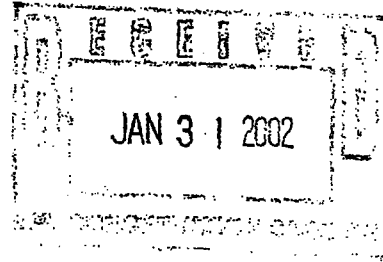


Mark & Bonnie Caldwell  
3528 Shell Street  
Midland, Texas 79707  
Phone (915)699-6460



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 26<sup>th</sup> 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,

  
M. Mark Caldwell

Enclosure

STOGNER	
BEFORE EXAMINER <del>CITATION</del>	
OIL CONSERVATION DIVISION	
ARRINGTON	EXHIBIT NO. 4-1
CASE NO. 12816	