

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. 23833, 23835, 23838, 23839

APPLICATIONS OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING AND, TO THE EXTENT  
NECESSARY, APPROVAL OF AN OVERLAPPING SPACING  
UNIT, LEA COUNTY, NEW MEXICO

CASE NOS. 24110-24112, 24115

**MRC PERMIAN, LLC'S WITHDRAWAL OF OBJECTION**

MRC Permian Company ("MRC") hereby withdraws its objections to the above captioned Franklin Mountain Energy 3, LLC ("FME3") cases. As grounds for this withdrawal, MRC states as follows:

1. In the above captioned cases, FME3 seeks approval of Bone Spring and Wolfcamp spacing units underlying Section 36, Township 18 South, Range 34 East, and Section 1, Township 19 South, Range 34 East, NMPM, Lea County, New Mexico. FME3 seeks to dedicate these units to its Cross State wells.
2. MRC had originally filed applications that competed with the above captioned FME3 cases.
3. MRC subsequently dismissed its competing applications, but maintained its objection to FME3's Cross State wells.
4. A contested hearing was held on February 8, 2024.
5. MRC and FME3 submitted post-hearing briefs on March 7, 2024.

6. MRC and FME3 have resolved MRC's objections to FME3's Cross State wells and development plan and the Cross State applications.

7. MRC anticipates entering into a mutually-agreeable JOA with FME3, whereby FME3 will be the operator of the Cross State wells and the acreage at issue in the above captioned cases, and FME3 will proceed to develop the Cross State wells as discussed at the February 8 hearing in these matters.

8. MRC is therefore withdrawing its objections to the above captioned FME3 cases and withdraws its objection to FME3's proposed development plan for FME3's Cross State wells.

9. Because MRC is withdrawing its objections to the above captioned cases, MRC's exhibits, witness testimony, and MRC's Post-Hearing Brief and Proposed Findings should also be considered withdrawn or are rendered moot by this withdrawal of objection.

Respectfully submitted,

HOLLAND & HART LLP

By: 

Michael H. Feldewert

Adam G. Rankin

Paula M. Vance

Post Office Box 2208

Santa Fe, NM 87504

505-988-4421

505-983-6043 Facsimile

[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)

[agrarkin@hollandhart.com](mailto:agrarkin@hollandhart.com)

[pmvance@hollandhart.com](mailto:pmvance@hollandhart.com)

**ATTORNEYS FOR MRC PERMIAN  
COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2024, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

Deana Bennett  
Earl E. DeBrine, Jr.  
Yarithza Peña  
Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
Post Office Box 2168  
Albuquerque, New Mexico 87103-2168  
(505) 848-1800  
deana.bennett@modrall.com  
earl.debrine@modrall.com  
yarithza.pena@modrall.com  
***Attorneys for Franklin Mountain Energy 3, LLC***

Dana S. Hardy  
Jaclyn M. McLean  
HINKLE SHANOR LLP  
P.O. Box 2068  
Santa Fe, NM 87504-2068  
(505) 982-4554  
(505) 982-8623 FAX  
dhardy@hinklelawfirm.com  
jmclean@hinklelawfirm.com  
***Attorneys for Armstrong Energy Corporation and  
Slash Exploration LP***

Elizabeth Ryan  
Jobediah Rittenhouse  
ConocoPhillips  
1048 Paseo de Peralta  
Santa Fe, New Mexico 87501  
(505) 780-8000  
Beth.Ryan@conocophillips.com  
Joby.Rittenhouse@conocophillips.com  
***Attorneys for COG Operating, LLC***

/s/ Michael H. Feldewert