERS TEXAS AND COLORADO BARS  
\*\*\*\*MEMBERS COLORADO BAR  
††MEMBERS DISTRICT OF COLUMBIA BAR  
†††MEMBERS NEW MEXICO AND OKLAHOMA BARS  
††††MEMBERS DISTRICT OF COLUMBIA AND COLORADO BARS

May 7, 1992

**RECEIVED**

MAY 07 1992

OIL CONSERVATION DIV.  
SANTA FE

## VIA HAND DELIVERY

Mr. William J. LeMay  
Chairman  
Oil Conservation Commission  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87501

Re: OCC Cases Nos. 10446, 10447, 10448, and 10449

Dear Mr. LeMay:

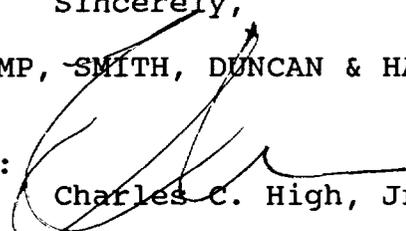
On behalf of New Mexico Potash Corporation, I am requesting that the OCC issue the enclosed subpoenas to Yates Petroleum Corporation and Mr. Tony Harrell.

The documents requested and the attendance of this witness are necessary for us to properly prepare for the hearing scheduled in the above-captioned matter for May 21, 1992.

Sincerely,

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

By:

  
Charles C. High, Jr.

CCH/ja  
Enclosure

cc: Walt Case  
Bob Lane  
Clinton Marrs

07781 00100/E143399/1

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BEFORE THE OIL CONSERVATION DIVISION  
STATE OF NEW MEXICO

MAY 07 1992

OIL CONSERVATION DIV.  
SANTA FE

IN THE MATTER OF

APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AUTHORIZATION TO  
DRILL, EDDY COUNTY, NEW MEXICO

CASES NO. 10446, 10447,  
10448, 10449  
ORDERS NO. R-9650, 9651,  
9654, AND 9655

SUBPOENA DUCES TECUM

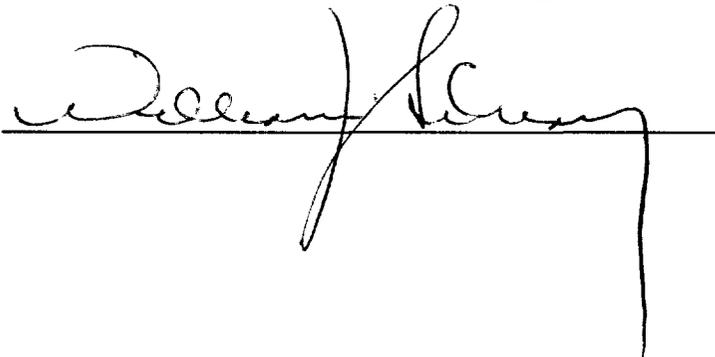
TO: John Yates  
President  
Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210

Pursuant to Section 70-2-8, NMSA (1978) and Rule 1211 of the New Mexico Oil Conservation Commission's Rules of Procedure, you are hereby **ORDERED** to appear at the offices of Kemp, Smith, Duncan & Hammond, P.C., 500 Marquette, N. W., Suite 1200, Albuquerque, New Mexico 87102-2121, on the 19th day of May, 1992, at 10 a.m. and produce the documents and items specified in the attached Exhibit A.

This subpoena is issued on application of New Mexico Potash Corporation through its attorneys, Kemp, Smith, Duncan & Hammond, 500 Marquette, Suite 1200, Albuquerque, New Mexico 87102-2121.

Dated this 7th day of May, 1992.

NEW MEXICO OIL CONSERVATION COMMISSION

BY: 

## EXHIBIT A

The term "document" as used herein means every writing and record of every type and description in the possession, custody or control of Yates Petroleum Corporation, 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, 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, agendas, 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 notes 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.

1. Produce all documents served upon New Mexico Potash Corporation concerning the wells involved in Cases Nos. 10446, 10447, 10448, and 10449.

2. Produce all documents showing the dates the documents produced in response to Request No. 1 were received by New Mexico Potash Corporation.

3. Produce all documents discussing or evaluating the feasibility of directionally drilling the wells involved in Cases Nos. 10446, 10447, 10448, and 10449.

4. Produce all documents concerning the economics of each of the wells involved in Cases Nos. 10446, 10447, 10448, and 10449, including:

- a. drilling costs (straight hole) and completion costs of well with depth
- b. production/time projection (STB)
- c. amounts and value of oil and/or gas to be recovered
- d. geologic, mechanical, and monetary risks placed on drilling

5. Produce all drilling contracts entered into by Yates Petroleum Corporation for each well involved in Cases Nos. 10446, 10447, 10448, and 10449.

6. Produce all documents concerning any blowouts, casing failure, or unplanned releases of gas or oil that occurred during drilling or production of any well during the years 1977 to date.

7. Produce all documents concerning the presence of or encounters with hydrogen sulfide gas in Eddy and Lea Counties, New Mexico during the period from 1977 to date.

8. Produce all documents showing, evidencing, noting, or otherwise discussing the position of New Mexico Potash Corporation concerning approval or objection to the drilling of any of the wells involved in Cases Nos. 10446, 10447, 10448, and 10449.

9. Produce all documents showing, evidencing, noting, or otherwise discussing the position of New Mexico Potash Corporation concerning approval or objection to the drilling of any of well in Section 2, Township 22 South, Range 31 East.

10. Produce all documents concerning violations of applicable occupational safety and health standards by Yates Petroleum Corporation or by persons drilling wells under contract with Yates for the years 1982 to present.

LAW OFFICES

LOSEE, CARSON, HAAS & CARROLL, P. A.

OIL CONSERVATION DIVISION

RECEIVED

ERNEST L. CARROLL  
JOEL M. CARSON  
JAMES E. HAAS  
A. J. LOSEE

300 YATES PETROLEUM BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88211-0239

'92 MAY 8 AM 9 08  
TELEPHONE (505) 746-3608  
TELECOPY (505) 746-6316

DEAN B. CROSS  
MARY LYNN BOGLE\*

\*LICENSED IN ARIZONA ONLY

May 4, 1992

Mr. William J. LeMay, Director  
New Mexico Oil Conservation Division  
P. O. Box 2088  
Santa Fe, New Mexico 87501

Re: Applications of Yates Petroleum Corporation  
for Permits to Drill, Eddy County, New  
Mexico/OCD Case Nos. 10446/Order R-9650,  
10447/Order R-9651, 10448/Order R-9654,  
10449/Order R-9655 and Application of Yates  
Petroleum Corporation to Amend Order R-111-P,  
As Amended Pertaining to the Potash Areas of  
Eddy and Lea Counties, New Mexico

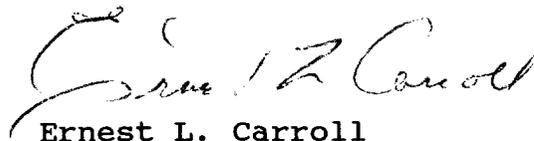
Dear Mr. LeMay:

Enclosed please find an original plus three copies of a Subpoena  
Duces Tecum that we ask be issued in conjunction with Yates  
Petroleum Corporation's Applications as captioned above.

Your assistance in expeditiously issuing these would be most  
appreciated.

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.

  
Ernest L. Carroll

ELC:kth  
Enclosures

BEFORE THE OIL CONSERVATION DIVISION  
STATE OF NEW MEXICO

RECEIVED

MAY 10 1992

IN THE MATTER OF

APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AUTHORIZATION TO  
DRILL, EDDY COUNTY, NEW MEXICO

OIL CONSERVATION DIVISION

CASES NO. 10446, 10447,  
10448, 10449  
ORDERS NO. R-9650, 9651,  
9654, and 9655

ACCEPTANCE OF SERVICE

COMES NOW Ernest L. Carroll, Losee, Carson, Haas &  
Carroll, P.A., and accepts service of New Mexico Potash  
Corporation's Subpoena Duces Tecum on behalf of Yates Petroleum  
Corporation, issued May 7, 1992, this 12 day of May, 1992.

LOSEE, CARSON, HAAS & CARROLL, P.A.

By:



Ernest L. Carroll  
P. O. Box 239  
Artesia, New Mexico 88210  
(505) 746-3508

Attorneys for Yates Petroleum  
Corporation

BEFORE THE OIL CONSERVATION DIVISION  
STATE OF NEW MEXICO

RECEIVED

MAY 20 1992

IN THE MATTER OF

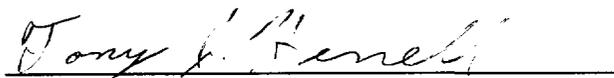
APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AUTHORIZATION TO  
DRILL, EDDY COUNTY, NEW MEXICO

OIL CONSERVATION DIVISION

CASES NO. 10446, 10447,  
10448, 10449  
ORDERS NO. R-9650, 9651,  
9654, and 9655

ACCEPTANCE OF SERVICE

COMES NOW Tony Herrell, Bureau of Land Management,  
Carlsbad Area Office, Carlsbad, NM and accepts service of New  
Mexico Potash Corporation's Subpoena Duces Tecum, issued May 7,  
1992, this 11 day of May, 1992.

  
\_\_\_\_\_  
TONY HERRELL

*Complete*

OIL CONSERVATION DIVISION  
REC-55  
'93 MAR 9 AM 9 58

# Kemp, Smith, Duncan & Hammond, P.C.

ATTORNEYS AT LAW

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HECTOR DELGADO

OF COUNSEL: CHARLES L. SAUNDERS, JR.††††

\* MEMBERS TEXAS BAR  
† MEMBERS NEW MEXICO BAR  
\* MEMBERS FLORIDA AND MICHIGAN BARS

\*\* MEMBERS ARIZONA BAR  
†† MEMBERS DISTRICT OF COLUMBIA BAR

\*\*\* MEMBERS CALIFORNIA BAR  
††† MEMBERS NEW MEXICO AND OKLAHOMA BARS

\*\*\*\* MEMBERS NEW MEXICO AND COLORADO BARS  
†††† MEMBERS DISTRICT OF COLUMBIA AND COLORADO BARS

February 25, 1993

Mr. Robert G. Stovall  
State of New Mexico Energy  
Minerals and Natural Resources Dept.  
Oil Conservation Commission  
State Land Office Building  
P. O. Box 2088  
Santa Fe, New Mexico 87504

Re: Application of Yates Petroleum Corporation, Cases Nos. 10446, 10447, 10448 and 10449

Dear Mr. Stovall:

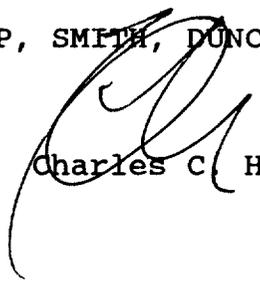
This will confirm the agreement of the parties and the approval of the Oil Conservation Commission that post hearing submissions in the above-captioned matters are to be postmarked no later than midnight, March 12, 1993.

Your cooperation is appreciated.

Best regards.

Sincerely,

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

By:  Charles C. High, Jr.

CCH/ja  
Mr. Ernest L. Carroll