

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

APPLICATIONS OF BURNETT OIL CO, INC. FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

Case Nos. 14673 & 14674

SUBPOENA DUCES TECUM

TO: Burnett Oil Co., Inc. and Hudson Oil Company of Texas
c/o James Bruce, Esq.
PO Box 1056
Santa Fe, NM 87504

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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., August 22, 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 10th day of August, 2011.

NEW MEXICO OIL CONSERVATION DIVISION

BY:



EXHIBIT A
TO SUBPOENA DUCES TECUM
TO BURNETT OIL COMPANY AND HUDSON OIL COMPANY OF TEXAS
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE NOS. 14673 & 14674

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 Nos. 14673 & 14674.

PRODUCE THE FOLLOWING DOCUMENTS:

1. All materials, exhibits and documents to be presented or submitted to the Division by Burnett Oil Company and Hudson Oil Company of Texas ("Burnett/Hudson") in support of its applications in Case Nos. 14673 & 14674.
2. Copies of all Applications for Permit to Drill ("APDs") submitted to the Bureau of Land Management ("BLM"), including copies of approved APDs, if any for any wells to be drilled to the Glorieta-Yeso formation located in Sections 12, 13 and 24, Township 17 South, Range 31 East ("Puckett leases").
3. Copies of any plats for any locations that have been "on-site" inspected and approved by the BLM.
4. All documents, communications (including letters and e-mails) and other materials between Burnett/Hudson and the BLM regarding Burnett's efforts to obtain approval of the Taylor Draw Unit.
5. Any communications between Burnett/Hudson and any working interest owners regarding the Taylor Draw Unit.
6. Any plan(s) of development for the Taylor Draw Unit and/or overall management plans for the Leases should the Unit not be approved.
7. Information on reasons for forming the Taylor Draw Unit.
8. Detailed well bore schematics, outlining the complete casing program plus all anticipated production equipment (i.e., tubing, rods, pumps, ESPs, packers, valves, etc.) for any well proposed to be drilled by Burnett/Hudson located on the Leases.
9. Names of vendors, together with a list of equipment, to be used to stimulate any well proposed to be drilled by Burnett/Hudson, together with costs of services (equipment and service personnel), running procedures, and time required to prepare the hole and run the tools.
10. A detailed drilling prognosis, including estimated number of days and costs from spud to total depth.

11. A detailed completion procedure, including frac design, frac pressure, frac gradient, pump rate, types and volumes of fluids, type of sand, sand volume, chemical additives, production rate, production string design, flow back rates, costs and exact perforation depths for any well proposed to be drilled by Burnett/Hudsons located on the Leases.

12. A comparison of the cost of a vertical well on the Leases, from drilling through completion, to the cost of a horizontal well on the Leases (targeting similar parts of the Yeso formation), from drilling through completion, from the same well pad.

13. Information on the volumes of all fluids which you estimate or calculate will be produced from any well proposed to be drilled by Burnett/Hudson which are the subject of these cases.

14. Information of salt water disposal capacity and plans which you have to dispose of produced water from the wells which are the subject of these cases.

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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ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM

I, James Bruce, Esq., the attorney of record for Burnett Oil Company, hereby accept service of the original Subpoena Duces Tecum dated August __, 2011.

James Bruce, Esq.
PO Box 1056
Santa Fe, New Mexico 87504