NSL - 8783

Revised March 23, 2017

ID NO. 357549			Revised March 25, 20
RECEIVED:	REVIEWER:	TYPE:	pLEL2420551375
		D OIL CONSERVA al & Engineering ncis Drive, Santa	TION DIVISION Bureau –
		ATIVE APPLICATIO	
THIS CHE		ADMINISTRATIVE APPLICATI UIRE PROCESSING AT THE D	TIONS FOR EXCEPTIONS TO DIVISION RULES AND DIVISION LEVEL IN SANTA FE
pplicant: Franklin Mou	ıntain Energy 3, LLC		OGRID Number: 331595
ell Name: Tag State	Com 703H		<b>API:</b> 30-025-52727
Lea; Wolfcamp (Gas)			Pool Code: 80060
) TYPE OF APPLICA	E AND COMPLETE INFO ATION: Check those w Spacing Unit – Simulto	INDICATED BELOW which apply for [A]	
■NS			P(PRORATION UNIT) SD
[I] Commi □ [ [II] Injectio	ingling – Storage – Me DHC   CTB   PLo Dn – Disposal – Pressur VFX   PMX   SW	C □PC □OL e Increase – Enhar	nced Oil Recovery DR
A. Offset o B. Royalty, C. Applica D. Notifica E. Surface G. For all o		lers mers, revenue owr d notice nt approval by SLC nt approval by BLN	ners  Application Content Complete
administrative a understand that	pproval is accurate a	nd <b>complete</b> to th en on this applicat	omitted with this application for ne best of my knowledge. I also tion until the required information and
Note	: Statement must be complete	ed by an individual with n	managerial and/or supervisory capacity.
Deana M. Bennett			06/25/2024 Date
Print or Type Name			
пп оттуре наше			505-848-1834
			Phone Number
/s/ Deana M. Bennett			deana.bennett@modrall.com
	Tara Tara Tara Tara Tara Tara Tara Tara		e-mail Address

LAWYERS

June 25, 2024

VIA E-FILING

Deana M. Bennett 505.848.1834 dmb@modrall.com

Acting Director Dylan Fuge

And

OCD Engineering Bureau

Oil Conservation Division

New Mexico Department of Energy,

Minerals and Natural Resources

1220 South Saint Francis Drive

Santa Fe, New Mexico 87505

Re: Application of Franklin Mountain Energy 3, LLC for administrative approval of unorthodox well location for its Tag State Com 703H well located in Lots 1 and 2, S/2 NE/4 and the SE/4 of irregular Section 2 (E/2 equivalent) and the E/2 of Section 11, Township 20 South, Range 35 East, Lea County, New Mexico and Request for Expedited Review

Dear Director Fuge/OCD Engineering Bureau:

Pursuant to Division rules 19.15.16.15(C)(6) and 19.15.15.13 NMAC, Franklin Mountain Energy 3, LLC ("Franklin") (OGRID 331595) seeks administrative approval of an unorthodox well location ("NSL") for its Tag State Com 703H well (API No. 30-025-52727) (the "Well"). The Well will be located in a 641.27-acre, <sup>1</sup> more or less, standard spacing unit underlying Lots 1 and 2, S/2 NE/4 and the SE/4 of irregular Section 2 (E/2 equivalent) and the E/2 of Section 11, Township 20 South, Range 35 East, Lea County, New Mexico. C-102s for the Well are attached as Exhibit A.

As the C-102s demonstrate, the Well will traverse both Sections 2 and 11, Township 20 South, Range 35 East. The pool and pool code for Section 2 is the Pearl, Wolfcamp, South Pool (Pool Code 49870), which is an oil pool. The Well is at an orthodox (standard) location in Section 2, and thus Franklin does not need non-standard location approval for Section 2. The pool underlying

Modrall Sperling Roehl Harris & Sisk P.A.

500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

<sup>&</sup>lt;sup>1</sup> The unit is 641.27-acres because Franklin will be drilling a proximity tract well, the Tag State Com 803H, which allows Franklin to include the adjacent acreage in standard unit.

Section 11 is, however, a gas pool—Lea; Wolfcamp (Gas) (Pool Code 80060). Because the pool underlying Section 11 is a gas pool, Franklin is requesting a non-standard location *only* for that portion of the Well that traverses Section 11.<sup>2</sup>

The Lea; Wolfcamp (Gas) Pool is a gas pool subject to the state-wide rules, which establish a 660' setback requirement for the completed laterals of gas wells and a 330' setback for last take points. The Well's completed lateral will be closer than 660' from the outer boundary of the spacing unit in Section 11 and the Well's last take point will be closer than 330' in Section 11, which requires an NSL approval. As shown on Exhibit A, this is a horizontal well that will be drilled as follows:

- Surface Hole Location: 266' FNL & 2,055' FEL of Section 2-T20S-R35E;
- First Take Point: 100' FNL & 2,290' FEL of Section 2- T20S-R35E (Standard Location);
- <u>Last Take Point/Bottom Hole Location</u>: 100' FSL & 2,290' FEL of Section 11- T20S-R35E (Non-Standard Location).

Franklin has included as Exhibit B a letter explaining why this application is needed.

Franklin also provides a map of the area, attached as Exhibit C, which shows the tracts upon which the unorthodox location will encroach. As discussed above, the completed lateral of the Well is proposed to be closer than 660' from the boundary of the spacing unit and the last take point is proposed to be closer than 330'. See Exhibit A (C-102). The unorthodox location will encroach towards the W/2 of Section 11 and the SW/4 of Section 2, Township 20 South, Range 35 East. The unorthodox location will also encroach towards the N/2 of Section 14, Township 20 South, Range 35 East.

Pursuant to Rule 19.15.4.12(A)(2) and Rule 19.15.2.7(A)(3), Franklin, through its undersigned counsel, provided notice to the operators and/or working interest owners identified in the offset owner chart included in Exhibit D and is also providing notice to the Bureau of Land Management and the New Mexico State Land Office. Proof of mailing, along with a copy of the notice letter sent to affected parties, is attached hereto as Exhibit D.

Franklin respectfully requests expedited review of this NSL application for several reasons. First, Franklin has approved permits and is hoping to receive its approved pooling orders in the near term. Second, the Tag State wells are on Franklin's rig schedule with an anticipated start date of October 1<sup>st</sup>, 2024. If the NSL is not approved, Franklin would need to move its bottom hole locations but

<sup>&</sup>lt;sup>2</sup> Franklin is submitting NSL applications for three other wells in conjunction with this request; namely for the Tag State Com 704H well, the Tag State Com 803H well, and the Tag State Com 804H well.

that would result in waste and would not result in the most efficient recovery from the Well. If the pool underlying Section 11 was the same pool as under Section 2, Franklin would not need a non-standard location approval, and so approving the NSL in an expedited fashion so that Franklin does not need to shorten its laterals or otherwise move its laterals in Section 11 is, in Franklin's opinion, prevents waste and protects correlative rights.

Your attention to this matter is appreciated.

Law M Bonett

Attorney for Franklin Mountain

Energy 3, LLC

Released to Imaging: 9/16/2024 2:29:43 PM

<u>District I</u> 1625 N. French Dr., Hobbs, NM 88240 Phone: (575) 393-6161 Fax: (575) 393-0720 District II 811 S. First St., Artesia, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720 Phone: (5/5) /48-1283 Fax: (5/5) /48-9/20 District III 1000 Rio Brazos Road, Aztec, NM 87410 Phone: (505) 334-6178 Fax: (505) 334-6170 District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

# State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

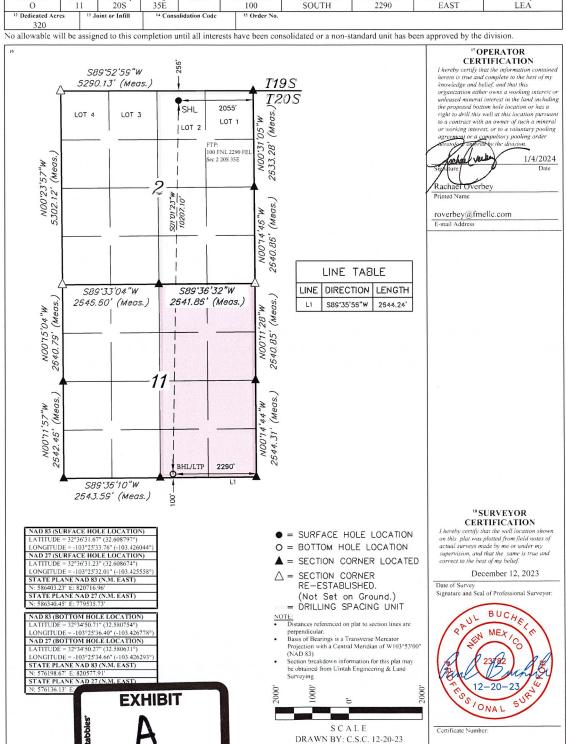
AMENDED REPORT

### WELL LOCATION AND ACREAGE DEDICATION PLAT

30-025-52727	<sup>2</sup> Pool Code 80060	<sup>3</sup> Pool Name LEA;WOLFCAMP (GAS)	
4 Property Code	<sup>5</sup> Property Na TAG STATE		<sup>6</sup> Well Number 703H
<sup>7</sup> OGRID No. 331595	* Operator N: FRANKLIN MOUNTAIN		<sup>9</sup> Elevation 3674.0'

Surface Location

UL or lot no. 2	Section 2	Township 20S	Range 35E	Lot Idn	Feet from the 266	North/South line NORTH	Feet from the 2055	East/West line EAST	County LEA
			п	Bottom H	ole Location I	f Different From	Surface		
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County



District I 1625 N. French Dr., Hobbs, NM 88240 Phone: (575) 393-6161 Fax: (575) 393-0720 District II 811 S. First St., Artesia, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720

District III 1000 Rio Brazos Road, Aztec, NM 87410 Phone: (505) 334-6178 Fax: (505) 334-6170 District IV

District IV 1220 S. St. Francis Dr., Santa Fe, NM 87805 Phone: (505) 476-3460 Fax: (505) 476-3462

# State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

■ AMENDED REPORT

#### WELL LOCATION AND ACREAGE DEDICATION PLAT

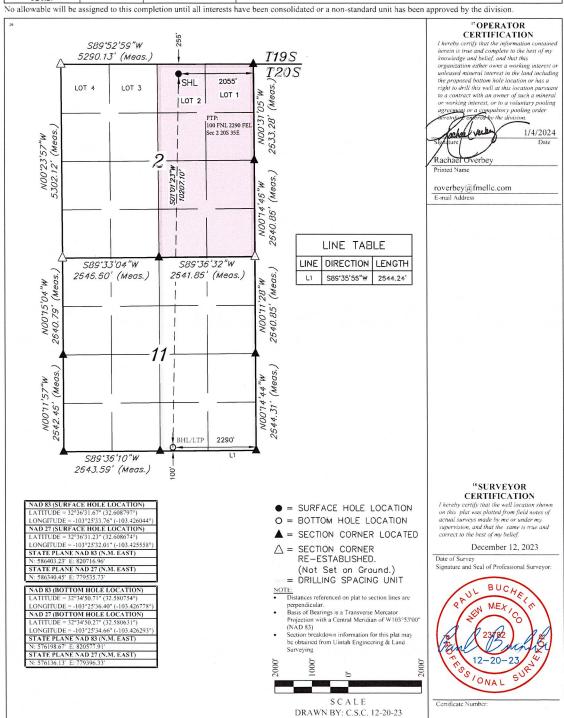
30-025-52727 Number	<sup>2</sup> Pool Code 49870	PEARL; WOLFCAMP, SO	UTH
4 Property Code		roperty Name STATE COM	6 Well Number 703H
7 OGRID No. 331595		perator Name UNTAIN ENERGY 3, LLC	9 Elevation 3674.0'

## "Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
2	2	20S	35E		266	NORTH	2055	EAST	LEA

#### "Bottom Hole Location If Different From Surface

UL or lot no.	Section 11	on	Township 20S	Range 35E	Lot Idn		from the 100	North/South line SOUTH	Feet from the 2290	East/West line EAST	County LEA
12 Dedicated Acre 321.27	es	13 Jo	int or Infill	14 Conso	olidation Code	15	Order No.				





June 25, 2024

## VIA E-FILING

Director Dylan M. Fuge and OCD Engineering Bureau Oil Conservation Division Energy, Minerals and Natural Resources Department 1220 South Saint Francis Drive Santa Fe, New Mexico 87505

Re: Application of Franklin Mountain Energy 3 for administrative approval of non-standard location for Tag State Com 703H well, located within the E/2 of Sections 2 and 11, Township 20 South, Range 35 East, NMPM, Lea County, New Mexico

Dear Director Fuge/OCD Engineering Bureau:

Franklin Mountain Energy 3, LLC ("Franklin"), OGRID Number 331595, respectfully requests administrative approval of non-standard location ("NSL") for the following well (the "Well"):

• Tag State Com 703H well (API No. 30-025-52727)

The Well will be located in the E/2 of Sections 2 and 11, Township 20 South, Range 35 East, Lea County, New Mexico. The Well will be completed in two pools: The first take point and first half of the completed lateral will be in Section 2, which is in the Pearl; Wolfcamp, South Pool (Pool Code: 49870), which is an oil pool. The second half of the completed lateral and the last take point will be in Section 11, which is the Lea; Wolfcamp (Gas) Pool (Pool Code: 80060), which is a gas pool. The Well's first take point and completed lateral in Section 2 are standard under the Division's rules for oil pools. The Well's last take point and completed lateral in Section 11 are non-standard under the Division's rules for gas pools (but would be standard if the pool were an oil pool). Franklin is requesting non-standard location approval for the portion of the Well that traverses Section 11 to allow the setbacks to be less than 660' from the outer boundary of the horizontal spacing unit and for the last take point to be closer than 330' from the outer boundary. Allowing Franklin to complete the well at this non-standard location will result in the greatest recovery of reserves from the unit and will reduce waste.

Thank you for your consideration. Should you have any questions please contact me at cmccoy@fmellc.com or 720-414-7868.

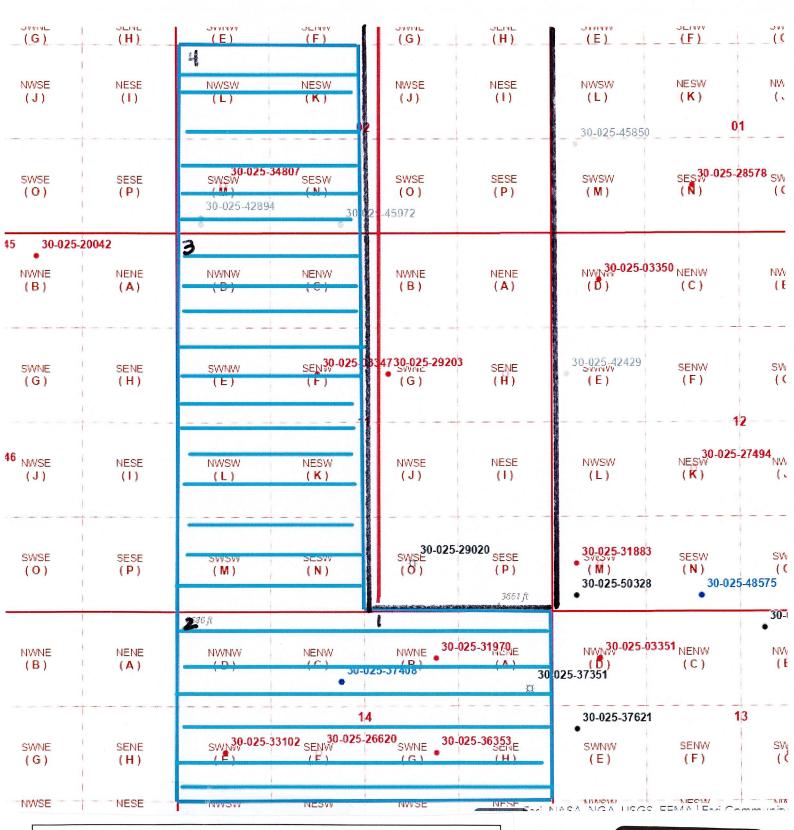
Sincerely,

Cory McCoy

Reservoir Engineer

Franklin Mountain Energy 3, LLC

EXHIBIT B



Tag State Com 703H well identified by red line

Tag horizontal spacing unit identified by black box

Offsetting tracts identified by blue cross hatched lines

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Otisetting Sections  Or State  NIA  Hayes Land & Production Company  FO Box 51407  Midland, TX 79710  Bursake LLC  PO Box 51407  Midland, TX 79710  James A. Boss  2200 Carcina Way  Roswell, NM 88201  Concho Oil & Gas Corp. n/k/a ConocoPhillips  PO Box 2197  Houston, TX 77252-2197  Eake, LLC  PO Box 1090  Roswell, NM 88202  Valko, LLC  PO Box 1090  Roswell, NM 88202  Texakota Oil Company  2707 Kiphing  Houston, TX 77098  Sisbro Oil and Gas, LLC  3600 S. Yosonie Si, Ste 810  Derver, C. Osonie St. Ste 810
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	δ	, LLC 20				ca		mpany, LLC	
Read & Stevens, Inc. PO Box 1518 Roswell, NM 88202	Bean Family Limited Company PO Box 1738 Roswell, NM 88202	Kimbrough Working Interests, LLC 3707 Camp Bowie Blvd, Ste 220 Fort Worth, TX 76107	Jalapeno Corporation PO Box 1608 Albuquerque, NM 87103	Chevron USA, Inc. 1400 Smith St Houston, TX 77002	Tierra Encantada, LLC PO Box 811 Roswell, NM 88202	BLM- United States of America 301 Dinosaur Trail Santa Fe, NM 87508	Marathon Oil Permian, LLC 990 Town and Country Blvd Houston, TX 77024	Devon Energy Production Company, LLC 333 W. Sheridan Ave OKC, OK 73102	Isramco Energy, LLC 11767 Katy Freeway Houston, TX 77079
							N/A		
							NW/4 Section 14, T20S-R 35E		
							2		

A.G. Andrikopoulos Resources, Inc. PO Box 788 Cheyenne, WY 82003	Resources Development Technology, LLC 7175 W. Jefferson, Ste 2000 Lakewood, CO 80235	BLM- United States of America 301 Dinosaur Trail Santa Fe, NM 87508	Adams Family Living Trust 1015 Christian Lane Allen, TX 75002	Nortex Corporation 3009 Post Oak Blvd, Ste 1212 Houston, TX 77056	American Standard Energy Corporation 400 W. Illinois St, Ste 950 Midland, TX 79701	Ridge Runner Holdings, LLC 400 N. Big Spring, Suite 210 Midland, TX 79705	Derrel C. Melton 3205 Hampshire Court Frisco, TX 75034	EnMark Gas Gathering, LP 17430 Campbell Rd, Ste 230 Dallas, TX 75252	Geronimo Holding Corporation PO Box 804 Midland, TX 79702
			N/A						
			W/2 Section 11, T20S-R 35E						
			3						

BLM- United States of America 301 Dinosaur Trail	Santa Fe, NM 87508	Northern Oil and Gas Inc.	4350 Baker Road, Ste 400	Minnetonka, MN 55343	Ridge Runner Holdings, LLC	400 N. Big Spring, Suite 210	Midland, TX 79705	State of New Mexico	310 Old Santa Fe Trail	Santa Fe, NM 87501
		N/A								
		SW/4 Section 2, T20S-R	35E							
		4								



LAWYERS

June 25, 2024

Deana M. Bennett 505.848.1834 dmb@modrall.com

# VIA CERTIFIED MAIL

## TO AFFECTED PARTIES

Re: Application of Franklin Mountain Energy 3, LLC for administrative approval of unorthodox well location for its Tag State Com 703H well located in Lots 1 and 2, S/2 NE/4 and the SE/4 of irregular Section 2 (E/2 equivalent) and the E/2 of Section 11, Township 20 South, Range 35 East, Lea County, New Mexico and Request for Expedited Review

Dear Sir or Madam:

Enclosed is a copy of the above referenced application filed with the New Mexico Conservation Division on this date. Any objections that you have to these applications must be filed in writing with the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, within twenty (20) days from the date the Division receives the above-referenced applications. If no objection is received within this twenty-day period, the applications may be approved administratively by the Division.

If you have any questions concerning this application, please contact:

Cory McCoy Senior Reservoir Engineer Franklin Mountain Energy 3, LLC <a href="mailto:com/mccoy@fmellc.com">cmccoy@fmellc.com</a>

Singerely,

MI In M.

eana M. Bennett

Attorney for Franklin Mountain

Energy 3, LLC

Modrall Sperling Roehl Harris & Sisk P.A.

500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

Received by OCD:	6/25/	2024 5.	:55:30	PM												Page 14	Pro. net
Firm Mailing Book ID: 268196	Reference Contents	10154.0003. Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	Tag 703H Notice	2024 Walz Certified Pro.net
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	RR Fee	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	
	Service Fee	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	
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PS Form 3877 Type of Mailing: CERTIFIED MAIL 06/25/2024	Name, Street, City, State, Zip	Hayes Land and Production Company PO Box 51407 Midland TX 79710	Bursake LLC PO Box 51407 Midland TX 79710	James A. Boss 2200 Carolina Way Roswell NM 88201	Concho Oil & Gas Corp. n/k/a ConocoPhilips PO Box 2197 Houston TX 77252	Eako, LLC PO Box 1090 Roswell NM 88202	Valko LLC PO Box 1090 Roswell NM 88202	Texakota Oil Company 2707 Kipling	Flows on the Flow Sister of the Sister of th	Denivel CO 802.57 Read & Stevens, Inc. PO Box 1518 December 1018 88202	Roswell NM 2022 Bean Family Limited Company PO Box 1738 Roswell NM 88202	Kimbrough Working Interests, LLC 3707 Camp Bowie Blvd, Ste 220 Fort Worth TX 76107	Jalapeno Corporation PO Box 1608 Albumerone NM 87103	Chevron USA, Inc. 1400 Smith St.	Housian 1.7 7,002 Tierra Encantada, LLC PO Box 811 Po con 11 NM 99900	Nowell Miles States of America BLM - United States of America 301 Dinosaur Trail Santa Fe NM 87508	
Skarlene Schuman Flodrall Sperling Roehl Harris & Sisk P.A. 5500 Fourth Street, Suite 1000 Malbuquerque NM 87102	USPS Article Number	9314 8699 0430 0122 7618 69	9314 8699 0430 0122 7618 76	9314 8699 0430 0122 7618 83	9314 8699 0430 0122 7618 90	9314 8699 0430 0122 7619 06	9314 8699 0430 0122 7619 13	9314 8699 0430 0122 7619 20	9314 8699 0430 0122 7619 37	9314 8699 0430 0122 7619 44	9314 8699 0430 0122 7619 51	9314 8699 0430 0122 7619 68	9314 8699 0430 0122 7619 75	9314 8699 0430 0122 7619 82	9314 8699 0430 0122 7619 99	9314 8699 0430 0122 7620 02	
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ن	sing: 9/	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
16	9314 8699 0430 0122 7620 19	1	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
17	9314 8699 0430 0122 7620 26	Description Company, LLC 333 W. Sheridan Ave. Oklahoma City OK 73102	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
18	9314 8699 0430 0122 7620 33	Isramco Energy LLC 11767 Katy Freeway Houston TX 77079	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
19	9314 8699 0430 0122 7620 40	A.G. Andrikopoulos Resources Inc. PO Box 788 Chevenne WY 82003	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
20	9314 8699 0430 0122 7620 57	Resources Development Technoogy, LLC 7175 W. Jefferson, Ste 2000 Lakewood CO 80235	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
21	9314 8699 0430 0122 7620 64	Adams Family Living Trust 1015 Christian Lane Allen TX 75002	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
22	9314 8699 0430 0122 7620 71	Nortex Corporation 3009 Post Oak Blvd, Ste 1212 Houston TX 77056	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
23	9314 8699 0430 0122 7620 88	American Standard Energy Corporaiton 400 W. Illinois St., St 950 Midland TX 79701	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
24	9314 8699 0430 0122 7620 95	Ridge Runner Holdings, LLC 400 N. Big Spring, Suite 210 Midland TX 79705	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
25	9314 8699 0430 0122 7621 01	Derrel C. Melton 3205 Hampshire Court Frisco TX 75034	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
26	9314 8699 0430 0122 7621 18	EnMark Gas Gathering, LP 17430 Campbell Rd., Ste 230 Dallas TX 75252	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
27	9314 8699 0430 0122 7621 25	Geronimo Holding Corporation PO Box 804 Midland TX 79702	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
28	9314 8699 0430 0122 7621 32	Northern Oil and Gas Inc. 4350 Baker Road, Ste 400 Minnetonka MN 55343	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
29	9314 8699 0430 0122 7621 49	State of New Mexico 310 Old Santa Fe Trail Santa Fe NM 87501	\$1.87	\$4.40	\$2.32	\$0.00	Tag 703H Notice
		To	Totals: \$54.23	\$127.60 Grand	60 \$67.28 Grand Total:	\$0.00 \$249.11	

District I
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1220 S. St Francis Dr., Santa Fe, NM 87505 Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico Energy, Minerals and Natural Resources Oil Conservation Division** 1220 S. St Francis Dr. **Santa Fe, NM 87505** 

CONDITIONS

Action 357549

## **CONDITIONS**

Operator:	OGRID:
Franklin Mountain Energy 3, LLC	331595
44 Cook Street	Action Number:
Denver, CO 80206	357549
	Action Type:
	[UF-NSL] Non-Standard Location (NSL)

#### CONDITIONS

Created By		Condition Date
llowe	None	6/26/2024