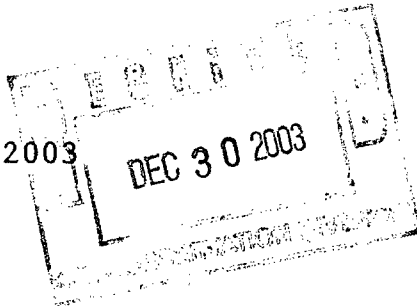


Roy G. Barton Jr.  
Oil, Gas & Geothermal Resources

1919 N. Turner St.  
Hobbs NM 88240-2712  
Phone 505-397-3925  
Fax 505-393-0970

2120 Redbird Dr.  
Las Vegas, NV 89134-6160  
Phone 702-228-0995  
Fax 702-228-0585

December 23, 2003



Mr. James Bruce  
P.O. Box 1056  
Santa Fe NM 87504

Re: Case No. 13193  
Pooling S/2 Section 3, T22S, R26E,  
Eddy County, New Mexico

Dear Mr. Bruce:

Yes, I have been contacted by Tierra Oil Company on more than one occasion over the past year or more to lease my mineral interest in the captioned. Each time I have responded that I will participate with my interest.

I do not appreciate being thrown into a compulsory pooling situation with my interest when I have voluntarily agreed to pay my way. I would ask that you revise your application and delete the undersigned from these proceedings.

Yours truly,

Roy G. Barton Jr.

cc: Examiner - NM Oil Conservation Division/  
cc: Chi Energy Inc.  
cc: Mr. E. L. Latham Jr.

ENCLOSURE

1. The undersigned, Roy G. Barton Jr., does hereby certify that the foregoing is a true and correct copy of the original document as submitted to the New Mexico Oil Conservation Division for filing.

2. The undersigned, Roy G. Barton Jr., does hereby certify that the foregoing is a true and correct copy of the original document as submitted to the New Mexico Oil Conservation Division for filing.

