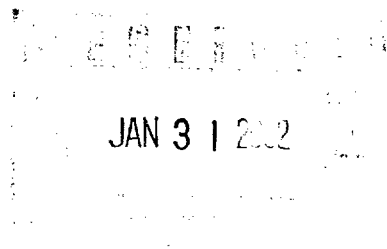


Mark & Bonnie Caldwell
3528 Shell Street
Midland, Texas 79707
Phone (915)699-6460



January 29, 2002

Mr. Michael Stogner
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Case 12816

Re: Compulsory Pooling Hearing

Dear Mr. Stogner,

I received the enclosed 'registered' letter on January 26th from Mr. Phil Brewer, Attorney for TMBR/Sharp Drilling, regarding the above subject.

I just wanted the Division to be aware, that contrary to article 3 of the Application for Compulsory Pooling, no one from TMBR/Sharp has ever contacted me regarding a lease, AFE, or operations, etc, nor some of the other mineral owners, that I am familiar with. I feel that this issue should be clarified, prior to the Division issuing a Compulsory Pooling Order.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Mark Caldwell", is written over the typed name.

Mark Caldwell

Enclosure

cc: Mr. Phil Brewer, Attorney

PEGASUS PLACE
125 WEST FOURTH STREET
POST OFFICE BOX 298
ROSWELL, N.M. 89202-0298

Phil Brewer
ATTORNEY & COUNSELOR

TELEPHONE: 505-625-0298
FACSIMILE: 505-625-0299
E-MAIL: pbrewer@pegasusplace.com

TO: Uncommitted Interest Owners in the
N/2 Section 25, Township 16 South,
Range 35 East, N.M.P.M., Lea County, New Mexico

FROM: Phil Brewer, Attorney for TMBR/Sharp Drilling, Inc.

DATE: January 25, 2002

RE: Application for Compulsory Pooling

Dear Sir or Madam:

I enclose herewith copy of Application for Compulsory Pooling which has today been filed with the New Mexico Oil Conservation Division and which as been initially set for the February 21, 2002 docket. No case number has as yet been assigned to the Application.

