



Before the Oil Conservation Division
Examiner Hearing April 8, 2021

Compulsory Pooling

Case No. 21808: Clincher Fed Com 601H

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

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

CASE NO. 21808

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COMPULSORY POOLING APPLICATION CHECKLIST (pdf)

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 21808


APPLICANT'S RESPONSE

Date April 8, 2021

Applicant	Franklin Mountain Energy, LLC
Designated Operator & OGRID (affiliation if applicable)	Franklin Mountain Energy, LLC (373910)
Applicant's Counsel:	Modrall Spering (Deana Bennett, Lance Hough)
Case Title:	Application of Franklin Mountain Energy, LLC for Compulsory Pooling, Lea County, New Mexico
Entries of Appearance/Intervenors:	None
Well Family	Clincher
Formation/Pool	
Formation Name(s) or Vertical Extent:	Bone Spring
Primary Product (Oil or Gas):	Oil
Pooling this vertical extent:	Bone Spring
Pool Name and Pool Code:	WC-025 G-09 S253502B, Lower Bone Spring, Pool Code 98185
Well Location Setback Rules:	Statewide rules
Spacing Unit Size:	320 acres
Spacing Unit	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	320 acres
Building Blocks:	40 acres
Orientation:	North-South
Description: TRS/County	W/2 W/2 of Sections 1 and 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Y
Other Situations	
Depth Severance: Y/N. If yes, description	N
Proximity Tracts: If yes, description	N
Proximity Defining Well: if yes, description	
Applicant's Ownership in Each Tract	Exhibit 4.
Well(s)	



Notice of Hearing	
Proposed Notice of Hearing	Exhibit 8
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit 8
Proof of Published Notice of Hearing (10 days before hearing)	Exhibit 8
Ownership Determination	
Land Ownership Schematic of the Spacing Unit	Exhibit 4
Tract List (including lease numbers and owners)	Exhibit 4
Pooled Parties (including ownership type)	Exhibit 4
Unlocatable Parties to be Pooled	Exhibit 4
Ownership Depth Severance (including percentage above & below)	N/A
Joinder	
Sample Copy of Proposal Letter	Exhibit 6
List of Interest Owners (ie Exhibit A of JOA)	Exhibit 4
Chronology of Contact with Non-Joined Working Interests	See Exhibit 5 for Summary of Contacts
Overhead Rates In Proposal Letter	Proposal Letter Exhibit 6
Cost Estimate to Drill and Complete	Proposal Letter Exhibit 6; AFE Exhibit 7.
Cost Estimate to Equip Well	Proposal Letter Exhibit 6; AFE Exhibit 7.
Cost Estimate for Production Facilities	Proposal Letter Exhibit 6; AFE Exhibit 7.
Geology	
Summary (including special considerations)	Exhibit C
Spacing Unit Schematic	Exhibit 10, Exhibit 11-A
Gunbarrel/Lateral Trajectory Schematic	Exhibit 10, Exhibit 11-A
Well Orientation (with rationale)	Exhibit C, Exhibit 12
Target Formation	Exhibit 10, Exhibit 11-A through 11-D
HSU Cross Section	Exhibit 11-B and 11-C.
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	Exhibit 3
Tracts	Exhibit 4
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit 4
General Location Map (including basin)	Exhibit 9

Well Bore Location Map	Exhibit 9
Structure Contour Map - Subsea Depth	Exhibit 11-A
Cross Section Location Map (including wells)	Exhibit 11-B
Cross Section (including Landing Zone)	Exhibit 11-C
Additional Information	
CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.	
Printed Name (Attorney or Party Representative):	Lance D. Hough
Signed Name (Attorney or Party Representative):	
Date:	April 6, 2021

7. No opposition is expected because the interest owners being pooled have been contacted regarding the proposed well, but have failed or refused to voluntarily commit their interests in the well.

8. The spacing unit and well that Franklin proposes in this case is part of a comprehensive development plan, covering the entirety of Sections 1 and 12, and the E/2 E/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. Franklin's development plan includes a total of six units, including both Wolfcamp and Bone Spring units. The Development Overview is attached as **Exhibit 1**.

9. In this case, Franklin seeks an order from the Division pooling all uncommitted working interests and overriding royalty interests within a Wolfcamp horizontal spacing unit underlying the equivalent of the W/2 W/2 of Sections 1 and 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico.

10. This spacing unit will be dedicated to the **Clincher Fed Com 601H** well, to be horizontally drilled. The Application is attached hereto as **Exhibit 2**.

11. Attached as **Exhibit 3** is the proposed C-102 for the well.

12. The C-102 identifies the proposed surface hole location, the first take point, and the bottom hole location. The C-102 also identifies the pool and pool code.

13. The well will develop the WC-025 G-09 S253502B, Lwr Bone Spring, Pool Code 98185.

14. This pool is an oil pool with 40-acre building blocks.

15. This pool is governed by the state-wide horizontal well rules. The producing interval for the well will be orthodox and will comply with the Division's set back requirements.

16. There are no depth severances within the proposed spacing unit.

17. **Exhibit 4** includes a lease tract map outlining the unit being pooled. Exhibit 4 also includes the parties being pooled, the nature, and the percent of their interests. Franklin owns over 90% of the working interest in this unit.

18. I have conducted a diligent search of the public records in the county where the well is located, and conducted phone directory and computer searches to locate contact information for parties entitled to notification, and mailed the working interest owners well proposals, including an Authorization for Expenditure.

19. The only working interest owner Franklin seeks to pool in this case is Occidental Permian, Ltd (“OXY”).

20. In my opinion, Franklin has made a good faith effort to obtain OXY’s voluntary joinder in the proposed well.

21. **Exhibit 5** is a summary of my contacts with OXY.

22. **Exhibit 6** is a sample of the well proposal letter that was sent to OXY. The proposal letter identifies the proposed surface hole and bottom hole locations and approximate TVD/MD for the well.

23. **Exhibit 7** contains the Authorization for Expenditure for the proposed well. The estimated cost of the well set forth therein is fair and reasonable, and is comparable to the costs of other wells of similar depths and length drilled in this area of New Mexico.

24. Franklin requests overhead and administrative rates of \$7000.00/month for drilling a well and \$700.00/month for a producing well. These rates are fair, and comparable to the rates charged by other operators for wells of this type in this area of Southeastern, New Mexico. Franklin requests that these rates be adjusted periodically as provided in the COPAS Accounting Procedure.

25. Franklin requests the maximum cost plus 200% risk charge be assessed against non-consenting working interest owners.

26. Franklin requests that it be designated operator of the well.

27. The parties Franklin is seeking to pool were notified of this hearing.

28. Franklin seeks to pool overriding royalty interest owners, and they were provided notice of this hearing.

29. **Exhibit 8** is an affidavit of notice prepared by counsel for Franklin that shows the parties who were notified of this hearing, the status of whether they received notice, and an affidavit of publication from the Hobbs News-Sun newspaper, showing that notice of this hearing was published on March 23, 2021.

30. The attachments to this affidavit were prepared by me, or compiled from company business records, or were prepared at my direction.

31. I attest that the information provided herein is correct and complete to the best of my knowledge and belief.

32. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.



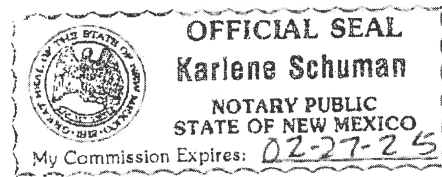
Shelly Albrecht

SUBSCRIBED AND SWORN to before me this 6th day of April, 2021 by Shelly Albrecht on behalf of Franklin Mountain Energy, LLC.



Notary Public

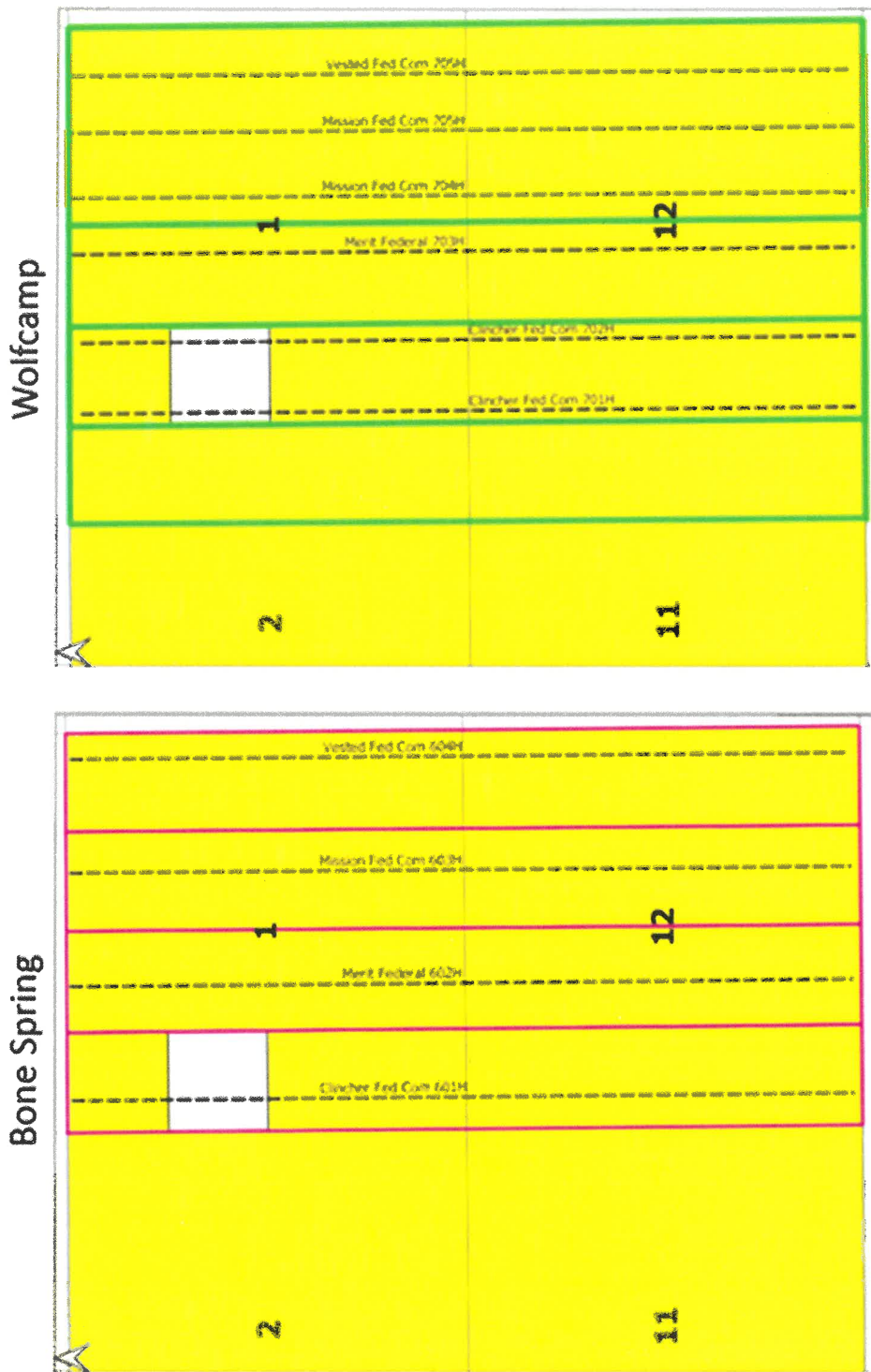
My commission expires: 02-27-25






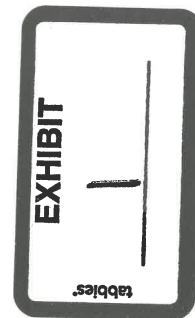


Development Overview

Case Nos. 21803, 21804, 21805, 21806, 21807 and 21808



-  Franklin Mountain Leasehold
-  Bone Spring Unit
-  Wolfcamp Unit



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. 21808

APPLICATION

Franklin Mountain Energy, LLC (“FME”), OGRID Number 373910, through its undersigned attorneys, hereby files this application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17, for an order pooling all uncommitted mineral and leasehold interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. In support of this application, FME states:

1. FME has an interest in the subject lands and has a right to drill and operate a well thereon.
2. FME seeks to dedicate Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico to form a 320-acre, more or less, spacing unit.
3. FME plans to drill the **Clincher Fed Com 601H** well to a depth sufficient to test the Bone Spring formation.
4. The well will be horizontally drilled and will be drilled at orthodox locations under the Division’s rules.



5. FME sought, but has been unable to obtain, a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed spacing unit to participate in the drilling of the well or to otherwise commit their interests to the well.

6. The pooling of all interests in the Bone Spring formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, FME requests this application be set for hearing before an Examiner of the Oil Conservation Division on April 8, 2021, and after notice and hearing as required by law, the Division enter its order:

A. Pooling all uncommitted interests in the Bone Spring formation underlying a horizontal spacing unit within Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico;

B. Designating FME as operator of this unit and the well to be drilled thereon;

C. Authorizing FME to recover its costs of drilling, completing, and equipping the well;

D. Approving actual operating charges and costs charged for supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedure;

E. Imposing a 200% charge for the risk involved in drilling, completing, and equipping the well in the event a working interest owner elects not to participate in the well.

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

By: Deana M. Bennett
Deana M. Bennett
Lance D. Hough
Post Office Box 2168

500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 21808 Application of Franklin Mountain Energy, LLC for compulsory pooling, Lea County, New Mexico. Applicant seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Clincher Fed Com 601H** well to be horizontally drilled. The producing area for the **Clincher Fed Com 601H** well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

District I
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6178 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 Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

1 API Number		2 Pool Code 98185		3 Pool Name WC-025 G-09 S253502B;LWR BONE SPRING	
4 Property Code		5 Property Name CLINCHER FED COM		6 Well Number 601H	
7 OGRID No. 373910		8 Operator Name FRANKLIN MOUNTAIN ENERGY LLC		9 Elevation 3273.6'	

" Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
4	1	25S	35E		250	NORTH	430	WEST	LEA

" Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
M	12	25S	35E		150	SOUTH	420	WEST	LEA

12 Dedicated Acres 320	13 Joint or Infill	14 Consolidation Code	15 Order No.
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No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

16 KOP
FTP
SHL
LTP

LOT 3
LOT 2
LOT 1

See Detail "A"

PPP #2
1346' FNL
417' FWL

PPP #3
2839' FSL
2668' FNL
415' FWL

LEASE BOUNDARY

Re-Established by Single Proportion Method

NOTE:
• Distances referenced on plat to section lines are perpendicular.
• Basis of Bearing is a Transverse Mercator Projection with a Central Meridian of W103°53'00" (NAD 83)

Section Line
No Scale

Detail "A"

" OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

Signature _____ Date _____

Printed Name _____

E-mail Address _____

" SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

February 13, 2020

Date of Survey
Signature and Seal of Professional Surveyor:

Certificate Number: _____

LINE	DIRECTION	LENGTH
L1	N08°36'07"W	100.73'
L2	S00°20'36"E	571.52'
L3	S00°20'36"E	624.77'
L4	S00°20'36"E	1322.06'

LINE TABLE

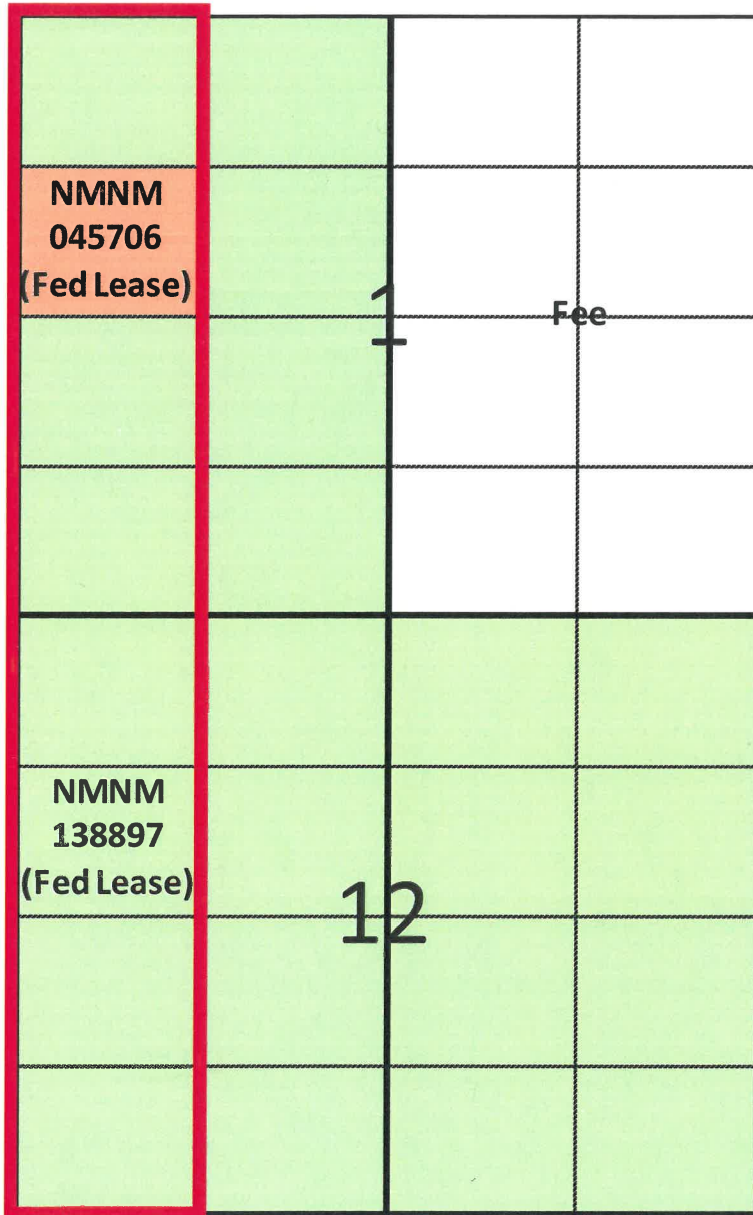
SCALE
DRAWN BY: S.F. 02
REV: 1 C.D. 06-29
(ADD PPPS AND LEASE)

EXHIBIT
3

Lease Tract Map

Case No. 21808

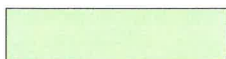
Lot 4, SW/4NW/4 and W/2SW/4 of Section 1-T25S-R35E, and
W/2W/2 of Section 12-T25S-R35E, 320.7 Gross Acres
Clincher Fed Com 601H



Proposed Bone Spring Unit



Tract 1



Tract 2



Summary of Interests

Case No. 21808

Lot 4, SW/4NW/4 and W/2SW/4 of Section 1-T25S-R35E, and
W/2W/2 of Section 12-T25S-R35E, 320.7 Gross Acres
Clincher Fed Com 601H

Committed Working Interests	
Franklin Mountain Energy, LLC	90.271282%
Uncommitted Working Interest	
Occidental Permian, Ltd.	9.728718%
TOTAL:	100.000000%



Unit Recapitulation

Case No. 21808

Lot 4, SW/4NW/4 and W/2SW/4 of Section 1-T25S-R35E, and
 W/2W/2 of Section 12-T25S-R35E, 320.7 Gross Acres
 Clincher Fed Com 601H

Working Interest Owner	Tract 1 (40 ac)	Tract 2 (280.70 ac)
Franklin Mountain Energy, LLC	22%	100%
Occidental Permian, Ltd.	78%	0%
TOTAL:	100%	100%

Tract	Lease
1	NMNM 045706
2	NMNM 138897



Parties to Be Pooled--Case 21808	Interest Type
Occidental Permian, Ltd.	WI
United States of America	RI
Bryan Bell Family LLC	ORRI
DMA, Inc	ORRI
Morris E. Schertz	ORRI
Nuevo Seis, LP	ORRI
Robert N. Enfield Trustee of the Robert N. Enfield Revocable Trust dated 3/6/1999	ORRI
Charmar, LLC	ORRI
Jetstream Royalty Partners, LP	ORRI
Lisa M. Enfield, Trustee of the Lisa M. Enfield Trust dated 1/23/2015	ORRI
MLE, LLC	ORRI
Richard C. Deason	ORRI
Thomas D. Deason	ORRI
Ronald H. Mayer, Trustee of the Ronald H. Mayer and Martha M. Mayer Revocable Trust dated 3/19/1992	ORRI
SAP, LLC	ORRI
Howard A. Rubin, Inc.	ORRI
Rubie Crosby Bell Family, LLC	ORRI

Summary of Attempted Contacts

- Franklin Mountain Energy conducted extensive title work to determine the working interest owners and other interest owners.
- Franklin searched public records, phone directory, and various different types of internet searches.
- Franklin sent well proposal letters to the working interest owners on or around January 22, 2020. Per USPS Certified Mail tracking number 7019 2280 0000 9403 8335, said proposals were received by Occidental Permian, Ltd. (“Oxy”) on January 25, 2021.
- Franklin proposed general terms of a Joint Operating Agreement within the well proposal letters sent to working interest owners and offered to send said form to owners upon request.
- Franklin corresponded with Oxy, after well proposal letters were received, regarding other units but Oxy did not inquire about these development plans.
- Franklin and Oxy completed a trade in October 2020 in which Oxy assigned a portion of its interest in this development to Franklin. Through those dealings, Oxy was aware that Franklin had plans to operate these units.
- Franklin filed an application to force pool parties who had not entered in to an agreement and overriding royalty interest owners.
- Franklin’s counsel sent notices of the force pooling application to the addresses of record for the uncommitted interest owners.
- Franklin also published notice in a newspaper of general circulation in the county where the wells will be located.





Sent via Certified Mail
Tracking No. 7019 2280 0000 9403 8335

January 22, 2021

Occidental Permian, Ltd.
5 Greenway Plaza, Ste 110
Houston, TX 77046-0521

RE: Clincher Fed Com 601H Well Proposal
Township 25 South, Range 35 East:
Sections 1 and 12: W/2W/2, 320.7 acres m/l
Lea County, New Mexico

Dear Working Interest Owner:

Franklin Mountain Energy, LLC ("FME"), as Operator, hereby proposes the drilling and completion of the following horizontal well located in the W/2W/2 of Sections 1 and 12:

Well Name	Target Formation	Total Vertical Depth	Measured Depth	SHL	BHL	AFE
Clincher Fed Com 601H	Bone Spring	11,854'	21,895'	Sec. 1-T25S-R35E 250' FNL, 430' FWL	Sec. 12-T25S-R35E 150' FSL, 420' FWL	\$9,482,642.30

FME reserves the right to modify the locations and drilling plans described above in order to comply with any requirements from a governing regulatory agency or to address any topography, environmental and/or cultural concerns.

FME is proposing to drill and complete the aforementioned well under the terms of a modified, wellbore specific 1989 AAPL form Operating Agreement with the following general provisions:

- 100/300 Non-Consenting Penalty
- \$7,000/\$700 Drilling and Producing Rate
- Franklin Mountain Energy, LLC designated as Operator

Should you be interested in participating under an Operating Agreement, FME will send you our proposed form.





Please indicate your election in the space provided on the following page, sign and return this letter, along with a signed copy of the enclosed AFE. If you do not wish to participate, FME proposes to acquire your interest at the following terms:

REDACTED

The forgoing offer is non-binding in nature until a definitive agreement and/or conveyance documents are negotiated and agreed to by each party. FME is under no obligation to negotiate or purchase your interest.

Please return your signed paperwork to Shelly Albrecht at salbrecht@fmelle.com or to the address provided below at your earliest convenience.

FME looks forward to working with you or your company on this proposed development and encourages you to call with any questions pertaining to these plans. However, please be advised that, in the near term, FME will file an application for compulsory pooling to pool any uncommitted working interest owners.

Should you have any questions, please contact the undersigned at (720) 414-7855 or by email at the address mentioned above.

Respectfully,

Franklin Mountain Energy, LLC



Shelly Albrecht
Director of Land

Enclosures



Clincher Fed Com 601H:

_____ I/We hereby elect to participate in the **Clincher Fed Com 601H** well.

_____ I/We hereby elect **NOT** to participate in the **Clincher Fed Com 601H** well.

_____ I/We hereby elect to **sell our interest**.

Working Interest Owner: _____

By: _____

Printed Name: _____

Title: _____

Date: _____



MODRALL SPERLING
LAWYERS

March 18, 2021

Deana M. Bennett
505.848.1834
Deana.Bennett@modrall.com

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

CASE NO. 21806

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

CASE NO. 21808

TO: AFFECTED PARTIES

This letter is to advise you that Franklin Mountain Energy, LLC ("FME") has filed the above-listed application.

In Case No. 21806, FME seeks an order from the Division pooling all uncommitted interests within a Wolfcamp horizontal spacing unit underlying Lots 3 and 4, the S/2NW/4 and the SW/4 of Section 1, and the W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Clincher Fed Com 702H and Merit Federal 703H** wells to be horizontally drilled. The completed interval for the Clincher Fed Com 702H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the Clincher Fed Com 702H and Merit Federal 703H wells will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said wells, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells.

In Case No. 21808, FME seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New

Modrall Spierling
Roehl Harris & Sisk P.A.
500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102
PO Box 2168
Albuquerque,
New Mexico 87103-2168
Tel: 505.848.1800
www.modrall.com

Page 2

Mexico. This spacing unit will be dedicated to the **Clincher Fed Com 601H** well to be horizontally drilled. The producing area for the Clincher Fed Com 601H well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on April 8, 2021 beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <http://www.emnrd.state.nm.us/OCD/hearings.html>.

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in the case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in the case at a later date.

You are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett

Attorney for Applicant

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. 21808

APPLICATION

Franklin Mountain Energy, LLC (“FME”), OGRID Number 373910, through its undersigned attorneys, hereby files this application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17, for an order pooling all uncommitted mineral and leasehold interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. In support of this application, FME states:

1. FME has an interest in the subject lands and has a right to drill and operate a well thereon.
2. FME seeks to dedicate Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico to form a 320-acre, more or less, spacing unit.
3. FME plans to drill the **Clincher Fed Com 601H** well to a depth sufficient to test the Bone Spring formation.
4. The well will be horizontally drilled and will be drilled at orthodox locations under the Division’s rules.

5. FME sought, but has been unable to obtain, a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed spacing unit to participate in the drilling of the well or to otherwise commit their interests to the well.

6. The pooling of all interests in the Bone Spring formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, FME requests this application be set for hearing before an Examiner of the Oil Conservation Division on April 8, 2021, and after notice and hearing as required by law, the Division enter its order:

A. Pooling all uncommitted interests in the Bone Spring formation underlying a horizontal spacing unit within Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico;

B. Designating FME as operator of this unit and the well to be drilled thereon;

C. Authorizing FME to recover its costs of drilling, completing, and equipping the well;

D. Approving actual operating charges and costs charged for supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedure;

E. Imposing a 200% charge for the risk involved in drilling, completing, and equipping the well in the event a working interest owner elects not to participate in the well.

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

By: Deana M. Bennett
Deana M. Bennett
Lance D. Hough
Post Office Box 2168

500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 21808 Application of Franklin Mountain Energy, LLC for compulsory pooling, Lea County, New Mexico. Applicant seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Clincher Fed Com 601H** well to be horizontally drilled. The producing area for the **Clincher Fed Com 601H** well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

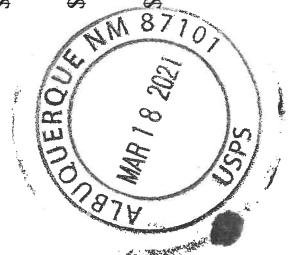
Marlene Schuman
Dorall Sperling Roehl Harris & Sisk P.A.
100 Fourth Street, Suite 1000
Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL
03/18/2021

Firm Mailing Book ID: 205395

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0080 5301 70	Occidental Permian, Ltd. 5 Greenway Plaza, Site 110 Houston TX 77024	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
2	9314 8699 0430 0080 5301 87	United State of America 301 Dinosaur Trail Santa Fe NM 87508	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
3	9314 8699 0430 0080 5301 94	State of New Mexico 310 Old Santa Fe Trail Santa Fe NM 87501	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
4	9314 8699 0430 0080 5302 00	Bryan Bell Family LLC 213 20th Street New Orleans LA 70124	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
5	9314 8699 0430 0080 5302 17	Bryan Bell Family LLC 1331 Third Street New Orleans LA 70130	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
6	9314 8699 0430 0080 5302 24	DMA, Inc P.O. Box 1496 Roswell NM 88202	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
7	9314 8699 0430 0080 5302 31	Morris E. Schertz P.O. Drawer 2588 Roswell NM 88202	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
8	9314 8699 0430 0080 5302 48	Nuevo Seis, LP P.O. Box 2588 Roswell NM 88202	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
9	9314 8699 0430 0080 5302 55	Robert N. Enfield Trustee/Enfield Rev Trust 3/6/99 P.O. Box 2431 Santa Fe NM 87504	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
10	9314 8699 0430 0080 5302 62	Chairmar, LLC 4815 Vista Del Oso Court Albuquerque NM 87109	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
11	9314 8699 0430 0080 5302 79	Jetstream Royalty Partners, LP P.O. Box 471396 Fort Worth TX 76147	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
12	9314 8699 0430 0080 5302 86	Lisa M. Enfield, Trustee/Enfield Trust of 1/23/15 465 Camino Manzano Santa Fe NM 87505	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
13	9314 8699 0430 0080 5302 93	MLE, LLC P.O. Box 1683 Santa Fe NM 87504	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
14	9314 8699 0430 0080 5303 09	Richard C. Deason P.O. Box 1301 N. Havenhurst #217 West Hollywood CA 90046	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
15	9314 8699 0430 0080 5303 16	Thomas D. Deason 6402 CR 7420 Lubbock TX 79424	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice



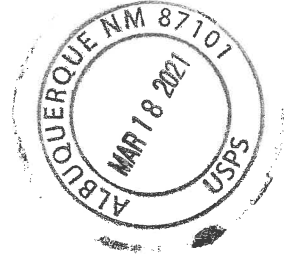
PS Form 3877
Type of Mailing: CERTIFIED MAIL
03/18/2021

Firm Mailing Book ID: 205395

Martene Schuman
Rodrall Sperling Roehl Harris & Sisk P.A.
200 Fourth Street, Suite 1000
Albuquerque NM 87102

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
16	9314 8699 0430 0080 5303 23	Ronald H. Mayer, Trustee Mayer Rev Trust 3/19/1992 P.O. Box 2391 Roswell NM 88202	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
17	9314 8699 0430 0080 5303 30	SAP, LLC 4901 Whitney Lane Roswell NM 88203	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
18	9314 8699 0430 0080 5303 47	Howard A. Rubin, Inc. P.O. Box 58 El Rito NM 87530	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
19	9314 8699 0430 0080 5303 54	Rubie Crosby Bell Family, LLC 1331 Third Street New Orleans LA 70130	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
20	9314 8699 0430 0080 5303 61	Rubie Crosby Bell Family, LLC 213 20th Street New Orleans LA 70124	\$1.20	\$3.60	\$1.75	\$0.00	FME21806,21808.. Notice
Totals:			\$24.00	\$72.00	\$35.00	\$0.00	
						Grand Total:	\$131.00

List Number of Pieces Received at Post Office Postmaster: Dated:
Listed by Sender Name of receiving employee



Transaction Report Details - CertifiedPro.net
Firm Mail Book ID= 205395
Generated: 4/6/2021 10:46:21 AM

USPS Article Number	Date Created	Reference Number	Name	City	State	Zip	Mailing Status	Service Options	Mail Delivery Date
9314869904300080530354	2021-03-18 10:44 AM	FME21806,21808..	Rubie Crosby Bell Family, LLC	New Orleans	LA	70130	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	2021-03-27 11:17 AM
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9314869904300080530316	2021-03-18 10:44 AM	FME21806,21808..	Thomas D. Deason	Lubbock	TX	79424	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530309	2021-03-18 10:44 AM	FME21806,21808..	Richard C. Deason	West Hollywood	CA	90046	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530286	2021-03-18 10:44 AM	FME21806,21808..	MLE, LLC	Santa Fe	NM	87504	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530279	2021-03-18 10:44 AM	FME21806,21808..	Lisa M. Enfield, Trustee/Enfield Trust of 1/23/15	Santa Fe	NM	87505	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530262	2021-03-18 10:44 AM	FME21806,21808..	Jetstream Royalty Partners, LP	Fort Worth	TX	76147	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530255	2021-03-18 10:44 AM	FME21806,21808..	Charmer, LLC	Albuquerque	NM	87109	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530248	2021-03-18 10:44 AM	FME21806,21808..	Robert N. Enfield Trustee/Enfield Rev Trust 3/6/99	Santa Fe	NM	87504	To be Returned	Return Receipt - Electronic, Certified Mail	
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9314869904300080530224	2021-03-18 10:44 AM	FME21806,21808..	Morris E. Schertz	Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300080530217	2021-03-18 10:44 AM	FME21806,21808..	DMA, Inc	Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	
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9314869904300080530187	2021-03-18 10:44 AM	FME21806,21808..	State of New Mexico	Santa Fe	NM	87501	To be Mailed	Return Receipt - Electronic, Certified Mail	
9314869904300080530170	2021-03-18 10:44 AM	FME21806,21808..	United State of America	Santa Fe	NM	87508	Delivered	Return Receipt - Electronic, Certified Mail	
			Occidental Permian, Ltd.	Houston	TX	77024	Delivered	Return Receipt - Electronic, Certified Mail	2021-03-22 2:58 PM
									2021-03-24 10:38 AM

LEGAL LEGAL LEGAL LEGAL LEGAL LEGAL LEGAL LEGAL

LEGAL NOTICE
March 23, 2021

CASE NO. 21803: Notice to all affected parties, as well as the heirs and devisees of Starboard Permian Resources, LLC; Max Permian, LLC; Ameredev New Mexico, LLC; Energen Resources Corporation; Diamondback Energy, Inc.; Burlington Resources Oil and Gas Company / ConocoPhillips Company; Heirs and Devisees of John Everett Kennan, Deceased, C/O of William C. Kennann, Trustee of the Kennann Family Trust; Bobby Aaron Skates; Anna Beth Carder McIntyre; Anna Beth Carder McIntyre, Trustee of the Ida Bell Hunt Trust; John Warren Erickson, Phillip Julian Erickson; Mary Ellen (Marellie) Littlefield f/k/a Mary Elinor Erickson f/k/a Mary Elinor Erickson Knox; BOKF, NA, as Agent for Leonard R. Woods, Sole Manager of the Leonard R. Woods LLC; Maria W. Todd Trust B, Trust Company of Oklahoma (TCO), as Successor Trustee; BOKF, NA, as Agent for Marcia Melinda Woods Jones, Manager of the Marcia Melinda Woods Jones, LLC; BOKF, NA, as Agent for Alicia Ritts Orrick; BOKF, NA, as Agent for James B. Ritts; BOKF, NA, as Agent for Susan R. Stoltz; Heirs and Devisees of Odella N. Clark C/O Walker Royalty, LP; Heirs of Margaret Beary Marlow; St. Joseph's Residence, Inc.; Richard L. Cromartie; Richard L. Cromartie, Jr.; Heirs and Devisees of Jane Cromartie-Williams, C/O John B. Williams, Jr.; Heirs and Devisees of Harry E. Smith, C/O Kathleen A. Smith; Heirs and Devisees of Harry E. Smith, C/O Jeff Smith; Heirs and Devisees of Harry E. Smith; C/O Kevin Smith; Heirs and Devisees of Harry E. Smith, C/O Melissa Smith; Heirs and Devisees of Harry E. Smith, C/O Merle Walker; Heirs and Devisees of Harry E. Smith, C/O Judy McCuiston; Heirs and Devisees of Harry E. Smith, C/O Michael Walker; Heirs and Devisees of Harry E. Smith, C/O Nancy Linn; Heirs and Devisees of Lillian Smith Ward, C/O Joseph Carl Ward III; Heirs and Devisees of Lillian Smith Ward, C/O John Richard Ward; Heirs and Devisees of Jack Wooten; Heirs and Devisees of Eva W. Graham; Heirs and Devisees of Mary C. Smith; Mary Frances Orr Gibbs; Katie Smith Hazelhurst; Jane L. Rule, Trustee under the Jane L. Rule Family Trust dated 6/24/1992, restated 7/26/1996; Heirs, Devisees, and Assigns of Mildred Smith Rawls C/O Shamrock Royalty, LP; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O James L. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Edward A. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Ellen Blandford; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Brenda Bowers; Heirs and Devisees of Eugene D. Smith, C/O Rebecca Sitt; Heirs and Devisees of Eugene D. Smith, C/O Vivian Jones; Heirs and Devisees of Eugene D. Smith, C/O Margaret Couls; Heirs and Devisees of Eugene D. Smith, C/O Robert Smith; Heirs and Devisees of Eugene D. Smith, C/O Quinton Smith; Heirs and Devisees of Eugene D. Smith, C/O Charlotte Lynch; Heirs and Devisees of Eugene D. Smith, C/O Lynette Lough; Heirs or devisees of Cassius L. Smith, as his SP; Steven R. Fine; Heirs and Devisees of Edward D. Smith, C/O Ramona Nadine Garrett; Medlin and Charlotte Lynch, Joint Tenants; Heirs and Devisees of Kathleen A. Smith; Richard A. Whittington; Dudley M. Lynch; Elsie Heard McAdoo; Barbara Ellen Gerloff; Susan Dian Bourque; James Wesley Burch II; Colleen Peterman; Robert Crane; Charles Kenn Crane; Carolyn Thompson; George Crane; Shirley Terry; Stanley Rogers; Billie Dixon; Roberta Hunt Wilson; Marietta Perkins; Donna Moore Blystone; Barbara Moore Garcia; Charles Kenneth Moore; Helen Campsev; Christopher Daniel Kennann; Mitchell Zinck; James Gregory; Clifford D. Gregory; Cheryl Landon; William Benton McDowell; Bessie Marie McDowell; Sharon Bernita Phillips; Megan Shaughnessy, Executor of the Estate of Elinor C. Shaughnessy; Archie D. Smith, Jr., Trustee of the Archie D. and Clarabelle B. Smith Trust; William F. Smith; Elizabeth Wilson; Rheiner Holdings, LLC; Cayuga Royalties, LLC; Prevall Energy, LLC; Bank of America, Trustee of the William E. and Edna D. Kreps Memorial Trust; Cherokee Legacy Minerals, Ltd.; Bon Vivant, LLC; A&P Family LP; Wilmoth Virginia Howard a/k/a Wilma Virginia Howard; Frank Gideon Landram, Jr.; Sandia Minerals, LLC; Barbara Juanita Crane; Clyde Smith; Annie Lee Orr; Priscilla Johnson Gannicott; Debra Y. Counts fka Debra Y. Thompson; Betty Amonte; Meridian 102 LP; Ryan Moore, Trustee of the Ryan Moore SSMTT GST Exempt Trust as revised and restated on December 22, 2008; Michael Harrison Moore; Arthur Leroy Burch; Arvest Bank, Trustee of the O.W. Skirvin Testamentary Trust, by, through and under, Farmers National Company, Agent; Carol Beary Cleveland individually and as Successor Trustee of the James H. Beary Revocable Trust dated March 3, 1996; Monticello Minerals, LLC; Mary Ann Prall; Mid-Brook Royalty LLC; Candlewood Resources, LLC; Patch Energy LLC; Linda Louise Burgess; Alanson Gregory Burgess; Charles Eggleston; Joann Eggleston Rutheford; John A. Dittmer & Velma M. Dittmer Revocable Trust; Charmanie S. Dittmer Reeve; Terry Elizabeth Dittmer Eshelman; Timothy W. Dittmer; United States of America; Encanto Minerals, LLC; Tierra Royalties, LLC; Prevall Energy, LLC; Rheiner Holdings, LLC; Monticello Minerals, LLC of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 1, the SE/4NE/4 and the E/2SE/4 of Section 1, and the E/2E/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Vested Fed Com 604H well to be horizontally drilled. The producing area for the Vested Fed Com 604H well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

CASE NO. 21804: Notice to all affected parties, as well as the heirs and devisees of Starboard Permian Resources, LLC; Max Permian, LLC; Ameredev New Mexico, LLC; Energen Resources Corporation; Diamondback Energy, Inc.; Burlington Resources Oil and Gas Company / ConocoPhillips Company; Heirs and Devisees of John Everett Kennan, Deceased, C/O of William C. Kennann, Trustee of the Kennann Family Trust; Bobby Aaron Skates; Anna Beth Carder McIntyre; Anna Beth Carder McIntyre, Trustee of the Ida Bell Hunt Trust; John Warren Erickson, Phillip Julian Erickson; Mary Ellen (Marellie) Littlefield f/k/a Mary Elinor Erickson f/k/a Mary Elinor Erickson Knox; BOKF, NA, as Agent for Leonard R. Woods, Sole Manager of the Leonard R. Woods LLC; Maria W. Todd Trust B, Trust Company of Oklahoma (TCO), as Successor Trustee; BOKF, NA, as Agent for Marcia Melinda Woods Jones, Manager of the Marcia Melinda Woods Jones, LLC; BOKF, NA, as Agent for Alicia Ritts Orrick; BOKF, NA, as Agent for James B. Ritts; BOKF, NA, as Agent for Susan R. Stoltz; Heirs and Devisees of Odella N. Clark C/O Walker Royalty, LP; Heirs of Margaret Beary Marlow; St. Joseph's Residence, Inc.; Richard L. Cromartie; Richard L. Cromartie, Jr.; Heirs and Devisees of Jane Cromartie-Williams, C/O John B. Williams, Jr.; Heirs and Devisees of Harry E. Smith, C/O Kathleen A. Smith; Heirs and Devisees of Harry E. Smith, C/O Jeff Smith; Heirs and Devisees of Harry E. Smith; C/O Kevin Smith; Heirs and Devisees of Harry E. Smith, C/O Melissa Smith; Heirs and Devisees of Harry E. Smith, C/O Merle Walker; Heirs and Devisees of Harry E. Smith, C/O Judy McCuiston; Heirs and Devisees of Harry E. Smith, C/O Michael Walker; Heirs and Devisees of Harry E. Smith, C/O Nancy Linn; Heirs and Devisees of Lillian Smith Ward, C/O Joseph Carl Ward III; Heirs and Devisees of Lillian Smith Ward, C/O John Richard Ward; Heirs and Devisees of Jack Wooten; Heirs and Devisees of Eva W. Graham; Heirs and Devisees of Mary C. Smith; Mary Frances Orr Gibbs; Katie Smith Hazelhurst; Jane L. Rule, Trustee under the Jane L. Rule Family Trust dated 6/24/1992, restated 7/26/1996; Heirs, Devisees, and Assigns of Mildred Smith Rawls C/O Shamrock Royalty, LP; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O James L. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Edward A. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Ellen Blandford; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Brenda Bowers; Heirs and Devisees of Eugene D. Smith, C/O Rebecca Sitt; Heirs and Devisees of Eugene D. Smith, C/O Vivian Jones; Heirs and Devisees of Eugene D. Smith, C/O Margaret Couls; Heirs and Devisees of Eugene D. Smith, C/O Robert Smith; Heirs and Devisees of Eugene D. Smith, C/O Quinton Smith; Heirs and Devisees of Eugene D. Smith, C/O Charlotte Lynch; Heirs and Devisees of Eugene D. Smith, C/O Lynette Lough; Heirs or devisees of Cassius L. Smith, as his SP; Steven R. 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Smith; Elizabeth Wilson; Rheiner Holdings, LLC; Cayuga Royalties, LLC; Prevall Energy, LLC; Bank of America, Trustee of the William E. and Edna D. Kreps Memorial Trust; Cherokee Legacy Minerals, Ltd.; Bon Vivant, LLC; A&P Family LP; Wilmoth Virginia Howard a/k/a Wilma Virginia Howard; Frank Gideon Landram, Jr.; Sandia Minerals, LLC; Barbara Juanita Crane; Clyde Smith; Annie Lee Orr; Priscilla Johnson Gannicott; Debra Y. Counts fka Debra Y. Thompson; Betty Amonte; Meridian 102 LP; Ryan Moore, Trustee of the Ryan Moore SSMTT GST Exempt Trust as revised and restated on December 22, 2008; Michael Harrison Moore; Arthur Leroy Burch; Arvest Bank, Trustee of the O.W. Skirvin Testamentary Trust, by, through and under, Farmers National Company, Agent; Carol Beary Cleveland individually and as Successor Trustee of the James H. Beary Revocable Trust dated March 3, 1996; Monticello Minerals, LLC; Mary Ann Prall; Mid-Brook Royalty LLC; Candlewood Resources, LLC; Patch Energy LLC; Linda Louise Burgess; Alanson Gregory Burgess; Charles Eggleston; Joann Eggleston Rutheford; John A. Dittmer & Velma M. Dittmer Revocable Trust; Charmanie S. Dittmer Reeve; Terry Elizabeth Dittmer Eshelman; Timothy W. Dittmer; United States of America; Encanto Minerals, LLC; Tierra Royalties, LLC; Prevall Energy, LLC; Rheiner Holdings, LLC; Monticello Minerals, LLC of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Wolfcamp horizontal spacing unit underlying Lots 1 and 2, the S/2NE/4 and the SE/4 of Section 1, and the E/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Mission Fed Com 704H, Mission Fed Com 705H, and Vested Fed Com 706H wells to be horizontally drilled. The completed interval for the Mission Fed Com 705H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the Mission Fed Com 704H, Mission Fed Com 705H, and Vested Fed Com 706H wells will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said

wells, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

CASE NO. 21805: Notice to all affected parties, as well as the heirs and devisees of Starboard Permian Resources, LLC; Max Permian, LLC; Ameredev New Mexico, LLC; Energen Resources Corporation; Diamondback Energy, Inc.; Burlington Resources Oil and Gas Company / ConocoPhillips Company; Heirs and Devisees of John Everett Kennan, Deceased, C/O of William C. Kennann, Trustee of the Kennann Family Trust; Bobby Aaron Skates; Anna Beth Carder McIntyre; Anna Beth Carder McIntyre, Trustee of the Ida Bell Hunt Trust; John Warren Erickson, Phillip Julian Erickson; Mary Ellen (Marellie) Littlefield f/k/a Mary Elinor Erickson f/k/a Mary Elinor Erickson Knox; BOKF, NA, as Agent for Leonard R. Woods, Sole Manager of the Leonard R. Woods LLC; Maria W. Todd Trust B, Trust Company of Oklahoma (TCO), as Successor Trustee; BOKF, NA, as Agent for Marcia Melinda Woods Jones, Manager of the Marcia Melinda Woods Jones, LLC; BOKF, NA, as Agent for Alicia Ritts Orrick; BOKF, NA, as Agent for James B. Ritts; BOKF, NA, as Agent for Susan R. Stoltz; Heirs and Devisees of Odella N. Clark C/O Walker Royalty, LP; Heirs of Margaret Beary Marlow; St. Joseph's Residence, Inc.; Richard L. Cromartie; Richard L. Cromartie, Jr.; Heirs and Devisees of Jane Cromartie-Williams, C/O John B. Williams, Jr.; Heirs and Devisees of Harry E. Smith, C/O Kathleen A. Smith; Heirs and Devisees of Harry E. Smith, C/O Jeff Smith; Heirs and Devisees of Harry E. Smith; C/O Kevin Smith; Heirs and Devisees of Harry E. Smith, C/O Melissa Smith; Heirs and Devisees of Harry E. Smith, C/O Merle Walker; Heirs and Devisees of Harry E. Smith, C/O Judy McCuiston; Heirs and Devisees of Harry E. Smith, C/O Michael Walker; Heirs and Devisees of Harry E. Smith, C/O Nancy Linn; Heirs and Devisees of Lillian Smith Ward, C/O Joseph Carl Ward III; Heirs and Devisees of Lillian Smith Ward, C/O John Richard Ward; Heirs and Devisees of Jack Wooten; Heirs and Devisees of Eva W. Graham; Heirs and Devisees of Mary C. Smith; Mary Frances Orr Gibbs; Katie Smith Hazelhurst; Jane L. Rule, Trustee under the Jane L. Rule Family Trust dated 6/24/1992, restated 7/26/1996; Heirs, Devisees, and Assigns of Mildred Smith Rawls C/O Shamrock Royalty, LP; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O James L. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Edward A. Bowers; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Ellen Blandford; Heirs, Devisees, and Assigns of Mary Smith Bowers, C/O Brenda Bowers; Heirs and Devisees of Eugene D. Smith, C/O Rebecca Sitt; Heirs and Devisees of Eugene D. Smith, C/O Vivian Jones; Heirs and Devisees of Eugene D. Smith, C/O Margaret Couls; Heirs and Devisees of Eugene D. Smith, C/O Robert Smith; Heirs and Devisees of Eugene D. Smith, C/O Quinton Smith; Heirs and Devisees of Eugene D. Smith, C/O Charlotte Lynch; Heirs and Devisees of Eugene D. Smith, C/O Lynette Lough; Heirs or devisees of Cassius L. Smith, as his SP; Steven R. Fine; Heirs and Devisees of Edward D. Smith, C/O Ramona Nadine Garrett; Medlin and Charlotte Lynch, Joint Tenants; Heirs and Devisees of Kathleen A. Smith; Richard A. Whittington; Dudley M. Lynch; Elsie Heard McAdoo; Barbara Ellen Gerloff; Susan Dian Bourque; James Wesley Burch II; Colleen Peterman; Robert Crane; Charles Kenn Crane; Carolyn Thompson; George Crane; Shirley Terry; Stanley Rogers; Billie Dixon; Roberta Hunt Wilson; Marietta Perkins; Donna Moore Blystone; Barbara Moore Garcia; Charles Kenneth Moore; Helen Campsev; Christopher Daniel Kennann; Mitchell Zinck; James Gregory; Clifford D. Gregory; Cheryl Landon; William Benton McDowell; Bessie Marie McDowell; Sharon Bernita Phillips; Megan Shaughnessy, Executor of the Estate of Elinor C. Shaughnessy; Archie D. Smith, Jr., Trustee of the Archie D. and Clarabelle B. Smith Trust; William F. Smith; Elizabeth Wilson; Rheiner Holdings, LLC; Cayuga Royalties, LLC; Prevall Energy, LLC; Bank of America, Trustee of the William E. and Edna D. Kreps Memorial Trust; Cherokee Legacy Minerals, Ltd.; Bon Vivant, LLC; A&P Family LP; Wilmoth Virginia Howard a/k/a Wilma Virginia Howard; Frank Gideon Landram, Jr.; Sandia Minerals, LLC; Barbara Juanita Crane; Clyde Smith; Annie Lee Orr; Priscilla Johnson Gannicott; Debra Y. Counts fka Debra Y. Thompson; Betty Amonte; Meridian 102 LP; Ryan Moore, Trustee of the Ryan Moore SSMTT GST Exempt Trust as revised and restated on December 22, 2008; Michael Harrison Moore; Arthur Leroy Burch; Arvest Bank, Trustee of the O.W. Skirvin Testamentary Trust, by, through and under, Farmers National Company, Agent; Carol Beary Cleveland individually and as Successor Trustee of the James H. Beary Revocable Trust dated March 3, 1996; Monticello Minerals, LLC; Mary Ann Prall; Mid-Brook Royalty LLC; Candlewood Resources, LLC; Patch Energy LLC; Linda Louise Burgess; Alanson Gregory Burgess; Charles Eggleston; Joann Eggleston Rutheford; John A. Dittmer & Velma M. Dittmer Revocable Trust; Charmanie S. Dittmer Reeve; Terry Elizabeth Dittmer Eshelman; Timothy W. Dittmer; United States of America; Encanto Minerals, LLC; Tierra Royalties, LLC; Prevall Energy, LLC; Rheiner Holdings, LLC; Monticello Minerals, LLC of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 2, the SW/4NE/4 and the W/2SE/4 of Section 1, and the W/2E/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Mission Fed Com 603H well to be horizontally drilled. The producing area for the Mission Fed Com 603H well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

CASE NO. 21806: Notice to all affected parties, as well as the heirs and devisees of Occidental Permian, Ltd.; United States of America; Bryan Bell Family LLC; DMA, Inc.; Morris E. Schertz; Nuevo Seis, LP; Robert N. Enfield Trustee of the Robert N. Enfield Revocable Trust dated 3/6/1999; Charmar, LLC; Jetstream Royalty Partners, LP; Lisa M. Enfield, Trustee of the Lisa M. Enfield Trust dated 1/23/2015; MLE, LLC; Richard C. Deason; Thomas D. Deason; Ronald H. Mayer, Trustee of the Ronald H. Mayer and Martha M. Mayer Revocable Trust dated 3/19/1992; SAP, LLC; Howard A. Rubin, Inc.; and Ruble-Crosby Bell Family LLC of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Wolfcamp horizontal spacing unit underlying Lots 3 and 4, the S/2NW/4 and the SW/4 of Section 1, and the W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Clincher Fed Com 702H and Merit Federal 703H wells to be horizontally drilled. The completed interval for the Clincher Fed Com 702H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the Clincher Fed Com 702H and Merit Federal 703H wells will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said wells, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

CASE NO. 21807: Notice to all affected parties, as well as the heirs and devisees of Occidental Permian, Ltd.; United States of America; State of New Mexico; Bryan Bell Family LLC; DMA, Inc.; Morris E. Schertz; Nuevo Seis, LP; Robert N. Enfield Trustee of the Robert N. Enfield Revocable Trust dated 3/6/1999; Charmar, LLC; Jetstream Royalty Partners, LP; Lisa M. Enfield, Trustee of the Lisa M. Enfield Trust dated 1/23/2015; MLE, LLC; Richard C. Deason; Thomas D. Deason; Ronald H. Mayer, Trustee of the Ronald H. Mayer and Martha M. Mayer Revocable Trust dated 3/19/1992; SAP, LLC; Howard A. Rubin, Inc.; Ruble-Crosby Bell Family LLC; Cayuga Royalties, LLC; Prevall Energy, LLC; Rheiner Holdings, LLC; Monticello Minerals, LLC; CrownRock Minerals, LP; Foundation Minerals, LLC; Mavros Minerals II, LLC; and Oak Valley Minerals and Land, LP of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Wolfcamp horizontal spacing unit underlying Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, and Lot 1, the SE/4NE/4 and the E/2SE/4 of Section 2, and the E/2E/2 of Section 11; Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Clincher Fed Com 701H well to be horizontally drilled. The completed interval for the Clincher Fed Com 701H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the Clincher Fed Com 701H well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico.

CASE NO. 21808: Notice to all affected parties, as well as the heirs and devisees of Occidental Permian, Ltd.; United States of America; Bryan Bell Family LLC; DMA, Inc.; Morris E. Schertz; Nuevo Seis, LP; Robert N. Enfield Trustee of the Robert N. Enfield Revocable Trust dated 3/6/1999; Charmar, LLC; Jetstream Royalty Partners, LP; Lisa M. Enfield, Trustee of the Lisa M. Enfield Trust dated 1/23/2015; MLE, LLC; Richard C. Deason; Thomas D. Deason; Ronald H. Mayer, Trustee of the Ronald H. Mayer and Martha M. Mayer Revocable Trust dated 3/19/1992; SAP, LLC; Howard A. Rubin, Inc.; and Ruble-Crosby Bell Family LLC of Franklin Mountain Energy, LLC's application for compulsory pooling, Lea County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on April 8, 2021, to consider this application. Applicant seeks an order from the Division pooling all uncommitted interests within a Bone Spring horizontal spacing unit underlying Lot 4, the SW/4NW/4 and the W/2SW/4 of Section 1, and the W/2W/2 of Section 12, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Clincher Fed Com 601H well to be horizontally drilled. The producing area for the Clincher Fed Com 601H well will be orthodox. Also to be considered will be the cost of drilling, completing, and equipping said well, the allocation of these costs as well as the actual operating costs and charges for supervision while drilling and after completion, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 8 miles Northwest of Jal, New Mexico. #36315

6. The exhibits behind **Tab 11** are the geology study I prepared for the **Clincher Fed Com 601H** well.

7. **Exhibit 11-A** is structure map of the top of the Third Bone Spring Sand. The proposed spacing unit is identified by a pink box. The Clincher Fed Com 601H well is the pink dashed line identified by the box labeled "1". The contour interval used this exhibit is 25 feet. This exhibit shows that the structure dips gently to the southwest.

8. **Exhibit 11-B** is a cross section reference map that identifies four wells in the vicinity of the proposed well, shown by a line of cross-section running from A to A'.

9. **Exhibit 11-C** is a stratigraphic cross section hung on the Wolfcamp top. The well logs on the cross-section give a representative sample of the Third Bone Spring Sand formation in the area. The target zone is identified by a bracket and the words "Producing Interval". I have also identified where Clincher Fed Com 601H well falls within the wells I used for the cross-section.

10. In my opinion, the gross interval thickness thickens slightly from north to the south.

11. **Exhibit 11-D** is a Gross Interval Isochore of the Third Bone Spring Sand. The gross interval thickness thickens slightly from north to the south across the unit and thickens slightly from northeast to southwest regionally.

12. I conclude from the maps that:

- a. The horizontal spacing unit is justified from a geologic standpoint.
- b. There are no structural impediments or faulting that will interfere with horizontal development.
- c. Each quarter quarter section in the proposed unit will contribute more or less equally to production.

13. **Exhibit 12** provides an overview of the stress orientation in the area based on the 2018 Snee-Zoback paper.

14. The preferred well orientation in this area is either north/south or south/north. This is because the S_{Hmax} is at approximately 265 degrees ENE in this area of Lea County.

15. Exhibits 9-12 were prepared by me or under my supervision or compiled from company business records.

16. In my opinion, the granting of Franklin's application is in the interests of conservation and the prevention of waste.

[Signature page follows]



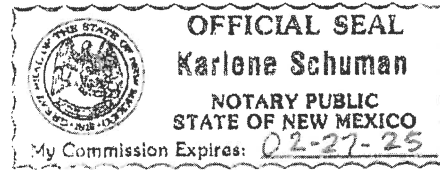
Ben Kessel

SUBSCRIBED AND SWORN to before me this 6th day of April, 2021 by Ben Kessel, on behalf of Franklin Mountain Energy, LLC.



Notary Public

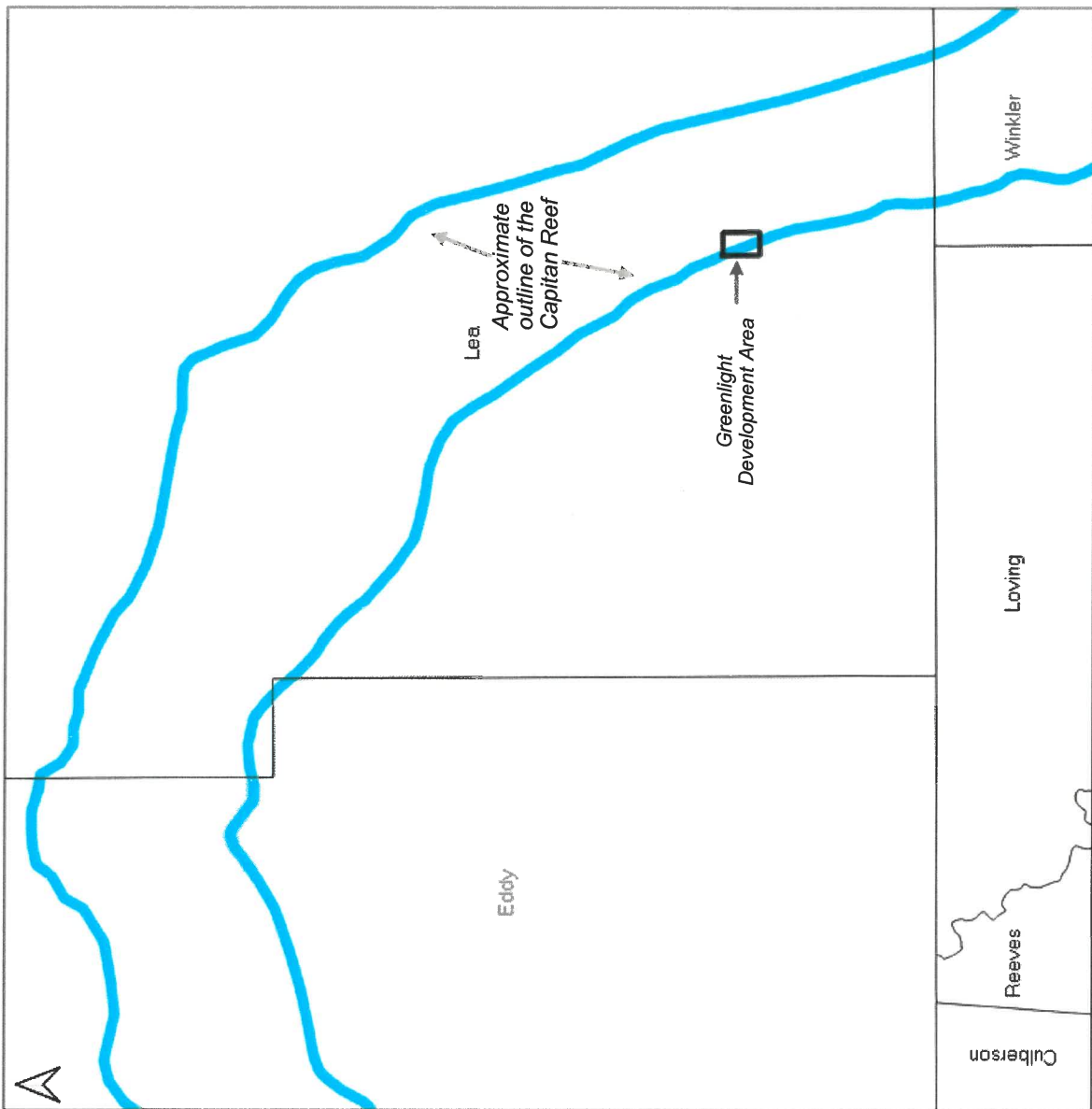
My commission expires: 02-27-25



Greenlight Development



Locator Map



- Black box shows the location of Greenlight development area
- Planned wells are located within the western edge of the Captain Reef



Wellbore Schematic



25S 35E Section 1-Looking North

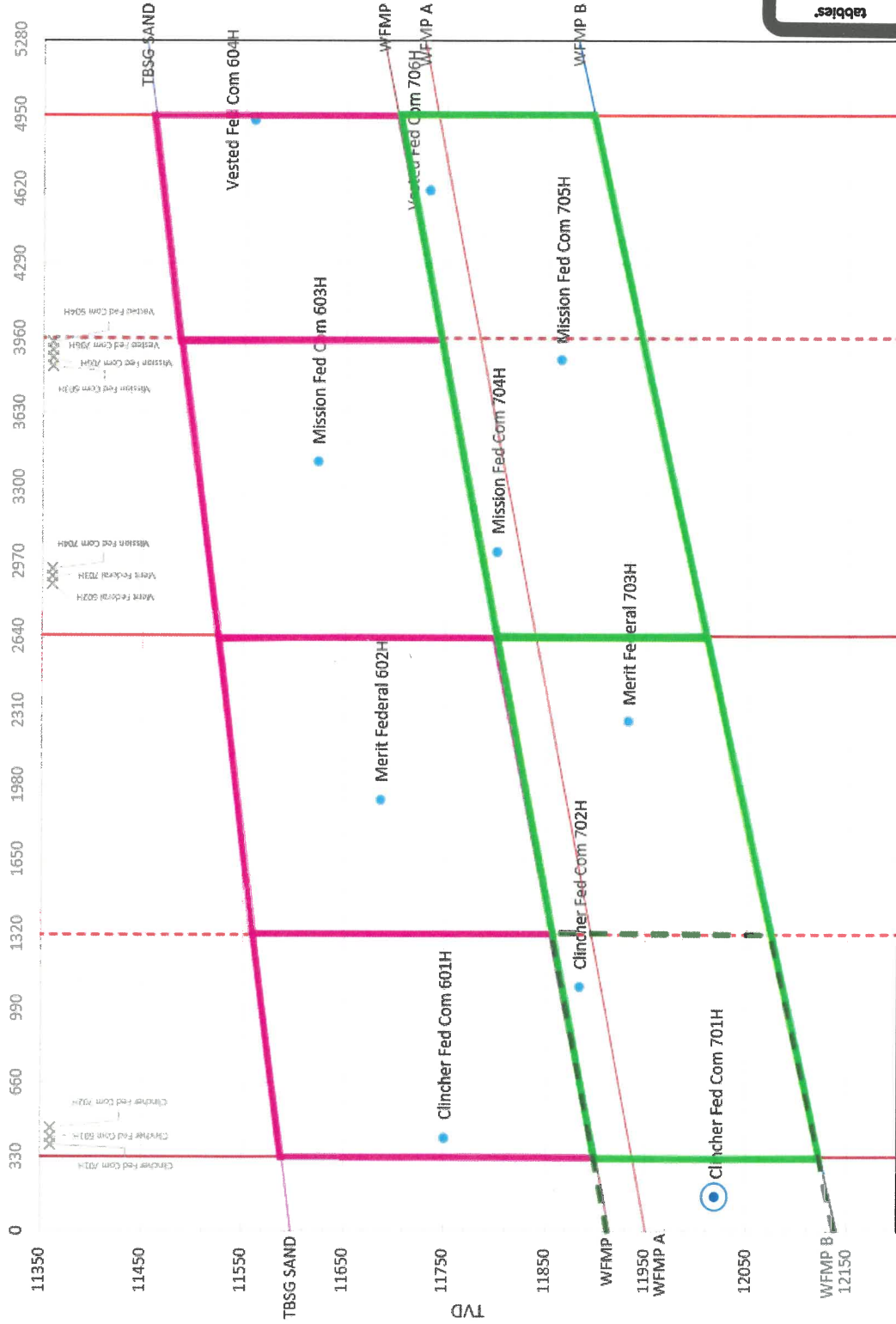


EXHIBIT
 10
 labels

- Proposed Lateral
- TBSG Spacing Unit
- Wolfcamp Spacing Unit
- Clincher Wolfcamp Spacing Unit

Top TBSG Sand Structure Map (SSTVD)

Clincher Fed Com 601H



Franklin Mountain Acreage



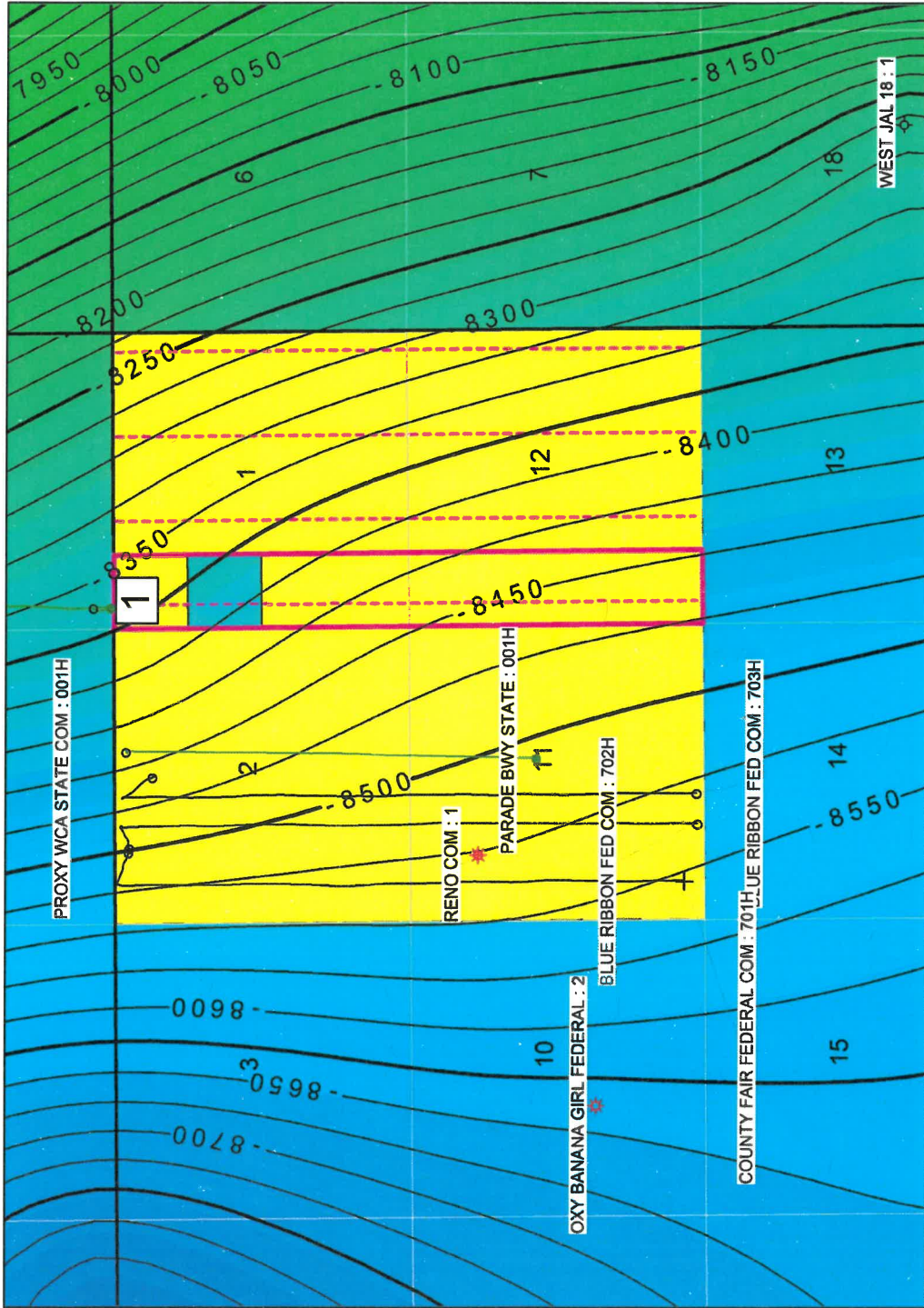
TBSG Spacing Unit



Proposed Horizontal Location



1 Clincher Fed Com 601H



1 mile

Control wells shown

C.I. = 25'



Third Bone Spring Cross Section Reference Map

Clincher Fed Com 601H



Franklin Mountain Acreage



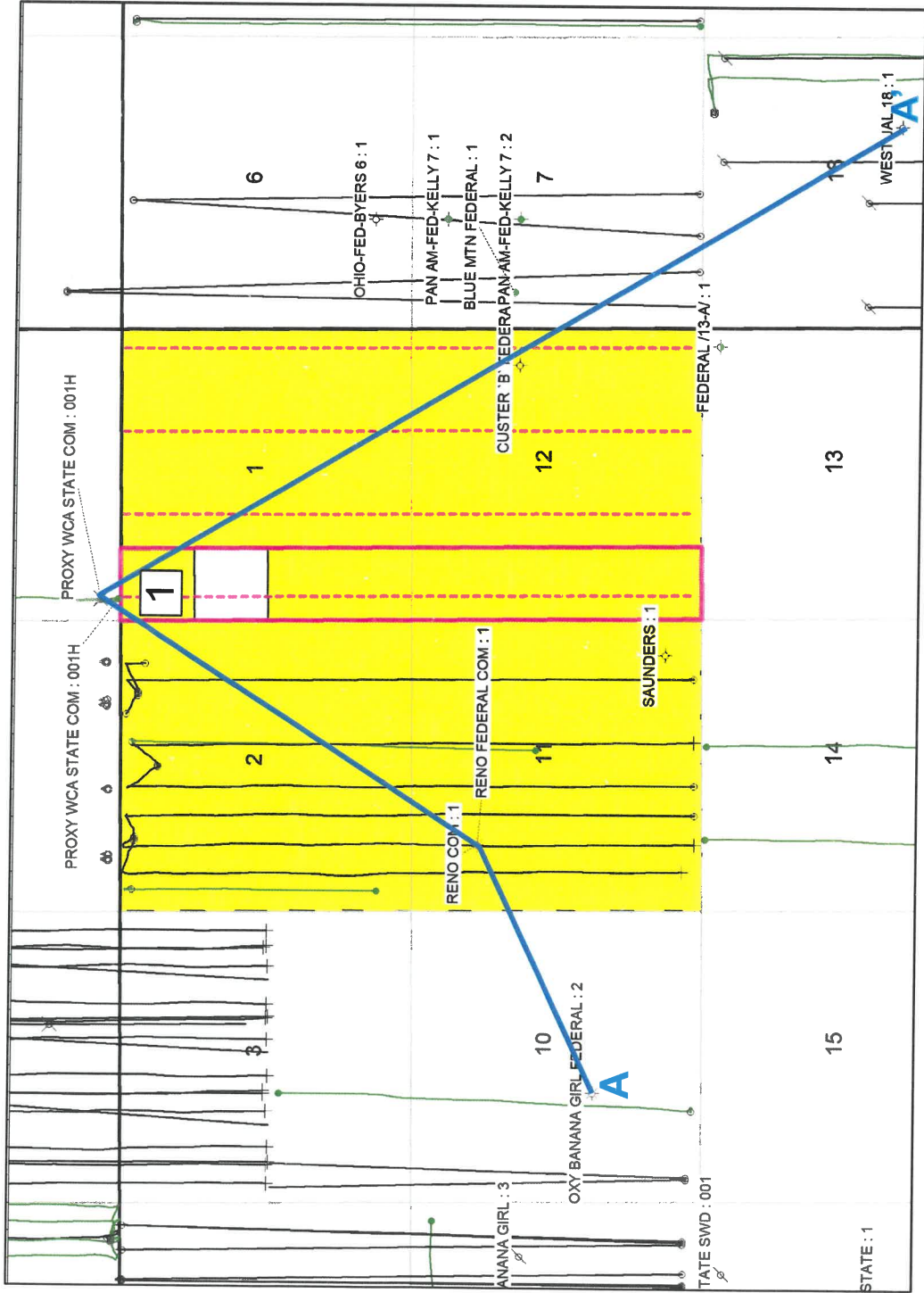
TBSG Spacing Unit

Proposed Horizontal Location



1 Clincher Fed Com 601H

Cross Section Line

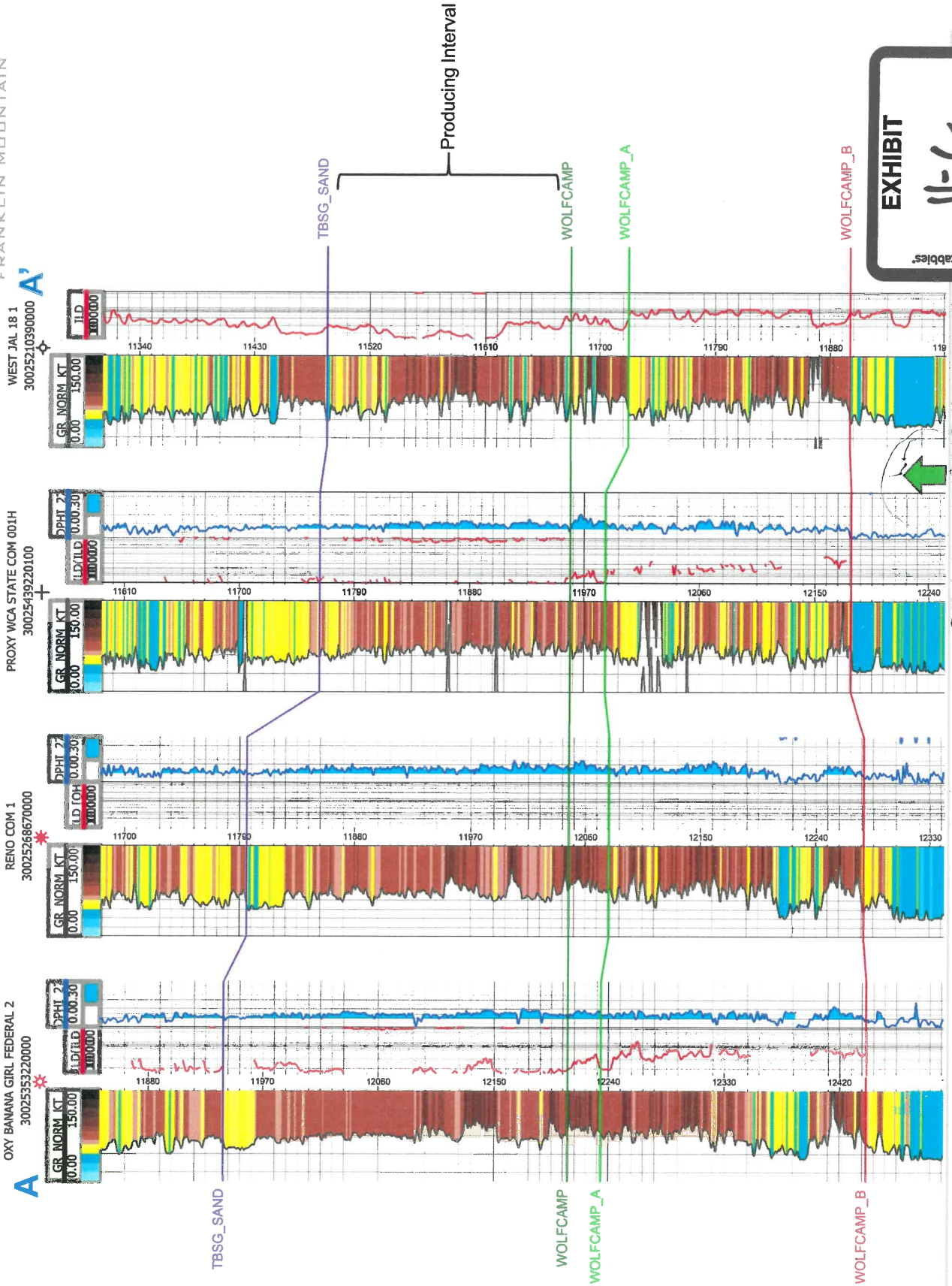


All wells shown

1 mile



Third Bone Spring Sand Cross Section



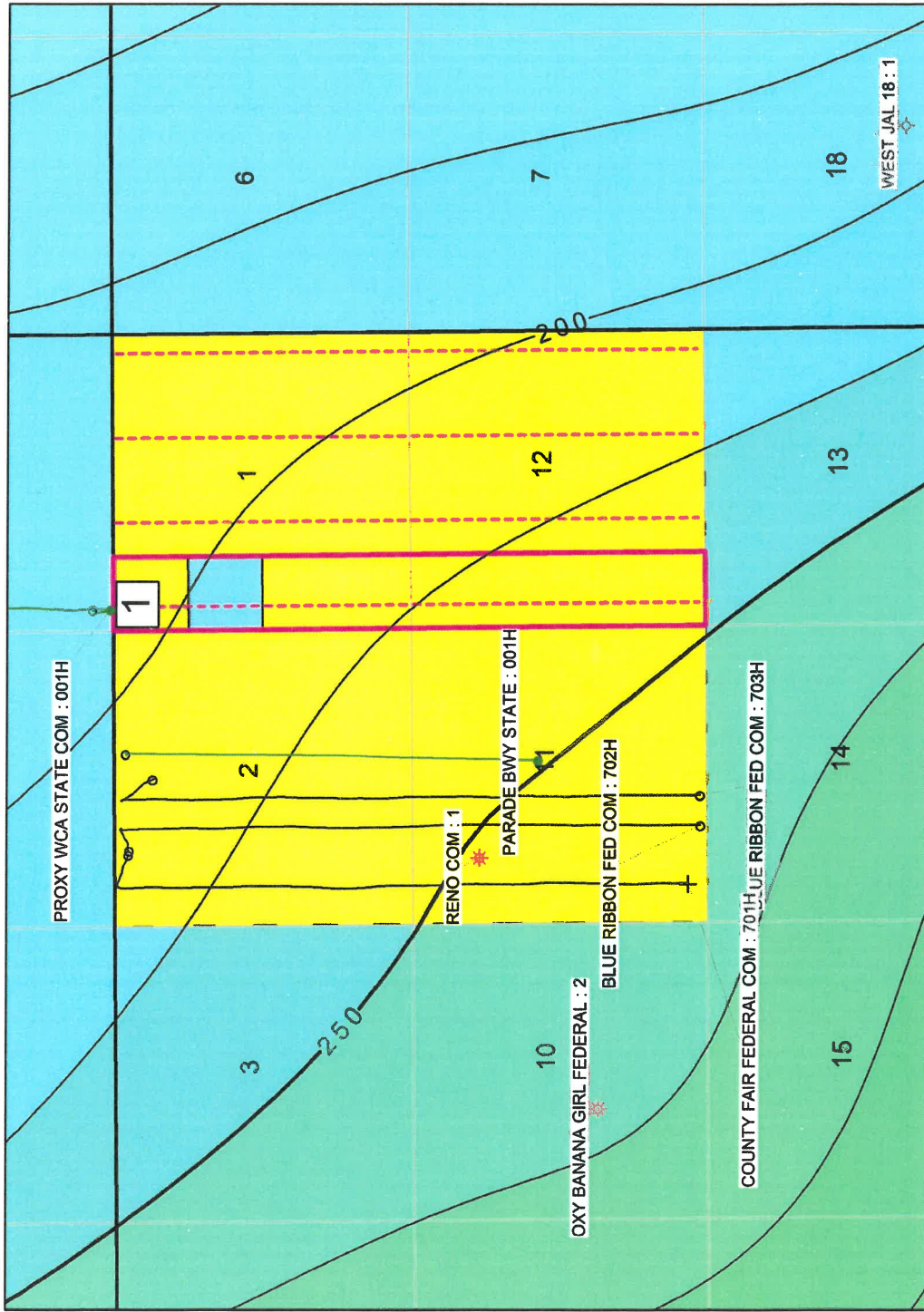
Clincher Fed Com 601H

TBSG Sand Isochore

Clincher Fed Com 601H



- Franklin Mountain Acreage
- TBSG Spacing Unit
- Proposed Horizontal Location
- 1 Clincher Fed Com 601H



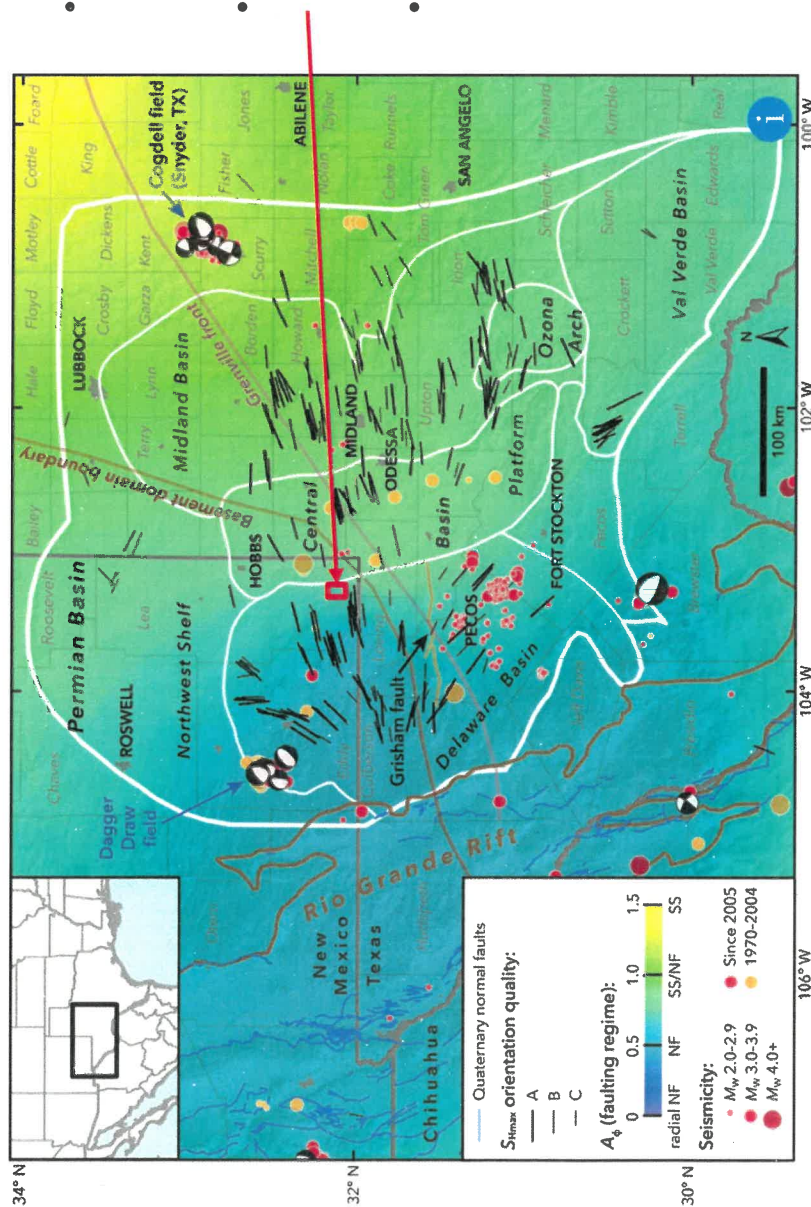
C.I. = 25'

Control wells shown

1 mile



Regional Stress



- Red box shows the approximate location of the Greenlight development
- Reported local S_{Hmax} (Snee and Zoback, 2018) direction is ENE, around 265°
- The Clincher Fed Com 601H well is planned to drill N-S, nearly orthogonal to S_{Hmax} , optimal for induced fracture propagation

Snee, J.L. and Zoback, M.D., 2018, State of stress in the Permian Basin, Texas and New Mexico: Implications for induced seismicity: The Leading Edge, 37, no. 2
http://www.tleonline.org/theleadingedge/february_2018/MobilePagedArticle.action?articleId=1331603#articleId1331603

