



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary

March 18, 2004

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Re: NMOCC Case 13085, Application of EGL Resources for Pool Expansion
NMOCC Case 13048, Application of Devon Energy Production Company
NMOCC Case 13049, Application of EGL Resources, Inc.
(all de novo)


Gentlemen:

The three cases identified above have been consolidated and set for hearing on April 8, 2004. A subpoena was issued on March 2, 2004 at the request of EGL Resources, Inc. and Robert Landreth. Devon Energy Production Company, L.P. and Southwestern Energy Production Company filed Joint Objections to the subpoena on March 11, 2004.

A meeting was held with counsel for the parties on March 12, 2004. At that meeting the parties reached agreement on all issues except those related to the production of documents including analytical material interpreting drill stem tests. The parties were given an opportunity to make additional submittals on the legal issues raised in the objections. Submittals were received from James Bruce and Scott Hall.

The submittals have been reviewed and considered and I find that the production of raw data associated with drill stem tests will be produced and that, therefore, the interpretative or analytical information does not have to be produced in this matter. The objecting parties, however, cannot introduce this material at the hearing or present testimony based on the analysis of drill stem testing that is not produced.

Sincerely,


Carol Leach
Acting Division Director