

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

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IN THE MATTER OF THE HEARING CALLED BY THE  
OIL CONSERVATION DIVISION FOR THE PURPOSE  
OF CONSIDERING:

APPLICATION OF OXY USA, INC. TO REOPEN CASE NO. 8352 TO CONTRACT THE WEST BRAVO DOME CARBON DIOXIDE GAS AREA TO EXCLUDE ACREAGE IN THE BRAVO DOME CARBON DIOXIDE GAS UNIT AND ADOPTION OF PERMANENT SPECIAL POOL RULES AND REGULATIONS FOR THE ACREAGE EXCLUDED FROM THE WEST BRAVO DOME CARBON DIOXIDE GAS AREA INCLUDING PROVISIONS FOR 160-ACRE SPACING UNITS, HARDING COUNTY, NEW MEXICO.

CASE NO. 8352 (REOPENED)

SUBPOENA DUCES TECUM

TO: Reliant Exploration and Production LLC  
c/o Earl E. DeBrine, Esq.  
Modrall, Sperling, Roehl, Harris & Sisk, PA  
Post office Box 2168  
Albuquerque, New Mexico 87103-2168

Pursuant to Section 70-2-8, NMSA (1978) and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m., November 18, 2010, 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 OXY USA Inc., and their attorney, William F. Carr of Holland & Hart, LLP, for copying, all of said documents.

This subpoena is issued on application of OXY USA, Inc., through their attorneys, Holland & Hart LLP, Post Office Box 2208, Santa Fe, New Mexico 87504.

Dated this \_\_\_\_ day of November, 2010.

NEW MEXICO OIL CONSERVATION DIVISION

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**EXHIBIT A**  
**TO SUBPOENA DUCES TECUM**  
**TO RELIANT EXPLORATION AND PRODUCTION LLC**  
**IN NEW MEXICO OIL CONSERVATION DIVISION**  
**CASE 8352 (Reopened)**

**PURPOSE:** The purpose of this subpoena is to provide all of the information necessary for OXY USA Inc. to be able to prepare its case for New Mexico Oil Conservation Division Case 8352 (Reopened).

**PRODUCE THE FOLLOWING DOCUMENTS:**

1. All documents, data, plats, cross sections, maps or any other exhibits, things or evidence that you expect will be or may be offered, relied on or displayed at the Division hearing in opposition to the Subject Application
2. Provide copies of slides, graphics, handouts, displays, narratives, pamphlets and all other materials, whether in computer, electronic, paper or other form which have been prepared for internal or external forums, seminars or other presentations comparing the benefits and costs of drilling wells on 160 acre spacing units in the Bravo Dome Temporary Spacing Area.
3. Any study or analysis of reservoir pressures in the Bravo Dome Temporary Spacing Area.
4. All documents which relate to any study or analysis of optimal well spacing for ensuring the greatest ultimate recovery of carbon dioxide produced from wells drilled in the Bravo Dome Temporary Spacing Area.

**Hearing Exhibits:**

1. Copies of all land exhibits and ownership data and exhibits to be used by you that you propose to use at the hearing in this case;
2. Copies of any geologic data and exhibits including geologic maps, structure maps, isopach maps, cross-sections, and/or logs to be used by you at the hearing in this case;
3. Copies of any and all geophysical data/studies and exhibits to be used by you at the hearing in this case; and
4. Copies of any and all petroleum engineering data/studies and exhibits to be used by you at the hearing in this case.
5. If not already included above, all data and documents utilized by you for support of all exhibits you will present at hearing and all new exhibits that were not offered at the examiner hearing in this case or exhibits that have been revised or amended.

## 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.

References to the Oil Conservation Division and to the New Mexico State Land Office means any employee or officer of the agency whether located in Santa Fe, Artesia or other location in New Mexico. References to the Oil Conservation Division also includes the Oil Conservation Commission and its members, and employees.

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

**APPLICATION OF OXY USA, INC. TO REOPEN CASE NO. 8352 TO CONTRACT THE WEST BRAVO DOME CARBON DIOXIDE GAS AREA TO EXCLUDE ACREAGE IN THE BRAVO DOME CARBON DIOXIDE GAS UNIT AND ADOPTION OF PERMANENT SPECIAL POOL RULES AND REGULATIONS FOR THE ACREAGE EXCLUDED FROM THE WEST BRAVO DOME CARBON DIOXIDE GAS AREA INCLUDING PROVISIONS FOR 160-ACRE SPACING UNITS, HARDING COUNTY, NEW MEXICO.**

**CASE NO. 8352 (REOPENED)**

**ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM**

I, Earl E. DeBrine, Jr., the attorney of record Reliant Exploration and Production LLC hereby accept service of the original Subpoena Duces Tecum issued to OXY USA, Inc. in this case on November 8, 2010, on this \_\_\_\_ day of November, 2010.

\_\_\_\_\_  
Earl E. DeBrine, Jr.  
Attorney for Reliant Exploration and Production LLC

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CASE NO. 8352 (REOPENED)

SUBPOENA DUCES TECUM

TO: T. E. Mitchell & Son, Inc.  
c/o Frank M. Bond, Esq.  
The Simons Firm, LLP  
Post Office Box 5333  
Santa Fe, New Mexico 87502-5333

Pursuant to Section 70-2-8, NMSA (1978) and Rule 1211 of the New Mexico Oil Conservation Division's Rules of Procedure, you are hereby ORDERED to appear at 9:00 a.m., November 18, 2010, 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 OXY USA Inc., and their attorney, William F. Carr of Holland & Hart, LLP, for copying, all of said documents.

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Dated this \_\_\_\_ day of November, 2010.

NEW MEXICO OIL CONSERVATION DIVISION

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

## **EXHIBIT A**

### **TO SUBPOENA DUCES TECUM TO T. E. MITCHELL & SON, INC. IN NEW MEXICO OIL CONSERVATION DIVISION CASE 8352 (Reopened)**

**PURPOSE:** The purpose of this subpoena is to provide all of the information necessary for OXY USA Inc. to be able to prepare its case for New Mexico Oil Conservation Division Case 8352 (Reopened).

#### **PRODUCE THE FOLLOWING DOCUMENTS:**

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3. Any study or analysis of reservoir pressures in the Bravo Dome Temporary Spacing Area.
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3. Copies of any and all geophysical data/studies and exhibits to be used by you at the hearing in this case; and
4. Copies of any and all petroleum engineering data/studies and exhibits to be used by you at the hearing in this case.
5. If not already included above, all data and documents utilized by you for support of all exhibits you will present at hearing and all new exhibits that were not offered at the examiner hearing in this case or exhibits that have been revised or amended.

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**CASE NO. 8352 (REOPENED)**

**ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM**

I, Frank M. Bond, Esq., the attorney of record for T. E. Mitchell & Son, Inc. hereby accept service of the original Subpoena Duces Tecum issued to OXY USA, Inc. in this case on November 8, 2010, on this \_\_\_\_ day of November, 2010.

\_\_\_\_\_  
Frank M. Bond  
Attorney for T. E. Mitchell & Son, Inc.



STATE OF NEW MEXICO  
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DOME CARBON DIOXIDE GAS UNIT AND ADOPTION OF PERMANENT SPECIAL POOL  
RULES AND REGULATIONS FOR THE ACREAGE EXCLUDED FROM THE WEST BRAVO  
DOME CARBON DIOXIDE GAS AREA INCLUDING PROVISIONS FOR 160-ACRE SPACING  
UNITS, HARDING COUNTY, NEW MEXICO.

CASE NO. 8352 (REOPENED)

SUBPOENA DUCES TECUM

TO: Russell Heimann, McLeod Farms, Inc.  
and Libby Minerals LLC  
c/o J. E. Gallegos  
Gallegos Law Firm, P. C.  
460 St. Michael's Drive, No. 300  
Santa Fe, New Mexico 87505-7687

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Hart LLP, Post Office Box 2208, Santa Fe, New Mexico 87504.

Dated this \_\_\_\_ day of November, 2010.

NEW MEXICO OIL CONSERVATION DIVISION

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

## **EXHIBIT A.**

### **TO SUBPOENA DUCES TECUM TO RUSSELL HEIMANN, MCLEOD FARMS, INC. AND LIBBY MINERALS LLC IN NEW MEXICO OIL CONSERVATION DIVISION CASE 8352 (Reopened)**

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4. Copies of any and all petroleum engineering data/studies and exhibits to be used by you at the hearing in this case.
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**CASE NO. 8352 (REOPENED)**

**ACCEPTANCE OF SERVICE OF SUBPOENA DUCES TECUM**

I, J. E. Gallegos, Esq., the attorney of record for Russell Heimann, McLeod Farms, Inc. and Libby Minerals LLC hereby accept service of the original Subpoena Duces Tecum issued to OXY USA, Inc. in this case on November 8, 2010, on this \_\_\_\_ day of November, 2010.

\_\_\_\_\_  
J. E. Gallegos,  
Attorney for Russell Heimann, McLeod Farms, Inc. and  
Libby Minerals LLC