

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

**APPLICATION OF COG OPERATING LLC  
FOR COMPULSORY POOLING AND APPROVAL  
OF NON-STANDARD SPACING UNIT,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 23242**

**ENTRY OF APPEARANCE BY FRANKLIN MOUNTAIN ENERGY, LLC  
AND NOTICE OF OPPOSITION TO PRESENTATION BY AFFIDAVIT**

Modrall, Sperling, Roehl, Harris & Sisk, P.A., (Earl E. DeBrine, Jr., Deana M. Bennett, and Bryce H. Smith) hereby enters its appearance on behalf of Franklin Mountain Energy, LLC (“Franklin”) in the above-referenced case. Franklin further provides notice that it objects to presentation of this case by affidavit under Rule 19.15.4.12(A)(1)(b) NMRA.

Additionally, Franklin understands that COG Operating LLC’s Case Nos. 23236–23242 are intended to be consolidated with Franklin’s Case Nos. 23129–23146 and 23158–23167 for a hearing scheduled to commence on January 19, 2023 pursuant to the Pre-Hearing Order entered by the Division on November 4, 2022 in Franklin’s cases.

Respectfully submitted,

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

By: /s/ Bryce H. Smith

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Bryce H. Smith  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800  
[edebrine@modrall.com](mailto:edebrine@modrall.com)  
[dbennett@modrall.com](mailto:dbennett@modrall.com)  
[bsmith@modrall.com](mailto:bsmith@modrall.com)

*Attorneys for Franklin Mountain Energy, LLC*

**CERTIFICATE OF SERVICE**

We hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by e-mail on December 14, 2022:

HINKLE SHANOR LLP  
Dana S. Hardy  
Jaclyn M. McLean  
Yarithza Pena  
P.O. Box 2068  
Santa Fe, NM 87504-2068  
Phone: (505) 982-4554  
[dhardy@hinklelawfirm.com](mailto:dhardy@hinklelawfirm.com)  
[jmclean@hinklelawfirm.com](mailto:jmclean@hinklelawfirm.com)  
[ypena@hinklelawfirm.com](mailto:ypena@hinklelawfirm.com)  
*Counsel for COG Operating, LLC*

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

By: /s/ Bryce H. Smith  
Bryce H. Smith

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