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

APPLICATION OF OXY USA INC.
FOR COMPULSORY POOLING.
EDDY COUNTY NEW MEXICO.

CASE NO. 12111

SUBPOENA DUCES TECUM

TO: OXY USA INC.
c/o W. Thomas Kellahin, Esq.
El Patio Building
117 North Guadalupe
Santa Fe, New Mexico 87504-2265

Pursuant to NMSA (1978), Section 70-2-8, 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., January 5, 1999, at the offices of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505 and to produce the documents and items specified in attached Exhibit A and to make available to Fina Oil and Chemical Company and its attorneys, Paul R. Owen or William F. Carr, for copying, all of said documents.

This subpoena is issued on application of Fina Oil and Chemical Company, through its attorneys, Campbell, Carr, Berge & Sheridan, P.A. Post Office Box 2208, Santa Fe, New Mexico 87504.

Dated this 23rd day of December, 1998.

NEW MEXICO OIL CONSERVATION DIVISION

BY: 
LORI WROTENBERY, DIRECTOR

EXHIBIT "A"
TO SUBPOENA DUCES TECUM
TO OXY USA INC.
IN NEW MEXICO OIL CONSERVATION DIVISION
CASE NUMBER 12111

PURPOSE: The purpose of this subpoena is to provide information necessary for Fina Oil and Chemical Company to be able to prepare its presentation in NMOCD Case Number 12111.

PRODUCE THE FOLLOWING documents:

1. Any and all documents which you may use as exhibits in NMOCD Case No. 12111.
2. All correspondence and/or letter agreements with interest owners in Section 7, Township 17 South, Range 28 East, NMPM;
3. All AFE's for the proposed Papa Bear Federal Well No. 1, whether such AFE's were circulated to any other person or entity or not;
4. All documents reflecting any offer by OXY, Wilson & Barr Oil and Gas Exploration, or any other person or entity acting on behalf of OXY, to purchase, acquire, or otherwise obtain control or management of any interest in any acreage which is the subject of NMOCD case No. 12111;
5. All documents reflecting any acceptance, by any person or entity, of any offer by OXY, Wilson & Barr Oil and Gas Exploration, or any other person or entity acting on behalf of OXY, to purchase, acquire, or otherwise obtain control or management of any interest in any acreage which is the subject of NMOCD case No. 12111;
6. All documents, including but not limited to internal memoranda, letters, e-mail, telephone calls or telephone messages, which reflect OXY's valuation of any acreage which is the subject of NMOCD case No. 12111;
7. All documents, including but not limited to internal memoranda, letters, e-mail, telephone calls or telephone messages, which reflect any discussions between OXY, Wilson & Barr Oil and Gas Exploration, or any other person or entity acting on behalf of OXY, with any person, party, or entity, of the prospect of the drilling of any well which is the subject of NMOCD case No. 12111; and
8. All documents reflecting any lease from the State of New Mexico, the term of such lease, or any attempts to obtain an extension of the term of such lease, which lease concerns any acreage which is the subject of NMOCD case No. 12111.

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 person or 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.

The term "document" as used herein means every writing and record of every type and description in the possession, custody or control of OXY USA Inc., 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.