



Before the Oil Conservation Division
Examiner Hearing October 8, 2020

Compulsory Pooling

Case No. 21442: Kaston Fed Com 603H

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

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

CASE NO. 21442

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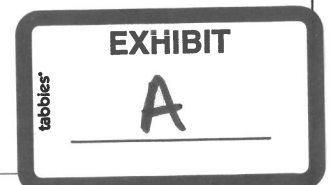
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COMPULSORY POOLING APPLICATION CHECKLIST

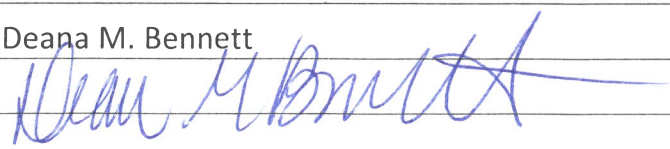
ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 21442	APPLICANT'S RESPONSE
Date: 10/08/2020 (Hearing date)	
Applicant:	Franklin Mountain Energy, LLC
Designated Operator & OGRID (affiliation if applicable)	Franklin Mountain Energy, LLC (373910)
Applicant's Counsel:	Modrall Sperling
Case Title:	Application of Franklin Mountain Energy, LLC for Compulsory Pooling, Lea County, New Mexico
Entries of Appearance/Intervenors:	None
Well Family	Paul Foster
Formation/Pool	
Formation Name(s) or Vertical Extent:	Third Bone Spring
Primary Product (Oil or Gas):	Oil
Pooling this vertical extent:	N/A
Pool Name and Pool Code:	WC-025 G-09 S253502B; Pool Code 98185
Well Location Setback Rules:	Statewide Rules
Spacing Unit Size:	360 acres
Spacing Unit	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	360 acres
Building Blocks:	40 acres
Orientation:	N/S
Description: TRS/County	W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Y
Other Situations	
Depth Severance: Y/N. If yes, description	N
Proximity Tracts: If yes, description	Y
Proximity Defining Well: if yes, description	N
Applicant's Ownership in Each Tract	See Exhibit B-4, page 16



Well(s)	
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard)	Add wells as needed
Well #1: Kaston Fed Com 603H (API Pending)	SHL: 312' FSL 2480' FWL (Unit N) Section 36, T-25-S R-35-E FTP: 120' FNL 2019' FEL Section 1, T-26-S R-35-E BHL: 1170' FNL 2020' FEL (Unit B) Section 13, T-26-S R-35-E Orientation: North to South Completion Target: Third Bone SPring Completion Status: Standard TVD: 11,807', MVD: 23,307'
Horizontal Well First and Last Take Points	See above; see also Exhibit B-3, page 14
Completion Target (Formation, TVD and MD)	See above; see also Exhibit B-3; B-6, page 20
AFE Capex and Operating Costs	
Drilling Supervision/Month \$	\$7,000.00
Production Supervision/Month \$	\$700.00
Justification for Supervision Costs	See Exhibit B, ¶ 23
Requested Risk Charge	See Exhibit B, ¶ 24
Notice of Hearing	
Proposed Notice of Hearing	See Exhibit B-2, page 13
Proof of Mailed Notice of Hearing (20 days before hearing)	See Exhibit B-8, pages 24-33
Proof of Published Notice of Hearing (10 days before hearing)	See Exhibit B-8, page 34
Ownership Determination	
Land Ownership Schematic of the Spacing Unit	See Exhibit B-4, page 15
Tract List (including lease numbers and owners)	See Exhibit B-4, page 16
Pooled Parties (including ownership type)	See Exhibit B-4, pages 17-18
Unlocatable Parties to be Pooled	None
Ownership Depth Severance (including percentage above & below)	N/A
Joinder	
Sample Copy of Proposal Letter	See Exhibit B-6, pages 20-22
List of Interest Owners (ie Exhibit A of JOA)	See Exhibit B-4, page 17
Chronology of Contact with Non-Joined Working Interests	See Exhibit B-5, page 19
Overhead Rates In Proposal Letter	N/A: See Exhibit B, ¶ 23

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Cost Estimate to Drill and Complete	See Exhibit B-7, page 23
Cost Estimate to Equip Well	See Exhibit B-7, page 23
Cost Estimate for Production Facilities	See Exhibit B-7, page 23
Geology	
Summary (including special considerations)	See Exhibit C, pages 35-38
Spacing Unit Schematic	See Exhibit C-9, page 39; Exhibit B-1, page 9
Gunbarrel/Lateral Trajectory Schematic	See Exhibit C-10, page 40
Well Orientation (with rationale)	See Exhibit C-12, page 46; Exhibit C, ¶ 14
Target Formation	See Exhibit C-11-C, page 44
HSU Cross Section	See Exhibit C-11-C, page 44
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	See Exhibit B-3, page 14
Tracts	See Exhibit B-4, pages 15-16
Summary of Interests, Unit Recapitulation (Tracts)	See Exhibit B-4, pages 16-17
General Location Map (including basin)	See Exhibit C-9, page 39
Well Bore Location Map	See Exhibit C-11-A, page 42
Structure Contour Map - Subsea Depth	See Exhibit C-11-A, page 42
Cross Section Location Map (including wells)	See Exhibit C-11-B, page 43
Cross Section (including Landing Zone)	See Exhibit C-11-C, page 44
Additional Information	
Special Provisions/Stipulations	None
CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.	
Printed Name (Attorney or Party Representative):	Deana M. Bennett
Signed Name (Attorney or Party Representative):	
Date: 10/6/2020	

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

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

**CASE NO. 21442
(W/2 E/2 Bone Spring)**

AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Shelly Albrecht, being duly sworn, deposes and states:

1. I am over the age of 18, I am the Director of Land for Franklin Mountain Energy, LLC ("Franklin"), and I have personal knowledge of the matters stated herein. I have previously testified before the Oil Conservation Division ("Division") and I have been qualified by the Division as an expert petroleum landman.

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. 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 well to be drilled in the unit.



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

8. The spacing unit and well that Franklin is proposing in this case is part of a comprehensive development plan, covering the entirety of Sections 1 and 12, and the NW/4 NE/4 and the NE/4 NW/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. Franklin's development plan includes a total of seven units, including both Wolfcamp and Bone Spring units. The Development Overview is attached as **Exhibit 1**.

9. In this case, Franklin seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico.

10. This spacing unit will be dedicated to the **Kaston Fed Com 603H** well, to be horizontally drilled. The Application is attached hereto as **Exhibit 2**.

11. Attached as **Exhibit 3** is the proposed C-102 for the well.

12. The C-102 identifies the proposed surface hole location, the first take point, and the bottom hole location. The C-102 identifies the pool and pool code.

13. The well will develop the WC-025 G-09 S253502B, Lower Bone Spring, Pool Code 98185.

14. This pool is an oil pool with 40-acre building blocks.

15. This pool is governed by the state-wide horizontal well rules. The producing interval for the well will be orthodox and will comply with the Division's set back requirements.

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

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

18. I have conducted a diligent search of the public records in the county where the well is 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.

19. In my opinion, Franklin has made a good faith effort to obtain voluntary joinder of the working interest owners in the proposed well.

20. **Exhibit 5** is a summary of my contacts with the working interest owners.

21. **Exhibit 6** is a sample of the well proposal letter that was sent to all working interest owners. The proposal letter identifies the proposed surface hole and bottom hole locations and approximate TVD/MD for the well.

22. **Exhibit 7** contains the Authorization for Expenditure for the proposed well. The estimated cost of the well set forth therein is fair and reasonable, and is comparable to the costs of other wells of similar depths and length drilled in this area of New Mexico.

23. Franklin requests overhead and administrative rates of \$7000.00/month for drilling a well and \$700.00/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.

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

25. Franklin requests that it be designated operator of the well.

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

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

28. **Exhibit 8** is an affidavit of notice prepared by counsel for Franklin that shows the parties who were notified of this hearing, the status of whether they received notice, and an affidavit of publication from the Hobbs News-Sun newspaper, showing that notice of this hearing was published on September 15, 2020.

29. The attachments to this affidavit were prepared by me, or compiled from company business records, or were prepared at my direction.

30. I attest that the information provided herein is correct and complete to the best of my knowledge and belief.

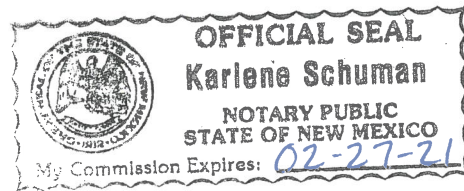
31. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.

Shelly Albrecht
Shelly Albrecht

SUBSCRIBED AND SWORN to before me this 5th day of October, 2020 by Shelly Albrecht on behalf of Franklin Mountain Energy, LLC.

Karlene Schuman
Notary Public

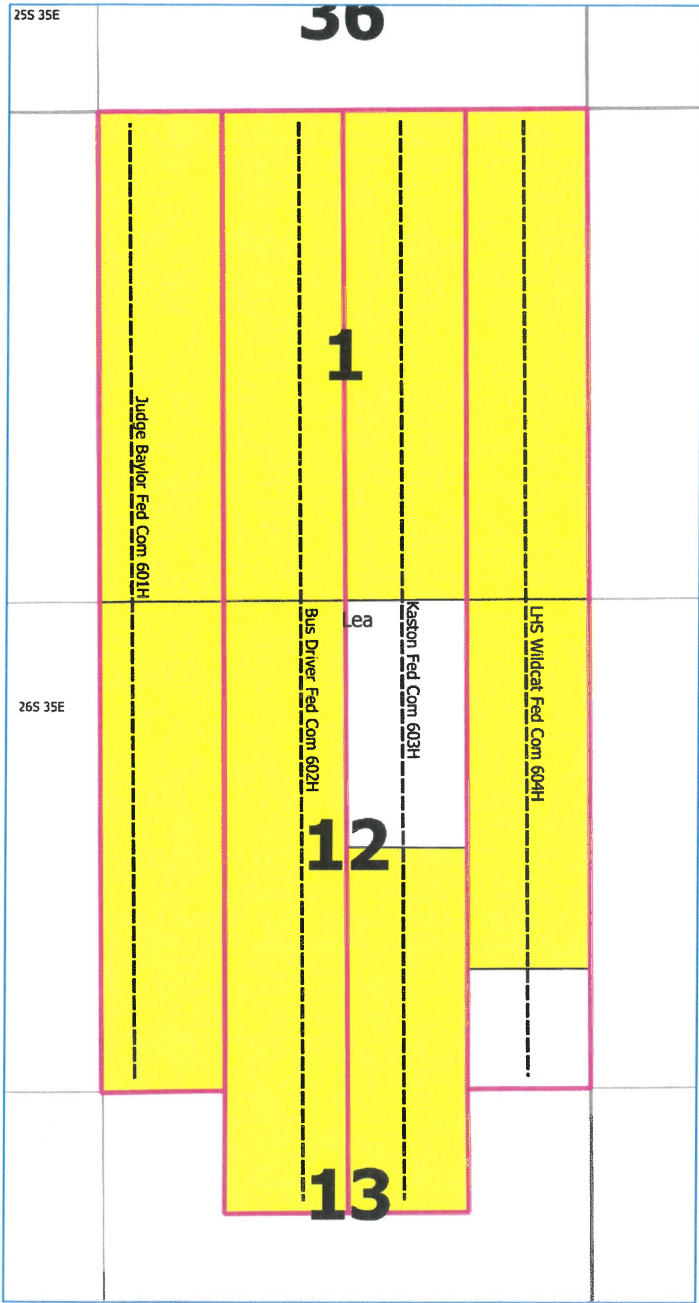
My commission expires: 02-27-21



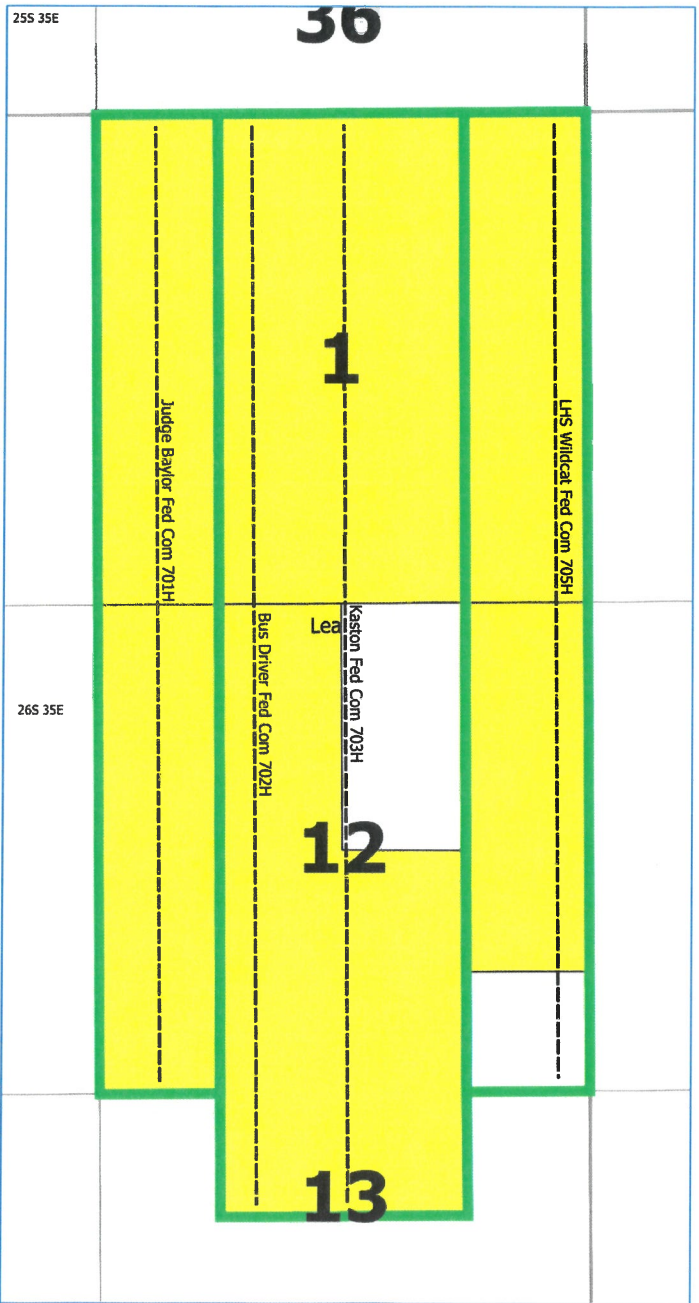
Development Overview

Sections 1, 12 & 13 (partial)-26S-35E, Lea County, NM
Case Nos. 21438, 21439, 21440, 21441, 21442, 21443 and 21444

Bone Spring Units



Wolfcamp Units






-  Franklin Mountain Leasehold
-  Bone Spring Proration Unit
-  Wolfcamp Proration Unit

EXHIBIT
B-1



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

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

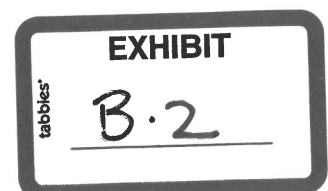
CASE NO. 21442

APPLICATION

Franklin Mountain Energy, LLC ("FME"), OGRID Number 373910, through its undersigned attorneys, hereby makes an application to the Oil Conservation Division ("Division") pursuant to the provisions of NMSA (1978), Section 70-2-17, for an order pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico

In support of this application, FME states as follows:

1. FME has an interest in the subject lands and has a right to drill and operate a well thereon.
2. FME seeks to dedicate the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico to form a 360-acre, more or less, spacing unit.
3. FME plans to drill the **Kaston Fed Com 603H** well to a depth sufficient to test the Bone Spring formation. The well will be horizontally drilled and will be drilled at orthodox locations under the Division's rules.



4. FME 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 well or to otherwise commit their interests to the well.

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

6. FME further requests that it be allowed one (1) year between the time the well is drilled and completion of the well under the order issued by the Division.

WHEREFORE, FME requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 8, 2020, and after notice and hearing as required by law, the Division enter its order:

A. Pooling all mineral interests in the Bone Spring formation underlying a horizontal spacing unit within the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico;

B. Designating FME as operator of this unit and the well to be drilled thereon;

C. Authorizing FME to recover its costs of drilling, equipping and completing the well;

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

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

F. Allowing a time period of one (1) year between when the well is drilled and completion of the well under the order issued by the Division.

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

By: Deana M. Bennett

Deana M. Bennett
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 21442: Application of Franklin Mountain Energy, LLC for compulsory pooling, Lea County, New Mexico. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Kaston Fed Com 603H** well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

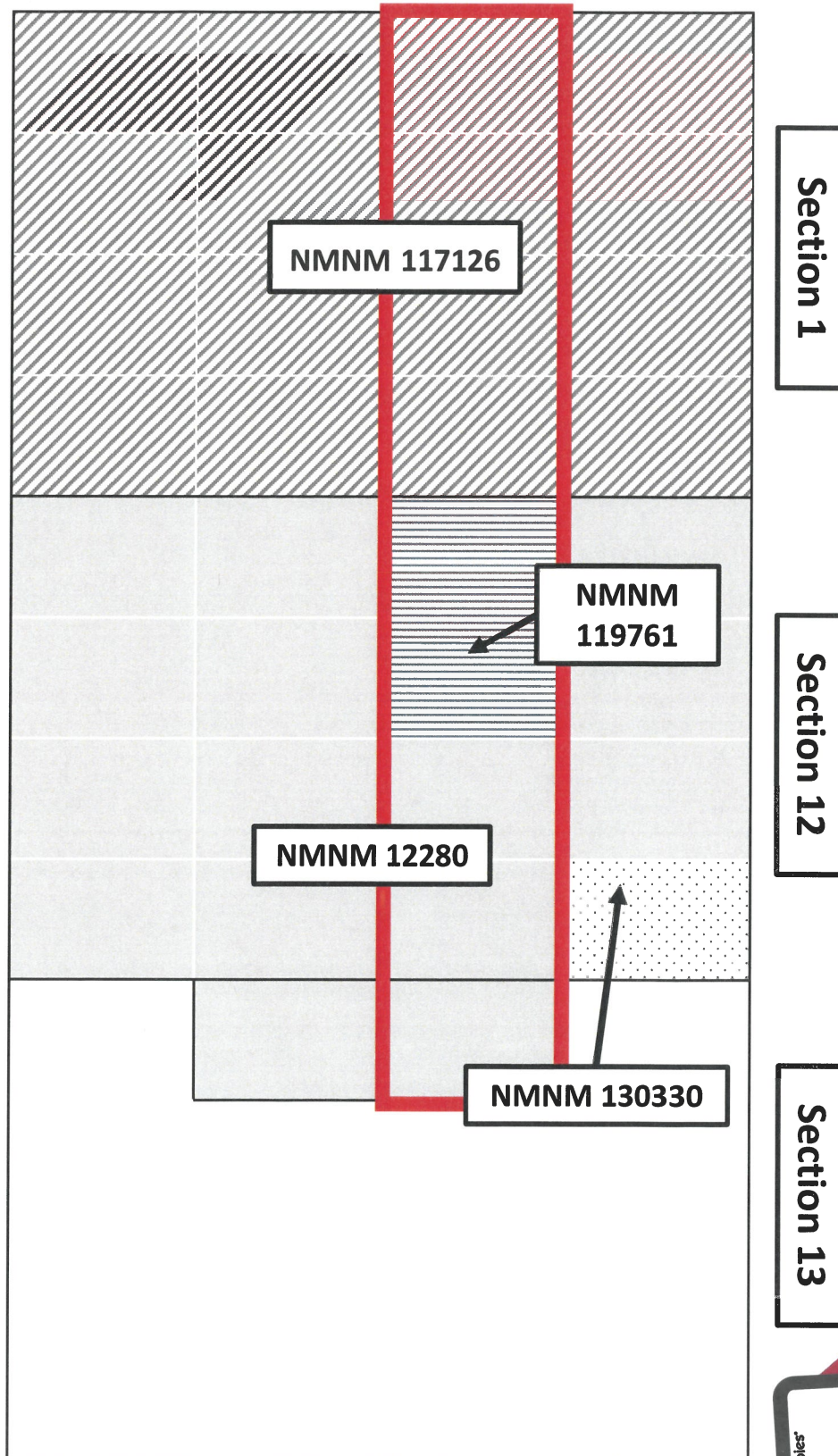
Lease Tract Map

Case No. 21442

W2E2 of Sections 1 & 12; NWNE of Section 13-T26S-T35E – 360 Gross Acres

Kaston Fed Com 603H

ALL FEDERAL LEASED MINERALS

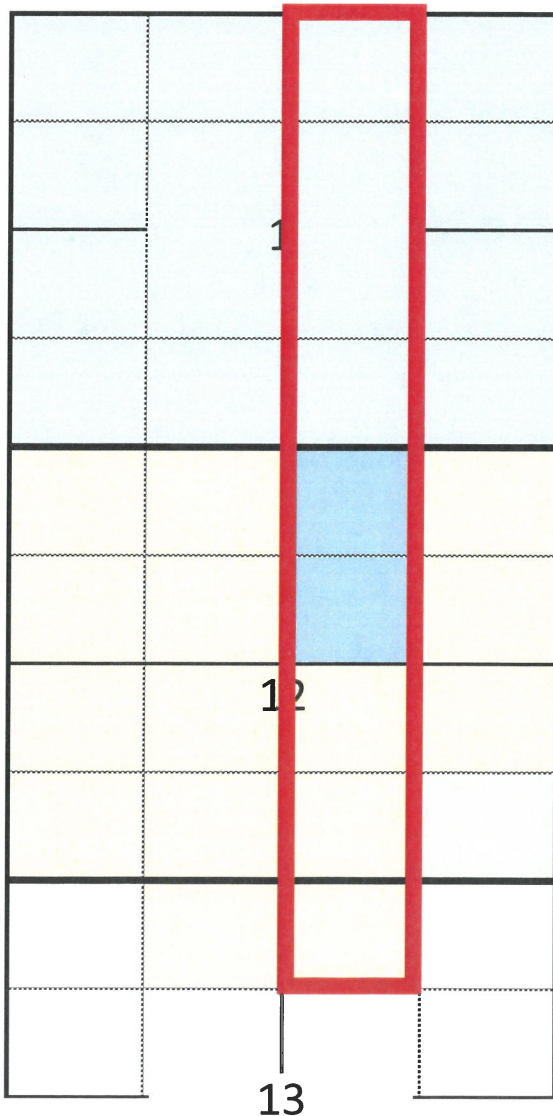


Unit Recapitulation

Case No. 21442

W2E2 of Sections 1 & 12; NWNE of Section 13-T26S-T35E – 360 Gross Acres
Kaston Fed Com 603H

Working Interest Owner	Tract 1: 160 ac	Tract 2: 120 ac	Tract 3: 80 ac
COG Operating LLC	70%	0%	0%
Franklin Mtn Energy LLC	15%	90%	0%
Chevron U.S.A. Inc.	15%	0%	0%
VPD New Mexico LLC	0%	10%	0%
COG Production LLC	0%	0%	100%
TOTAL:	100%	100%	100%



Tract	Lease
1	NMNM 117126
2	NMNM 12280
3	NMNM 119761
4	NMNM 130330



Summary of Interests

Case No. 21442

W2E2 of Sections 1 & 12; NWNE of Section 13-T26S-T35E – 360 Gross Acres

Kaston Fed Com 603H

Committed Working Interest	
Franklin Mountain Energy, LLC	36.666667%
Uncommitted Working Interest	
COG Operating LLC	31.111111%
COG Production LLC	22.222222%
Chevron U.S.A. Inc.	6.666667%
VPD New Mexico LLC	3.333333%
TOTAL:	100.000000%



Parties to Be Pooled in Case No. 21442

Chevron U.S.A. Inc.	WI
VPD New Mexico LLC	WI
COG Operating LLC	WI
COG Production LLC	WI
Devon Energy Production Co., L.P.	ORRI
Chevron U.S.A. Inc.	ORRI
Green Ribbon, Inc.	ORRI
Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007	ORRI
David N. Grimes	ORRI
Sandia Minerals, LLC	ORRI
Elanor Jeane Hopper	ORRI
Lacy Dinsmoore Roop 1999 Revocable Management Trust	ORRI
Doris Earline Freeman	ORRI
Young Minerals Company	ORRI
VPD New Mexico Royalty LLC	ORRI
Malaga Royalty, LLC	ORRI
Malaga EF7, LLC	ORRI

Summary of Attempted Contacts

- Franklin Mountain Energy 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 January 28, 2020.
- Franklin sent Joint Operating Agreements to working interest owners on August 6, 2020 to see if they would participate in the wells and/or execute a joint operating agreement.
- Franklin continued to attempt to contact the parties who had not executed an agreement.
- Franklin filed an application to force pool parties who had not entered in to an agreement.
- Franklin's counsel sent notices of the force pooling application to the addresses of record for the uncommitted interest owners.
- Franklin also published notice in a newspaper of general circulation in the county where the wells will be located.





Sent via Certified Mailing
Tracking No. 9414 7116 9900 0604 9253 39

January 28, 2020

COG Operating LLC
One Concho Center
600 W Illinois Avenue
Midland, Texas 79701
Attn: Land Dept, Delaware Basin

RE: Kaston Federal 603H Well Proposals
Township 26 South, Range 35 East, Sections 1 & 12: W/2E/2;
Section 13: NW/4NE/4, 360 acres
Lea County, New Mexico

Dear Working Interest Owner:

Franklin Mountain Energy, LLC ("FME"), as Operator, hereby proposes the drilling and completion of the following wells located in the W/2E/2 of Sections 1 & 12 and the NW/4NE/4 of Section 13, Township 26 South, Range 35 East:

Well Name	Target Formation	Total Vertical Depth	Measured Depth	SHL	BHL	AFE
Kaston Federal 603H	Bone Spring	11,807'	23,307'	Sec. 1-T26S-R35E 720' FNL 2,587' FEL	Sec. 13-T26S-R35E 1,170' FNL 2,020' FEL	\$11,297,850

FME's proposed Operating Agreement ("OA") will be forthcoming.

FME 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. Should there be any modifications to the plans listed above, FME will notify you.



If you do NOT wish to participate, FME proposes to acquire your interest at the following terms, on a mutually agreeable conveyance form:

Please indicate your elections on the following page and return to Elliot Berard at eberard@fmellc.com or to the address provided below at your earliest convenience. Should you elect to participate, please also return executed versions of the AFE enclosed.

FME looks forward to working with 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, FME will file an application for compulsory pooling to pool any uncommitted working interest owners.

Should you have any questions, please contact the undersigned at (720) 414-7865 or by email at the address mentioned above.

Respectfully,

Franklin Mountain Energy, LLC

Elliot Berard
Landman

Enclosures



Kaston Federal 603H:

_____ I/We hereby elect to participate in the **Kaston Federal 603H** well.
_____ I/We hereby elect **NOT** to participate in the **Kaston Federal 603H** well.

_____ I/We hereby elect to sell our interest.

Working Interest Owner: _____

By: _____
Printed Name: _____
Title: _____
Date: _____



Well Name: Kaston Federal 603H

Well Name: Kaston Federal 603H

SUN : Sec 1 T26S R35E T20N ENL 2 487' EEI

Location: SHL: Sec 1-120S-R35E 720' FNE 2,507' FEG
DUL: Sec 13 T26S R35E 1170' FNI 2,020' FFI

Operator: Franklin Mountain Energy, LLC

Purpose: Drill and complete a 10,500' BS3 well with 2,250 lbs/ft Slickwater frac. TVD 11,807'. MD 23,307'

Well #: 603H

County/State: Lea Co. NM

Date Prepared: 1/23/2020

AEE #: DCE200106

Intangible Completion Costs			Amount
240	5	ADMINISTRATIVE OVERHEAD	\$12,500
240	10	CASED HOLE LOGS & SURVEYS	\$15,000
240	15	CASING CREW & EQPT	\$0
240	20	COILED TUBING/SNUBING UNIT	\$375,000
240	25	COMMUNICATIONS	\$15,000
240	30	COMPANY DIRECT LABOR	\$15,000
240	35	COMPLETION/WORKOVER RIG	\$50,000
240	45	CONTRACT LABOR/ROUSTABOUTS	\$0
240	50	DAMAGES/RECLAMATION	\$25,000
240	55	DISPOSAL SOLIDS	\$0
240	60	ELECTRICAL POWER/GENERATION	\$0
240	65	ENVIRONMENTAL/CLEANUP	\$0
240	70	FISHING TOOLS / SERVICES	\$0
240	71	FLUIDS/HAULING/DISPOSAL	\$135,000
240	72	FRAC WATER/COMPLETION FLUID	\$400,000
240	75	FUEL, POWER/DIESEL	\$300,000
240	80	HEALTH & SAFETY	\$10,000
240	85	HOUSING AND SUPPORT SERVICES	\$0
240	90	MATERIALS & SUPPLIES	\$0
240	95	MISCELLANEOUS	\$50,000
240	100	MUD & CHEMICALS	\$0
240	110	PA&TA COSTS	\$0
240	115	PERFORATING/WIRELINE SERVICE	\$450,000
240	120	PIPE INSPECTION	\$25,000
240	125	ROAD, LOCATIONS REPAIRS	\$25,000
240	130	STIMULATION	\$2,750,000
240	135	SUBSURFACE EQUIPMENTAL RENTAL	\$0
240	140	SUPERVISION	\$75,000
240	145	SURFACE EQUIP RENTAL	\$100,000
240	150	TRANSPORTATION/TRUCKING	\$20,000
240	155	WATER TRANSFER	\$0
240	160	WELDING SERVICES	\$0
240	165	WELL TESTING/FLOWBACK	\$100,000
240	40	CONTINGENCY COSTS 5%	\$246,700
Total Intangible Completion Costs:			\$5,104,200

Tangible Completion Costs			Amount
Major	Minor	Description	
245	5	ARTIFICIAL LIFT	\$250,000
245	10	ENGINEERING	\$10,000
245	15	FLOWLINES	\$10,000
245	25	FRAC STRING	\$50,000
245	40	PACKERS/SLEEVES/PLUGS/GL MANDRELS	\$25,000
245	45	PRODUCTION LINER	\$0
245	50	PRODUCTION PROCESSING FACILITY	\$0
245	55	PRODUCTION TUBING	\$55,000
245	60	RODS/PUMPS	\$0
245	65	SUBSURFACE EQUIPMENT	\$0
245	75	WELLHEAD EQUIPMENT	\$40,000
245		TAXES	\$22,000
Total Tangible Completion Costs:			\$462,000

Intangible Facility Costs			
Major	Minor	Description	Amount
265	5	CONSULTING	\$25,000
265	11	COMMUNICATIONS	\$5,000
265	12	COMPANY DIRECT LABOR	\$0
265	15	CRANE SERVICES	\$0
265	20	DAMAGES/ROW	\$10,000
265	21	DISPOSAL SOLIDS	\$0
265	25	ENGINEERING / SCIENCE	\$15,000
265	30	EQUIPMENT INSPECTION & TEST	\$0
265	34	FLUIDS/HAILING/DISPOSAL	\$10,000
265	35	FUEL / POWER	\$50,000
265	40	HEALTH/SAFETY/ENVIRONMENTAL	\$27,000
265	41	HOUSING AND SUPPORT SERVICES	\$1,500
265	45	CONTRACT LABOR & SERVICES	\$10,000
265	55	MISCELLANEOUS	\$0
265	60	OVERHEAD	\$12,500
265	70	SURFACE EQUIP INSTALL. / LABOR	\$100,000
265	75	SURFACE RENTAL EQUIPMENT	\$0
265	80	SURVEY / PLATS / STAKINGS	\$0
265	85	TRANSPORTATION / TRUCKING	\$25,000
265	90	WELDING	\$3,500
265	10	CONTINGENCY COST	\$14,725
Total Intangible Facility Costs:			\$309,225

Office Use Only:	

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

Operator Franklin Mountain Energy, LLC

Approved By: Jeff Stevens
Chief Executive Officer

W/ Owner

Approved By

Date: _____

Date: _____

EXHIBIT

B. 7

habitat

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

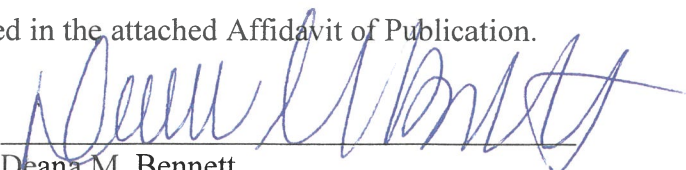
APPLICATION OF FRANKLIN MOUNTAIN
ENERGY, LLC FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO

CASE NOS. 21438, 21439,
21440, 21441, 21442, 21443

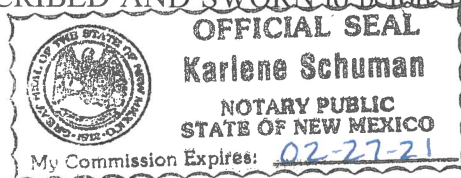
AFFIDAVIT


STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

Deana M. Bennett, attorney in fact and authorized representative of Franklin Mountain Energy, LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under a notice letter, attached, and that proof of receipt is attached hereto. I also state that notice of the October 8, 2020 hearing was published in the Hobbs News-Sun on September 15, 2020, as reflected in the attached Affidavit of Publication.

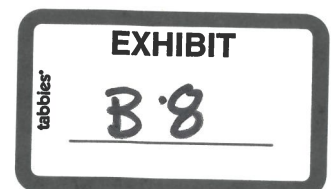

Deana M. Bennett

SUBSCRIBED AND SWORN to before me this 2nd day of October, 2020 by Deana M. Bennett.




Notary Public

My commission expires: 02-27-2021





MODRALL SPERLING

L A W Y E R S

September 10, 2020

Deana M. Bennett
505.848.1834
Deana.Bennett@modrall.com

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

CASE NO. 21442

TO: AFFECTED PARTIES

This letter is to advise you that Franklin Mountain Energy, LLC ("FME") has filed the above-listed application.

In Case No. 21442, FME seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Kaston Fed Com 603H** well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on October 8, 2020 beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <http://www.emnrd.state.nm.us/OCD/hearings.html>.

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in the case, including the right to present evidence either in support of or in opposition to the

Modrall Sperling
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

Page 2

application. Failure to appear at the hearing may preclude you from any involvement in the case at a later date.

You are further notified that if you desire to appear in this case, 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,

A handwritten signature in cursive script that reads "Deana M. Bennett".

Deana M. Bennett

Attorney for Applicant

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

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

CASE NO. 21442

APPLICATION

Franklin Mountain Energy, LLC ("FME"), OGRID Number 373910, through its undersigned attorneys, hereby makes an application to the Oil Conservation Division ("Division") pursuant to the provisions of NMSA (1978), Section 70-2-17, for an order pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico

In support of this application, FME states as follows:

1. FME has an interest in the subject lands and has a right to drill and operate a well thereon.
2. FME seeks to dedicate the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico to form a 360-acre, more or less, spacing unit.
3. FME plans to drill the **Kaston Fed Com 603H** well to a depth sufficient to test the Bone Spring formation. The well will be horizontally drilled and will be drilled at orthodox locations under the Division's rules.

4. FME 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 well or to otherwise commit their interests to the well.

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

6. FME further requests that it be allowed one (1) year between the time the well is drilled and completion of the well under the order issued by the Division.

WHEREFORE, FME requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 8, 2020, and after notice and hearing as required by law, the Division enter its order:

A. Pooling all mineral interests in the Bone Spring formation underlying a horizontal spacing unit within the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico;

B. Designating FME as operator of this unit and the well to be drilled thereon;

C. Authorizing FME to recover its costs of drilling, equipping and completing the well;

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

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

F. Allowing a time period of one (1) year between when the well is drilled and completion of the well under the order issued by the Division.

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

By: Deana M. Bennett
Deana M. Bennett
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 21442 : Application of Franklin Mountain Energy, LLC for compulsory pooling, Lea County, New Mexico. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the **Kaston Fed Com 603H** well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

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
09/10/2020

No 21442-21444

Firm Mailing Book ID: 194994

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0074 8046 21	Chevron U.S.A. Inc. 6301 Deauville Blvd. Midland TX 79706	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
2	9314 8699 0430 0074 8046 38	United States of America, BLM 301 Dinosaur Trail Santa Fe NM 87508	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
3	9314 8699 0430 0074 8046 45	Devon Energy Production Co., L.P. 333 West Sheridan Ave. Oklahoma City OK 73102	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
4	9314 8699 0430 0074 8046 52	COG Operating LLC 600 W. Illinois Ave. Midland TX 79701	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
5	9314 8699 0430 0074 8046 69	VPD New Mexico LLC 2100 McKinney Ave. Dallas TX 75201	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
6	9314 8699 0430 0074 8046 76	Green Ribbon, Inc. 828 East Edgehill Road Salt Lake City UT 84013	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
7	9314 8699 0430 0074 8046 83	Bernard A. Winer and Grace S. Winer, As Trustees 4758 SW Eddy St. Seattle WA 98136	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
8	9314 8699 0430 0074 8046 90	David N. Grimes P.O. Box 2006 Midland TX 79702	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
9	9314 8699 0430 0074 8047 06	Elanor Jeane Hopper 3102 Sentinel Drive Midland TX 79701	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
10	9314 8699 0430 0074 8047 13	Lacy Dinsmore Roop 1999 Revocable 3109 C.R. 264 Breckenridge TX 76424	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
11	9314 8699 0430 0074 8047 20	Doris Earline Freeman 505 Apple Tree Court Saginaw TX 76179	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
12	9314 8699 0430 0074 8047 37	Young Minerals Company 200 Bailey Ave., Suite 102 Fort Worth TX 76107	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
13	9314 8699 0430 0074 8047 44	VPD New Mexico Royalty LLC 2100 McKinney Ave., Suite 1770 Dallas TX 75201	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
14	9314 8699 0430 0074 8047 51	COG Production LLC One Concho Center 600 W. Illinois Ave. Midland TX 79701	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
15	9314 8699 0430 0074 8047 68	Malaga Royalty, LLC PO Box 2064 Midland TX 79702	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice



REC'D BY V.K.A.

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

PS Form 3877

Type of Mailing: CERTIFIED MAIL
09/10/2020

Firm Mailing Book ID: 194994

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
16	9314 8699 0430 0074 8047 75	Malaga EF7, LLC PO Box 2064 Midland TX 79702	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
17	9314 8699 0430 0074 8047 82	Canaan Resources Drilling Company, LLC 11101 North Broadway, Suite 300 Oklahoma City OK 73103	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
18	9314 8699 0430 0074 8047 99	Canaan Resource Partners Drilling Fund, LP 11101 North Broadway, Suite 300 Oklahoma City OK 73103	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
19	9314 8699 0430 0074 8048 05	JP Morgan Ventures Energy Corporation 383 Madison Ave., 10th Floor New York NY 10179	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
20	9314 8699 0430 0074 8048 12	JP Morgan Ventures Energy Corporation 4 New York Plaza, 21st Floor New York NY 10004	\$1.40	\$3.55	\$1.70	\$0.00	10154.0001. Notice
Totals:			\$58.00	\$71.00	\$34.00	\$0.00	
			Grand Total:		\$133.00		

List Number of Pieces
Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster:

Name of receiving employee

Dated:

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REC'D BY VAA

Transaction Report Details - CertifiedPro.net
Firm Mail Book ID= 194994
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USPS Article Number	Date Created	Name 1	Name 2	City	State	Zip	Mailing Status	Service Options	Mail Delivery Date
9314869904300074804812	2020-09-10 10:54 AM	JP Morgan Ventures Energy Corporation		New York	NY	10004	Delivered	Return Receipt - Electronic, Certified Mail	09-16-2020
9314869904300074804805	2020-09-10 10:54 AM	JP Morgan Ventures Energy Corporation		New York	NY	10179	Delivered	Return Receipt - Electronic, Certified Mail	09-15-2020
9314869904300074804799	2020-09-10 10:54 AM	Canaan Resource Partners Drilling Fund, LP		Oklahoma City	OK	73103	Undelivered	Return Receipt - Electronic, Certified Mail	
9314869904300074804782	2020-09-10 10:54 AM	Canaan Resource Partners Drilling Fund, LP		Oklahoma City	OK	73103	To be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300074804775	2020-09-10 10:54 AM	Malaga EF7, LLC		Midland	TX	79702	Delivered	Return Receipt - Electronic, Certified Mail	09-15-2020
9314869904300074804768	2020-09-10 10:54 AM	Malaga Royalty, LLC		Midland	TX	79702	To be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300074804751	2020-09-10 10:54 AM	COG Production LLC	One Concho Center	Midland	TX	79701	Delivered	Return Receipt - Electronic, Certified Mail	09-16-2020
9314869904300074804744	2020-09-10 10:54 AM	VPD New Mexico Royalty LLC		Dallas	TX	75201	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804737	2020-09-10 10:54 AM	Young Minerals Company		Fort Worth	TX	76107	Delivered	Return Receipt - Electronic, Certified Mail	09-15-2020
9314869904300074804720	2020-09-10 10:54 AM	Doris Earline Freeman		Saginaw	TX	76179	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
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9314869904300074804683	2020-09-10 10:54 AM	Bernard A. Winer and Grace S. Winer, As Trustees		Seattle	WA	98136	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804676	2020-09-10 10:54 AM	Green Ribbon, Inc.		Salt Lake City	UT	84013	Undelivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804669	2020-09-10 10:54 AM	VPD New Mexico LLC		Dallas	TX	75201	Delivered	Return Receipt - Electronic, Certified Mail	09-15-2020
9314869904300074804652	2020-09-10 10:54 AM	COG Operating LLC		Midland	TX	79701	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804645	2020-09-10 10:54 AM	Devon Energy Production Co., L.P.		Oklahoma City	OK	73102	Delivered	Return Receipt - Electronic, Certified Mail	09-11-2020
9314869904300074804638	2020-09-10 10:54 AM	United States of America, BLM		Santa Fe	NM	87508	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804621	2020-09-10 10:54 AM	Chevron U.S.A. Inc.		Midland	TX	79706	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020

Affidavit of Publication

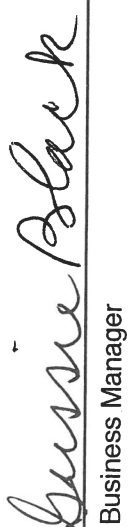
STATE OF NEW MEXICO
COUNTY OF LEA

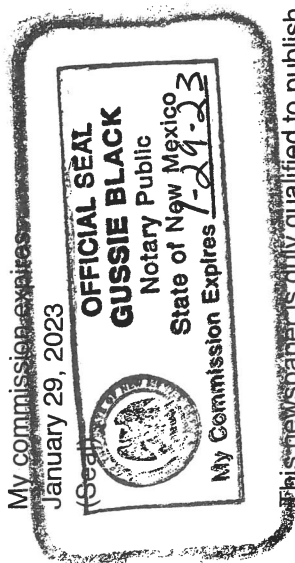
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated
September 15, 2020
and ending with the issue dated
September 15, 2020.


Publisher

Sworn and subscribed to before me this
15th day of September 2020.


Business Manager



This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

CASE NO. 21443: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 W/2 of Sections 1 and 12, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Judge-Baylor Fed Com 703H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21444: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Judge-Baylor Fed Com 703H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21438: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the E/2 W/2 of Sections 1 and 12 and the NE/4 NW/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Bus Driver Fed Com 602H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21439: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty LLC, Marathon Oil Permian LLC, Crown Oil Partners LP, Post Oak Crown IV-B, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the E/2 E/2 of Sections 1 and 12, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the LHS Wildcat Fed Com 604H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21440: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty LLC, Marathon Oil Permian LLC, Crown Oil Partners LP, Post Oak Crown IV-B, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Wolfcamp horizontal spacing unit underlying the E/2 E/2 of Sections 1 and 12, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the LHS Wildcat Fed Com 705H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21441: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 W/2 of Sections 1 and 12, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Judge-Baylor Fed Com 601H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

CASE NO. 21442: Notice to all affected parties, as well as the heirs and devisees of Chevron U.S.A. Inc., United States of America, BLM, Devon Energy Production Co., L.P., COG Operating LLC, VPD New Mexico LLC, Green Ribbon, Inc., Bernard A. Winer and Grace S. Winer, as Trustees of the Bernard and Grace Winer Living Trust dated 10/3/2007, David N. Grimes, Elanor Jeanne Hopper, Lacy Dinsmoore Roop, 1999 Revocable Management Trust, Doris Earline Freeman, Young Minerals Company, VPD New Mexico Royalty, LLC, Post Oak Crown IV, LLC, Collins & Jones Investments, LLC, Mavros Minerals II, LLC, LMC Energy, LLC, Gerard G. Vavrek, Jesse A. Faught, Jr., H. Jason Wacker, Oak Valley Mineral and Land, LP, David W. Cromwell, Kaleb Smith, Mike Moylett, Deane Durham of Franklin Mountain Energy, LLC's application 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 8:15 a.m. on October 8, 2020, to consider this application. Applicant seeks an order from the Division pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the W/2 E/2 of Sections 1 and 12, and the NW/4 NE/4 of Section 13, Township 26 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Kaston Fed Com 603H well, to be horizontally drilled. The producing area for the well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Franklin Mountain Energy, LLC as operator of the well, and a 200% charge for risk involved in drilling said well, and allowing a one year period between when the well is drilled and completion of the well. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

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

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

**CASE NO. 21442
(W/2 E/2 Bone Spring)**

AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Ben Kessel, being duly sworn, deposes and states:

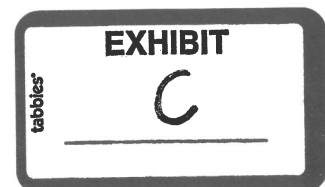
1. I am over the age of 18, I am a geologist for Franklin Mountain Energy, LLC (“Franklin”), and have personal knowledge of the matters stated herein. I have previously testified before the Oil Conservation Division (“Division”) and my credentials as an expert petroleum geologist were accepted by the 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 9** is a locator map showing the approximate location of the proposed unit in relation to the Capitan Reef.

5. **Exhibit 10** is a wellbore schematic showing Franklin’s development plan, which includes the well at issue in this case and the wells proposed in Case Numbers 21438-21441 and 21443-21444.



6. The exhibits behind **Tab 11** is the geology study I prepared for the **Kaston Fed Com 603H** well.

7. **Exhibit 11-A** is structure map of top of the Third Bone Spring Sand. The proposed project area is identified by a pink box. The Kaston Fed Com 603H well is the pink dashed line identified by the box labeled "1". The contour interval used this exhibit is 25 feet. This exhibit shows that the structure dips gently to the south.

8. **Exhibit 11-B** identifies five wells in the vicinity of the proposed well, shown by a line of cross-section running from A to A'.

9. **Exhibit 11-C** is a stratigraphic cross section hung on the Wolfcamp top. The well logs on the cross-section give a representative sample of the Third Bone Spring Sand formation in the area. The target zone is identified by the words "Producing Zone" and the shaded area across the cross section. I have also identified where the Kaston Fed Com 603H well falls within the wells I used for the cross-section.

10. In my opinion, the gross interval thickness thickens slightly from north to the south.

11. **Exhibit 11-D** is a Gross Interval Isochore of the Third Bone Spring Sand. The gross interval thickness thickens slightly from north to the south.

12. I conclude from the maps 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.

13. **Exhibit 12** provides an overview of the stress orientation in the area based on the 2018 Snee-Zoback paper.

14. The preferred well orientation in this area is either north/south or south/north. This is because the S_{Hmax} is at approximately 265 degrees in this area of Lea County.

15. Exhibits 9-12 were prepared by me or under my supervision or compiled from company business records.

16. In my opinion, the granting of Franklin's application is in the interests of conservation and the prevention of waste.

[Signature page follows]

Ben Kessel
Ben Kessel

SUBSCRIBED AND SWORN to before me this 5th day of October, 2020 by Ben Kessel,
on behalf of Franklin Mountain Energy, LLC.

Karlene Schuman
Notary Public

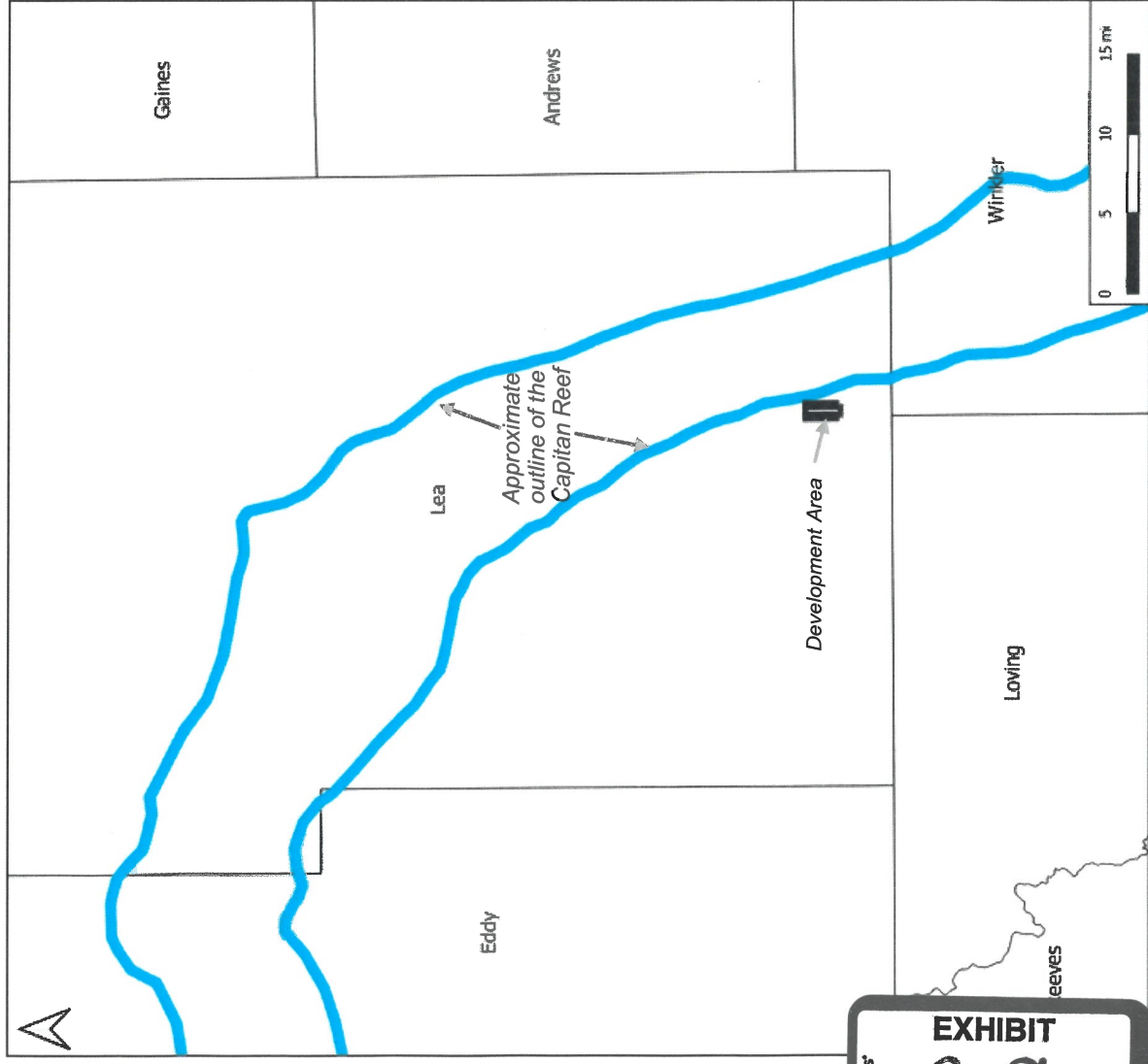
My commission expires: 02-27-21



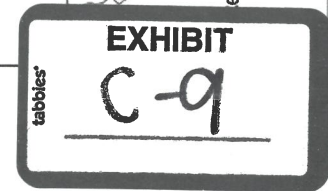
Locator Map



Case Nos. 21438, 21439, 21440, 21441, 21442, 21443 and 21444



- Black box shows the location of the development area
- Planned wells are located outside of the western edge of the Capitan Reef



Wellbore Schematic



Case Nos. 21438, 21439, 21440, 21441, 21442, 21443 and 21444

26S 35E Section 1-Looking North

Talco Unit 001
API #30025267470000
Sec 11-T26S-R35E

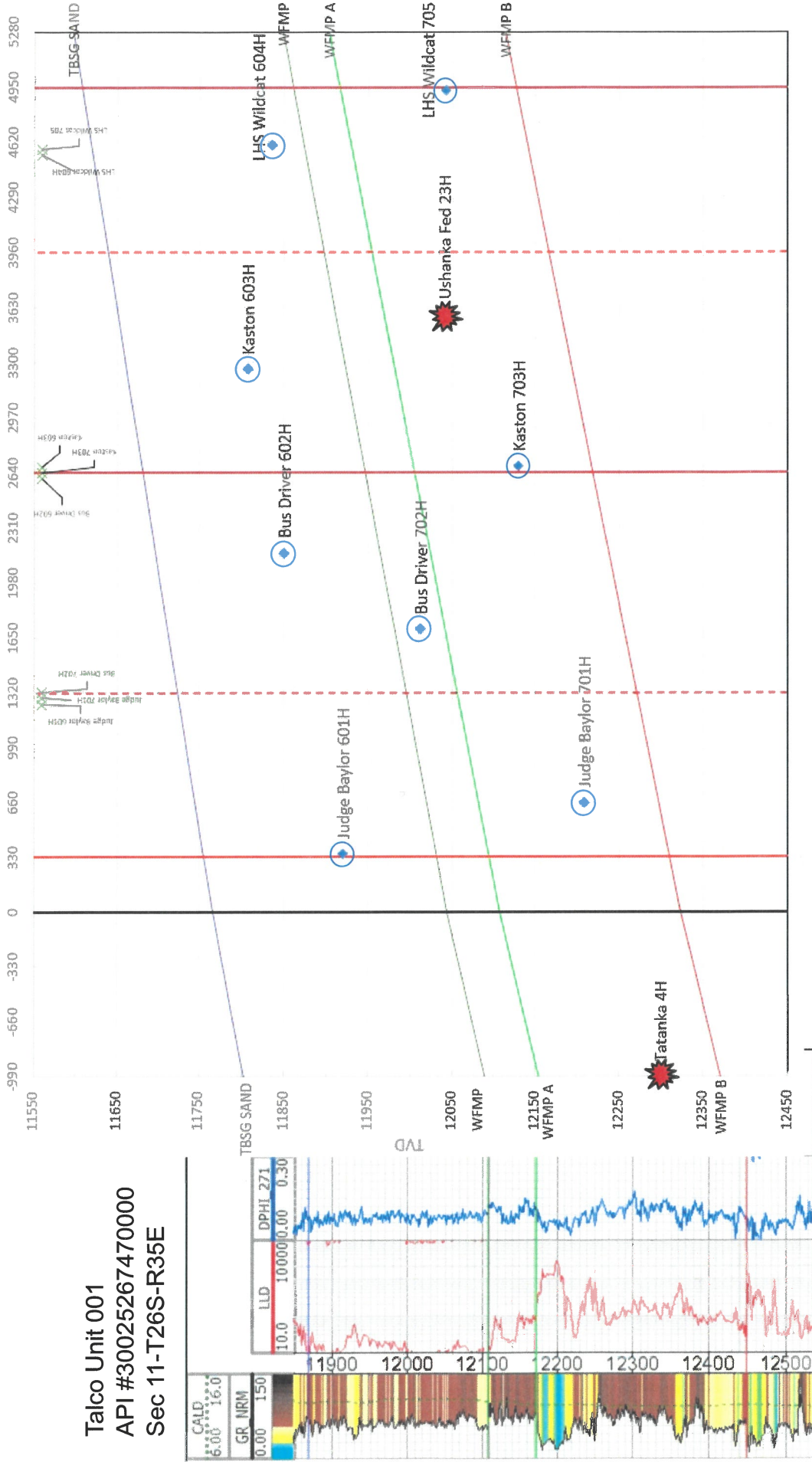
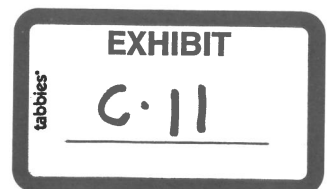


EXHIBIT
C-10

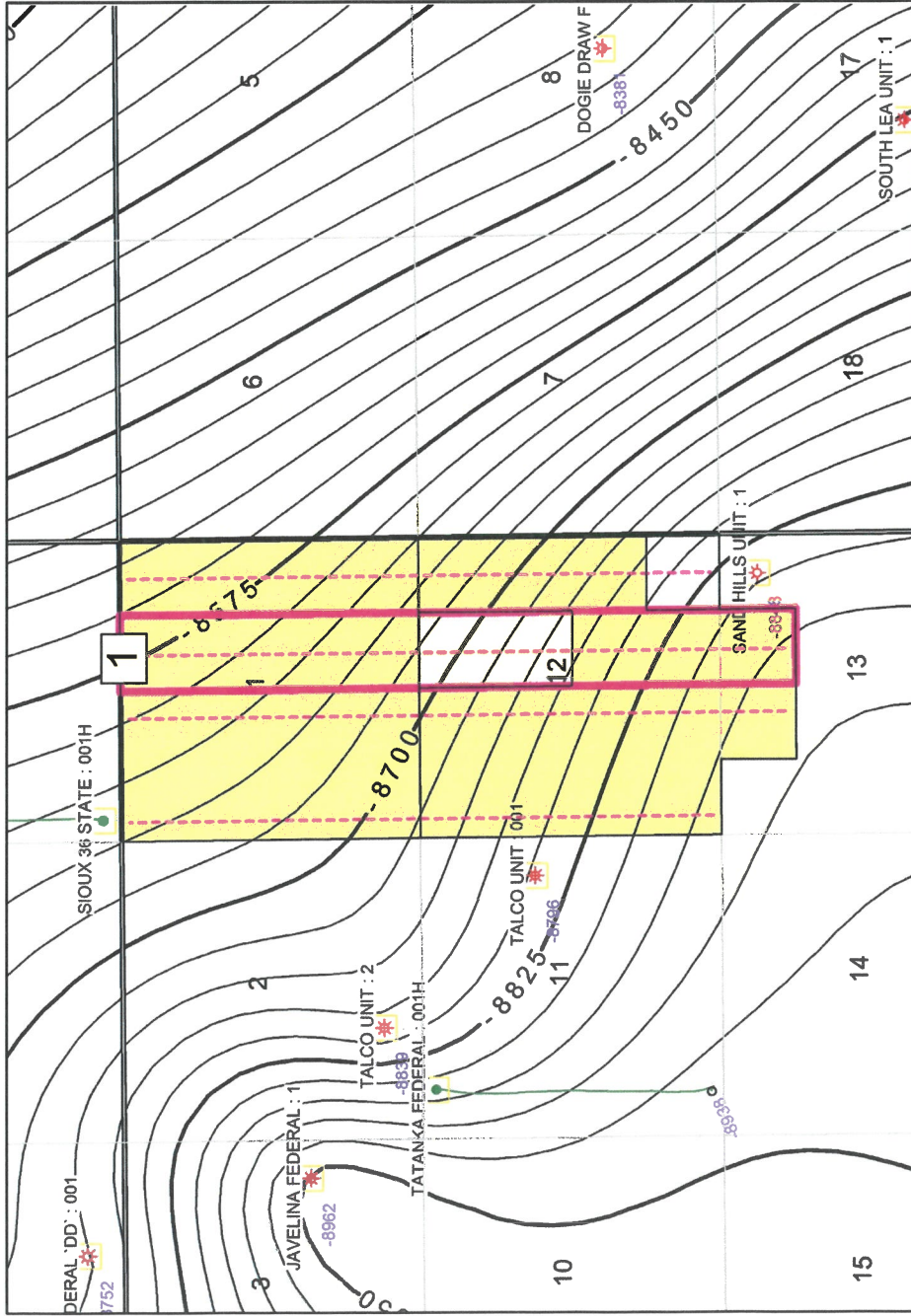
Existing Lateral Proposed Lateral

Case No. 21442: Kaston Fed Com 603H
Bone Spring



Third Bone Spring Structure Map (SSTVD)

Case No. 21442: Kaston Fed Com 603H



1 mile

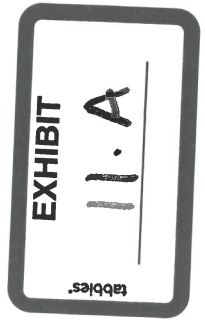
C.I. = 25'



Franklin Mountain Acreage

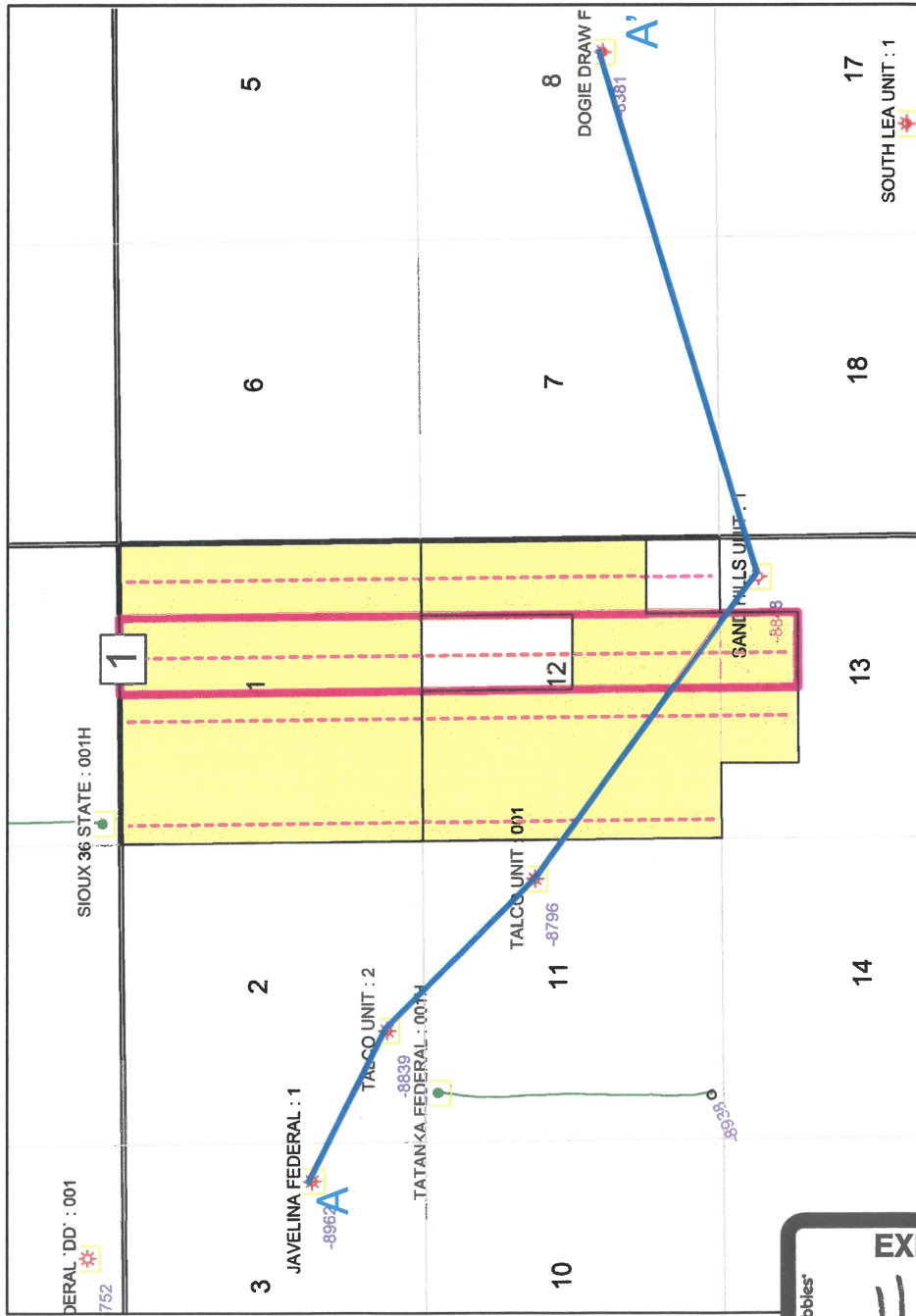
Proposed Horizontal Location

1 Kaston Fed Com 603H



Third Bone Spring Cross Section Reference Map

Case No. 21442: Kaston Fed Com 603H



Franklin Mountain Acreage

Bone Spring Unit

Proposed Horizontal Location

Cross Section Line

1 Kaston Fed Com 603H

EXHIBIT
11.B

Third Bone Spring Sand Cross Section



JAVELINA FEDERAL 1 30025286440000
 TALCO UNIT 2 30025276140000
 SAND HILLS UNIT 1 30025086890000
 DOGIE DRAW FED 1 30025247190000

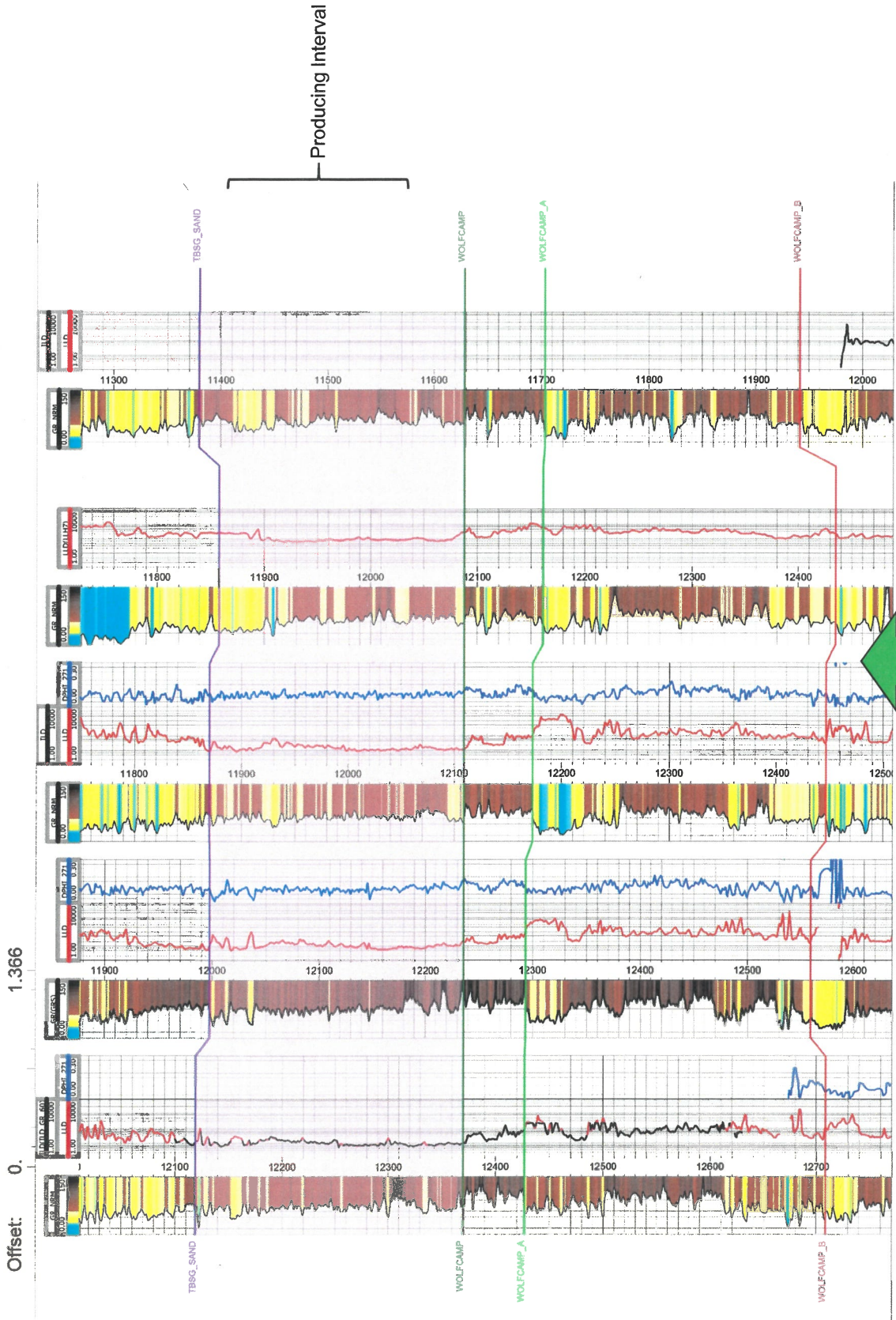
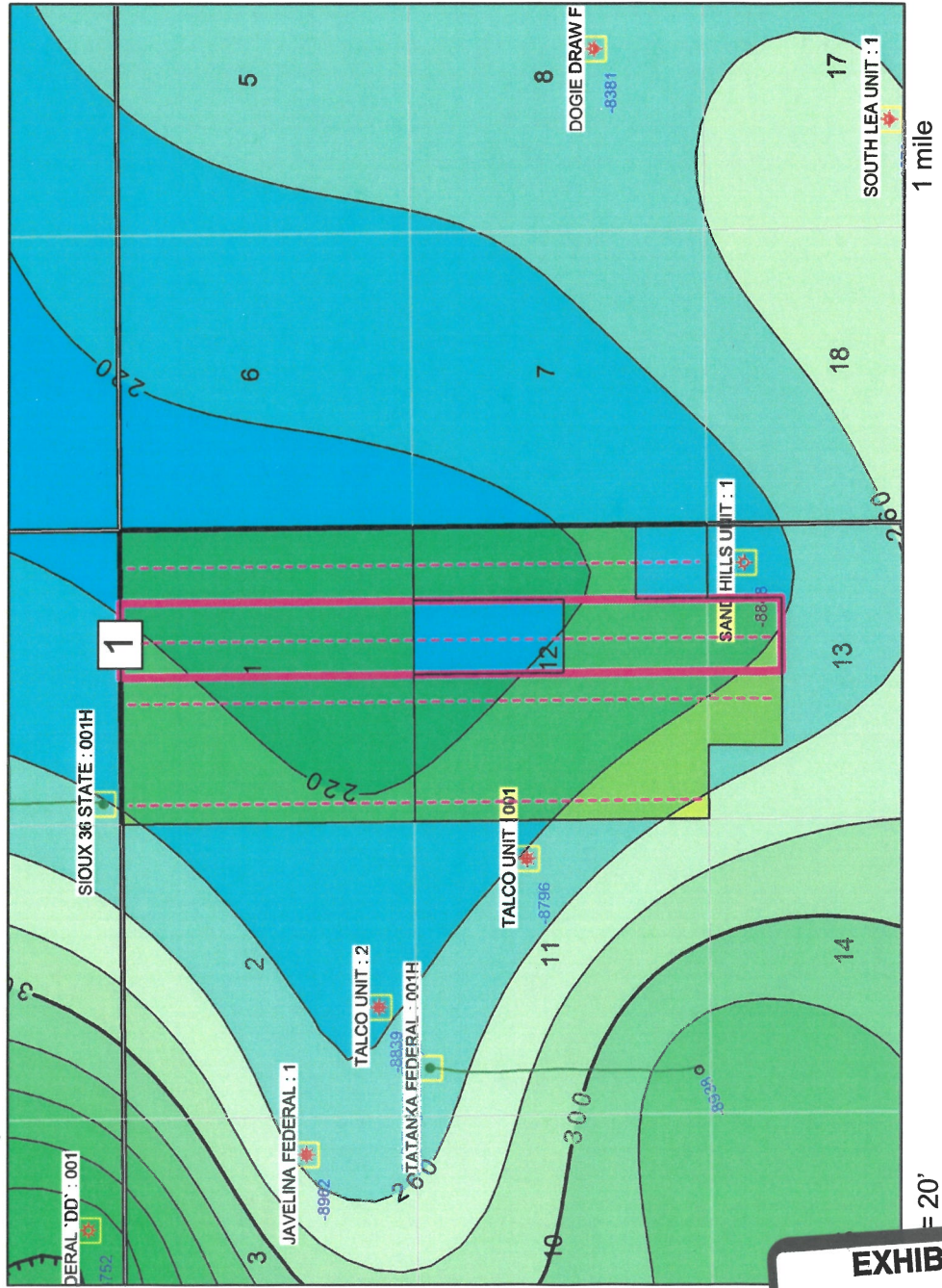


EXHIBIT
 11.C

Third Bone Spring Sand Isochore Map

Case No. 21442: Kaston Fed Com 603H



Franklin Mountain Acreage



Bone Spring Unit

Proposed Horizontal Location



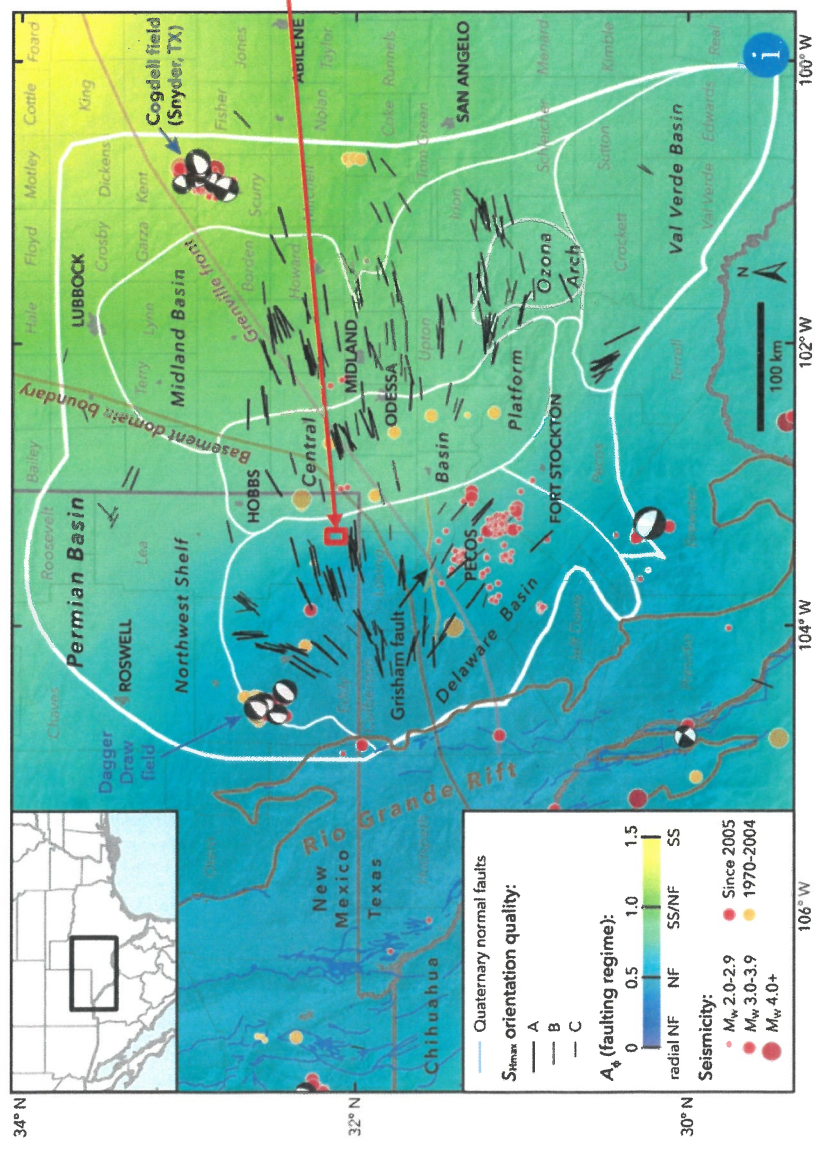
Kaston Fed Com 603H

tabbles' **EXHIBIT**
11.D

Regional Stress



Case Nos. 21438, 21439, 21440, 21441, 21442, 21443 and 21444



- Red box shows the approximate location of development area
- Reported local S_{Hmax} (Snee and Zoback, 2018) direction is ENE, around 265°
- Development wells are planned to drill N-S, nearly orthogonal to S_{Hmax} , optimal for induced fracture propagation

tabbles®

EXHIBIT

C.12

Snee, J.L. and Zoback, M.D., 2018, State of stress in the Permian Basin, Texas and New Mexico: Implications for induced seismicity: The Leading Edge, 37, no. 2
http://www.tleonline.org/theleadingedge/february_2018/MobilePageArticle.action?articleId=1331603#articleId1331603