

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

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

Case No.

**APPLICATION OF TMBR/SHARP DRILLING, INC.
FOR AN EMERGENCY ORDER**

EMERGENCY ORDER OF THE DIVISION

BY THE DIVISION:

This matter having come before the Division upon the request of TMBR/Sharp Drilling, Inc. for an Emergency Order and the Division Director having considered the request and being fully advised in the premises,

NOW, on this ____ day of August, 2001, the Division Director:

FINDS:

- (1) There exists a dispute between TMBR/Sharp Drilling, Inc. ("TMBR/Sharp") and David H. Arrington Oil & Gas Inc. ("Arrington") over operations in the E/2 of Section 25 and the E/2 of Section 23, T16S, R35E, NMPM, Lea County, New Mexico;
- (2) Both TMBR/Sharp and Arrington have filed with the Division (OCD-Hobbs) competing Applications for Permit to Drill ("APD")
- (3) The competing APDs are in conflict with each other in that the drilling of these two wells by one party will preclude the drilling of the other two wells by the other party.
- (4) This matter involves a title dispute between the parties which is now the subject of litigation filed with the District Court Clerk, Lea County, New Mexico.



(5) There is good cause to issue an emergency order in this matter in order to maintain the status quo and preclude any party from gaining an unfair advantage over another while this matter is addressed by the District Court.

IT IS THEREFORE ORDERED:

(1) That David H. Arrington Oil & Gas Inc. is hereby stayed from commencing operations on its Blue Drake 23 Well No. 1 (API #30-025-35644) within the E/2 of Section 23, T16S, R35E, Lea County, New Mexico, pending further order of this Division.

(2) That David H. Arrington Oil & Gas Inc. is hereby stayed from commencing operations on its Triple Hackle Dragon 25 Well No. 1 (API #30-025-35636) within the W/2 of Section 25, T16S, R35E, Lea County, New Mexico, pending further order of this Division.

(3) That this matter shall be placed on the next available Division Examiner's docket for TMBR/Sharp to appear and show cause why this Emergency Order should not be vacated.

(4) That jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the date and year hereinabove designated.

OIL CONSERVATION DIVISION

LORI WROTENBERY
Director