

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

**APPLICATION 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 NO. 24472**

**AMENDED OBJECTION**

North Fork Land Management, LP (“North Fork”) and Aquila Operating Company, LLC (“Aquila”) hereby amend their objection to this case as follows:

1. The assignment dated as of October 1, 2022 from Devon Energy Production Company, LP and WPX Permian, LLC to North Fork and Aquila conveyed the Toro 27-5 well located in the SW/4NE/4 of Section 27, T19S, R35E, Lea County, NM, and did not convey a working interest or leasehold interest in the proposed spacing unit, thus a proposal and notice of the compulsory pooling hearing was not required for the May 16, 2024 hearing. North Fork and Aquila withdraw their objection on the issue of lack of notice.
2. North Fork and Aquila, however, object that Franklin Mountain’s proposed horizontal well will traverse the SW/4NE/4 of Section 27 in the same interval where North Fork and Aquila’s well is located and completed. Without safeguards to avoid a collision of the wellbores, damage to North Fork and Aquila’s well may occur. Additionally, without safeguards as to Franklin Mountain’s hydraulic fracturing and completion procedures, damage to North Fork and Aquila’s well may occur.

WHEREFORE, North Fork Land Management, LP and Aquila Operating Company, LLC, request a stay of issuance of an order until their concerns as stated in Paragraph 2 above are addressed by Franklin Mountain.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing was served to counsel of record by electronic mail this 11<sup>th</sup> day of July, 2024, as follows:

Deana M. Bennett  
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/s/ Ernest L. Padilla  
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