



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

January 28, 1998

Ernest L. Carroll
Losee, Carson, Haas & Carroll, P.A.
P.O. Box 1720
Artesia, NM 88211-1720
Attorneys for Yates Petroleum Corporation

Kelly Brooks
New Mexico Commissioner of Public Lands
P.O. Box 1148
Santa Fe, NM 87504-1148
Attorney for the Commissioner of Public Lands

RE: Case Nos. 11913 through 11916---Motion of the Commissioner of Public Lands to Quash
Amended Subpoena Duces Tecum requested by Yates Petroleum Corporation

Dear Mr. Carroll and Ms. Brooks:

The Division, after considering both the Motion to Quash filed by the Commissioner of Public Lands and the Response thereto filed by Yates Petroleum Corporation, hereby **grants the Motion to Quash.**

The Oil Conservation Commission stated in Order No. R-111-P(G) that such information will be considered privileged and confidential and not subject to public disclosure and required the filing of such information with the BLM and the SLO. Regardless of the interpretation of the language in Section 19-1-2.1, NMSA 1978, the Commission has ruled on this issue and the Division will act accordingly.

The hearing of these cases is scheduled for Friday, January 30, 1998.

Sincerely,

Rand Carroll
Legal Counsel

cc: Michael Stogner, OCD Hearing Examiner
Kathleen Garland, OCD Acting Director ✓