

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

RECEIVED OCD

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

2011 AUG 23 P 11: 51
Case No. 14673 and 14674

RESPONSE TO COG OPERATING LLC'S SUBPOENA DUCES TECUM

To: COG Operating LLC
c/o Ocean Munds-Dry
Holland & Hart LLP
P.O. Box 2208
Santa Fe, New Mexico 87504

Burnett Oil Co., Inc. and Hudson Oil Company of Texas (collectively, "Burnett") submit this response to the Subpoena *Duces Tecum* issued by the Division to COG Operating LLC ("COG") on August 10, 2011:

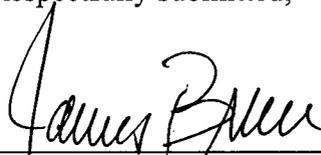
General Objection: Burnett objects to turning over any attorney-client, work product, investigatory, or confidential/proprietary information.

Request No. 1: Burnett objects to the production of hearing exhibits as privileged, but the parties have agreed to exchange hearing exhibits on August 24, 2011, and Burnett will produce its exhibits pursuant to that agreement.

Request Nos. 2, 3, and 8-14: The requested documents will be delivered by Burnett to counsel for COG.

Request Nos. 4-7: Burnett objects to the requests, which have to do with a federal unit that has not been finally approved. Without waiving the objection, the requested documents will be delivered by Burnett to counsel for COG.

Respectfully submitted,



James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

Attorney for Burnett Oil Co., Inc. and
Hudson Oil Company of Texas

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 22nd day of August, 2011 by facsimile transmission and United States Mail:

Ocean Munds-Dry
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P.O. Box 2208
Santa Fe, New Mexico 87504
fax: (505) 982-6043



James Bruce