

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

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

**APPLICATION OF TMBR/SHARP
DRILLING, INC. FOR AN ORDER
STAYING DAVID H. ARRINGTON
OIL & GAS, INC. FROM COMMENCING
OPERATIONS, LEA COUNTY, NEW MEXICO.**

CASE NO. 12731

**APPLICATION OF TMBR/SHARP
DRILLING, INC. APPEALING THE
HOBBS DISTRICT SUPERVISOR'S
DECISION DENYING APPROVAL OF
TWO APPLICATIONS FOR PERMIT TO DRILL
FILED BY TMBR/SHARP DRILLING, INC.,
LEA COUNTY, NEW MEXICO.**

CASE NO. 12744

ORDER NO. R-11700-A

ORDER OF THE DIVISION DIRECTOR

BY THE DIVISION DIRECTOR:

THIS MATTER has come before the Division Director of the Oil Conservation Division, this 21st day of March, 2002, on the Motion of David H. Arrington Oil & Gas Inc. (hereinafter referred to as "Arrington") to vacate the hearing of this matter by the New Mexico Oil Conservation Commission (hereinafter referred to as "the Commission"), and the response of TMBR/Sharp Drilling Inc. (hereinafter referred to as "TMBR/Sharp") opposing the motion, and the Division Director, having reviewed the motion and response and being fully informed in the premises,

FINDS,

1. The Motion is not well taken and should not be granted.
2. Arrington's motion to vacate the hearing argues that resolution of competing pooling applications before the Division in Case No. 12816 and Case No. 12841 will moot the matters before the Commission. However, it instead appears that the issue of

the right to drill in the NW/4 of Section 25 is vital to all four cases and should be resolved expeditiously.

3. This matter has been continued once already and should not be delayed further because of the importance of this issue to all concerned.

4. Arrington's motion, filed on this date just two business days prior to the hearing, is untimely.

5. Counsel are encouraged to focus their presentations to the Commission during the hearing on March 21, 2002 on the right of each party to drill in Section 25.

IT IS THEREFORE ORDERED:

The motion to vacate of Arrington shall be and hereby is denied.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

LORI WROTENBERY
Director

SEAL