

**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 DAVID 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, perpetuated the Leases beyond the primary term because TMBR/Sharp had pooled acreage from the Leases with other acreage to obtain a drilling permit

**Claimant's Motion for Partial Summary Judgment
Regarding Filing of Unit Designation**

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Page 1