

**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 NOS. 23868**

**MOTION TO DISMISS**

Franklin Mountain Energy, LLC (“Franklin”) requests that the above-referenced case be dismissed. It is a duplicate application of Case No. 23867, and was inadvertently filed.

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)

[eed@modrall.com](mailto:eed@modrall.com)

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

*Attorneys for Franklin Mountain Energy LLC*