



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

BETTY RIVERA

Cabinet Secretary

June 19, 2002

Lori Wrotenbery

Director

Oil Conservation Division

David H. Arrington Oil & Gas, Inc.

c/o J. Scott Hall

Miller, Stratvert & Torgerson, P.A.

P. O. Box 1986

Santa Fe, New Mexico 87504-1986

Telefax No. (505) 989-9857

TMBR/Sharpe Drilling, Inc.

c/o W. Thomas Kellahin

P. O. Box 2265

Santa Fe, New Mexico 87504-2265

Telefax No. (505) 982-2047

**Re:** *Division Case No. 12876 -- Application of David H. Arrington Oil & Gas, Inc. to reinstate its previously approved C-101 and C-102 drilling permit for its Glass-Eyed Midge "25" Well No. 1 (API No. 30-025-35787) to be drilled within a standard 320-acre stand-up gas spacing and proration unit comprising the E/2 of Section 25, Township 16 South, Range 35 East, NMPM, Lea County, New Mexico at a standard gas well location 803 feet from the North line and 962 feet from the East line (Unit A) of Section 25.*

Dear Messrs. Kellahin and Hall:

I have reviewed the various correspondences from both David H. Arrington Oil & Gas, Inc. and TMBR/Sharpe Drilling, Inc. concerning Division Case No. 12876 received by the Division since June 6, 2002. The subject well in this matter was also the subject of Division Case No. 12859, which was the application of David H. Arrington Oil & Gas, Inc. for an order pooling all mineral interests underlying the 80 acres comprising the E/2 NE/4, the 160 acres comprising the NE/4, and the 320 acres comprising the E/2 of Section 25 all to be dedicated to the aforementioned Glass-Eyed Midge "25" Well No. 1. Division Case No. 12859 was consolidated with Division Cases No. 12816, 12841, and 12860 at the Division Examiner's hearing on May 16 and 17, 2002. This consolidated matter was taken under advisement, and the Division has not issued an order to date. Hearing Arrington's Case No. 12876 prior to the issuance in the already heard consolidated matter would serve to confuse the issue further and would not serve any purpose at this time; therefore, Division Case No. 12876 is hereby continued until such as an order is issued by the Division in Case No. 12859.

Further, TMBR/Sharpe's motion to quash the Supubpoena Duces Tecum issued on May 29, 2002 at the request of David H. Arrington Oil & Gas, Inc. is hereby granted.

Sincerely,

Michael E. Stogner

Chief Hearing Officer/Engineer

cc: New Mexico Oil Conservation Division - Hobbs  
File: **Division Cases No.** 12876, 12859, ~~12816~~, 12841, and 12860  
Florene Davidson - NMOCD, Santa Fe  
David R. Catanach, Examiner - NMOCD, Santa Fe  
David K. Brooks, Legal Counsel for the NMOCD - Santa Fe  
William F. Carr, Legal Counsel for Yates Petroleum Corporation - Santa Fe  
Jim Bruce, Legal Counsel for Ocean Energy, Inc. - Santa Fe