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

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION
FOR THE PURPOSE OF CONSIDERING;

CASES NOS. 10446, 10447,
10448, 10449
Order No. R-9679-A

APPLICATION OF YATES PETROLEUM
CORPORATION FOR A PERMIT TO DRILL,
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing on motions to quash sub poenas duces tecum at 9:00 a.m. on July 16, 1992, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 16th day of July, 1992, the Commission, a quorum being present, having considered the arguments of counsel,

FINDS THAT:

(1) Due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) These cases have been consolidated for purpose of hearing.

(3) Yates Petroleum Corporation has requested and the Commission has issued the following sub poena duces tecum:

(a) dated May 6, 1992, directed to Leslie Cone, District Manager, Bureau of Land Management.

(4) The Bureau of Land Management filed a motion to quash said sub poena duces tecum on June 30, 1992.

(5) Said motion sets forth valid reasons to quash and no party has responded to said motion.

(6) Upon review the Commission agreed that the motion to quash should be granted.

IT IS THEREFORE ORDERED THAT:

(1) The motion of the Bureau of Land Management to quash the <u>sub poena duces tecum</u>, identified in Finding No. (3) herein, issued by the Commission at the request of Yates Petroleum Corporation is hereby <u>granted</u>.

(2) Jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

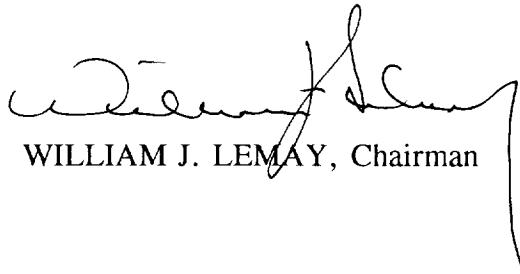DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

GARY CARLSON, Member

WILLIAM W. WEISS, Member

WILLIAM J. LEMAY, Chairman

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