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COTTON, BLEDSOE, TIGHE & DAWSON

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

500 W. ILLINOIS
SUITE 300
MIDLAND, TEXAS 79701-4337
P.O. BOX 2776 ZIP 79702-2776

TELEPHONE (915) 684-5782
FAX (915) 682-3672
WEB www.cbtd.com

SUSAN R. RICHARDSON
BOARD CERTIFIED
OIL, GAS & MINERAL LAW
LABOR AND EMPLOYMENT LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

Writer's Direct #: (915) 685-8571
Writer's Direct Fax #: (915) 684-3162
Email: srichardson@cbtd.com

1415 LOUISIANA
SUITE 2100
HOUSTON, TEXAS 77002-7351
TELEPHONE (713) 752-9281
FAX (713) 759-0458

December 12, 2002

Ms. Lori Wrotenbery, Director
State of New Mexico
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: NMOCD Case 12816; Application of TMBR/Sharp Drilling, Inc. for Compulsory Pooling, Lea County, New Mexico

NMOCD Case 12841; Application of Ocean Energy, Inc. for Compulsory Pooling, Lea County, New Mexico

NMOCD Case 12859; Application of David H. Arrington Oil and Gas, Inc. for Compulsory Pooling, Lea County, New Mexico

NMOCD Case 12860; Application of Ocean Energy, Inc. for Compulsory Pooling, Lea County, New Mexico

Dear Director Wrotenbery:

On November 27, 2002, the Division Director, having considered the testimony, the record and the recommendation of the Examiner, entered Order No. R-11700-C ("Order") in the above-referenced Compulsory Pooling Cases. The undersigned counsel for the parties who filed such applications, e.g., TMBR/Sharp Drilling, Inc., Ocean Energy, Inc. and David H. Arrington Oil & Gas, Inc. believe there is a scrivener's error in ordering paragraph 18 on page 14 of the Order. The error involves TMBR/Sharp's appointment as Operator depending on whether TMBR/Sharp's bottom lease is effective or whether Arrington's top lease is effective. Specifically that paragraph provides:

(18) In the event of entry of a final judgment, no longer subject to appeal, determining that the bottom leases are still effective, and the top leases are not effective, Ordering Paragraph No. (5) appointing TMBR/Sharp as operator shall be of no further force and effect. In the absence of agreement by all parties, the Division, upon application of any party owning an interest in the unit pursuant to such judgment, shall appoint a substitute operator.

Based on the remaining provisions of the Order, the parties believe the OCD intended to provide as follows:

(18) In the event of entry of a final judgment, no longer subject to appeal, determining that the top leases are effective, and the bottom leases are no longer effective, Ordering Paragraph No. (5) appointing TMBR/Sharp as operator shall be of no further force and effect. In the absence of agreement by all parties, the Division,

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upon application of any party owning an interest in the unit pursuant to such judgment, shall appoint a substitute operator.

If the revision is consistent with the OCD's intention, the parties would ask that that paragraph be corrected to reflect the OCD's true intent.

Thank you for your attention to this matter and your professional courtesies.

Very truly yours,

COTTON, BLEDSOE, TIGHE & DAWSON, P.C.

A handwritten signature in black ink, appearing to read "Susan R. Richardson", written in a cursive style.

Susan R. Richardson

SRR/aw

cc:

Mr. David Brooks
Associate General Counsel
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Mr. J. Scott Hall
Miller, Stratvert & Torgerson, P.A.
P. O. Box 1986
Santa Fe, New Mexico 87504-1986

Mr. James Bruce
Attorney at Law
P.O. Box 1056
Santa Fe, NM 87504

Mr. William F. Carr
Holland & Hart L.L.P.
P.O. Box 2208
Santa Fe, New Mexico 87504-2208

Mr. W. Thomas Kellahin
Kellahin and Kellahin
P.O. Box 2265
Santa Fe, New Mexico 87504-2265

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bcc:

Mr. Jeff Phillips, President
TMBR/Sharp Drilling, Inc.
P.O. Box 10970
Midland, Texas 79702-7970

Mr. Thomas M. Beall
Fuel Products
P.O. Box 3098
Midland, Texas 79702

Mr. Phil Brewer
Attorney & Counselor
P.O. Box 298
Roswell, New Mexico 88202-0298

Richard R. Montgomery [Firm]
Robert T. Sullivan [Firm]