



Before the Oil Conservation Division  
Examiner Hearing August 8th, 2024

Compulsory Pooling

**Case No. 24661: Foxtail State Com 701H**  
**Foxtail State Com 801H**

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 24661**

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**COMPULSORY POOLING APPLICATION CHECKLIST****ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS**

| <b>Case: 24661</b>   | <b>APPLICANT'S RESPONSE</b>   |
|--|---|
| <b>Date</b>  | <b>August 8, 2024</b>   |
| Applicant  | Franklin Mountain Energy 3, LLC   |
| Designated Operator & OGRID (affiliation if applicable)  | Franklin Mountain Energy 3, LLC OGRID No. 331595  |
| Applicant's Counsel:   | Modrall, Sperling, Roehl, Harris, & Sisk, P.A.  |
| Case Title:  | Application of Franklin Mountain Energy 3, LLC for Compulsory Pooling, Lea County, New Mexico.  |
| Entries of Appearance/Intervenors:   | None.   |
| Well Family  | Foxtail State Com   |
| <b>Formation/Pool</b>  |   |
| Formation Name(s) or Vertical Extent:  | Wolfcamp  |
| Primary Product (Oil or Gas):  | Oil   |
| Pooling this vertical extent:  | Wolfcamp  |
| Pool Name and Pool Code (Only if NSP is requested):  | N/A   |
| Well Location Setback Rules (Only if NSP is Requested):  | N/A   |
| <b>Spacing Unit</b>  |   |
| Type (Horizontal/Vertical)   | Horizontal  |
| Size (Acres)   | 319.61-acres  |
| Building Blocks:   | 40-acres  |
| Orientation:   | North/South   |
| Description: TRS/County  | W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico |
| Standard Horizontal Well Spacing Unit (Y/N), If No, describe and is approval of non-standard unit requested in this application?                   | Yes.  |
| <b>Other Situations</b>  |   |
| Depth Severance: Y/N. If yes, description  | N/A   |
| Proximity Tracts: If yes, description  | N/A   |
| Proximity Defining Well: if yes, description   | N/A   |
| Applicant's Ownership in Each Tract  | Exhibit A-4   |
| <b>Well(s)</b>   |   |
| Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard) | Add wells as needed   |

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit A**

|  |  |
|--|--|
| Well #1: Foxtail State Com 701H  | API No. <i>Pending</i><br>SHL: 71' FSL & 1814' FWL, (Unit N), Section 5, T19S, R35E<br>FTP: 100' FSL & 360' FWL, Section 5, T19S, R35E<br>BHL: 100' FNL & 360' FWL, (Unit D) Section 32, T18S, R35E<br>Completion Target: Wolfcamp A (Approx. 10,793' TVD)<br>Orientation: North/South |
| Well #2: Foxtail State Com 801H  | API No. <i>Pending</i><br>SHL: 71' FSL & 1904' FWL, (Unit N), Section 5, T19S, R35E<br>FTP: 100' FSL & 800' FWL, Section 5, T19S, R35E<br>BHL: 100' FNL & 800' FWL, (Unit D) Section 32, T18S, R35E<br>Completion Target: Wolfcamp B (Approx. 11,392' TVD)<br>Orientation: North/South |
| Horizontal Well First and Last Take Points   | Exhibit A-3  |
| Completion Target (Formation, TVD and MD)  | Exhibit A-6  |
| <b>AFE Capex and Operating Costs</b>   |  |
| Drilling Supervision/Month \$  | \$9,000.00   |
| Production Supervision/Month \$  | \$900.00   |
| Justification for Supervision Costs  | See Exhibit B Paragraph 19   |
| Requested Risk Charge  | 200%   |
| <b>Notice of Hearing</b>   |  |
| Proposed Notice of Hearing   | Exhibit C-1  |
| Proof of Mailed Notice of Hearing (20 days before hearing)   | Exhibit C-2 and C-3  |
| Proof of Published Notice of Hearing (10 days before hearing)  | Exhibit C-4  |
| <b>Ownership Determination</b>   |  |
| Land Ownership Schematic of the Spacing Unit   | Exhibit A-4  |
| Tract List (including lease numbers and owners)  | Exhibit A-4  |
| If approval of Non-Standard Spacing Unit is requested, Tract List (including lease numbers and owners) of Tracts subject to notice requirements. | N/A  |
| Pooled Parties (including ownership type)  | Exhibit A-5  |
| Unlocatable Parties to be Pooled   | N/A  |
| Ownership Depth Severance (including percentage above & below)   | N/A  |
| <b>Joinder</b>   |  |
| Sample Copy of Proposal Letter   | Exhibit A-6  |
| List of Interest Owners (ie Exhibit A of JOA)  | Exhibit A-4  |
| Chronology of Contact with Non-Joined Working Interests  | Exhibit A-7  |
| Overhead Rates In Proposal Letter  | Exhibit A-6  |
| Cost Estimate to Drill and Complete  | Exhibit A-6  |
| Cost Estimate to Equip Well  | Exhibit A-6  |
| Cost Estimate for Production Facilities  | Exhibit A-6  |
| <b>Geology</b>   |  |

|  |                      |
|--|----------------------|
| Summary (including special considerations)   | Exhibit B            |
| Spacing Unit Schematic   | Exhibit B-1          |
| Gunbarrel/Lateral Trajectory Schematic   | Exhibit B-2          |
| Well Orientation (with rationale)  | Exhibit B-2          |
| Target Formation   | Tab B                |
| HSU Cross Section  | Exhibits B-5; B-9    |
| Depth Severance Discussion   | N/A                  |
| <b>Forms, Figures and Tables</b>   |                      |
| C-102  | Exhibit A-3          |
| Tracts   | Exhibit A-4          |
| Summary of Interests, Unit Recapitulation (Tracts)   | Exhibit A-5          |
| General Location Map (including basin)   | Exhibit B-1          |
| Well Bore Location Map   | Exhibit B-2          |
| Structure Contour Map - Subsea Depth   | Exhibits B-3; B-7    |
| Cross Section Location Map (including wells)   | Exhibits B-4; B-8    |
| Cross Section (including Landing Zone)   | Exhibits B-5; B-9    |
| <b>Additional Information</b>  |                      |
| Special Provisions/Stipulations  |                      |
| <b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b> |                      |
| <b>Printed Name</b> (Attorney or Party Representative):  | Deana M. Bennett     |
| <b>Signed Name</b> (Attorney or Party Representative):   | /s/ Deana M. Bennett |
| <b>Date:</b>   | 8/1/2024             |

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. \_\_\_\_\_**

**APPLICATION**

Franklin Mountain Energy 3, LLC (“Franklin”), OGRID Number 331595, through its undersigned attorneys, hereby files this application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17, for an order pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. In support of this application, Franklin states as follows:

1. Franklin has an interest in the subject lands and has a right to drill and operate a well thereon.
2. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32.
3. The producing area for the wells is expected to be orthodox.
4. Franklin sought, but has been unable to obtain, a voluntary agreement from all interest owners in the Wolfcamp formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.

**Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit A-1**

5. The pooling of all interests in the Wolfcamp formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Franklin requests this application be set for hearing before an Examiner of the Oil Conservation Division on July 11, 2024 and after notice and hearing as required by law, the Division enter its order:

A. Pooling all uncommitted interests in the Wolfcamp formation underlying a horizontal spacing unit within the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico;

B. Designating Franklin as operator of this unit and the wells to be drilled thereon;

C. Authorizing Franklin to recover its costs of drilling, equipping and completing the wells;

D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and

E. Setting a 200% charge for the risk involved in drilling and completing the wells in the event a working interest owner elects not to participate in the wells.

Respectfully submitted,

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

By: /s/ Deana M. Bennett

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Yarithza Peña  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800

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

[deana.bennett@modrall.com](mailto:deana.bennett@modrall.com)

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

*Attorneys for Franklin Mountain Energy 3, LLC*



**CASE NO. \_\_\_\_\_: Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. This spacing unit will be dedicated to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 24661**

**SELF-AFFIRMED STATEMENT OF DON JOHNSON**

Don Johnson hereby states and declares as follows:

1. I am over the age of 18, I am a landman for Franklin Mountain Energy 3, LLC (“Franklin”), and I have personal knowledge of the matters stated herein. I have previously testified before the Oil Conservation Division (“Division”) and my credentials as an expert petroleum landman were accepted by the Division as a matter of record.

2. My area of responsibility at Franklin includes the area of Lea County in New Mexico.

3. I am familiar with the application filed by Franklin in this case, which is attached as **Exhibit A-1**.

4. I am familiar with the status of the lands that are subject to the application.

5. I submit the following information pursuant to NMAC 19.15.4.12.A(1) in support of the above referenced compulsory pooling application.

6. The purpose of the application is to force pool all uncommitted interests into the horizontal spacing unit described below, and in the wells to be drilled in the unit.

7. In this case, Franklin seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and

**Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit A-2**

the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico.

8. This spacing unit will be dedicated to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32.

9. The producing areas for the wells are expected to be orthodox.

10. Attached as **Exhibit A-3** are the proposed C-102s for the wells.

11. The C-102s identify the proposed surface hole locations and bottom hole locations, and the first take points. The C-102s also identify the pool and pool code.

12. The wells will develop the Scharb; Wolfcamp Pool, (Code 55640).

13. The Scharb; Wolfcamp Pool is an oil pool with 40-acre building blocks.

14. The pools are governed by the state-wide horizontal well rules.

15. There are no depth severances within the proposed spacing unit.

16. **Exhibit A-4** includes a lease tract map outlining the unit being pooled. Exhibit A-4 also includes the parties being pooled, the nature, and the percent of their interests.

17. **Exhibit A-5** is a unit recapitulation with a list of the parties to be pooled highlighted in yellow.

18. **Exhibit A-6** contains a sample well proposal letter and Authorizations for Expenditure (“AFEs”) sent to all working interest owners. The estimated cost of the wells set forth in the AFEs are fair and reasonable and comparable to the costs of other wells of similar depths and length drilled in this area of New Mexico.

19. Franklin requests overhead and administrative rates of \$9,000.00/month for drilling a well and \$900.00/month for a producing well. These rates are fair, and comparable to the rates

charged by other operators for wells of this type in this area of Southeastern, New Mexico. Franklin requests that these rates be adjusted periodically as provided in the COPAS Accounting Procedure.

20. Franklin requests the maximum cost plus 200% risk charge be assessed against non-consenting working interest owners.

21. I have conducted a diligent search of the public records in the county where the wells are located, and conducted phone directory and computer searches to locate contact information for parties entitled to notification, and mailed the working interest owners well proposals, including an Authorization for Expenditure.

22. In my opinion, Franklin has made a good faith effort to obtain voluntary joinder of the working interest owners in the proposed wells as demonstrated by the chronology of contact in **Exhibit A-7**.

23. Franklin requests that it be designated operator of the wells.

24. The parties Franklin is seeking to pool were notified of this hearing.

25. Franklin seeks to pool overriding royalty interest owners, and they were also provided notice of this hearing.

26. No opposition is expected because the interest owners being pooled have been contacted regarding the proposed wells, but have failed or refused to voluntarily commit their interests in the wells.

27. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.

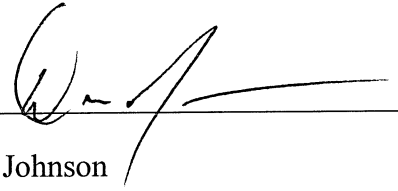
28. The exhibits to my self-affirmed statement were prepared by me, or compiled from company business records, or were prepared at my direction or supervision.

29. I attest under penalty of perjury the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief and I will adopt this testimony at the hearing in this matter.

*[Signature Page Follows]*

8-1-2024

Date



Don Johnson

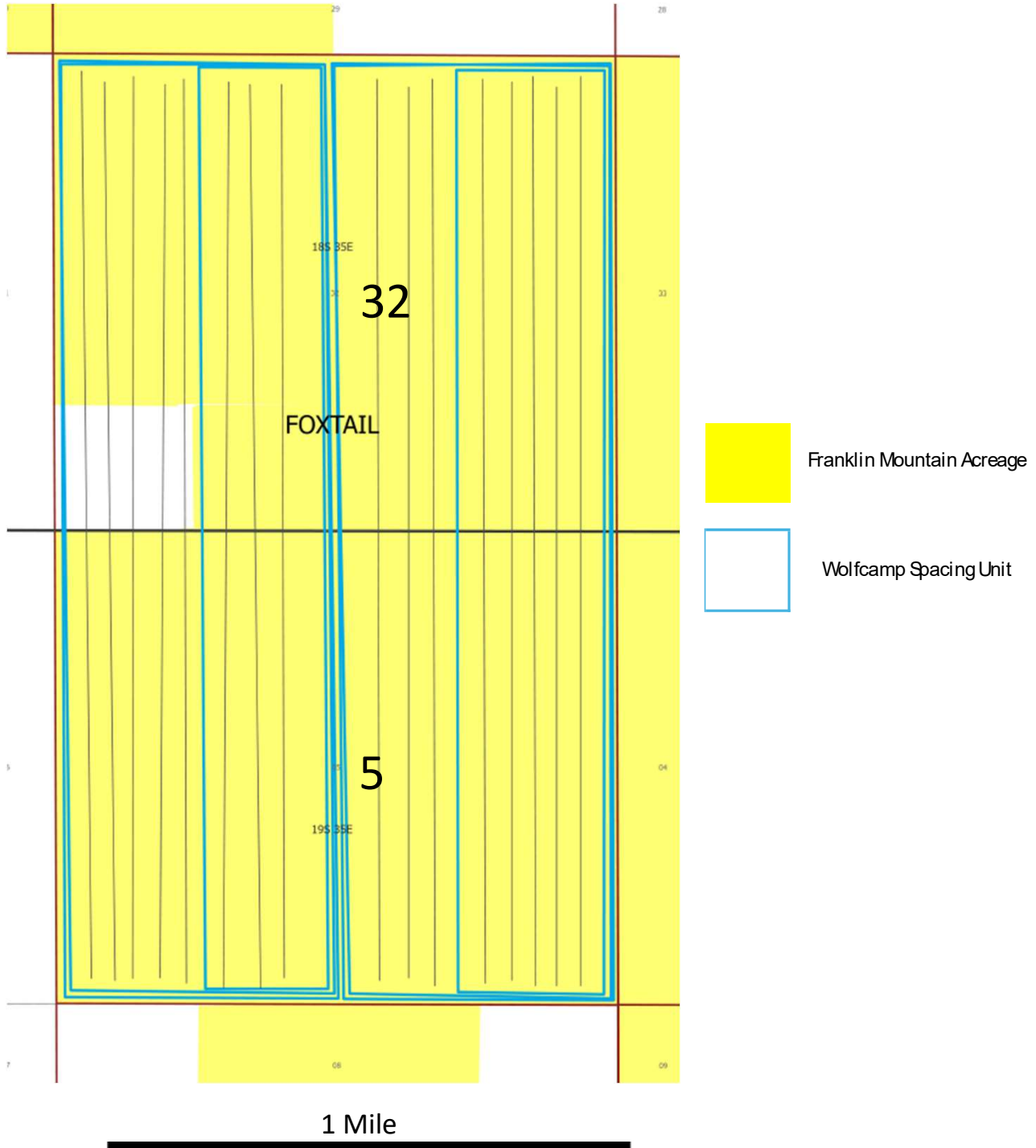






# Development Overview

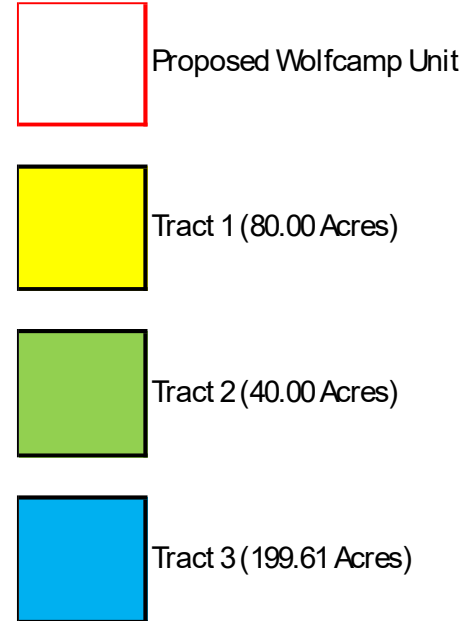
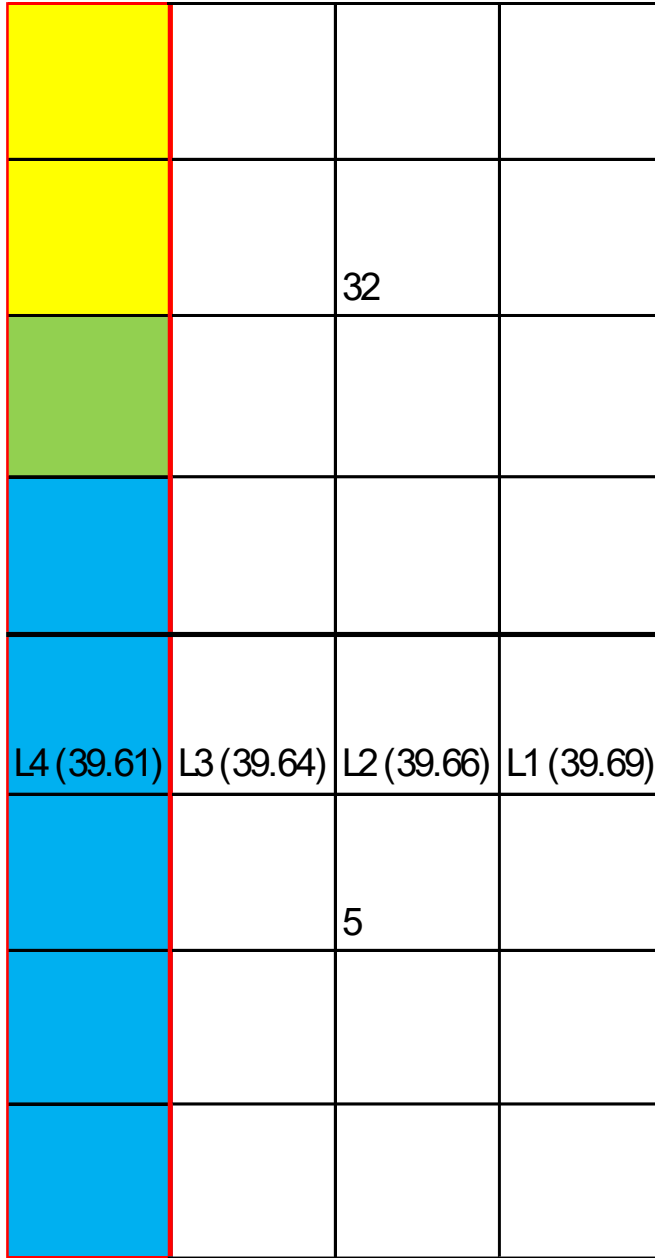
Case Nos. 24661



Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit A-4



**Lease Tract Map**  
**Case No. 24661**  
**W/2W/2 of Sections 32-T18S-35E & Section 5-T19S-R35E**  
**319.61 Acres**  
**Foxtail State Com 701H**  
**Foxtail State Com 801H**



**Summary of Interests**  
**Case No. 24661**  
**W/2W/2 of Sections 32-T18S-35E & Section 5-T19S-R35E**  
**319.61 Acres**  
**Foxtail State Com 701H**  
**Foxtail State Com 801H**

| <b>Committed Working Interest</b>   |            |
|-------------------------------------|------------|
| Franklin Mountain Energy 3, LLC     | 86.0998%   |
| VPD, New Mexico, LLC                | 1.3849%    |
|                                     |            |
| <b>Uncommitted Working Interest</b> |            |
| Oxy                                 | 12.5153%   |
|                                     |            |
|                                     |            |
|                                     |            |
| Total:                              | 100.00000% |



**Unit Recapitulation**  
**Case No. 24661**  
**W/2W/2 of Sections 32-T18S-35E & Section 5-T19S-R35E**  
**319.61 Acres**  
**Foxtail State Com 701H**  
**Foxtail State Com 801H**

|            |            |            |            |
|------------|------------|------------|------------|
|            |            |            |            |
|            |            |            |            |
|            |            | 32         |            |
|            |            |            |            |
|            |            |            |            |
| L4 (39.61) | L3 (39.64) | L2 (39.66) | L1 (39.69) |
|            |            |            |            |
|            |            | 5          |            |
|            |            |            |            |
|            |            |            |            |

| Committed Working Interest      |            |
|---------------------------------|------------|
| Franklin Mountain Energy 3, LLC | 86.0998%   |
| VPD, New Mexico, LLC            | 1.3849%    |
|                                 |            |
| Uncommitted Working Interest    |            |
| Oxy                             | 12.5153%   |
|                                 |            |
|                                 |            |
|                                 |            |
| Total:                          | 100.00000% |

| Tract | Lease   | %        |
|-------|---------|----------|
| 1     | VB-1389 | 25.0305% |
| 2     | VB-1326 | 12.5153% |
| 3     | FEE     | 62.4542% |

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit A-5**



Parties to Be Pooled

| Name                                   | Interest Type |
|--|---------------|
| Occidental Permian Limited Partnership | MI/WI         |
| T.H. McElvain Oil & Gas LLLP           | WI            |
| Thomaston, LLC                         | ORRI          |
| Wing Resources VII, LLC                | ORRI          |
| Marathon Oil Permian, LLC              | ORRI          |
| Charles A. Stoddard                    | ORRI          |
| SLVL, Ltd.                             | NPRI          |
|  | NPRI          |



Sent via USPS:9405536105536602368733

March 18, 2024

OXY USA Inc.  
 5 Greenway Plaza, Ste 110  
 Houston, TX 77046  
 Attn: Land Dept, Permian Basin

RE: **Well Proposals**  
 Township 18 South, Range 35 East  
 Section 32: W2W2  
 Township 19 South, Range 35 East  
 Section 5: Lot 4(39.61), SWNW, W2SW  
 Lea County, New Mexico  
 319.61 acres, more or less

Dear Working Interest Owner:

Franklin Mountain Energy 3, LLC (“FME3”), as Operator, hereby proposes the drilling and completion of the following wells:

| Well Name              | Target Formation | Total Vertical Depth | Measured Depth | SHL                              | BHL                              | Total AFE       | Order |
|------------------------|------------------|----------------------|----------------|----------------------------------|----------------------------------|-----------------|-------|
| Foxtail State Com 301H | 1BS              | 9,437'               | 19,437'        | Sec 08-T19S-R35E 50 FNL 1590 FWL | Sec 32-T18S-R35E 100 FNL 800 FWL | \$11,355,549.08 | N/A   |
| Foxtail State Com 501H | 2BS              | 10,044'              | 20,044'        | Sec 8-T19S-R35E 50 FNL 1530 FWL  | Sec 32-T18S-R35E 100 FNL 360 FWL | \$11,355,549.08 | N/A   |
| Foxtail State Com 701H | WCA              | 10,793'              | 20,793'        | Sec 8-T19S-R35E 50 FNL 1560 FWL  | Sec 32-T18S-R35E 100 FNL 360 FWL | \$11,650,592.43 | N/A   |
| Foxtail State Com 801H | WCB              | 11,392'              | 21,392'        | Sec 8-T19S-R35E 50 FNL 1650 FWL  | Sec 32-T18S-R35E 100 FNL 800 FWL | \$11,783,083.07 | N/A   |

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit A-6**

44 Cook Street | Suite 1000 | Denver, CO 80206



FME3 reserves the right to modify the locations and drilling plans described above in order to comply with any requirements from a governing regulatory agency or to address any topography, environmental and/or cultural concerns.

FME3 is proposing to drill and complete the aforementioned wells under the terms of a modified, wellbore specific 1989 AAPL form Operating Agreement with the following general provisions:

- 100/300% Non-Consenting Penalty
- \$9,000/\$900 Drilling and Producing Rate
- Franklin Mountain Energy 3, LLC designated as Operator

Should you be interested in participating under an Operating Agreement, with your working interest, FME3 will send you our proposed form.

Please indicate your election in the space provided on the following page, sign and return this letter, along with a signed copy of the enclosed AFE. If you do not wish to participate, FME3 proposes a term assignment or lease at the following terms:

The foregoing offer is non-binding in nature until a definitive agreement and/or conveyance documents are negotiated and agreed to by each party. FME3 is under no obligation to negotiate, lease or purchase your interest.

Please return your signed documents to Jon Rutledge at [jrutledge@fmellc.com](mailto:jrutledge@fmellc.com) or to the address provided below at your earliest convenience.

FME3 looks forward to working with you or your company on this proposed development and encourages you to call with any questions pertaining to these plans. However, please be advised that, in the near term, FME3 will file an application for compulsory pooling to pool any uncommitted owners.

Should you have any questions, please do not hesitate to contact the undersigned at (303) 709-7007.

Respectfully,

Franklin Mountain Energy 3, LLC



Jon Rutledge  
Landman

44 Cook Street | Suite 1000 | Denver, CO 80206



**Foxtail State Com 301H:**

\_\_\_\_\_ I/We hereby elect to participate in the **Foxtail State Com 301H** well.  
 \_\_\_\_\_ I/We hereby elect **NOT** to participate in the **Foxtail State Com 301H** well.

**Foxtail State Com 501H:**

\_\_\_\_\_ I/We hereby elect to participate in the **Foxtail State Com 501H** well.  
 \_\_\_\_\_ I/We hereby elect **NOT** to participate in the **Foxtail State Com 501H** well.

**Foxtail State Com 701H:**

\_\_\_\_\_ I/We hereby elect to participate in the **Foxtail State Com 701H** well.  
 \_\_\_\_\_ I/We hereby elect **NOT** to participate in the **Foxtail State Com 701H** well.

**Foxtail State Com 801H:**

\_\_\_\_\_ I/We hereby elect to participate in the **Foxtail State Com 801H** well.  
 \_\_\_\_\_ I/We hereby elect **NOT** to participate in the **Foxtail State Com 801H** well.

Owner: OXY USA Inc.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





Franklin Mountain Energy 3, LLC  
 44 Cook Street, Suite 1000  
 Denver, CO 80206  
 Phone: 720-414-7868  
 franklinmountainenergy.com

**AUTHORITY FOR EXPENDITURE**

**Well Name:** Foxtail State Com 701H  
**Location:** SHL: Sec 8-T19S-R35E 50 FNL 1560 FWL  
 BHL: Sec 32-T18S-R35E 100 FNL 360 FWL  
**Operator:** Franklin Mountain Energy 3, LLC  
**Purpose:** Drill and complete a 10,000' WCA well.  
 TVD 10,793', MD 20,793'.

**Well #:** 701H  
**County/State:** Lea Co., NM  
**Date Prepared:** 12/13/2023  
**AFE #:** DCE231222

**Intangible Drilling Costs**

| Major                                   | Minor | Description                   | Amount             |
|---|-------|-------------------------------|--------------------|
| 225                                     | 5     | ADMINISTRATIVE OVERHEAD       | \$4,500            |
| 225                                     | 10    | CASING CREW & EQPT            | \$50,000           |
| 225                                     | 15    | CEMENTING INTERMEDIATE CASING | \$40,000           |
| 225                                     | 16    | CEMENTING PRODUCTION CASING   | \$80,000           |
| 225                                     | 20    | CEMENTING SUFACE CASING       | \$36,000           |
| 225                                     | 25    | COMMUNICATIONS                | \$21,000           |
| 225                                     | 30    | COMPLETION FLUIDS             | \$6,000            |
| 225                                     | 34    | CONSTRUCTION/LOCATION & ROAD  | \$45,000           |
| 225                                     | 40    | CONTRACT LABOR                | \$55,000           |
| 225                                     | 45    | DAMAGES                       | \$15,000           |
| 225                                     | 50    | DAYWORK CONTRACT              | \$585,000          |
| 225                                     | 55    | DRILLING - DIRECTIONAL        | \$220,000          |
| 225                                     | 60    | DRILLING - FOOTAGE            | \$90,000           |
| 225                                     | 65    | DRILLING BITS                 | \$100,000          |
| 225                                     | 70    | ELECTRICAL POWER/GENERATION   | \$0                |
| 225                                     | 75    | ENGINEERING                   | \$21,000           |
| 225                                     | 80    | ENVIRONMENTAL SERVICES        | \$210,000          |
| 225                                     | 84    | EQUIPMENT RENTAL DOWNHOLE     | \$50,000           |
| 225                                     | 85    | EQUIPMENT RENTAL              | \$50,000           |
| 225                                     | 90    | FISHING TOOLS/SERVICES        | \$0                |
| 225                                     | 95    | HEALTH & SAFETY               | \$9,000            |
| 225                                     | 100   | HOUSING AND SUPPORT SERVICES  | \$19,000           |
| 225                                     | 105   | INSURANCE                     | \$1,900            |
| 225                                     | 106   | INSPECTIONS                   | \$17,000           |
| 225                                     | 110   | LEGAL, TITLE SERVICES         | \$6,000            |
| 225                                     | 115   | MATERIALS & SUPPLIES          | \$5,000            |
| 225                                     | 120   | MISCELLANEOUS                 | \$5,000            |
| 225                                     | 125   | MOUSE/RATHOLE/CONDUCT PIPE    | \$31,000           |
| 225                                     | 130   | MUD & CHEMICALS               | \$190,000          |
| 225                                     | 140   | OPENHOLE LOGGING              | \$0                |
| 225                                     | 141   | CASED HOLE LOGGING            | \$0                |
| 225                                     | 145   | PERMITS, LICENSES, ETC        | \$20,000           |
| 225                                     | 150   | POWER FUEL & WATER HAULING    | \$170,000          |
| 225                                     | 155   | RIG MOVE & RACKING COSTS      | \$130,000          |
| 225                                     | 160   | RIG UP TEAR OUT & STANDBY     | \$0                |
| 225                                     | 163   | SITE RESTORATION              | \$10,000           |
| 225                                     | 165   | STAKING & SURVEYING           | \$6,000            |
| 225                                     | 170   | SUPERVISION                   | \$75,600           |
| 225                                     | 175   | SUPERVISION - GEOLOGICAL      | \$41,400           |
| 225                                     | 180   | TRANSPORTATION/TRUCKING       | \$22,000           |
| 225                                     | 178   | TAXES                         | \$134,057          |
| 225                                     | 35    | CONTINGENCY COSTS 5%          | \$121,870          |
| <b>Total Intangible Drilling Costs:</b> |       |                               | <b>\$2,693,327</b> |

**Tangible Drilling Costs**

| Major                                 | Minor | Description                       | Amount             |
|---------------------------------------|-------|-----------------------------------|--------------------|
| 230                                   | 10    | INTERMEDIATE CASING & ATTACHMENTS | \$173,758          |
| 230                                   | 20    | PACKERS/SLEEVES/PLUGS             | \$66,000           |
| 230                                   | 25    | PRODUCTION CASING & ATTACHMENTS   | \$1,144,050        |
| 230                                   | 35    | SURFACE CASING & ATTACHMENTS      | \$169,740          |
| 230                                   | 45    | WELLHEAD EQUIPMENT/CASING BOWL    | \$70,000           |
| 230                                   | 40    | TAXES                             | \$89,295           |
| <b>Total Tangible Drilling Costs:</b> |       |                                   | <b>\$1,712,843</b> |

**Tangible Facility Costs**

| Major                                 | Minor | Description                           | Amount             |
|---------------------------------------|-------|---------------------------------------|--------------------|
| 270                                   | 10    | FACILITY PIPE/VALVES/FITTINGS         | \$180,000          |
| 270                                   | 15    | CONTAINMENT                           | \$0                |
| 270                                   | 25    | DEHYDRATION                           | \$0                |
| 270                                   | 30    | PRIMARY POWER MATERIALS               | \$56,000           |
| 270                                   | 50    | FLOWLINES / PIPELINE / HOOKUP         | \$47,000           |
| 270                                   | 60    | H2S TREATING EQUIPMENT                | \$0                |
| 270                                   | 65    | SEPARATION EQUIPMENT                  | \$125,000          |
| 270                                   | 66    | ROAD/LOCATION/FENCING/REPAIRS         | \$0                |
| 270                                   | 75    | PRE-FABRICATED SKIDS                  | \$0                |
| 270                                   | 86    | FACILITY SURFACE EQUIPMENT            | \$137,000          |
| 270                                   | 90    | H2S SAFETY SYSTEM                     | \$4,000            |
| 270                                   | 100   | CONTROL / INSTRUMENT / METERS / SCADA | \$86,000           |
| 270                                   | 110   | TANKS & WALKWAYS                      | \$90,000           |
| 270                                   | 130   | MECHANICAL BATTERY BUILD              | \$154,000          |
| 270                                   | 132   | EI&C BATTERY BUILD                    | \$45,000           |
| 270                                   | 134   | CONTROLS AND SCADA BATTERY BUILD      | \$5,000            |
| 270                                   | 136   | PRIMARY POWER BUILD                   | \$56,000           |
| 270                                   | 138   | FLOWLINE INSTALLATION                 | \$27,000           |
| 270                                   | 140   | SIGNAGE                               | \$250              |
| 270                                   | 125   | TAXES                                 | \$55,674           |
| <b>Total Tangible Facility Costs:</b> |       |                                       | <b>\$1,067,924</b> |

**Intangible Completion Costs**

| Major                                     | Minor | Description                   | Amount             |
|---|-------|-------------------------------|--------------------|
| 240                                       | 5     | ADMINISTRATIVE OVERHEAD       | \$8,200            |
| 240                                       | 10    | CASED HOLE LOGS & SURVEYS     | \$6,635            |
| 240                                       | 15    | CASING CREW & EQPT            | \$0                |
| 240                                       | 20    | COILED TUBING/SNUBBING UNIT   | \$194,313          |
| 240                                       | 25    | COMMUNICATIONS                | \$1,896            |
| 240                                       | 30    | COMPANY DIRECT LABOR          | \$0                |
| 240                                       | 35    | COMPLETION/WORKOVER RIG       | \$75,000           |
| 240                                       | 45    | CONTRACT LABOR/ROUSTABOUTS    | \$23,697           |
| 240                                       | 50    | DAMAGES/RECLAMATION           | \$1,896            |
| 240                                       | 55    | DISPOSAL SOLIDS               | \$2,844            |
| 240                                       | 60    | ELECTRICAL POWER/GENERATION   | \$0                |
| 240                                       | 62    | ENGINEERING                   | \$5,687            |
| 240                                       | 65    | ENVIRONMENTAL/CLEANUP         | \$0                |
| 240                                       | 70    | FISHING TOOLS / SERVICES      | \$0                |
| 240                                       | 71    | FLUIDS/HAULING/DISPOSAL       | \$180,000          |
| 240                                       | 72    | FRAC WATER/COMPLETION FLUID   | \$470,000          |
| 240                                       | 75    | FUEL, POWER/DIESEL            | \$550,000          |
| 240                                       | 80    | HEALTH & SAFETY               | \$4,700            |
| 240                                       | 85    | HOUSING AND SUPPORT SERVICES  | \$14,000           |
| 240                                       | 90    | MATERIALS & SUPPLIES          | \$0                |
| 240                                       | 95    | MISCELLANEOUS                 | \$0                |
| 240                                       | 100   | MUD & CHEMICALS               | \$10,000           |
| 240                                       | 110   | P&A/TA COSTS                  | \$0                |
| 240                                       | 115   | PERFORATING/WIRELINE SERVICE  | \$265,403          |
| 240                                       | 120   | PIPE INSPECTION               | \$0                |
| 240                                       | 125   | ROAD, LOCATIONS REPAIRS       | \$2,000            |
| 240                                       | 130   | STIMULATION                   | \$2,616,000        |
| 240                                       | 135   | SUBSURFACE EQUIPMENTAL RENTAL | \$37,915           |
| 240                                       | 140   | SUPERVISION                   | \$90,047           |
| 240                                       | 145   | SURFACE EQUIP RENTAL          | \$189,573          |
| 240                                       | 150   | TRANSPORTATION/TRUCKING       | \$2,844            |
| 240                                       | 155   | WATER TRANSFER                | \$56,872           |
| 240                                       | 160   | WELDING SERVICES              | \$0                |
| 240                                       | 165   | WELL TESTING/FLOWBACK         | \$165,000          |
| 240                                       | 148   | TAXES                         | \$273,599          |
| 240                                       | 40    | CONTINGENCY COSTS 5%          | \$248,726          |
| <b>Total Intangible Completion Costs:</b> |       |                               | <b>\$5,496,846</b> |

**Tangible Completion Costs**

| Major                                   | Minor | Description                       | Amount           |
|---|-------|-----------------------------------|------------------|
| 245                                     | 5     | ARTIFICIAL LIFT                   | \$175,000        |
| 245                                     | 15    | FLOWLINES                         | \$20,000         |
| 245                                     | 25    | FRAC STRING                       | \$0              |
| 245                                     | 40    | PACKERS/SLEEVES/PLUGS/GL MANDRELS | \$0              |
| 245                                     | 45    | PRODUCTION LINER                  | \$0              |
| 245                                     | 50    | PRODUCTION PROCESSING FACILITY    | \$0              |
| 245                                     | 55    | PRODUCTION TUBING                 | \$150,000        |
| 245                                     | 60    | RODS/PUMPS                        | \$0              |
| 245                                     | 65    | SUBSURFACE EQUIPMENT              | \$50,000         |
| 245                                     | 75    | WELLHEAD EQUIPMENT                | \$125,000        |
| 245                                     | 70    | TAXES                             | \$28,600         |
| <b>Total Tangible Completion Costs:</b> |       |                                   | <b>\$548,600</b> |

**Intangible Facility Costs**

| Major                                   | Minor | Description                 | Amount           |
|---|-------|-----------------------------|------------------|
| 265                                     | 5     | CONSULTING                  | \$18,100         |
| 265                                     | 12    | COMPANY DIRECT LABOR        | \$0              |
| 265                                     | 20    | DAMAGES/ROW/PERMITS, ETC    | \$24,000         |
| 265                                     | 22    | PAD/ROAD CONSTRUCTION       | \$50,000         |
| 265                                     | 25    | ENGINEERING / SCIENCE       | \$22,000         |
| 265                                     | 40    | HEALTH/SAFETY/ENVIRONMENTAL | \$0              |
| 265                                     | 45    | CONTRACT LABOR & SERVICES   | \$0              |
| 265                                     | 60    | OVERHEAD                    | \$3,000          |
| 265                                     | 80    | SURVEY / PLATS / STAKINGS   | \$1,500          |
| 265                                     | 85    | TRANSPORTATION / TRUCKING   | \$0              |
| 265                                     | 83    | TAXES                       | \$6,523          |
| 265                                     | 10    | CONTINGENCY COSTS 5%        | \$5,930          |
| <b>Total Intangible Facility Costs:</b> |       |                             | <b>\$131,053</b> |

**Office Use Only:**

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|                      |                        |
|----------------------|------------------------|
| Total Drill:         | \$4,406,170.14         |
| Total Completion:    | \$6,045,445.54         |
| Total Facility:      | \$1,198,976.75         |
| Total DC Intangible: | \$8,190,172.54         |
| Total DC Tangible:   | \$2,261,443.14         |
| <b>Total AFE:</b>    | <b>\$11,650,592.43</b> |

THIS AUTHORITY FOR EXPENDITURE IS BASED ON COST ESTIMATES. BILLING WILL REFLECT YOUR PROPORTINATE SHARE OF THE ACTUAL INVOICE COSTS.

Operator: Franklin Mountain Energy 3, LLC  
 Approved By:   
 Craig Walters  
 Chief Executive Officer

Date: 12/13/2023

WI Owner: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

ALL PARTICIPANTS MUST CARRY THEIR OWN CONTROL OF WELL INSURANCE AND ATTACH A CERTIFICATE OF INSURANCE TO THIS ELECTION OR INSURE WITH FME



Franklin Mountain Energy 3, LLC
44 Cook Street, Suite 1000
Denver, CO 80206
Phone: 720-414-7868
franklinmountainenergy.com

Well Name: Foxtail State Com 801H
Location: SHL: Sec 8-T19S-R35E 50 FNL 1650 FWL
Operator: Franklin Mountain Energy 3, LLC
Purpose: Drill and complete a 10,000' WCB well.

Well #: 801H
County/State: Lea Co., NM
Date Prepared: 12/13/2023
AFE #: DCE231224

Intangible Drilling Costs

Table with columns: Major, Minor, Description, Amount. Lists various drilling costs such as administrative overhead, casing crew, cementing, etc.

Intangible Completion Costs

Table with columns: Major, Minor, Description, Amount. Lists various completion costs such as administrative overhead, casing logs, completion crew, etc.

Tangible Drilling Costs

Table with columns: Major, Minor, Description, Amount. Lists various tangible drilling costs such as intermediate casing, packers, etc.

Tangible Completion Costs

Table with columns: Major, Minor, Description, Amount. Lists various tangible completion costs such as artificial lift, flowlines, etc.

Tangible Facility Costs

Table with columns: Major, Minor, Description, Amount. Lists various tangible facility costs such as facility pipe, containment, dehydration, etc.

Intangible Facility Costs

Table with columns: Major, Minor, Description, Amount. Lists various intangible facility costs such as consulting, company direct labor, etc.

Office Use Only:

Table with columns: Major, Minor, Description, Amount. Lists office use costs.

Summary table for drilling and completion costs: Total Drill: \$4,627,060.78; Total Completion: \$5,957,045.54; Total Facility: \$1,198,976.75; Total DC Intangible: \$8,295,921.04; Total DC Tangible: \$2,288,185.28

Total AFE: \$11,783,083.07

THIS AUTHORITY FOR EXPENDITURE IS BASED ON COST ESTIMATES. BILLING WILL REFLECT YOUR PROPORTIONATE SHARE OF THE ACTUAL INVOICE COSTS.

Operator: Franklin Mountain Energy 3, LLC
Approved By: Craig Walters, Chief Executive Officer

Date: 12/13/2023

WI Owner:

Approved By:

Date:

Printed Name:

Title:

ALL PARTICIPANTS MUST CARRY THEIR OWN CONTROL OF WELL INSURANCE AND ATTACH A CERTIFICATE OF INSURANCE TO THIS ELECTION OR INSURE WITH FME

### Summary of Contacts

- Franklin retained a broker who conducted extensive title work to determine the working interest owners and other interest owners.
- Franklin searched public records, phone directory, and various different types of internet searches.
- Franklin sent well proposal letters to the working interest owners on or around March 18, 2024.
- Franklin proposed general terms of a Joint Operating Agreements (JOA) within the well proposal letters sent to working interest owners.
- Franklin had multiple communications with the uncommitted working interest owners, which I have outlined in the chart below.
- Franklin filed the application to force pool working interest owners who had not entered into an agreement.
- Franklin’s counsel sent notices of the force pooling applications to the addresses of record for the uncommitted interest owners and also for overriding royalty interest owners.
- Franklin also published notice in a newspaper of general circulation in the county where the wells will be located.

| <b>Summary of Contacts with Working Interest Owners to Be Pooled</b> |                                  |                                 |                                      |
|--|----------------------------------|---------------------------------|--------------------------------------|
| <b>Name</b>  | <b>Date Proposal Letter Sent</b> | <b>Proposal Letter Received</b> | <b>Follow Up</b>                     |
| Occidental Permian Limited Partnership                               | March 18, 2024                   | March 26, 2024                  | Negotiating JOA                      |
| VPD New Mexico, LLC  | March 18, 2024                   | March 22, 2024                  | Elected to participate, executed JOA |

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit A-7**

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 24661**

**SELF-AFFIRMED STATEMENT OF BEN METZ**

Ben Metz hereby states and declares as follows:

1. I am over the age of 18, I am a geologist for Franklin Mountain Energy 3, LLC (“Franklin”), and have personal knowledge of the matters stated herein. I have previously testified before the Oil Conservation Division (“Division”) and my credentials as an expert petroleum geologist were accepted by the Division as a matter of record.
2. My area of responsibility at Franklin includes the area of Lea County in New Mexico.
3. I am familiar with the application filed by Franklin in this case.
4. **Exhibit B-1** is a locator map showing the approximate location of the proposed unit in relation to the Capitan Reef.
5. **Exhibit B-2** is a wellbore schematic showing Franklin’s development plan.
6. **Exhibit B-3** through **Exhibit B-6** are the geology study I prepared for the Foxtail State Com 701H well, which will target the Wolfcamp A formation.
7. **Exhibit B-3** is a structure map of the Wolfcamp A formation. The proposed spacing unit is identified by a green box. The Foxtail State Com 701H well proposed in this case is identified by the black-dashed line. The contour interval used in this exhibit is 25 feet. This exhibit shows that the structure dips gently to the southwest.

**Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit B**

8. **Exhibit B-4** is a cross-section reference map that identifies five wells in the vicinity of the proposed Foxtail State Com 701H well, shown by a line of cross-section running from B to B'.

9. **Exhibit B-5** is a stratigraphic cross-section, and the well logs shown on the cross-section give a representative sample of the Wolfcamp A formation in the area. The target zone is identified by a bracket and the words "Producing Interval." I have also identified where the proposed well falls within the wells I used for the cross-section.

10. **Exhibit B-6** an Isopach map of the Wolfcamp A formation. The gross interval thickness increases slightly to the north.

11. **Exhibit B-7** through **Exhibit B-10** are the geology study I prepared for the Foxtail State Com 801H well, which will target the Wolfcamp B formation.

12. **Exhibit B-7** is a structure map of the Wolfcamp B formation. The proposed spacing unit is identified by a green box. The Foxtail State Com 801H well proposed in this case is identified by the black-dashed line. The contour interval used in this exhibit is 25 feet. This exhibit shows that the structure dips gently to the southwest.

13. **Exhibit B-8** is a cross-section reference map that identifies five wells in the vicinity of the proposed Foxtail State Com 801H well, shown by a line of cross-section running from B to B'.

14. **Exhibit B-9** is a stratigraphic cross-section, and the well logs shown on the cross-section give a representative sample of the Wolfcamp B formation in the area. The target zone is identified by a bracket and the words "Producing Interval." I have also identified where the proposed well falls within the wells I used for the cross-section.

15. **Exhibit B-10** an Isopach map of the Wolfcamp B formation. The gross interval thickness increases slightly to the west.
16. I conclude from the geology studies referenced above that:
  - a. The horizontal spacing unit is justified from a geologic standpoint.
  - b. There are no structural impediments or faulting that will interfere with horizontal development.
  - c. Each quarter-quarter section in the proposed unit will contribute more or less equally to production.
17. The preferred well orientation in this area is either north/south or south/north, nearly orthogonal to  $S_{Hmax}$ , optimal for inducted fracture propagation. This is because the  $S_{Hmax}$  is at approximately 255 degrees ENE in this area of Lea County.
18. In my opinion, the granting of Franklin's application is in the interests of conservation and the prevention of waste.
19. The exhibits to my self-affirmed statement were prepared by me, or compiled from company business records, or were prepared at my direction or supervision.
20. I attest under penalty of perjury the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief and I will adopt this testimony at the hearing in this matter.

*[Signature Page Follows]*

8-1-2024

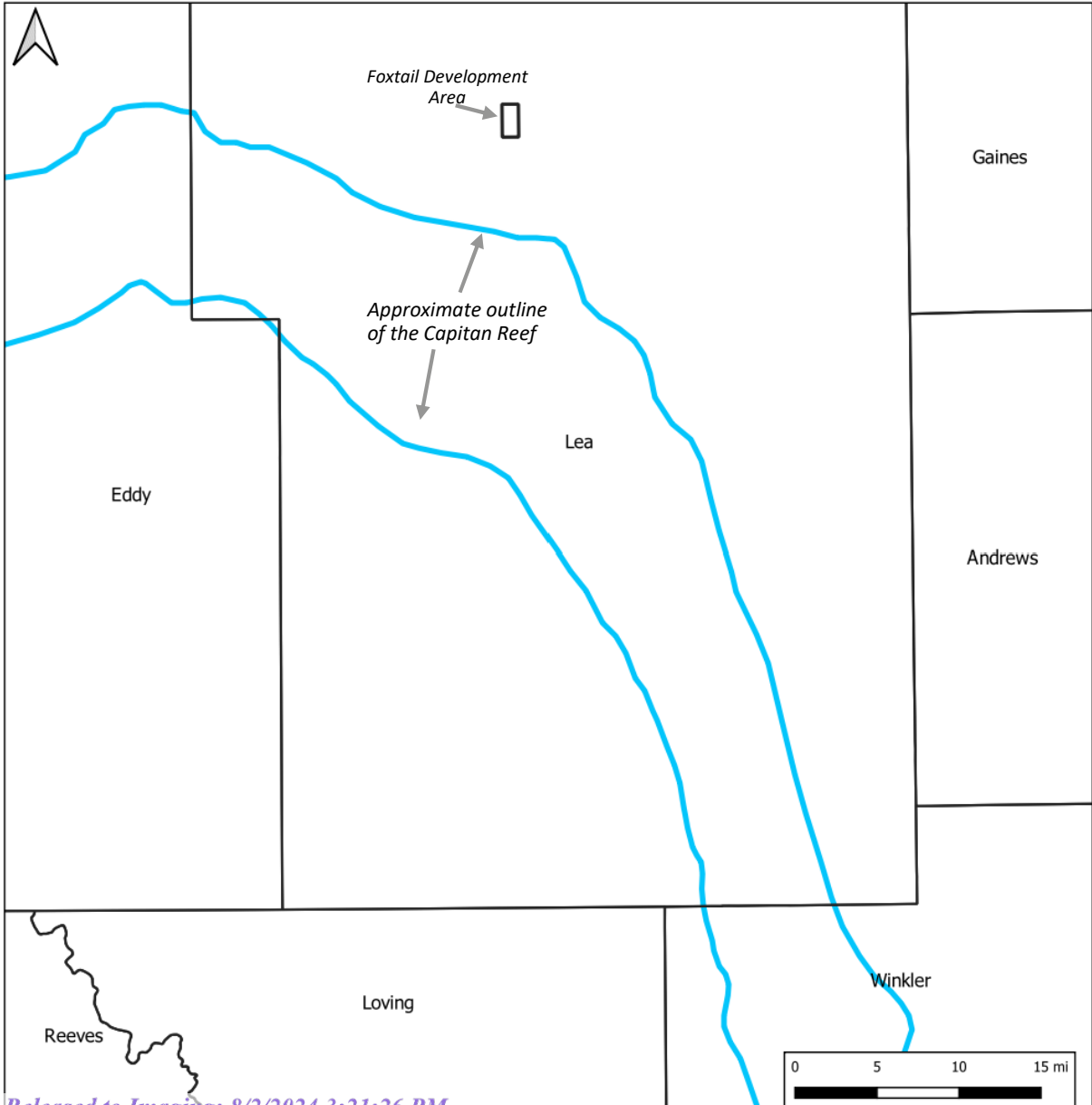
Date



Ben Metz

# Foxtail Development

## Locator Map

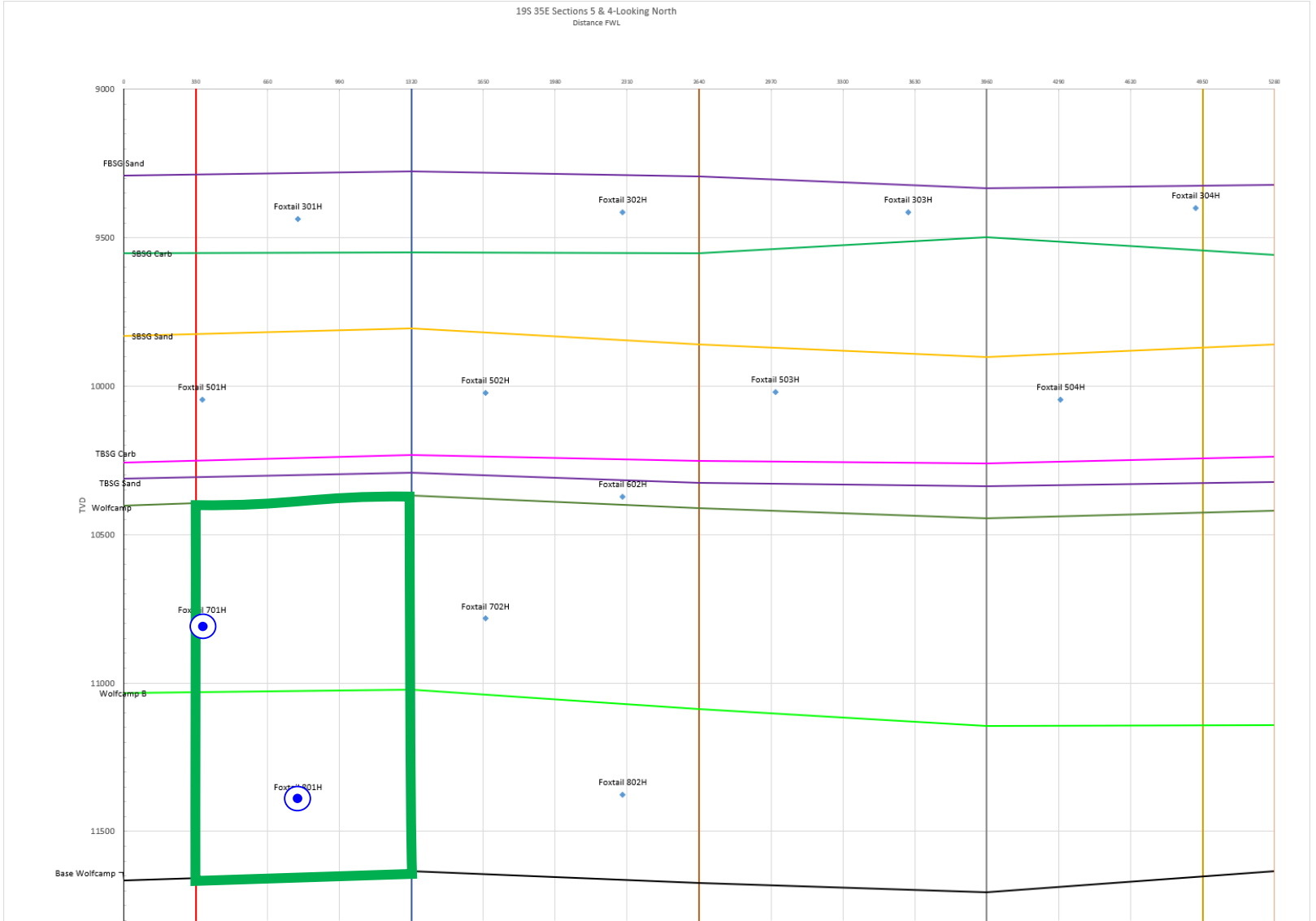


- Black box shows the location of the Foxtail development area
- Planned wells are located outside the known boundary of the Capitan Reef

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-1**



# Wellbore Schematic



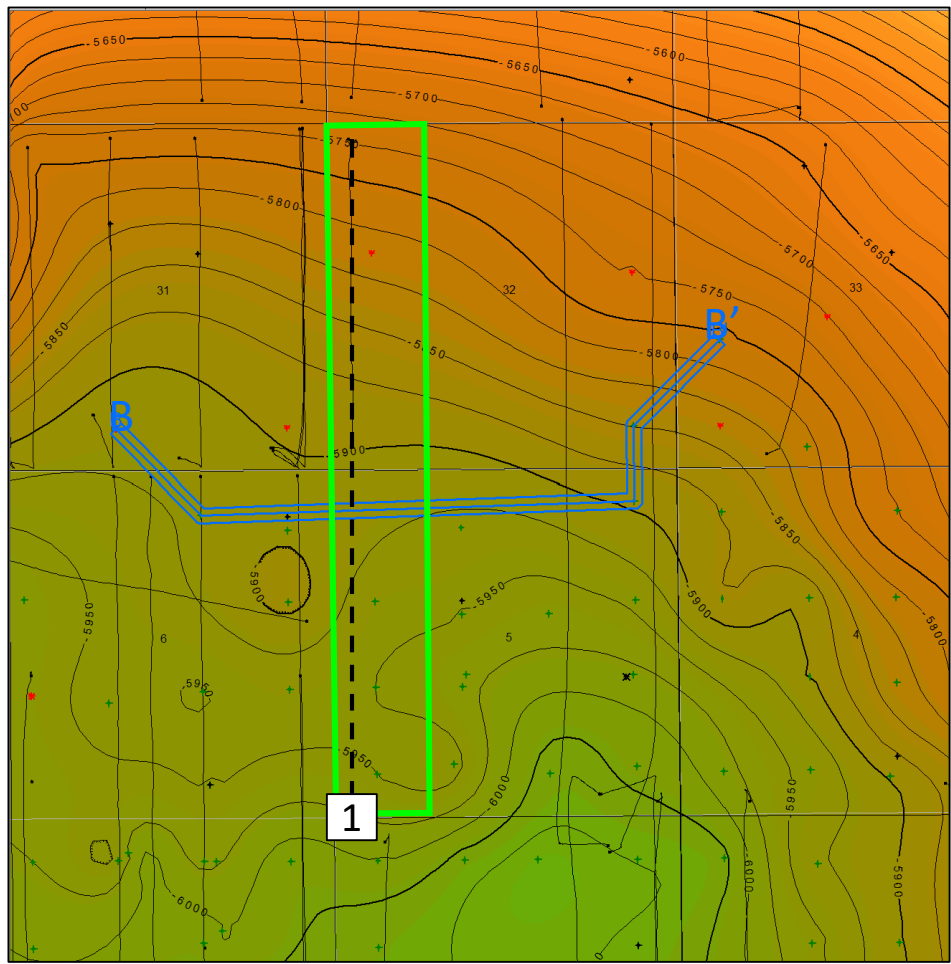
Franklin Mountain Energy 3, LLC  
Case No. 24661

Proposed Lateral

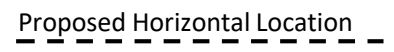


Wolfcamp Spacing Unit

# Wolfcamp A Structure Map



 Wolfcamp Spacing Unit

 Proposed Horizontal Location

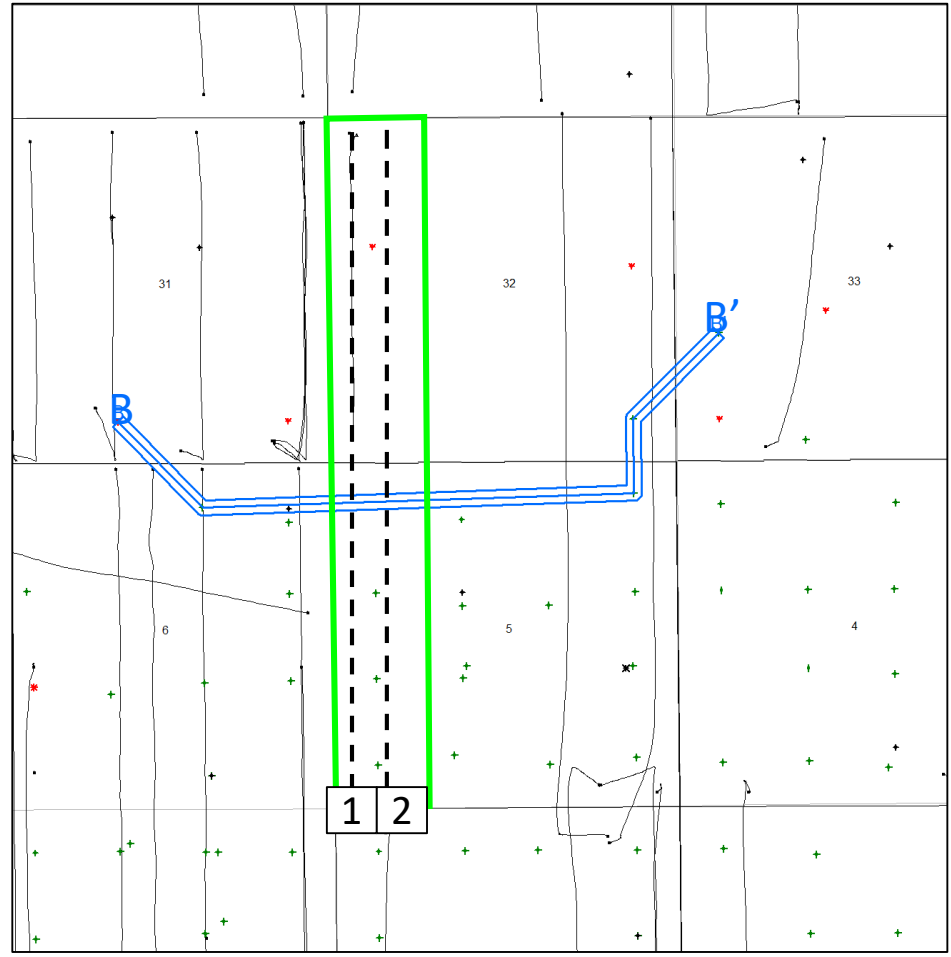
 1 Foxtail State Com 701H

All wells shown

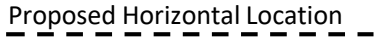
1 mile



**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-3**

# Cross Section Reference Map



 Wolfcamp Spacing Unit

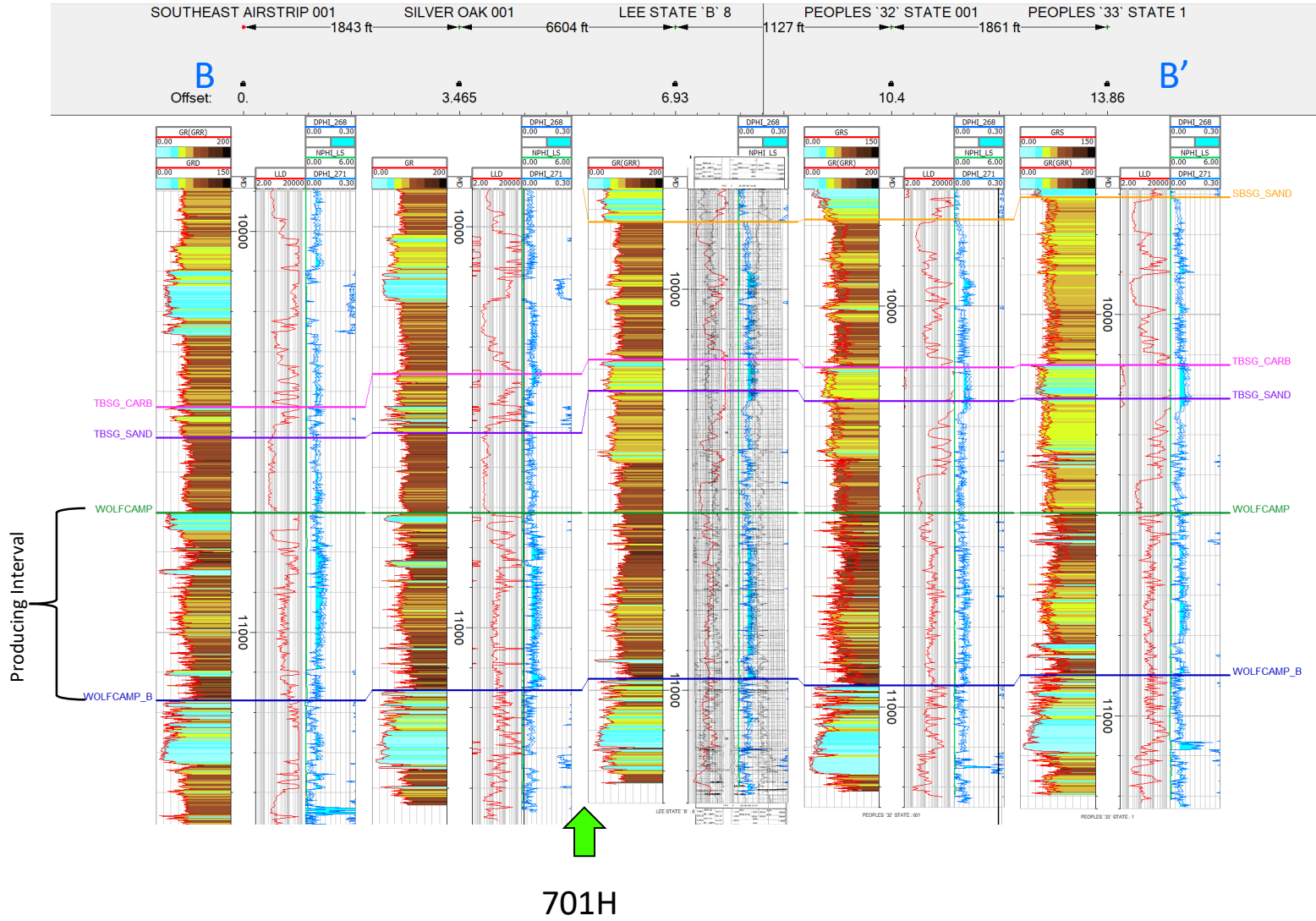
 Proposed Horizontal Location

-  Foxtail State Com 701H
-  Foxtail State Com 801H

All wells shown

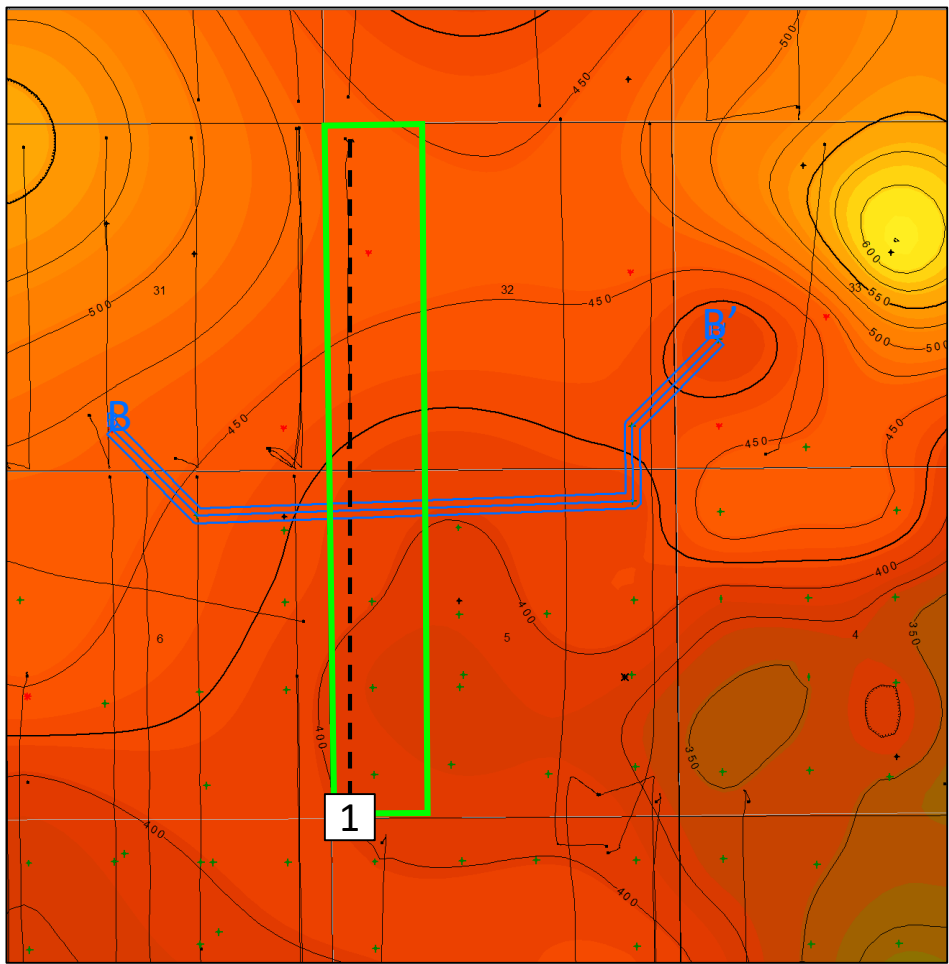
1 mile

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-4**

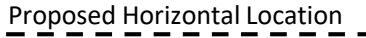


Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit B-5

# Wolfcamp A Isochore Map



 Wolfcamp Spacing Unit

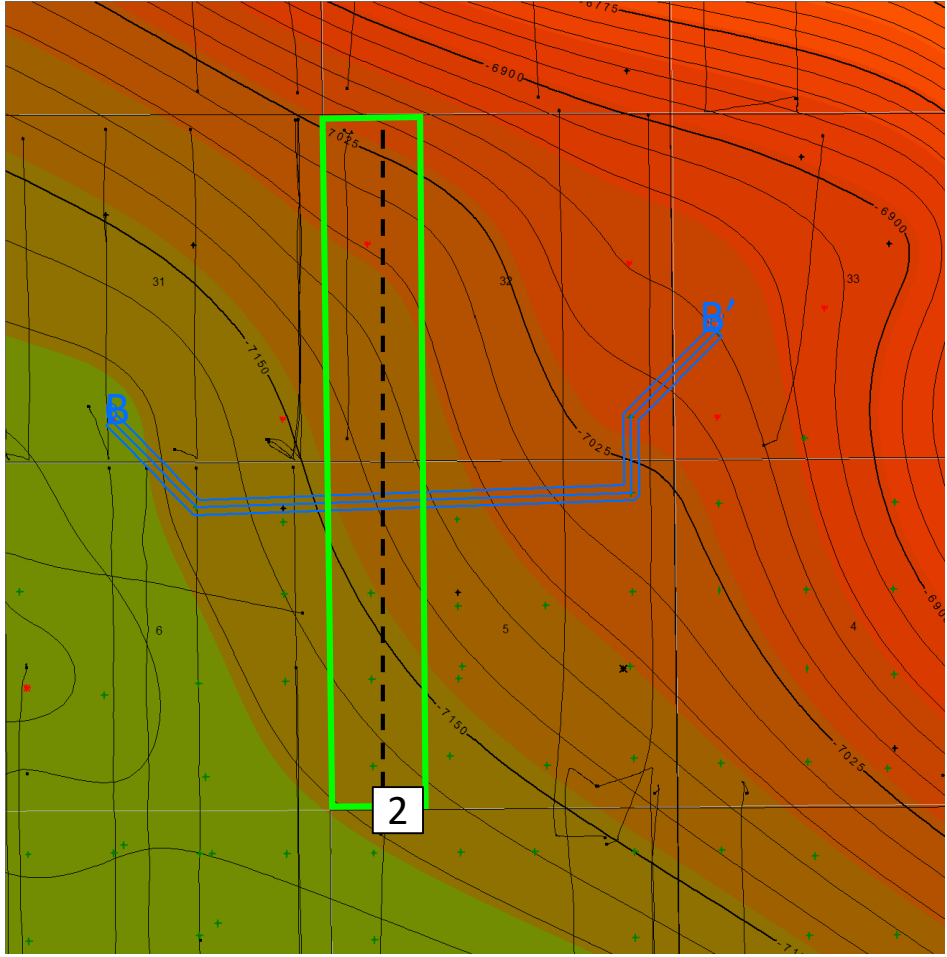
 Proposed Horizontal Location

 Foxtail State Com 701H

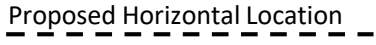
All wells shown

1 mile

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-6**



 Wolfcamp Spacing Unit

 Proposed Horizontal Location

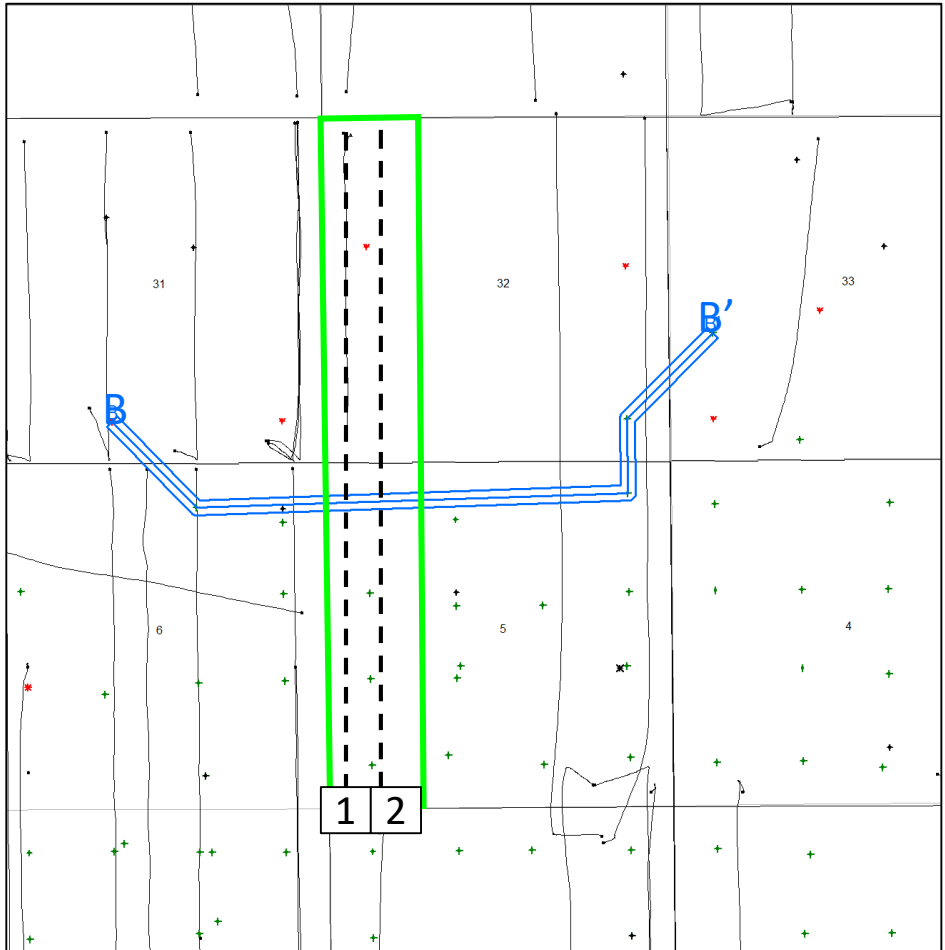
 Foxtail State Com 801H

All wells shown

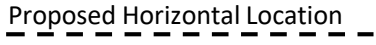
1 mile



Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit B-7

# Cross Section Reference Map



 Wolfcamp Spacing Unit

 Proposed Horizontal Location

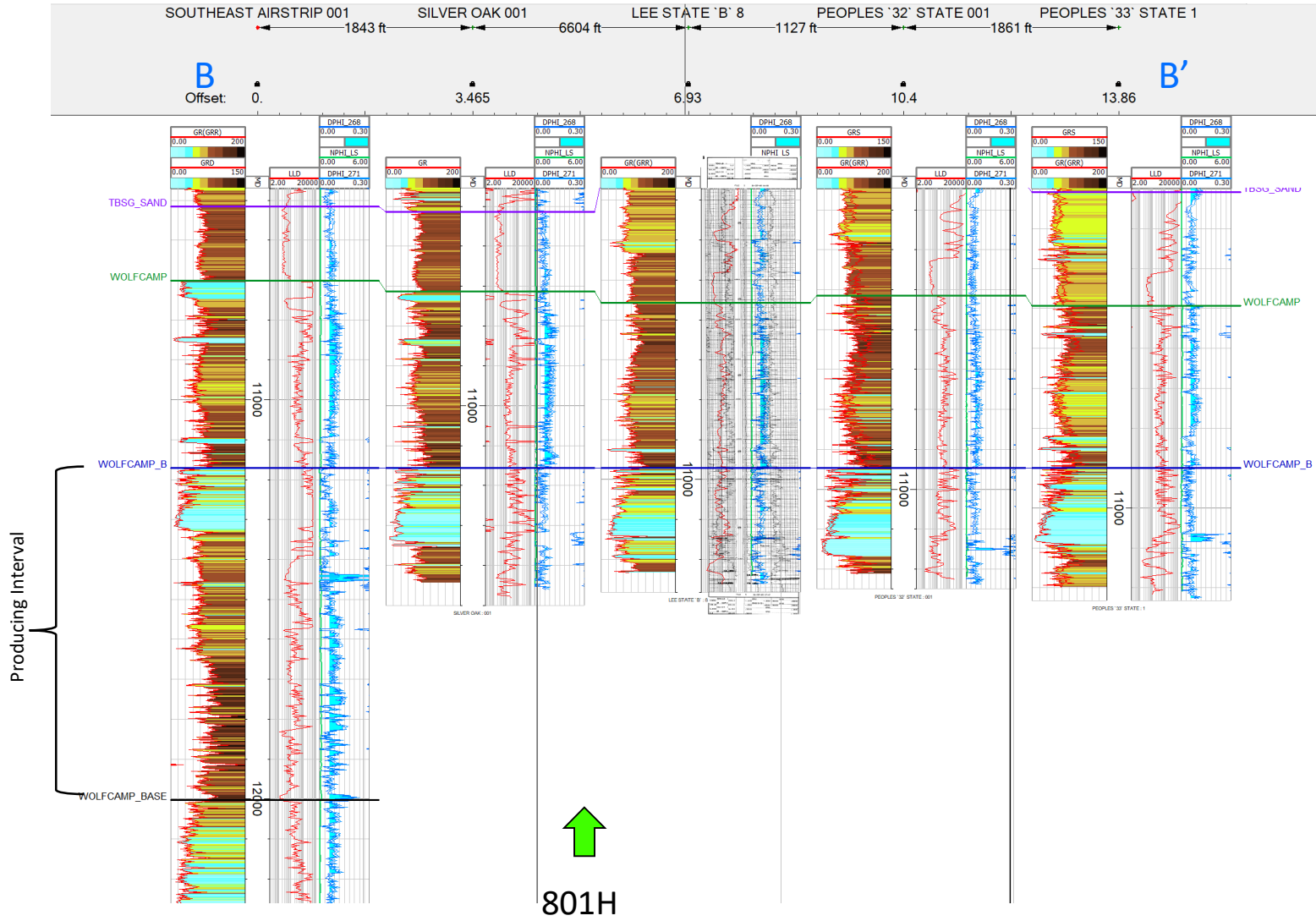
-  Foxtail State Com 701H
-  Foxtail State Com 801H

All wells shown

1 mile

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-8**

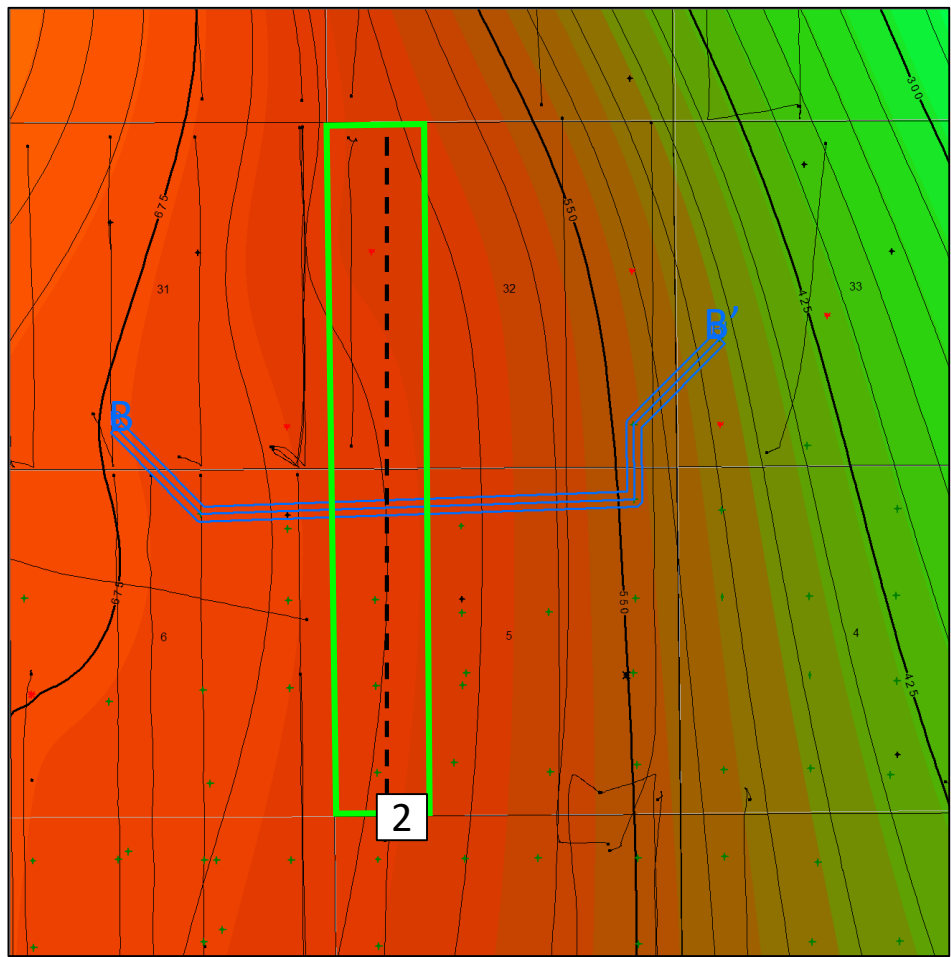
# Wolfcamp B Cross Section



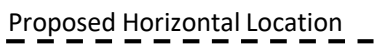
Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit B-9



# Wolfcamp B Isochore Map



 Wolfcamp Spacing Unit

 Proposed Horizontal Location

 Foxtail State Com 801H

All wells shown

1 mile

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit B-10**

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

**APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24661**

**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. 24662**

**SELF-AFFIRMED DECLARATION OF DEANA M. BENNETT**

Deana M. Bennett, attorney in fact and authorized representative of Franklin Mountain Energy 3, LLC, the Applicant herein, declares as follows:

- 1) The above-referenced Applications were provided under notice letter, dated July 2, 2024, and attached hereto, as Exhibit C.1. An additional letter dated July 16, 2024 was sent to notify continuance of hearing date to August 8, 2024.
- 2) Exhibit C.2 is the mailing list, which show the notice letters were delivered to the USPS for mailing on July 2, 2024, and mailing list showing additional letter was mailed July 16, 2024.
- 3) Exhibit C.3 is the certified mailing tracking information, which is automatically compiled by CertifiedPro, the software Modrall uses to track the mailings. This shows the names and addresses of the parties to whom notice was sent and proof of delivery.
- 4) Exhibit C.4 is the Affidavit of Publication from the Hobbs News-Sun, confirming that notice of the July 25, 2024 hearing was published on July 7, 2024.
- 5) I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

**Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit C**

Dated: August 1, 2024

*Deana M. Bennett*

---

Deana M. Bennett



MODRALL SPERLING  
LAWYERS

July 2, 2024

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Deana M. Bennett  
505.848.1834  
dmb@modrall.com

**Re: APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24661**

**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. 24662**

**TO: AFFECTED PARTIES**

This letter is to advise you that Franklin Mountain Energy 3, LLC (“Franklin Mountain Energy 3”) has filed the enclosed applications.

In Case No. 24661, Franklin Mountain Energy 3 seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. This spacing unit will be dedicated to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

In Case No. 24662, Franklin Mountain Energy 3 seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and

Modrall Spierling  
Roehl Harris & Sisk P.A.

500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit C-1**

Page 2

the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin also seeks, to the extent necessary, approval of an overlapping spacing unit. This spacing unit will be dedicated to the **Foxtail State Com 301H** and **Foxtail State Com 501H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. The proposed horizontal spacing unit will partially overlap with a 160-acre Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, dedicated to Franklin Mountain Energy 3, LLC's Merit 32 DM State Com #001H well (API 30-025-40836). Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**The hearing is set for July 27, 2024 beginning at 8:30 a.m. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1<sup>st</sup> Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>.**

As a party who may be affected by these applications, we are notifying you of your right to appear at the hearing and participate in these cases, including the right to present evidence either in support of or in opposition to the applications. Failure to appear at the hearing may preclude you from any involvement in these cases at a later date.

You are further notified that if you desire to appear in these cases, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett

*Attorney for Applicant*

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

CASE NO. 24661

**APPLICATION**

Franklin Mountain Energy 3, LLC (“Franklin”), OGRID Number 331595, through its undersigned attorneys, hereby files this application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17, for an order pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. In support of this application, Franklin states as follows:

1. Franklin has an interest in the subject lands and has a right to drill and operate a well thereon.
2. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32.
3. The producing area for the wells is expected to be orthodox.
4. Franklin sought, but has been unable to obtain, a voluntary agreement from all interest owners in the Wolfcamp formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.

5. The pooling of all interests in the Wolfcamp formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Franklin requests this application be set for hearing before an Examiner of the Oil Conservation Division on July 11, 2024 and after notice and hearing as required by law, the Division enter its order:

A. Pooling all uncommitted interests in the Wolfcamp formation underlying a horizontal spacing unit within the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico;

B. Designating Franklin as operator of this unit and the wells to be drilled thereon;

C. Authorizing Franklin to recover its costs of drilling, equipping and completing the wells;

D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and

E. Setting a 200% charge for the risk involved in drilling and completing the wells in the event a working interest owner elects not to participate in the wells.

Respectfully submitted,

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

By: /s/ Deana M. Bennett

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Yarithza Peña  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800

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

[deana.bennett@modrall.com](mailto:deana.bennett@modrall.com)

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

*Attorneys for Franklin Mountain Energy 3, LLC*



**CASE NO. 24661 : Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. This spacing unit will be dedicated to the **Foxtail State Com 701H** and **Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

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. 24662

APPLICATION

Franklin Mountain Energy 3, LLC ("Franklin"), OGRID Number 331595, through its undersigned attorneys, hereby files this application with the Oil Conservation Division ("Division") pursuant to the provisions of NMSA 1978, § 70-2-17, for an order pooling all uncommitted mineral interests within a 319.61-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin also seeks, to the extent necessary, approval of an overlapping spacing unit. In support of this application, Franklin states as follows:

1. Franklin has an interest in the subject lands and has a right to drill and operate a well thereon.
2. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 301H** and **Foxtail State Com 501H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32.
3. The producing area for the wells is expected to be orthodox.
4. This proposed horizontal spacing unit will partially overlap with a 160-acre Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South,

Range 35 East, dedicated to Franklin Mountain Energy 3, LLC's Merit 32 DM State Com #001H well (API 30-025-40836).

5. Franklin sought, but has been unable to obtain, a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The pooling of all interests in the Bone Spring formation underlying the proposed unit and approving, to the extent necessary, the overlapping spacing unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Franklin requests this application be set for hearing before an Examiner of the Oil Conservation Division on July 11, 2024 and after notice and hearing as required by law, the Division enter its order:

A. Pooling all uncommitted interests in the Bone Spring formation underlying a horizontal spacing unit within the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico;

B. Approving, to the extent necessary, the proposed overlapping spacing unit;

C. Designating Franklin as operator of this unit and the wells to be drilled thereon;

D. Authorizing Franklin to recover its costs of drilling, equipping and completing the wells;

E. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and

F. Setting a 200% charge for the risk involved in drilling and completing the wells in the event a working interest owner elects not to participate in the wells.

Respectfully submitted,

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

By: /s/ Deana M. Bennett

Earl E. DeBrine, Jr.

Deana M. Bennett

Yarithza Peña

Post Office Box 2168

500 Fourth Street NW, Suite 1000

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800

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

[deana.bennett@modrall.com](mailto:deana.bennett@modrall.com)

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

*Attorneys for Franklin Mountain Energy 3, LLC*

**CASE NO. 24662** : **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.** Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin also seeks, to the extent necessary, approval of an overlapping spacing unit. This spacing unit will be dedicated to the **Foxtail State Com 301H** and **Foxtail State Com 501H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. The proposed horizontal spacing unit will partially overlap with a 160-acre Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, dedicated to Franklin Mountain Energy 3, LLC's Merit 32 DM State Com #001H well (API 30-025-40836). Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.



MODRALL SPERLING

L A W Y E R S

July 16, 2024

Deana M. Bennett  
505.848.1834  
[dmb@modrall.com](mailto:dmb@modrall.com)

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**Re: APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24661**

**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. 24662**

**APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24663**

**APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24664**

**APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24665**

**APPLICATION OF FRANKLIN MOUNTAIN ENERGY 3, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 24666**

Modrall Spierling  
Roehl Harris & Sisk P.A.

500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
[www.modrall.com](http://www.modrall.com)

Page 2

TO: AFFECTED PARTIES

This letter is to advise you that the hearing for Franklin Mountain Energy 3, LLC (“Franklin Mountain Energy 3”) applications listed above, which you were previously sent notice letters for, has been reset.

**The hearing is now set for August 8, 2024 beginning at 8:30 a.m. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1<sup>st</sup> Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>.**

As a party who may be affected by these applications, we are notifying you of your right to appear at the hearing and participate in these cases, including the right to present evidence either in support of or in opposition to the applications. Failure to appear at the hearing may preclude you from any involvement in these cases at a later date.

You are further notified that if you desire to appear in these cases, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett

*Attorney for Applicant*

Released to Imaging: 8/2/2024 3:21:26 PM

Karlene Schuman  
Modrall Sperling Roehl Harris & Sisk P.A.  
500 Fourth Street, Suite 1000  
Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
07/02/2024

Firm Mailing Book ID: 268533

Received by OCD: 8/1/2024 5:07:57 PM

| Line                | USPS Article Number         | Name, Street, City, State, Zip   | Postage        | Service Fee    | RR Fee         | Rest.Del.Fee    | Reference Contents             |
|---------------------|-----------------------------|--|----------------|----------------|----------------|-----------------|--------------------------------|
| 1                   | 9314 8699 0430 0123 0789 97 | Occidental Permian Limited Partnership<br>5 Greenway Plaza, Ste 110<br>Houston TX 77046                          | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 2                   | 9314 8699 0430 0123 0790 00 | VPD New Mexico, LLC<br>C/O Titanium Exploration Partners LLC<br>101 Summit Ave, Suite 400<br>Fort Worth TX 76102 | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 3                   | 9314 8699 0430 0123 0790 17 | T.H. McElvain Oil & Gas LLLP<br>1819 West Dr., Ste 260<br>Lakewood CO 80401                                      | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 4                   | 9314 8699 0430 0123 0790 24 | Thomaston, LLC<br>1819 West Dr., Ste 260<br>Lakewood CO 80401  | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 5                   | 9314 8699 0430 0123 0790 31 | Wing Resources VII, LLC<br>2100 McKinney Ave<br>Dallas TX 75201  | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 6                   | 9314 8699 0430 0123 0790 48 | Marathon Oil Permian, LLC<br>990 Town and Country Blvd<br>Houston TX 77024                                       | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 7                   | 9314 8699 0430 0123 0790 55 | Charles A. Stoddard<br>7911 Chevy Chase Drive<br>Houston TX 77063  | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 8                   | 9314 8699 0430 0123 0790 62 | SLVL, Ltd.<br>2320 Rock Ridge Court<br>Allen TX 75002  | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 9                   | 9314 8699 0430 0123 0790 79 | T.H. McElvain Oil & Gas LLLP<br>1819 West Dr., Ste 260<br>Lakewood CO 80401                                      | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 10                  | 9314 8699 0430 0123 0790 86 | State of New Mexico<br>310 Old Santa Fe Trail<br>Santa Fe NM 87501   | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 11                  | 9314 8699 0430 0123 0790 93 | Occidental Permian Limited Partnership<br>5 Greenway Plaza, Ste 110<br>Houston TX 77046                          | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 12                  | 9314 8699 0430 0123 0791 09 | J&L Exploration LLC<br>P.O. Box 51067<br>Midland TX 79710  | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| 13                  | 9314 8699 0430 0123 0791 16 | Northern Oil and Gas Inc.<br>4350 Baker Road, Ste 400<br>Minnetonka MN 55343                                     | \$1.63         | \$4.40         | \$2.32         | \$0.00          | 10154.0011.24661,62.<br>Notice |
| <b>Totals:</b>      |                             |  | <b>\$21.19</b> | <b>\$57.20</b> | <b>\$30.16</b> | <b>\$0.00</b>   |                                |
| <b>Grand Total:</b> |                             |  |                |                |                | <b>\$108.55</b> |                                |



List Number of Pieces Listed by Sender      Total Number of Pieces Received at Post Office      Postmaster: Name of receiving employee      Dated:

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit C-2**

Page 56 of 62



Karlene Schuman  
 Modrall Sperling Roehl Harris & Sisk P.A.  
 500 Fourth Street, Suite 1000  
 Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
 07/16/2024

Firm Mailing Book ID: 269145

| Line | USPS Article Number         | Name, Street, City, State, Zip   | Postage | Service Fee | RR Fee | Rest.Del.Fee | Reference Contents          |
|------|-----------------------------|--|---------|-------------|--------|--------------|-----------------------------|
| 1    | 9314 8699 0430 0123 5820 50 | Occidental Permian Limited Partnership<br>5 Greenway Plaza, Ste 110<br>Houston TX 77046  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 2    | 9314 8699 0430 0123 5820 67 | BMD Exploration, LLC<br>33 Yale Street<br>Williston Park NY 11596                        | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 3    | 9314 8699 0430 0123 5820 74 | Charles A. Stoddard<br>2320 Rock Ridge Court<br>Allen TX 75002                           | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 4    | 9314 8699 0430 0123 5820 81 | Charles A. Stoddard<br>7911 Chevy Chase Drive<br>Houston TX 77063                        | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 5    | 9314 8699 0430 0123 5820 98 | Coert Holdings 1, LLC<br>60 Arch Street<br>Greenwich CT 06830                            | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 6    | 9314 8699 0430 0123 5821 04 | Colgate Energy Management, LLC<br>300 N. Marienfeld Street, Ste 1000<br>Midland TX 79701 | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 7    | 9314 8699 0430 0123 5821 11 | Drew R. Scott Family Minerals, LLC<br>P.O. Box 9143<br>Midland TX 79708                  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 8    | 9314 8699 0430 0123 5821 28 | Great Western Drilling LTD<br>P.O. Box 1659<br>Midland TX 79702                          | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 9    | 9314 8699 0430 0123 5821 35 | J&G Enterprise Ltd., Co<br>703 East Main<br>Artesia NM 88210                             | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 10   | 9314 8699 0430 0123 5821 42 | J&L Exploration LLC<br>P.O. Box 51067<br>Midland TX 79710                                | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 11   | 9314 8699 0430 0123 5821 59 | J. T. Jackson and Associates<br>2302 Sierra Vista Road<br>Artesia NM 88210               | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 12   | 9314 8699 0430 0123 5821 66 | James Adelson & Family 2015 Trusts<br>15 East 5th Street, Suite 3300<br>Tulsa OK 74103   | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 13   | 9314 8699 0430 0123 5821 73 | Jean Ann Pepper Johnson<br>401 North Broad Street<br>Galesburg IL 61401                  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 14   | 9314 8699 0430 0123 5821 80 | Marathon Oil Permian, LLC<br>990 Town and Country Blvd<br>Houston TX 77024               | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 15   | 9314 8699 0430 0123 5821 97 | Marshall & Winston Inc.<br>P.O. Box 50880<br>Midland TX 79710                            | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |

Karlene Schuman  
 Modrall Sperling Roehl Harris & Sisk P.A.  
 500 Fourth Street, Suite 1000  
 Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
 07/16/2024

Firm Mailing Book ID: 269145

| Line | USPS Article Number         | Name, Street, City, State, Zip   | Postage | Service Fee | RR Fee | Rest.Del.Fee | Reference Contents          |
|------|-----------------------------|--|---------|-------------|--------|--------------|-----------------------------|
| 16   | 9314 8699 0430 0123 5822 03 | Mary Louise Galbreath, as her separate property<br>3416 San Joaquin Plaza<br>Newport Beach CA 92660          | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 17   | 9314 8699 0430 0123 5822 10 | McCombs Energy, Ltd.<br>755 East Mulberry Ave, Ste 600<br>San Antonio TX 78212                               | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 18   | 9314 8699 0430 0123 5822 27 | Mewbourne and Daughters, LTD<br>P.O. Box 7698<br>Tyler TX 75701  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 19   | 9314 8699 0430 0123 5822 34 | Northern Oil and Gas Inc.<br>4350 Baker Road, Ste 400<br>Minnetonka MN 55343                                 | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 20   | 9314 8699 0430 0123 5822 41 | Occidental Permian Limited Partnership<br>5 Greenway Plaza, Ste 110<br>Houston TX 77046                      | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 21   | 9314 8699 0430 0123 5822 58 | Pegasus Resources II, LLC<br>P.O. Box 470698<br>Fort Worth TX 76147  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 22   | 9314 8699 0430 0123 5822 65 | PRP Delaware Basin, LLC<br>2021 McKinney Ave., Suite 1250<br>Dallas TX 75201                                 | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 23   | 9314 8699 0430 0123 5822 72 | SLVL, Ltd.<br>2320 Rock Ridge Court<br>Allen TX 75002  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 24   | 9314 8699 0430 0123 5822 89 | SLVL, Ltd.<br>7911 Chevy Chase Drive<br>Houston TX 77063   | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 25   | 9314 8699 0430 0123 5822 96 | T.H. McElvain Oil & Gas LLLP<br>1819 West Dr., Ste 260<br>Lakewood CO 80401                                  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 26   | 9314 8699 0430 0123 5823 02 | The Brady Family Trust, U/D June 1, 1994<br>P.O. Box 8695<br>Springdale AR 72766                             | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 27   | 9314 8699 0430 0123 5823 19 | Thomaston, LLC<br>1819 West Dr., Ste 260<br>Lakewood CO 80401  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 28   | 9314 8699 0430 0123 5823 26 | Tres Primo Partners, LLC<br>P.O. Box 1938<br>Roswell NM 88202  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 29   | 9314 8699 0430 0123 5823 33 | VPD New Mexico, LLC<br>c/o Titanium Exploration Partners<br>101 Summit Ave, Suite 400<br>Fort Worth TX 76102 | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |
| 30   | 9314 8699 0430 0123 5823 40 | Wing Resources VII, LLC<br>2100 McKinney Ave<br>Dallas TX 75201  | \$1.77  | \$4.85      | \$2.62 | \$0.00       | 10154.0011foxtail<br>Notice |

Karlene Schuman  
Modrall Sperling Roehl Harris & Sisk P.A.  
500 Fourth Street, Suite 1000  
Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
07/16/2024

Firm Mailing Book ID: 269145

| Line                | USPS Article Number         | Name, Street, City, State, Zip  | Postage        | Service Fee     | RR Fee         | Rest.Del.Fcc    | Reference Contents          |
|---------------------|-----------------------------|---|----------------|-----------------|----------------|-----------------|-----------------------------|
| 31                  | 9314 8699 0430 0123 5823 57 | Zunis Energy, LLC<br>15 East 5th Street, Suite 3300<br>Tulsa OK 74103 | \$1.77         | \$4.85          | \$2.62         | \$0.00          | 10154.0011foxtail<br>Notice |
| <b>Totals:</b>      |                             |   | <b>\$54.87</b> | <b>\$150.35</b> | <b>\$81.22</b> | <b>\$0.00</b>   |                             |
| <b>Grand Total:</b> |                             |   |                |                 |                | <b>\$286.44</b> |                             |

| List Number of Pieces Listed by Sender | Total Number of Pieces Received at Post Office | Postmaster: Name of receiving employee | Dated: |
|--|--|--|--------|
|--|--|--|--------|

31

Transaction Report Details - CertifiedPro.net  
 Firm Mail Book ID= 268533  
 Generated: 8/1/2024 8:37:49 AM

| USPS Article Number    | Date Created       | Reference Number     | Name 1                                 | Name 2                                | City       | State | Zip   | Mailing Status | Service Options                             | Mail Delivery Date  |
|------------------------|--------------------|----------------------|--|---------------------------------------|------------|-------|-------|----------------|---|---------------------|
| 9314869904300123079116 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Northern Oil and Gas Inc.              |                                       | Minnetonka | MN    | 55343 | Delivered      | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079109 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | J&L Exploration LLC                    |                                       | Midland    | TX    | 79710 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-10 3:57 PM  |
| 9314869904300123079093 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Occidental Permian Limited Partnership |                                       | Houston    | TX    | 77046 | Delivered      | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079086 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | State of New Mexico                    |                                       | Santa Fe   | NM    | 87501 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-08 7:15 AM  |
| 9314869904300123079079 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | T.H. McElvain Oil & Gas LLLP           |                                       | Lakewood   | CO    | 80401 | Undelivered    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079062 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | SLVL, Ltd.                             |                                       | Allen      | TX    | 75002 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-06 12:26 PM |
| 9314869904300123079055 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Charles A. Stoddard                    |                                       | Houston    | TX    | 77063 | Undelivered    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079048 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Marathon Oil Permian, LLC              |                                       | Houston    | TX    | 77024 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-10 1:43 PM  |
| 9314869904300123079031 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Wing Resources VII, LLC                |                                       | Dallas     | TX    | 75201 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-10 10:55 AM |
| 9314869904300123079024 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Thomaston, LLC                         |                                       | Lakewood   | CO    | 80401 | Undelivered    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079017 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | T.H. McElvain Oil & Gas LLLP           |                                       | Lakewood   | CO    | 80401 | Undelivered    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123079000 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | VPD New Mexico, LLC                    | C/O Titanium Exploration Partners LLC | Fort Worth | TX    | 76102 | Delivered      | Return Receipt - Electronic, Certified Mail | 2024-07-08 2:10 PM  |
| 9314869904300123078997 | 2024-07-02 9:36 AM | 10154.0011.24661,62. | Occidental Permian Limited Partnership |                                       | Houston    | TX    | 77046 | Delivered      | Return Receipt - Electronic, Certified Mail |                     |

**Franklin Mountain Energy 3, LLC**  
**Case No. 24661**  
**Exhibit C-3**

Transaction Report Details - CertifiedPro.net  
 Firm Mail Book ID= 269145  
 Generated: 8/1/2024 8:40:11 AM

| USPS Article Number    | Date Created       | Reference Number  | Name 1  | Name 2                            | City           | State | Zip   | Mailing Status               | Service Options                             | Mail Delivery Date  |
|------------------------|--------------------|-------------------|---|-----------------------------------|----------------|-------|-------|------------------------------|---|---------------------|
| 9314869904300123582357 | 2024-07-16 2:14 PM | 10154.0011foxtail | Zunis Energy, LLC                               |                                   | Tulsa          | OK    | 74103 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-23 12:03 PM |
| 9314869904300123582340 | 2024-07-16 2:14 PM | 10154.0011foxtail | Wing Resources VII, LLC                         |                                   | Dallas         | TX    | 75201 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 10:36 AM |
| 9314869904300123582333 | 2024-07-16 2:14 PM | 10154.0011foxtail | VPD New Mexico, LLC                             | c/o Titanium Exploration Partners | Fort Worth     | TX    | 76102 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-22 1:01 PM  |
| 9314869904300123582326 | 2024-07-16 2:14 PM | 10154.0011foxtail | Tres Primo Partners, LLC                        |                                   | Roswell        | NM    | 88202 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-22 10:40 AM |
| 9314869904300123582319 | 2024-07-16 2:14 PM | 10154.0011foxtail | Thomaston, LLC                                  |                                   | Lakewood       | CO    | 80401 | To be Returned               | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582302 | 2024-07-16 2:14 PM | 10154.0011foxtail | The Brady Family Trust, U/D June 1, 1994        |                                   | Springdale     | AR    | 72766 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582296 | 2024-07-16 2:14 PM | 10154.0011foxtail | T.H. McElvain Oil & Gas LLLP                    |                                   | Lakewood       | CO    | 80401 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582289 | 2024-07-16 2:14 PM | 10154.0011foxtail | SLVL, Ltd.                                      |                                   | Houston        | TX    | 77063 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 4:05 PM  |
| 9314869904300123582272 | 2024-07-16 2:14 PM | 10154.0011foxtail | SLVL, Ltd.                                      |                                   | Allen          | TX    | 75002 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582265 | 2024-07-16 2:14 PM | 10154.0011foxtail | PRP Delaware Basin, LLC                         |                                   | Dallas         | TX    | 75201 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 11:34 AM |
| 9314869904300123582258 | 2024-07-16 2:14 PM | 10154.0011foxtail | Pegasus Resources II, LLC                       |                                   | Fort Worth     | TX    | 76147 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-22 8:24 AM  |
| 9314869904300123582241 | 2024-07-16 2:14 PM | 10154.0011foxtail | Occidental Permian Limited Partnership          |                                   | Houston        | TX    | 77046 | Delivered                    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582234 | 2024-07-16 2:14 PM | 10154.0011foxtail | Northern Oil and Gas Inc.                       |                                   | Minnetonka     | MN    | 55343 | Delivered                    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582227 | 2024-07-16 2:14 PM | 10154.0011foxtail | Mewbourne and Daughters, LTD                    |                                   | Tyler          | TX    | 75701 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-22 12:15 PM |
| 9314869904300123582210 | 2024-07-16 2:14 PM | 10154.0011foxtail | McCombs Energy, Ltd.                            |                                   | San Antonio    | TX    | 78212 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-19 9:43 AM  |
| 9314869904300123582203 | 2024-07-16 2:14 PM | 10154.0011foxtail | Mary Louise Galbreath, as her separate property |                                   | Newport Beach  | CA    | 92660 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582197 | 2024-07-16 2:14 PM | 10154.0011foxtail | Marshall & Winston Inc.                         |                                   | Midland        | TX    | 79710 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-19 11:04 AM |
| 9314869904300123582180 | 2024-07-16 2:14 PM | 10154.0011foxtail | Marathon Oil Permian, LLC                       |                                   | Houston        | TX    | 77024 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 12:58 PM |
| 9314869904300123582173 | 2024-07-16 2:14 PM | 10154.0011foxtail | Jean Ann Pepper Johnson                         |                                   | Galesburg      | IL    | 61401 | Undelivered - To Be Returned | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582166 | 2024-07-16 2:14 PM | 10154.0011foxtail | James Adelson & Family 2015 Trusts              |                                   | Tulsa          | OK    | 74103 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-22 12:46 PM |
| 9314869904300123582159 | 2024-07-16 2:14 PM | 10154.0011foxtail | J. T. Jackson and Associates                    |                                   | Artesia        | NM    | 88210 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-19 5:00 PM  |
| 9314869904300123582142 | 2024-07-16 2:14 PM | 10154.0011foxtail | J&L Exploration LLC                             |                                   | Midland        | TX    | 79710 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-26 4:59 PM  |
| 9314869904300123582135 | 2024-07-16 2:14 PM | 10154.0011foxtail | J&G Enterprise Ltd., Co                         |                                   | Artesia        | NM    | 88210 | Undelivered - To Be Returned | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582128 | 2024-07-16 2:14 PM | 10154.0011foxtail | Great Western Drilling LTD                      |                                   | Midland        | TX    | 79702 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 11:11 AM |
| 9314869904300123582111 | 2024-07-16 2:14 PM | 10154.0011foxtail | Drew R. Scott Family Minerals, LLC              |                                   | Midland        | TX    | 79708 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-20 8:38 AM  |
| 9314869904300123582104 | 2024-07-16 2:14 PM | 10154.0011foxtail | Colgate Energy Management, LLC                  |                                   | Midland        | TX    | 79701 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-19 12:06 PM |
| 9314869904300123582098 | 2024-07-16 2:14 PM | 10154.0011foxtail | Coert Holdings I, LLC                           |                                   | Greenwich      | CT    | 06830 | Delivered                    | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582081 | 2024-07-16 2:14 PM | 10154.0011foxtail | Charles A. Stoddard                             |                                   | Houston        | TX    | 77063 | Delivered                    | Return Receipt - Electronic, Certified Mail | 2024-07-24 4:05 PM  |
| 9314869904300123582074 | 2024-07-16 2:14 PM | 10154.0011foxtail | Charles A. Stoddard                             |                                   | Allen          | TX    | 75002 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582067 | 2024-07-16 2:14 PM | 10154.0011foxtail | BMD Exploration, LLC                            |                                   | Williston Park | NY    | 11596 | Undelivered                  | Return Receipt - Electronic, Certified Mail |                     |
| 9314869904300123582050 | 2024-07-16 2:14 PM | 10154.0011foxtail | Occidental Permian Limited Partnership          |                                   | Houston        | TX    | 77046 | Delivered                    | Return Receipt - Electronic, Certified Mail |                     |


LEGAL NOTICE  
July 7, 2024

### Affidavit of Publication

STATE OF NEW MEXICO  
COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated  
July 07, 2024  
and ending with the issue dated  
July 07, 2024.

  
Publisher

Sworn and subscribed to before me this  
7th day of July 2024.

  
Business Manager

My commission expires  
January 29, 2027

(Seal) STATE OF NEW MEXICO  
NOTARY PUBLIC  
GUSSIE RUTH BLACK  
COMMISSION # 1087526  
COMMISSION EXPIRES 01/29/2027

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Law 1937 and payment of fees for said public has been made.

**CASE NO. 24661: Notice to all affected parties, as well as heirs and devisees of: Occidental Permian Limited Partnership; VPD New Mexico, LLC c/o Titanium Exploration Partners, LLC; T.H. McElvain Oil & Gas LLLP; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Charles A. Stoddard; SLVL, Ltd.; J&L Exploration LLC; Northern Oil and Gas Inc.; and State of New Mexico of the Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Wolfcamp horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. This spacing unit will be dedicated to the **Foxtail State Com 701H and Foxtail State Com 801H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**CASE NO. 24662: Notice to all affected parties, as well as heirs and devisees of: Occidental Permian Limited Partnership; VPD New Mexico, LLC c/o Titanium Exploration Partners, LLC; T.H. McElvain Oil & Gas LLLP; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Charles A. Stoddard; SLVL, Ltd.; J&L Exploration LLC; Northern Oil and Gas Inc.; and State of New Mexico of the 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.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.61-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 4, SW/4 NW/4, and the W/2 SW/4 of irregular Section 5 (W/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin also seeks, to the extent necessary, approval of an overlapping spacing unit. This spacing unit will be dedicated to the **Foxtail State Com 301H and Foxtail State Com 501H** wells to be horizontally drilled with a proposed first take point in the SW/4 SW/4 (Unit M) of Section 5 and a proposed last take point in the NW/4 NW/4 (Unit D) of Section 32. The producing area for the wells is expected to be orthodox. The proposed horizontal spacing unit will partially overlap with 160-acre Bone Spring horizontal spacing unit comprised of the W/2 W/2 of Section 32, Township 18 South, Range 35 East, dedicated to Franklin Mountain Energy 3, LLC's Merit 32 DM State Com #001H well (API 30-025-40636). Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**CASE NO. 24663: Notice to all affected parties, as well as heirs and devisees of: VPD New Mexico, LLC c/o Titanium Exploration Partners, LLC; T.H. McElvain Oil & Gas LLLP; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Charles A. Stoddard; SLVL, Ltd.; and State of New Mexico of the Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.64-acre, more or less, Bone Spring horizontal spacing unit comprised of the E/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 3, SE/4 NW/4, and the E/2 SW/4 of irregular Section 5 (E/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 302H, Foxtail State Com 502H, and Foxtail State Com 802H** wells to be horizontally drilled with a proposed first take point in the SE/4 SW/4 (Unit N) of Section 5 and a proposed last take point in the NE/4 NW/4 (Unit C) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**CASE NO. 24664: Notice to all affected parties, as well as heirs and devisees of: VPD New Mexico, LLC c/o Titanium Exploration Partners, LLC; T.H. McElvain Oil & Gas LLLP; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Charles A. Stoddard; SLVL, Ltd.; and State of New Mexico of the Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.64-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 W/2 of Section 32, Township 18 South, Range 35 East, and Lot 3, SE/4 NW/4, and the E/2 SW/4 of irregular Section 5 (E/2 W/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 702H and Foxtail State Com 802H** wells to be horizontally drilled with a proposed first take point in the SE/4 SW/4 (Unit N) of Section 5 and a proposed last take point in the NE/4 NW/4 (Unit C) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**CASE NO. 24665: Notice to all affected parties, as well as heirs and devisees of: Northern Oil and Gas, Inc.; Great Western Drilling LTD; Mary Louise Galbreath, as her separate property; Coert Holdings 1, LLC; Jean Ann Pepper Johnson; The Brady Family Trust, U/D June 1, 1994; Curtis W. Newbourne; Trustee; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Colgate Energy Management, LLC; McCombs Energy, Ltd.; PRP Delaware Basin, LLC; Marshall & Winston Inc.; BMD Exploration, LLC; Drew R. Scott Family Minerals, LLC; SLVL, Ltd.; Charles A. Stoddard; and State of New Mexico of the Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.69-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 E/2 of Section 32, Township 18 South, Range 35 East, and Lot 2, SW/4 NE/4, and the W/2 SE/4 of irregular Section 5 (W/2 E/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 303H and Foxtail State Com 503H** wells to be horizontally drilled with a proposed first take point in the SW/4 SE/4 (Unit O) of Section 5 and a proposed last take point in the NW/4 NE/4 (Unit B) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

**CASE NO. 24666: Notice to all affected parties, as well as heirs and devisees of: Northern Oil and Gas, Inc.; Great Western Drilling LTD; Mary Louise Galbreath, as her separate property; Coert Holdings 1, LLC; Jean Ann Pepper Johnson; The Brady Family Trust, U/D June 1, 1994; Newbourne and Daughters, LTD; Thomaston, LLC; Wing Resources VII, LLC; Marathon Oil Permian, LLC; Marshall & Winston, Inc.; BMD Exploration, LLC; Drew R. Scott Family Minerals, LLC; Zunle Energy, LLC; James Adelson & Family 2015 Trusts; Tres Primo Partners, LLC; Pegasus Resources II, LLC; J.T. Jackson and Associates; J&G Enterprise Ltd., Co.; and State of New Mexico of the Application of Franklin Mountain Energy 3, LLC for compulsory pooling, Lea County, New Mexico.** The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on July 25, 2024 to consider this application. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a 319.69-acre, more or less, Bone Spring horizontal spacing unit comprised of the E/2 E/2 of Section 32, Township 18 South, Range 35 East, and Lot 1, SE/4 NE/4, and the E/2 SE/4 of irregular Section 5 (E/2 E/2 equivalent), Township 19 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Franklin seeks to dedicate the spacing unit to the **Foxtail State Com 304H and Foxtail State Com 504H** wells to be horizontally drilled with a proposed first take point in the SE/4 SE/4 (Unit P) of Section 5 and a proposed last take point in the NE/4 NE/4 (Unit A) of Section 32. The producing area for the wells is expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy 3, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 17 miles west of Hobbs, New Mexico.

Franklin Mountain Energy 3, LLC  
Case No. 24661  
Exhibit C-4