

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

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

CASE NO. 21438

FRANKLIN MOUNTAIN ENERGY, LLC'S PRE-HEARING STATEMENT

Franklin Mountain Energy ("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, LLC

ATTORNEY

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

OTHER PARTIES

COG OPERATING LLC

ATTORNEY

Ocean Munds-Dry
Michael Rodriguez
1048 Paseo de Peralta
Santa Fe, New Mexico 87501
omundsdry@concho.com
mridrighuez@concho.com

STATEMENT OF CASE

APPLICANT:

In Case No. 21438, Franklin seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the E/2 W/2 of Sections 1 and 12 and the NE/4 NW/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County,

New Mexico. This spacing unit will be dedicated to the **Bus Driver Fed Com 602H** well, to be horizontally drilled. The producing area for the well will be orthodox. 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, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well.

PROPOSED EVIDENCE

APPLICANT:

| WITNESS | ESTIMATED TIME | EXHIBITS |
|--------------------------|-----------------------|-----------------|
| Landman: Shelly Albrecht | Approx. 30 minutes | Approx. 8 |
| Geologist: Ben Kessel | Approx. 30 minutes | Approx. 6 |

PROCEDURAL ISSUES

Franklin intends to put this case on by affidavit.

Respectfully submitted,

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

By: Deana M. Bennett

Deana M. Bennett
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Deana.Bennett@modrall.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on October 1, 2020:

Ocean Munds-Dry
Michael Rodriguez
1048 Paseo de Peralta
Santa Fe, New Mexico 87501
omundsdry@concho.com
mridrighuez@concho.com
Attorneys for COG Operating LLC

By: Deana M. Bennett
Deana M. Bennett
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800