

STATE OF NEW MEXICO  
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

CASE NOS: 20982

APPLICATION OF FRANKLIN MOUNTAIN ENERGY LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

JANUARY 09, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, HEARING EXAMINER DYLAN COSS and LEGAL EXAMINER ERIC AMES, on Thursday, January 09, 2020, at the New Mexico Energy, Minerals, and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

Reported by: Irene Delgado, NMCCR 253  
PAUL BACA PROFESSIONAL COURT REPORTERS  
500 Fourth Street, NW, Suite 105  
Albuquerque, NM 87102  
505-843-9241

1 A P P E A R A N C E S

2 For the Applicant:

3 DEANA BENNETT  
 4 MODRALL SPERLING ROEHL HARRIS & SISK PA  
 5 500 4th Street, NW, Suite 1000  
 6 Albuquerque, NM 87102  
 7 505-848-9710

8 For Caprock Resources:

9 JAMES BRUCE  
 10 P.O. Box 1056  
 11 Santa Fe, NM 87504-1056  
 12 505-982-2151  
 13 jamesbruce@aol.com

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15 I N D E X

16 CASE NO. 20982 CALLED	03
17 SUMMARY OF CASE AND EXHIBITS	03
18 TAKEN UNDER ADVISEMENT	05
19 REPORTER CERTIFICATE	06

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21 E X H I B I T I N D E X

22	Admitted
23 Exhibits A and B, All Attachments	05

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1                   HEARING EXAMINER COSS:   Okay.   Moving along, the  
2   Division will now call Case Number 20982, Franklin Mountain  
3   Energy for compulsory pooling.   Call for appearances.

4                   MS. BENNETT:   Good morning.   Deana Bennett on  
5   behalf of Franklin Mountain Energy LLC, from Modrall  
6   Sperling in Albuquerque, New Mexico

7                   MR. BRUCE:   Jim Bruce of Santa Fe representing  
8   Caprock Resources, and I have no objection to the cases  
9   being submitted by affidavit.

10                  HEARING EXAMINER COSS:   Wonderful.   Are you  
11   intending to consolidate these cases?

12                  MS. BENNETT:   I would like to present Case Number  
13   20982 individually, and then I intend to consolidate Case  
14   Numbers 20983 and 20984.

15                  THE COURT:   Prefect.   Well, in Case 20982 then,  
16   was notice of publication required for unlocatable persons?

17                  MS. BENNETT:   Yes, notice of publication was  
18   required for unlocatable persons.   Notice of publication was  
19   done timely, and there is an affidavit of publication in my  
20   materials.

21                  HEARING EXAMINER COSS:   Perfect.   Thank you.

22                  And do your materials include the compulsory  
23   pooling checklist?

24                  MS. BENNETT:   They do.   And for clarity, my  
25   compulsory pooling checklist is on the outside of my packet,

1 so again, please let us know your preference as to whether  
2 you prefer the compulsory checklist on the outside of the  
3 packet or on the inside of the packet.

4 HEARING EXAMINER COSS: Thinking off the cuff  
5 now, inside the packet would be my initial preference, but  
6 as long as it's all submitted electronically.

7 MS. BENNETT: I also have tabbed my materials,  
8 and they are double sided to the extent practical.

9 HEARING EXAMINER COSS: Perfect. Well, Ms.  
10 Bennett, you may continue to present this case via  
11 affidavit.

12 MS. BENNETT: Case Number 20982 and the next two  
13 cases I will be presenting today are part of a combined  
14 development plan for Franklin Mountain Energy. And I first  
15 presented the W/2 cases on December 12. These are the E/2  
16 cases that are part of the Franklin Mountain Energy's  
17 overall development plan.

18 And in the materials you will see a slide that  
19 outlines the overall development plan. In the materials are  
20 the landman affidavit, geology affidavit, and the affidavit  
21 of notice showing notice letters and that publication was  
22 done timely.

23 In addition, you have the checklist before you  
24 that I have certified that includes -- certified that to  
25 include all the information required by the Division.

1                   So with that, I would ask that the exhibits in  
2   Case Number 20982, Exhibits A and B and their attachments,  
3   be admitted into the record for Case Number 20892.

4                   HEARING EXAMINER COSS:   And there is no  
5   objection?

6                   MR. BRUCE:   No objection.

7                   HEARING EXAMINER COSS:   Exhibits will be so  
8   admitted, and Case Number 20982 will be taken under  
9   advisement.

10                  MS. BENNETT:   Thank you very much.

11                  (Exhibits A and B admitted.)

12                  (Case 20982 taken under advisement.)

13                  (Adjourned.)

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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, IRENE DELGADO, New Mexico Certified Court  
7 Reporter, CCR 253, do hereby certify that I reported the  
8 foregoing proceedings in stenographic shorthand and that the  
9 foregoing pages are a true and correct transcript of those  
10 proceedings that were reduced to printed form by me to the  
11 best of my ability.

12 I FURTHER CERTIFY that the Reporter's Record of  
13 the proceedings truly and accurately reflects the exhibits,  
14 if any, offered by the respective parties.

15 I FURTHER CERTIFY that I am neither employed by  
16 nor related to any of the parties or attorneys in this case  
17 and that I have no interest in the final disposition of this  
18 case.

19 Dated this 9th day of January 2020.

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Irene Delgado, NMCCR 253  
License Expires: 12-31-20

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