

**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. 23841-23852**

**APPLICATIONS OF COG OPERATING LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**Case Nos. 23980-23983**

**APPLICATIONS OF COG OPERATING LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**Cases Nos. 23987-23988, 24032-24035**

**JOINT MOTION TO VACATE PRE-HEARING ORDER AND SET A STATUS  
CONFERENCE**

Franklin Mountain Energy 3, LLC (“Franklin Mountain”), COG Operating LLC (“COG”), and MRC Permian Company (“MRC”), move the vacate the Pre-Hearing Order setting these matters for a contested hearing on April 9, 2024, and to set the remaining contested cases for a status conference on April 18, 2024. In support of this motion, movants state:

1. MRC has recently filed pooling applications under Cases 24314-24319 (Jack Hammack wells) and Cases 24327-24334 (Mark McKinley wells) that compete with the pooling applications filed by Franklin Mountain.
2. With the filing of the MRC competing pooling cases, COG has now dismissed Cases 23980-23981 (Crow State wells), Cases 23982-23983 (Moaning Pheasant wells), Cases 23987-23988 (Vulture wells) and Cases 24032-24035 (Nightjar wells).
3. Franklin Mountain recently filed amended pooling applications for its Gold State wells under Cases 24356, 24358-24360, which replace Franklin Mountain’s previously filed Gold State cases, Cases 23841-23844.

4. Franklin Mountain recently filed amended pooling applications for its Parallel State wells under Cases 24348, 24350-24355, and 24362, which replace Franklin Mountain's previously filed Parallel State cases, Cases 23845-23852.

5. At the February 1st status conference in the above referenced matters, counsel was instructed to amend the prehearing orders once the competing MRC cases were filed with the Division. Tr. 47-50.

6. The remaining applicants, MRC and Franklin Mountain, are engaged in extensive and productive settlement discussions that may resolve the remaining competing pooling cases without a hearing.

7. Vacating the existing prehearing order and setting the remaining cases for a status conference on April 18th, will allow the parties to continue discussions on a resolution and potentially avoid an unnecessary hearing.

8. Counsel for the other parties appearing in these matters has been contacted and do not oppose this motion.

9. A proposed order granting this joint motion will be forwarded to the Division via email as a word document.

WHEREFORE movants request that (a) the prehearing order setting these matters for a contested hearing on April 9th be vacated, and (b) that the Division set a status conference on April 18, 2024, to address the following remaining competing cases: Franklin Mountain Cases 24356, 24358-24360 23841-44 (Gold State wells), Franklin Mountain Cases 24348, 24350-24355, and 24362 23845-23852 (Parallel State wells), MRC Cases 24314-24319 (Jack Hammack wells) and MRC Cases 24327-24334 (Mark McKinley wells).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 15, 2024, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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