



October 2, 2008

**VIA HAND DELIVERY**

Mark E. Fesmire, P.E., Director  
Oil Conservation Division  
N.M. Department of Energy,  
Minerals and Natural Resources  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re:   Witness Subpoena  
      McElvain Oil & Gas Properties, Inc. - OGRID 22044  
      Case No. 14186  
      San Juan County, New Mexico**

Dear Mr. Fesmire:

Enclosed is the Witness Subpoena for the above mentioned cause for your approval and issuance. If you have any questions, please feel free to call.

Sincerely,

Michael H. Feldewert

MHF  
Enclosure

cc:   Mikal Altomare

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR AN ORDER AGAINST McELVAIN OIL & GAS PROPERTIES, INC. [OGRID 22044].**

**CASE NO. 14186**

**WITNESS SUBPOENA**

TO: Michael Bratcher, Compliance Specialist  
New Mexico Oil Conservation Division, District 2  
c/o Mikal Altomare  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Pursuant to NMSA 1978, § 70-2-8 and Rule 1214 of the New Mexico Oil Conservation Divisions Rules of Procedure, you are hereby ORDERED to appear at 8:15 a.m., on October 16, 2008, at the offices of the Oil Conservation Division, 1220 South Saint Francis Drive, Santa Fe, New Mexico 87504, for the purpose of providing testimony in the above referenced matter (Case No. 14186).

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

Dated this 21 day of October, 2008

**NEW MEXICO OIL CONSERVATION DIVISION**

By: David K. Brooks  
Legal Examiner  
Mark E. Fesmire, P.E., Director