

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

**APPLICATIONS OF FRANKLIN MOUNTAIN
ENERGY 3, LLC FOR COMPULSORY POOLING
AND NOTICE OF OVERLAPPING SPACING UNIT,
LEA COUNTY, NEW MEXICO**

**Case Nos.: 23833-23840
[23834, 23836, 23837, 23840
have been dismissed and
replaced with 24110-24112
and 24115]**

**APPLICATIONS OF MRC PERMIAN COMPANY
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO**

**Case Nos.: 24142-24145
[23885-23888 have been
dismissed and replaced
with 24142-24145]**

**APPLICATIONS OF MRC PERMIAN COMPANY
FOR APPROVAL OF AN OVERLAPPING HORIZONTAL
WELL SPACING UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

Case Nos.: 23961-23964

AMENDED PRE-HEARING ORDER

This Pre-Hearing Order follows a status conference held on January 4, 2024, before an Oil Conservation Division Hearing Examiner, in which the hearing date was agreed to by all parties.

1. A Special Hearing shall commence on February 8, 2024 at 9:00 a.m. (see below) and will continue as determined by the Division's Hearing Examiner.
2. The Parties filed dismissals in Case Nos.: 23885-23888 which were replaced by Case Nos.: 24142-24145.
3. The Parties filed dismissals in Case Nos.: 23834, 23836, 23837 and 23840 which were replaced by Case Nos.: 24110-24112 and 24115.
4. The Special Hearing shall be recorded and transcribed verbatim by a court reporter.
5. The Special Hearing shall be conducted in a hybrid fashion, in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via the WebEx virtual meeting platform (sign-in information will be sent to the parties closer to the date of the hearing). The Hearing Examiner may modify the format of the hearing consistent with the available resources and public distancing directives in place at the time of the hearing.

6. The Parties shall file, the pre-hearing statement pursuant to 19.15.4.13.B NMAC, and the following additional information, due by 5:00 p.m. no later than seven (7) calendar days before the hearing:

- a. a list of material facts not in dispute;
- b. a list of disputed facts and issues;
- c. identification of the witnesses and their qualifications; and
- d. a full narrative of the direct testimony and exhibits for each witness.

7. Evidentiary objections to the filed direct testimony or any exhibit shall be filed by 5:00 p.m. no later than two calendar days before the Special Hearing and will be taken up by the Hearing Examiner as a preliminary matter at the hearing.

8. All witnesses filing direct testimony shall attend the hearing and will be subject to cross examination by counsel for the parties and the Division's Hearing and Technical Examiners.

9. Requests for a continuance or a status conference shall be filed in writing through the Division fee portal, no later than 48 hours prior to the time hearing is set to begin, pursuant to 19.15.4.13(C) NMAC.

IT IS SO ORDERED.

GREGORY CHAKALIAN
HEARING EXAMINER

GC/sma