

**FIFTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO  
COUNTY OF LEA**

**TMBR/SHARP DRILLING, INC.,**

**Plaintiff,**

**v.**

**No. CV- 2001-315C**

**DAVID H. ARRINGTON OIL & GAS,  
INC., JAMES D. HUFF, MADELINE  
STOKES, ERMA STOKES HAMILTON,  
JOHN DAVID STOKES, and TOM STOKES,**

**Defendants.**

**CLAIMANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT  
REGARDING FILING OF UNIT DESIGNATION**

TMBR/SHARP DRILLING, INC. ("TMBR/Sharp"), Claimant for cause of action against DAVID H. ARRINGTON OIL & GAS, INC., JAMES D. HUFF, MADELINE STOKES, ERMA STOKES HAMILTON, JOHN DAVIS STOKES and TOM STOKES and pursuant to New Mexico Rule of Civil Procedure 1-056, moves for Summary Judgment.

**I. SUMMARY OF MOTION**

TMBR/Sharp seeks a declaration that drilling across the primary term of the Original Stokes Leases, as described herein, preserved the Leases into the secondary term because TMBR/Sharp had pooled acreage from the Leases with other acreage to obtain a drilling permit