

**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. 23845-23852

**UNOPPOSED MOTION TO VACATE PRE-HEARING ORDERS AND SET CASES
FOR A STATUS CONFERENCE ON FEBRUARY 1, 2023**

Franklin Mountain Energy 3, LLC (“Franklin”) moves to vacate the Pre-Hearing Order in the above captioned cases. In support of this motion, Franklin states:

1. The above captioned cases are currently set for a contested hearing on January 4, 2024 pursuant to a Pre-Hearing Order dated November 8, 2023.
2. At the status conference held on December 7, 2023, the Hearing Examiner directed that the above captioned cases be set for a final status conference on February 1, 2024, along with certain other Franklin cases and competing cases filed by COG Operating LLC.
3. Pursuant to the Hearing Examiner’s direction, Franklin hereby moves to vacate the Pre-Hearing Order in the above captioned cases and Franklin will file continuances of the above captioned cases to the February 1, 2024 docket.
4. Franklin has filed similar motions to vacate the prehearing orders in case numbers 23841 to 23842 and in case numbers 23843-23844.
5. Counsel for COG Operating LLC, Slash Exploration LP, and Armstrong Energy Corporation have been contacted and do not oppose the relief sought in this motion.

WHEREFORE, Franklin requests that the Division vacate the Pre-Hearing Order in Case Numbers 23845-23852. A proposed order vacating the Pre-Hearing Order is attached as Exhibit A.

Respectfully submitted.

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

By: 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
**ATTORNEYS FOR FRANKLIN MOUNTAIN ENERGY
3, LLC**

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 December 21, 2023.

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
P.O. Box 2208
Santa Fe, NM 87504-2208
(505) 988-4421
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
pmvance@hollandhart.com
Attorneys for COG Operating LLC

Dana S. Hardy
Jaclyn McLean
P.O. Box 2068
Santa Fe, NM 87504-2068
Phone: (505) 982-4554
Facsimile: (505) 982-8623
dhardy@hinklelawfirm.com
jmclean@hinklelawfirm.com
*Counsel for Slash Exploration LP & Armstrong
Energy Corporation*

Courtesy Copy to:

Jordan L. Kessler
125 Lincoln Avenue, Suite 213
Santa Fe, New Mexico 87501
(432) 488-6108
jordan_kessler@eogresources.com
Attorney for EOG Resources, Inc.



Deana M. Bennett

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Case Nos. 23845-23852

[PROPOSED] ORDER GRANTING MOTION TO VACATE PRE-HEARING ORDER

This Order follows an unopposed Motion to Vacate Pre-Hearing Order filed by Franklin Mountain Energy 3, LLC on December 21, 2023.

1. The Pre-Hearing Order dated November 8, 2023 is vacated.
2. The cases will be continued to February 1, 2024 and a status conference will be held

on that date for the following cases:

Applicant	Case Numbers
Franklin Mountain	23841-23842
Franklin Mountain	23843-23844
Franklin Mountain	23845-23852
COG Operating LLC	24032-24035
COG Operating LLC	23987-23988
COG Operating LLC	23980-23981
COG Operating LLC	23982-23983

3. Any requests for continuances or status conferences shall be filed in writing through the Division fee portal.

IT IS SO ORDERED.

**GREGORY CHAKALIAN
HEARING EXAMINER**

Exhibit A