

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 23965**

**PRE-HEARING STATEMENT**

Franklin Mountain Energy 3, LLC (“Franklin”) submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

**FRANKLIN MOUNTAIN ENERGY 3, LLC**

**ATTORNEY**

Deana M. Bennett  
Earl E. DeBrine  
Yarithza Peña  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
P. O. Box 2168  
Albuquerque, New Mexico 87103-  
2168  
(505) 848-1800

**OTHER PARTIES**

**None**

**ATTORNEY**

**STATEMENT OF CASE**

**APPLICANT:**

In Case No. 23965, Franklin seeks an order from the Division pooling all uncommitted mineral interests within a standard 800-acre, more or less, Bone Spring horizontal spacing unit comprising the W/2SW/4 of Section 1, the W/2W/2 of Sections 12 and 13, and the E/2SE/4 of Section 2, the

E/2E/2 of Sections 11 and 14, Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico.. This spacing unit will be dedicated to the **Blue Box Fed Com 505H well**, to be horizontally drilled. The producing area for the well is expected to be orthodox. The completed interval for the Blue Box Fed Com 505H well is expected to be less than 330' from the adjoining tracts thereby allowing for the inclusion of the proximity tracts within the proposed spacing unit. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 18 miles west of Hobbs, New Mexico.

### PROPOSED EVIDENCE

#### APPLICANT:

WITNESS	ESTIMATED TIME	EXHIBITS
Landman: Don Johnson	Approx. 10 minutes	Approx. 10
Geologist: Ben Kessel	Approx. 10 minutes	Approx. 10

### PROCEDURAL ISSUES

To date, no party has entered an appearance nor is there any expected opposition to these cases and Franklin intends to present these cases by affidavit.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS  
& SISK, P.A.

By: /s/ Deana M. Bennett

Deana M. Bennett  
Earl E. DeBrine  
Yarithza Peña  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800

[Deana.Bennett@modrall.com](mailto:Deana.Bennett@modrall.com)

[Earl.debrine@modrall.com](mailto:Earl.debrine@modrall.com)

[Yarithza.pena@modrall.com](mailto:Yarithza.pena@modrall.com)

**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 Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170  
**District IV**  
1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 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**

QUESTIONS  
  
Action 290000

QUESTIONS

Operator:  Franklin Mountain Energy 3, LLC 44 Cook Street Denver, CO 80206	OGRID:  331595
	Action Number:  290000
	Action Type:  [HEAR] Prehearing Statement (PREHEARING)

QUESTIONS

Testimony	
Please assist us by provide the following information about your testimony.	
Number of witnesses	Not answered.
Testimony time (in minutes)	Not answered.