

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: 20983, 20984

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

2 For the Applicant:

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8 For Caprock Resources 20983:

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15 I N D E X

16 CASE NO. 20983 20984 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: And you may proceed to  
2     present Case 20980. Do we have the same appearances and  
3     lack of objection?

4                   MR. BRUCE: Yes.

5                   MS. BENNETT: For the record, I will be  
6     presenting Case Numbers 20983 and 20984, and I intend to  
7     present those by affidavit.

8                   There were unlocatable parties, so notice of  
9     publication was required. Publication was timely, and there  
10    is an affidavit of publication in my materials.

11                  HEARING EXAMINER COSS: Wonderful, Ms. Bennett.

12                  MR. BRUCE: Mr. Examiner, I'm limiting my entry  
13    of appearance to Case 20983.

14                  HEARING EXAMINER COSS: I see, okay.

15                  And my spreadsheet reflects that, confirms it.

16                  MS. BENNETT: Also, I would mention, you will see  
17    in the materials we have a list of parties we are seeking to  
18    pool in Case 20893 as well as in Case Number 20892. In  
19    neither of those cases are we seeking to pool Caprock, and  
20    by we, I mean Franklin Mountain Energy.

21                  And again, Deana Bennett on behalf of Franklin  
22    Mountain Energy.

23                  I prepared a compulsory pooling checklist, and  
24    before I hand out the compulsory pooling checklist, just as  
25    a point of order, I guess in these cases they are

1 consolidated, so I have prepared a consolidated compulsory  
2 pooling checklist and then I also prepared two separate  
3 compulsory checklists. Does the Division have a preference  
4 when we are doing consolidated cases as to the need for  
5 separate checklists or combined checklists?

6 HEARING EXAMINER COSS: We'll get back to you on  
7 that.

8 MS. BENNETT: Well, for the moment --

9 HEARING EXAMINER COSS: Actually, separate. I  
10 just got the --

11 MS. BENNETT: Okay, great.

12 HEARING EXAMINER COSS: -- actually prefer a  
13 separate checklist.

14 MS. BENNETT: I'm passing out then separate  
15 checklists that I prepared for each case.

16 And you will see from the checklist that I have  
17 certified that all the material is in the application packet  
18 in my materials.

19 I have also, in my materials, I have affidavit of  
20 the landman, my notice affidavit, and affidavit of the  
21 geologist. Those are behind Tabs A and B, and I would ask  
22 that the exhibits in Case Number 20983 and 20984 be taken  
23 under -- I mean be accepted into the record.

24 HEARING EXAMINER COSS: So in these cases it's  
25 similar to the previous case where notice of publication was

1 required and it was done so timely?

2 MS. BENNETT: Yes. And an affidavit of the  
3 publication is in the materials, and the materials are  
4 tabbed and double sided to the extent practicable.

5 HEARING EXAMINER COSS: Okay, Ms. Bennett. So  
6 with all of that, the exhibits will be accepted into the  
7 record, and Case Numbers 20983 and 20984 will be taken under  
8 advisement.

9 MS. BENNETT: Thank you.

10 MR. BRUCE: No objection.

11 HEARING EXAMINER COSS: Oh, no objection, thank  
12 you.

13 (Exhibits A and B admitted.)

14 (Cases 20983 and 20984 taken under advisement.)

15 (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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