

**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 Nos. 24457, 24459, 24479

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

Case Nos. 24898-24901

**APPLICATIONS OF MRC PERMIAN COMPANY FOR
APPROVAL OF AN OVERLAPPING HORIZONTAL WELL
SPACING UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case Nos. 24778-24783

**APPLICATIONS OF MRC PERMIAN COMPANY FOR
COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case Nos. 24784-24790

UNOPPOSED MOTION TO AMEND SECOND AMENDED PRE-HEARING ORDER

Franklin Mountain Energy 3, LLC (“Franklin”) respectfully moves to amend the Second Amended Prehearing Order entered in these matters on October 4, 2024 to replace Franklin Case Nos. 24460, 24462, and 24463 with Case Nos. 24898-24901. In support of this motion, Franklin states as follows:

1. A Pre-hearing Order was issued on June 14, 2024 setting Case Nos. 24457, 24459, 24479 and 24460, 24462, 24463 for a contested hearing on September 10, 2024.
2. The Pre-hearing Order was amended on August 20, 2024, joining MRC Permian Company’s (“MRC”) Case Nos. 24778- 24783 and 24784-24790 for a contested hearing.

3. On August 23, 2024, the Franklin and MRC jointly filed a motion to vacate the September 10, 2024 contested hearing in favor of a final status conference on September 12, 2024.

4. Status conferences for these matters were held on September 12, 2024 and October 3, 2024.

5. On October 4, 2024 the Division entered a Second Amended Pre-Hearing Order setting the cases for a contested hearing on November 20, 2024.

6. On October 1, 2024, Franklin filed new applications for its Wolfcamp wells and those cases were assigned case numbers 24898-24901. These cases were set for the October 31, 2024 hearing docket.

7. Franklin will be filing a Notice of Dismissal for its original Wolfcamp well cases 24460, 24462, and 24463 which it seeks to replace with the newly filed cases 24898-24901.

8. For these reasons, Franklin respectfully requests that Case Nos. 24898-24901 be added to the Pre-Hearing Order and consolidated for hearing with the other cases listed, and that Case Nos. 24460, 24462, and 24463 be removed since these cases will be dismissed.

9. Counsel for MRC has been contacted and does not oppose the motion.

10. A proposed order in word version will be emailed to the Division.

WHEREFORE, Franklin respectfully requests that Case Nos. 24898-24901 be added to the Pre-Hearing Order and consolidated for hearing with the other listed cases and that Case Nos. 24460, 24462, and 24463 be removed.

Respectfully submitted,

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

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on October 21, 2024:

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