



Before the Oil Conservation Division
Examiner Hearing October 8, 2020

Compulsory Pooling

Case No. 21444: Bus Driver Fed Com 702H

Kaston Fed Com 703H

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

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

CASE NO. 21444

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COMPULSORY POOLING APPLICATION CHECKLIST

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 21444

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:

Wolfcamp

Primary Product (Oil or Gas):

Oil

Pooling this vertical extent:

N/A

Pool Name and Pool Code:

WC-025-G-09-S253502D; Pool Code 98187

Well Location Setback Rules:

Statewide Rules

Spacing Unit Size:

720 acres

Spacing Unit

Type (Horizontal/Vertical)

Horizontal

Size (Acres)

720 acres

Building Blocks:

40 acres

Orientation:

N/S

Description: TRS/County

W/2 E/2 and the E/2 W/2 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

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

Kaston Fed Com 703H well is less than 330' from
the adjoining tracts

Applicant's Ownership in Each Tract

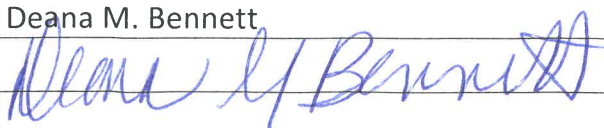
See Exhibit B-4, page 18

EXHIBIT

A

tabbles

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: Bus Driver Fed Com 702H (API Pending)	SHL: 312' FSL 2375' FWL (Unit N) Section 36, T-25-S R-35-E FTP: 123' FNL 1713' FWL Section 1, T-26-S R-35-E BHL: 1170' FNL 1700' FWL (Unit C) Section 13, T-26-S R-35-E Orientation: North to South Completion Target: Upper Wolfcamp Completion Status: Standard TVD: 12,012', MVD: 23,512'
Well #2: Kaston Fed Com 703H (API Pending)	SHL: 312' FSL 2445' FWL (Unit N) Section 36, T-25-S R-35-E FTP: 123' FNL 2587' FEL Section 1, T-26-S R-35-E BHL: 1170' FNL 2600' FEL (Unit C) Section 13, T-26-S R-35-E Orientation: North to South Completion Target: Upper Wolfcamp Completion Status: Standard TVD: 12,130', MVD: 23,630'
Horizontal Well First and Last Take Points	See above; see also Exhibit B-3, page 15-16
Completion Target (Formation, TVD and MD)	See above; see also Exhibit B-3; B-6, page 21
AFE Capex and Operating Costs	
Drilling Supervision/Month \$	\$7,000.00
Production Supervision/Month \$	\$700.00
Justification for Supervision Costs	See Exhibit B, ¶ 27
Requested Risk Charge	See Exhibit B, ¶ 28
Notice of Hearing	
Proposed Notice of Hearing	See Exhibit B-2, page 14.
Proof of Mailed Notice of Hearing (20 days before hearing)	See Exhibit B-8, pages 26-35
Proof of Published Notice of Hearing (10 days before hearing)	See Exhibit B-8, page 36.
Ownership Determination	
Land Ownership Schematic of the Spacing Unit	See Exhibit B-4, page 17
Tract List (including lease numbers and owners)	See Exhibit B-4, pages 17-18
Pooled Parties (including ownership type)	See Exhibit B-8, page 37
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 21-23
List of Interest Owners (ie Exhibit A of JOA)	See Exhibit B-4, page 17-18
Chronology of Contact with Non-Joined Working Interests	See Exhibit B-5, page 20
Overhead Rates In Proposal Letter	N/A: See Exhibit B, ¶ 27
Cost Estimate to Drill and Complete	See Exhibit B-7, pages 24-25
Cost Estimate to Equip Well	See Exhibit B-7, pages 24-25
Cost Estimate for Production Facilities	See Exhibit B-7, pages 24-25
Geology	
Summary (including special considerations)	See Exhibit C, pages 38-41
Spacing Unit Schematic	See Exhibit C-9, page 42; Exhibit B-1, page 10.
Gunbarrel/Lateral Trajectory Schematic	See Exhibit C-10, page 43
Well Orientation (with rationale)	See Exhibit C-12, page 49; Exhibit C, ¶ 14
Target Formation	See Exhibit C-11-C, page 47
HSU Cross Section	See Exhibit C-11-C, page 47
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	See Exhibit B-3, pages 15-16
Tracts	See Exhibit B-4, pages 17-18
Summary of Interests, Unit Recapitulation (Tracts)	See Exhibit B-4, pages 18-19
General Location Map (including basin)	See Exhibit C-9, page 42; Exhibit B-1, page 10.
Well Bore Location Map	See Exhibit C-11-A, page 45
Structure Contour Map - Subsea Depth	See Exhibit C-11-A, page 45
Cross Section Location Map (including wells)	See Exhibit C-11-B, page 46
Cross Section (including Landing Zone)	See Exhibit C-11-C, page 47
Additional Information	
Special Provisions/Stipulations	Notice provided to COG Operating LLC and working interest owners in Ushanka Federal Com Well No. 23H unit as required by Rule 19.15.16.15.B(9). See Exhibit B, ¶ 17; Exhibit B-8.
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: 10/2/2020	

**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.**

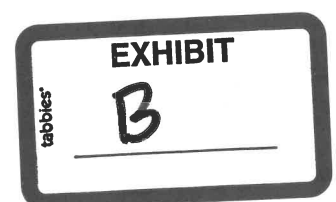
**CASE NO. 21444
(W/2 E/2 and E/2 W/2 and NW/4 NE/4
and NE/4 NW/4 Wolfcamp)**

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 wells to be drilled in the unit.



7. 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.

8. The spacing unit and wells 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 Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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.

10. The spacing unit will be dedicated to the **Kaston Fed Com 703H** and the **Bus Driver Fed Com 702H** wells to be horizontally drilled. The Application is attached hereto as **Exhibit 2**.

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

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

13. The wells will develop the WC-025-G-09-S253502D-Upper Wolfcamp Pool, Pool Code 98187.

14. The completed interval for Kaston Fed Com 703H well is less than 330' from the adjoining tracts and the Division's rules allow for the inclusion of proximity tracts within the proposed spacing unit for the wells.

15. Part of Franklin's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H.

16. Franklin's 720-acre horizontal spacing unit will cover the W/2 E/2 of Sections 1 and 12 and is necessary to efficiently and effectively develop the Wolfcamp formation underlying the W/2 E/2 of Sections 1 and 12 and the balance of the lands in Franklin's proposed unit.

17. Because FME's proposed spacing unit will partially overlap an existing spacing unit, notice of this application was provided to COG Operating LLC and working interest owners of record as required by Rule 19.15.16.15.B(9) NMAC.

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

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

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

21. **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.

22. 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.

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

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

25. **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 wells.

26. **Exhibit 7** contains the Authorization for Expenditure for the proposed wells. The estimated cost of the wells 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.

27. 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.

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

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

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

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

32. **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.

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

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

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

[Signature page follows]

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

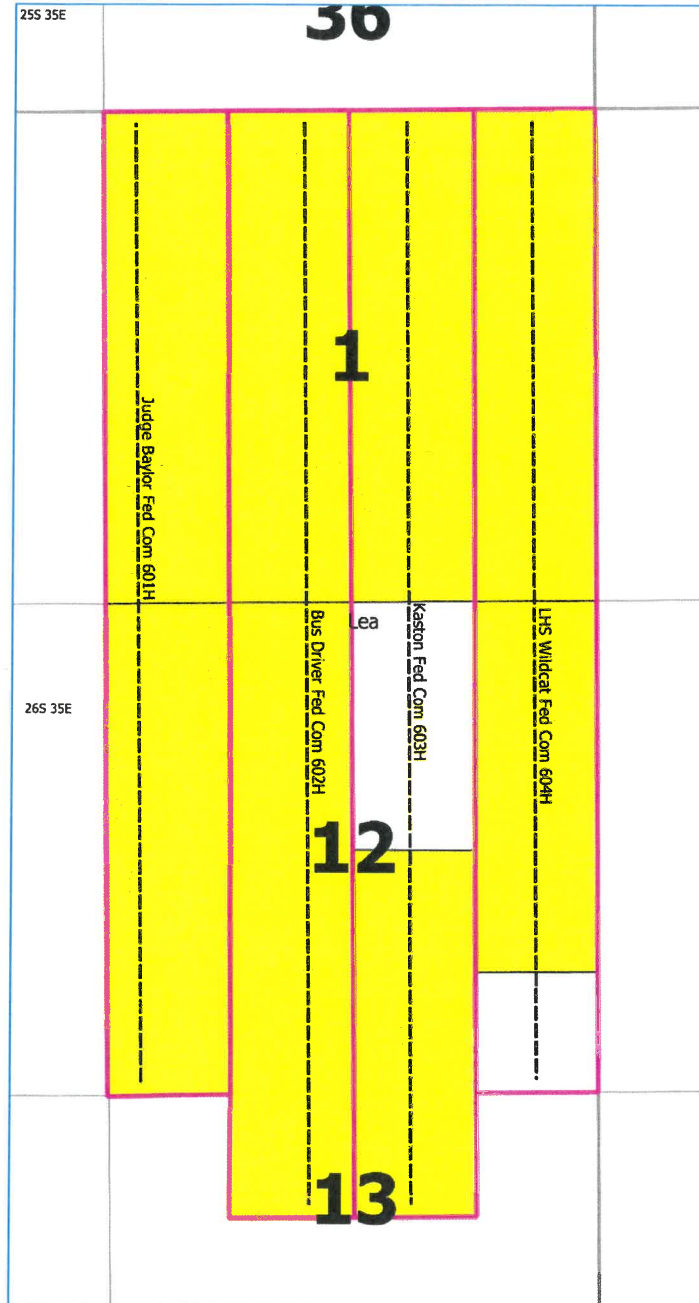
My commission expires: 02-27-21



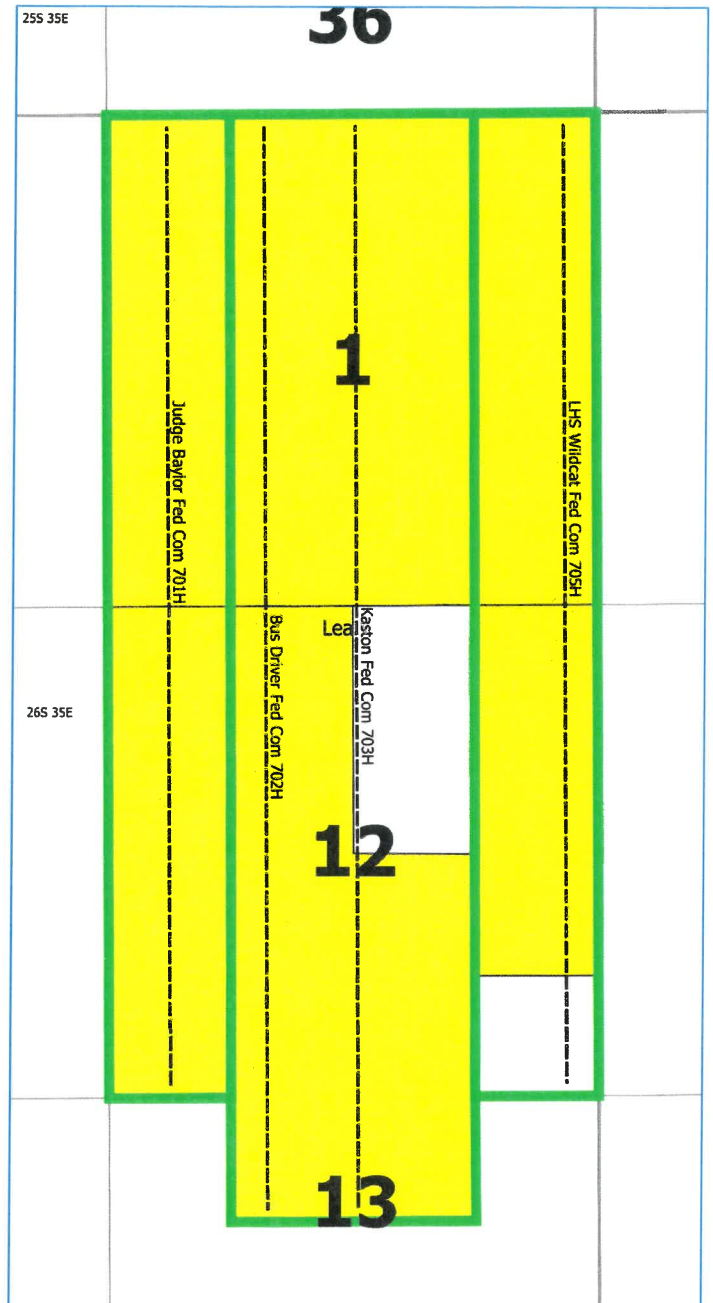
Development Overview

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



**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. 21444

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 Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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

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 and the E/2 W/2 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 to form a 720-acre, more or less, spacing unit.
3. FME plans to drill the **Kaston Fed Com 703H** and **Bus Driver Fed Com 702H** wells to a depth sufficient to test the Wolfcamp formation. The wells will be horizontally drilled and will be drilled at orthodox locations under the Division's rules.



4. The completed interval for Kaston Fed Com 703H well is less than 330' from the adjoining tracts and the Division's rules allow for the inclusion of proximity tracts within the proposed spacing unit for the wells.

5. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation that covers the W/2 E/2 of Section 1 and the W/2 NE/4 of Section 12, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H.

6. FME's 720-acre horizontal spacing unit will cover the W/2 E/2 of Sections 1 and 12 and is necessary to efficiently and effectively develop the Wolfcamp formation underlying the W/2 E/2 of Sections 1 and 12 and the balance of the lands in FME's proposed unit.

7. Because FME's proposed spacing unit will partially overlap an existing spacing unit, notice of this application will be provided as required by Rule 19.15.16.9 NMAC.

8. FME 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.

9. 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.

10. FME further requests that it be allowed one (1) year between the time the first well is drilled and completion of the wells 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 Wolfcamp formation underlying a horizontal spacing unit within the W/2 E/2 and the E/2 W/2 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;
- B. Designating FME as operator of this unit and the wells to be drilled thereon;
- C. Authorizing FME 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;
- 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;
- F. Allowing a time period of one (1) year between when the first well is drilled and when the wells are completed under the order.

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. 21444 : 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 Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H. FME's spacing unit will be dedicated to the **Kaston Fed Com 703H and the Bus Driver Fed Com 702H** wells, to be horizontally drilled. The completed interval for Kaston Fed Com 703H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the wells will 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, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells, and allowing a one year period between when the first well is drilled and when the wells are completed. Said area is located approximately 8 miles Southwest from Jal, New Mexico.

District I
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
District III
1000 Rio Brazos Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number	² Pool Code 98187	³ Pool Name WC-025 G-09 S253502D;UPR WOLFCAMP
⁴ Property Code	⁵ Property Name BUS DRIVER FED COM	⁶ Well Number 702H
⁷ OGRID No. 373910	⁸ Operator Name FRANKLIN MOUNTAIN ENERGY LLC	⁹ Elevation 3057.7'

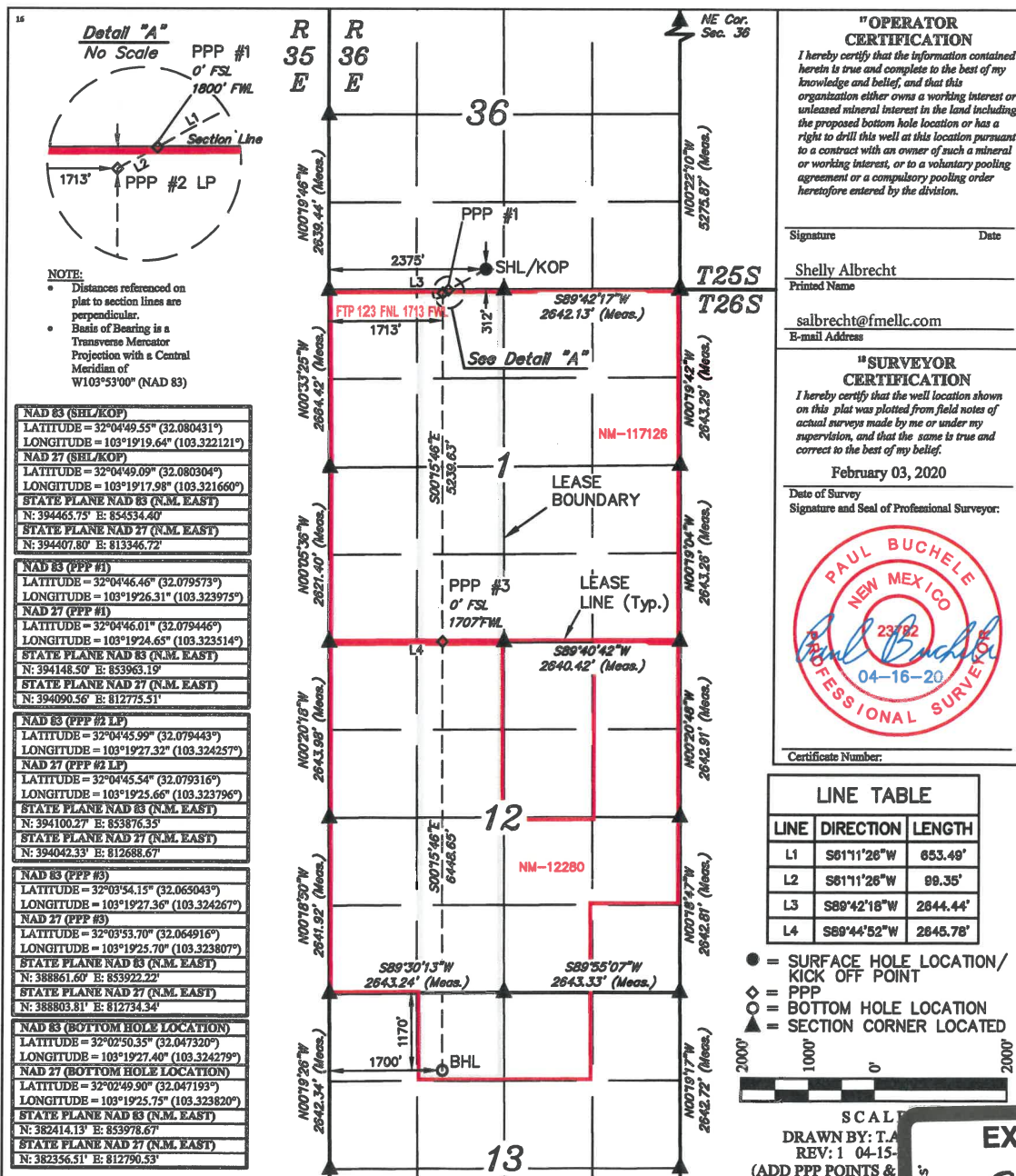
"Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	36	25S	35E		312	SOUTH	2375	WEST	LEA

"Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
C	13	26S	35E		1170	NORTH	1700	WEST	LEA
¹² Dedicated Acres 720	¹³ Joint or Infill	¹⁴ Consolidation Code	¹⁵ Order No.						

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.



EXHIBIT

B.3

District I
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
District III
1000 Rio Brazos Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number	² Pool Code 98187	³ Pool Name WC-025 G-09 S253502D;UPR WOLFCAMP
⁴ Property Code	⁵ Property Name KASTON FED COM	⁶ Well Number 703H
⁷ OGRID No. 373910	⁸ Operator Name FRANKLIN MOUNTAIN ENERGY LLC	⁹ Elevation 3056.5'

¹⁰ Surface Location

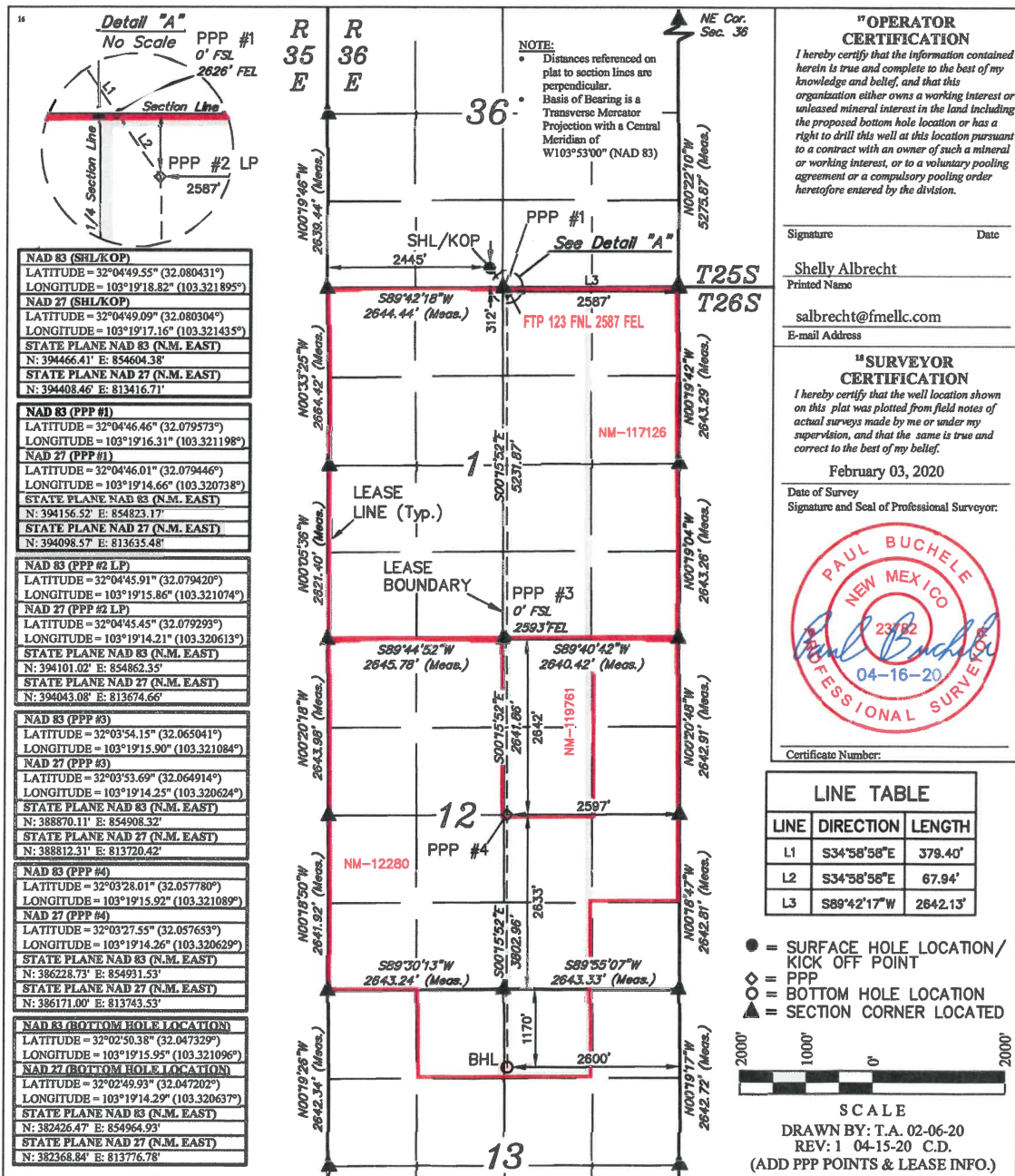
UL or lot no. N	Section 36	Township 25S	Range 35E	Lot Idn	Feet from the 312	North/South line SOUTH	Feet from the 2445	East/West line WEST	County LEA
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¹¹ Bottom Hole Location If Different From Surface

UL or lot no. B	Section 13	Township 26S	Range 35E	Lot Idn	Feet from the 1170	North/South line NORTH	Feet from the 2600	East/West line EAST	County LEA
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¹² Dedicated Acres 720	¹³ Joint or Infill	¹⁴ Consolidation Code	¹⁵ Order No.
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No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.



Lease Tract Map

Case No. 21444

W2E2, E2W2 of Sections 1 & 12; NWNE, NENW of Section 13-T26S-T35E

720 Gross Acres

Bus Driver Fed Com 702H, Kaston Fed Com 703H

ALL FEDERAL LEASED MINERALS

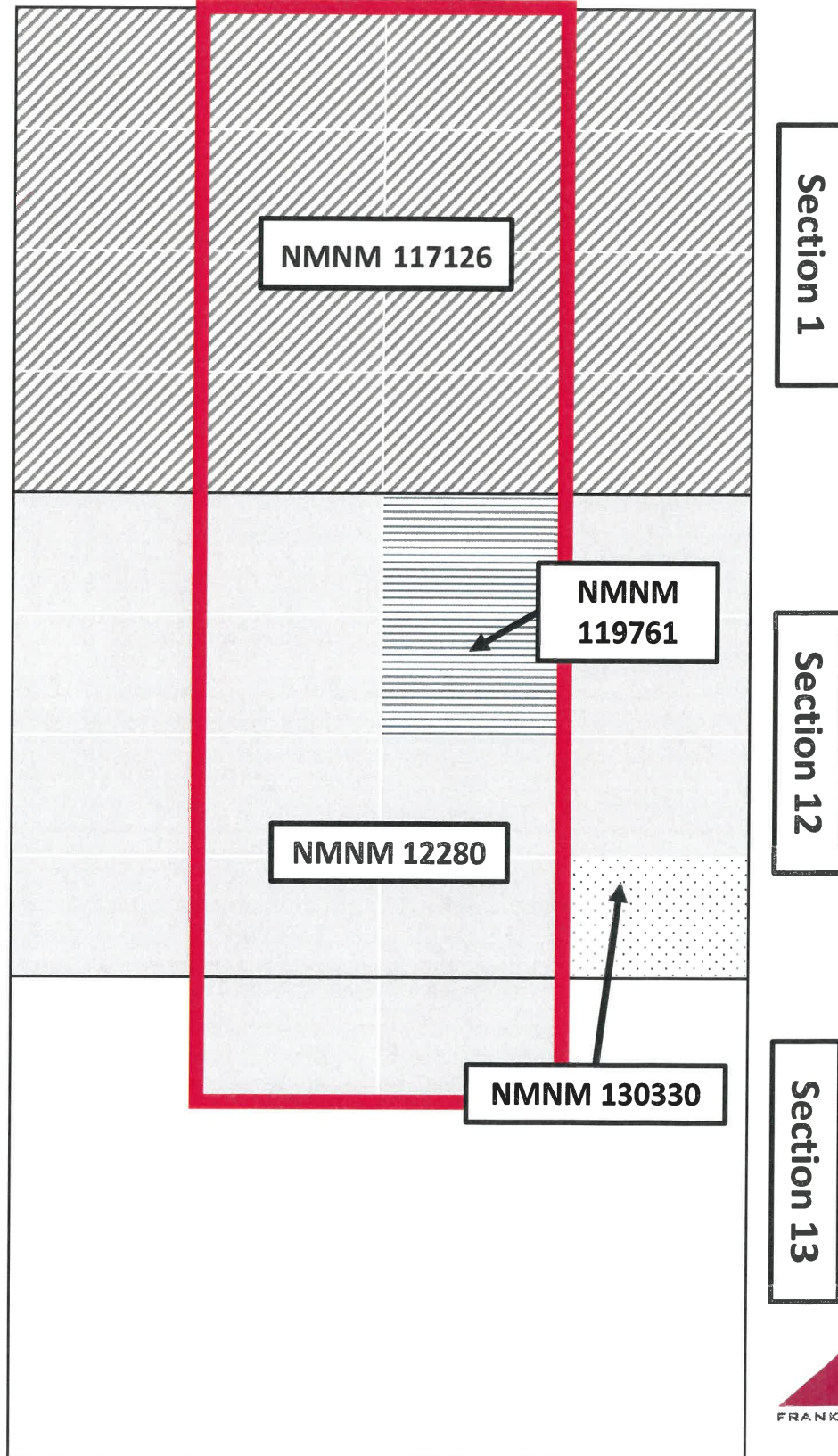


EXHIBIT
B-4

Unit Recapitulation

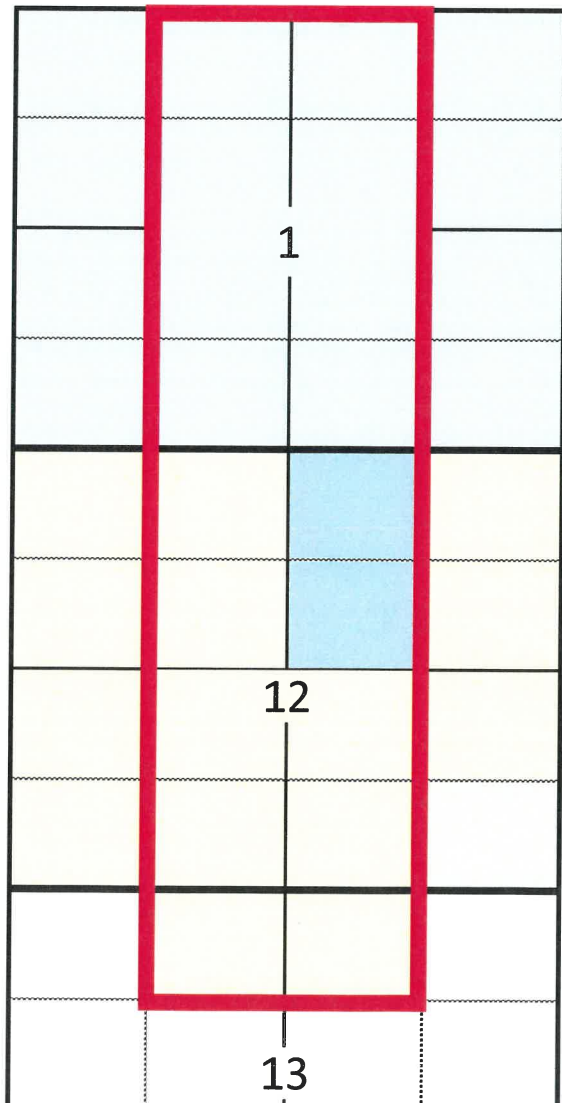
Case No. 21444

W2E2, E2W2 of Sections 1 & 12; NWNE, NENW of Section 13-T26S-T35E

720 Gross Acres

Bus Driver Fed Com 702H, Kaston Fed Com 703H

Working Interest Owner	Tract 1: 320 ac	Tract 2: 320 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. 21444

W2E2, E2W2 of Sections 1 & 12; NWNE, NENW of Section 13-T26S-T35E

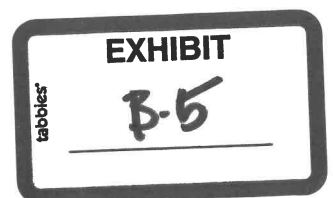
720 Gross Acres

Bus Driver Fed Com 702H, Kaston Fed Com 703H

Committed Working Interest	
Franklin Mountain Energy, LLC	46.666667%
Uncommitted Working Interest	
COG Operating LLC	31.111111%
COG Production LLC	11.111111%
Chevron U.S.A. Inc.	6.666667%
VPD New Mexico LLC	4.444444%
TOTAL:	100.000000%

Summary of Attempted Contacts: Case No. 21444

- 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.
- In this case, Franklin is proposing a unit that partially overlaps with a unit operated by COG Operating LLC. Franklin has had multiple communications with COG regarding Franklin's proposed unit and COG has expressed no concerns with Franklin's proposed unit.
- 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's counsel also sent notice to COG and to the working interest owners in the unit COG operates.
- 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 703H and Bus Driver Federal 702H Well Proposals
Township 26 South, Range 35 East, Sections 1 & 12: E/2W/2, W/2E/2;
Section 13: NE/4NW/4, NW/4NE/4, 720 acres
Lea County, New Mexico

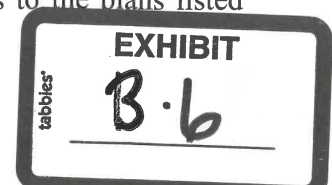
Dear Working Interest Owner:

Franklin Mountain Energy, LLC ("FME"), as Operator, hereby proposes the drilling and completion of the following wells located in the E/2W/2, W/2E/2 of Sections 1 & 12 and the NE/4NW/4, 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 703H	Wolfcamp	12,130'	23,630'	Sec. 1-T26S-R35E 720' FNL 2,622' FEL	Sec. 13-T26S-R35E 1,170' FNL 2,600' FEL	\$11,297,850
Bus Driver Federal 702H	Wolfcamp	12,012'	23,512'	Sec. 1-T26S-R35E 720' FNL 2,588' FWL	Sec. 13-T26S-R35E 1,170' FNL 1,700' FWL	\$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 703H:

_____ I/We hereby elect to participate in the **Kaston Federal 703H** well.
_____ I/We hereby elect **NOT** to participate in the **Kaston Federal 703H** well.

Bus Driver Federal 702H:

_____ I/We hereby elect to participate in the **Bus Driver Federal 702H** well.
_____ I/We hereby elect **NOT** to participate in the **Bus Driver Federal 702H** well.
_____ I/We hereby elect to sell our interest.

Working Interest Owner: _____

By: _____

Printed Name: _____

Title: _____

Date: _____



Franklin Mountain Energy, LLC
2401 E 2nd Avenue, Suite 300
Denver, CO 80206
Phone: 720-414-7868
franklinmountainenergy.com

AUTHORITY FOR EXPENDITURE

Well Name: Kaston Federal 703H
Location: SHL: Sec 1-T26S-R35E 720' FNL 2,622' FEL
Operator: BHL: Sec 13-T26S-R35E 1,170' FNL 2,600' FEL
Franklin Mountain Energy, LLC
Purpose: Drill and complete a 10,500' upper Wolfcamp well with 2,250
lbs/ft Slickwater frac. TVD 12,130', MD 23,630'

Well #: 703H
County/State: Lea Co., NM
Date Prepared: 1/23/2020
AFE #: DCE200105

Intangible Drilling Costs			Amount
225	5	ADMINISTRATIVE OVERHEAD	\$35,000
225	10	CASING CREW & EQPT	\$85,000
225	15	CEMENTING INTERMEDIATE CASING	\$88,000
225	16	CEMENTING PRODUCTION CASING	\$82,000
225	20	CEMENTING SURFACE CASING	\$37,000
225	25	COMMUNICATIONS	\$42,000
225	30	COMPLETION FLUIDS	\$27,000
225	34	CONSTRUCTION/LOCATION & ROAD	\$100,000
225	40	CONTRACT LABOR	\$50,000
225	45	DAMAGES	\$15,500
225	50	DAYWORK CONTRACT	\$750,000
225	55	DRILLING - DIRECTIONAL	\$305,000
225	60	DRILLING - FOOTAGE	\$90,000
225	65	DRILLING BITS	\$225,000
225	70	ELECTRICAL POWER/GENERATION	\$0
225	75	ENGINEERING	\$0
225	80	ENVIRONMENTAL SERVICES	\$92,000
225	84	EQUIPMENT RENTAL DOWNHOLE	\$140,000
225	85	EQUIPMENT RENTAL	\$150,000
225	90	FISHING TOOLS/SERVICES	\$0
225	95	HEALTH & SAFETY	\$42,000
225	100	HOUSING AND SUPPORT SERVICES	\$50,000
225	105	INSURANCE	\$30,000
225	106	INSPECTIONS	\$32,000
225	11	LEGAL, TITLE SERVICES	\$8,000
225	115	MATERIALS & SUPPLIES	\$10,000
225	120	MISCELLANEOUS	\$25,000
225	125	MOUSE/RATHOLE/CONDUCT PIPE	\$22,000
225	130	MUD & CHEMICALS	\$315,000
225	140	OPENHOLE LOGGING	\$0
225	141	CASED HOLE LOGGING	\$12,000
225	145	PERMITS, LICENSES, ETC	\$30,000
225	150	POWER FUEL & WATER HAULING	\$200,000
225	155	RIG MOVE & RACKING COSTS	\$100,000
225	160	RIG UP TEAR OUT & STANDBY	\$48,000
225	163	SITE RESTORATION	\$20,000
225	165	STAKING & SURVEYING	\$6,000
225	170	SUPERVISION	\$120,000
225	175	SUPERVISION - GEOLOGICAL	\$100,000
225	180	TRANSPORTATION/TRUCKING	\$27,000
225	35	CONTINGENCY 5%	\$175,825
Total Intangible Drilling Costs:			\$3,692,325

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/SNUBBING 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	PERMITS	\$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:			\$5,194,200

Tangible Completion Costs			Amount
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	70	TAXES	\$22,000
Total Tangible Completion Costs:			\$462,000

Tangible Drilling Costs			Amount
230	10	INTERMEDIATE CASING & ATTACHMENTS	\$500,000
230	20	PACKERS/SLEEVES/PLUGS	\$30,000
230	25	PRODUCTION CASING & ATTACHMENTS	\$460,000
230	35	SURFACE CASING & ATTACHMENTS	\$47,000
230	45	WELLHEAD EQUIPMENT/CASING BOWL	\$75,000
230	40	TAXES	\$55,600
Total Tangible Drilling Costs:			\$1,667,600

Tangible Facility Costs			Amount
270	5	COMPRESSOR	\$0
270	10	CONNECTIONS/VALVES/FITTINGS	\$15,000
270	15	CONTAINMENT	\$0
270	25	DEHYDRATOR	\$0
270	30	ELECTRICITY	\$20,000
270	35	FILTERS / COOLERS	\$0
270	40	FLARE / COMBUSTORS	\$25,000
270	45	FLOW METERS	\$40,000
270	50	FLOWLINES / PIPELINE / HOOKUP	\$25,000
270	55	GENERATOR PURCHASE	\$0
270	60	H2S SCAVENGING EQUIPMENT	\$20,000
270	63	HEALTH/SAFETY/ENVIRONMENTAL	\$0
270	63	HEATERS/TREATERS/FREE-WATER KO	\$0
270	66	ROAD/LOCATION/FENCING/REPAIRS	\$10,000
270	75	PRE-FABRICATED HEATER TREATER	\$40,000
270	80	PRE-FABRICATED MEAS. SEPARATOR	\$40,000
270	85	PRE-FABRICATED PIPING MANIFOLD	\$20,000
270	86	PUMPS (SURFACE)	\$20,000
270	90	SAFETY SYSTEM	\$0
270	95	SAFETY SYSTEM EQUIPMENT	\$10,000
270	100	SCADA / CONTROL EQUIPMENT	\$50,000
270	105	SEPARATORS	\$0
270	110	TANKS	\$100,000
270	115	VAPOR RECOVERY	\$0
270	119	WELLHEAD EQUIPMENT	\$15,000
270	125	TAXES	\$22,500
Total Tangible Facility Costs:			\$472,500

Intangible Facility Costs			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/HAULING/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

Total Drill:	\$4,859,925.00
Total Completion:	\$5,656,200.00
Total Facility:	\$781,725.00
Total DC Intangible:	\$9,886,525.00
Total DC Tangible:	\$1,629,600.00

Total AFE:	\$11,297,850.00
------------	-----------------

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

Operator: Franklin Mountain Energy, LLC
Approved By:
Jeff Stevens
Chief Executive Officer

Date:

1/23/2020

WI Owner: _____
Approved By: _____

Date:





Franklin Mountain Energy, LLC
2401 E 2nd Avenue, Suite 300
Denver, CO 80206
Phone: 720-414-7868
franklinmountainenergy.com

AUTHORITY FOR EXPENDITURE

Well Name: Bus Driver Federal 702H
Location: SHL Sec 1-T26S-R35E 720' FNL 2,588' FWL
Operator: BHL Sec 13-T26S-R35E 1,700' FNL 1,700' FWL
Franklin Mountain Energy, LLC
Purpose: Drill and complete a 10,500' upper Wolfcamp well with 2,250
lbs/ft Slickwater frac. TVD 12,012', MD 23,512'

Well #: 702H
County/State: Lea Co., NM
Date Prepared: 1/23/2020
AFE #: DCE200103

Intangible Drilling Costs

Major	Minor	Description	Amount
225	5	ADMINISTRATIVE OVERHEAD	\$35,000
225	10	CASING CREW & EQPT	\$85,000
225	15	CEMENTING INTERMEDIATE CASING	\$88,000
225	16	CEMENTING PRODUCTION CASING	\$82,000
225	20	CEMENTING SURFACE CASING	\$37,000
225	25	COMMUNICATIONS	\$42,000
225	30	COMPLETION FLUIDS	\$27,000
225	34	CONSTRUCTION/LOCATION & ROAD	\$100,000
225	40	CONTRACT LABOR	\$50,000
225	45	DAMAGES	\$15,500
225	50	DAYWORK CONTRACT	\$756,000
225	55	DRILLING - DIRECTIONAL	\$305,000
225	60	DRILLING - FOOTAGE	\$90,000
225	65	DRILLING BITS	\$225,000
225	70	ELECTRICAL POWER/GENERATION	\$0
225	75	ENGINEERING	\$0
225	80	ENVIRONMENTAL SERVICES	\$92,000
225	84	EQUIPMENT RENTAL DOWNHOLE	\$140,000
225	85	EQUIPMENT RENTAL	\$150,000
225	90	FISHING TOOLS/SERVICES	\$0
225	95	HEALTH & SAFETY	\$42,000
225	100	HOUSING AND SUPPORT SERVICES	\$50,000
225	105	INSURANCE	\$30,000
225	106	INSPECTIONS	\$32,000
225	11	LEGAL, TITLE SERVICES	\$8,000
225	115	MATERIALS & SUPPLIES	\$10,000
225	120	MISCELLANEOUS	\$25,000
225	125	MOUSE/ATHOLE/CONDUCT PIPE	\$22,000
225	130	MUD & CHEMICALS	\$315,000
225	140	OPENHOLE LOGGING	\$0
225	141	CASED HOLE LOGGING	\$12,000
225	145	PERMITS, LICENSES, ETC	\$30,000
225	150	POWER FUEL & WATER HAULING	\$200,000
225	155	RIG MOVE & RACKING COSTS	\$100,000
225	160	RIG UP TEAR OUT & STANDBY	\$48,000
225	163	SITE RESTORATION	\$20,000
225	165	STAKING & SURVEYING	\$6,000
225	170	SUPERVISION	\$120,000
225	175	SUPERVISION - GEOLOGICAL	\$100,000
225	180	TRANSPORTATION/TRUCKING	\$27,000
225	35	CONTINGENCY 5%	\$175,825
Total Intangible Drilling Costs:			\$3,692,325

Tangible Drilling Costs

Major	Minor	Description	Amount
230	10	INTERMEDIATE CASING & ATTACHMENTS	\$500,000
230	20	PACKERS/SLEEVES/PLUGS	\$30,000
230	25	PRODUCTION CASING & ATTACHMENTS	\$460,000
230	35	SURFACE CASING & ATTACHMENTS	\$47,000
230	45	WELLHEAD EQUIPMENT/CASING BOWL	\$75,000
230	40	TAXES	\$55,600
Total Tangible Drilling Costs:			\$1,167,600

Tangible Facility Costs

Major	Minor	Description	Amount
270	5	COMPRESSOR	\$0
270	10	CONNECTIONS/VALVES/FITTINGS	\$15,000
270	15	CONTAINMENT	\$0
270	25	DEHYDRATOR	\$0
270	30	ELECTRICITY	\$20,000
270	35	FILTERS / COOLERS	\$0
270	40	FLARE / COMBUSTORS	\$25,000
270	45	FLOW METERS	\$40,000
270	50	FLOWLINES / PIPELINE / HOOKUP	\$25,000
270	55	GENERATOR PURCHASE	\$0
270	60	H2S SCAVENGING EQUIPMENT	\$20,000
270	63	HEALTH/SAFETY/ENVIRONMENTAL	\$0
270	63	HEATERS/TREATERS/FREE-WATER KO	\$0
270	66	ROAD/LOCATION/FENCING/REPAIRS	\$10,000
270	75	PRE-FABRICATED HEATER TREATER	\$40,000
270	80	PRE-FABRICATED MEAS. SEPARATOR	\$40,000
270	85	PRE-FABRICATED PIPING MANIFOLD	\$20,000
270	86	PUMPS (SURFACE)	\$20,000
270	90	SAFETY SYSTEM	\$0
270	95	SAFETY SYSTEM EQUIPMENT	\$10,000
270	100	SCADA / CONTROL EQUIPMENT	\$50,000
270	105	SEPARATORS	\$0
270	110	TANKS	\$100,000
270	115	VAPOR RECOVERY	\$0
270	119	WELLHEAD EQUIPMENT	\$15,000
270	125	TAXES	\$22,500
Total Tangible Facility Costs:			\$472,500

Total Drill:	\$4,859,925.00
Total Completion:	\$5,656,200.00
Total Facility:	\$781,725.00
Total DC Intangible:	\$8,886,525.00
Total DC Tangible:	\$1,629,600.00

Total AFE: \$11,297,850.00

Intangible Completion Costs

Major	Minor	Description	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/SNUBBING 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	P&A/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:			\$5,194,200

Tangible Completion Costs

Major	Minor	Description	Amount
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	70	TAXES	\$22,000
Total Tangible Completion Costs:			\$462,700

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/HAULING/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 PROPORTIONATE SHARE OF THE ACTUAL INVOICE COSTS.

Operator: Franklin Mountain Energy, LLC

Approved By:
Jeff Stevens
Chief Executive Officer

Date: 1/23/2020

WI Owner: _____

Approved By: _____

Printed Name: _____

Date: _____

Title: _____

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

**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. 21444


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 the Application was mailed to the following pursuant to Rule 19.15.16.15.B(9):

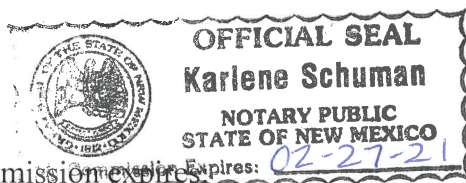
- COG Operating LLC;
- Canaan Resources Drilling Company, LLC;
- J.P. Morgan Ventures Energy Corporation; and
- Canaan Resource Partners Drilling Fund, L.P.

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.



My commission expires



Notary Public





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. 21444

TO: AFFECTED PARTIES

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

In Case No. 21444, FME seeks an order from the Division pooling all uncommitted mineral interests within a Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H. FME's spacing unit will be dedicated to the **Kaston Fed Com 703H and the Bus Driver Fed Com 702H** wells, to be horizontally drilled. The completed interval for Kaston Fed Com 703H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the wells will 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, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells, and allowing a one year period between when the first well is drilled and when the wells are completed.

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>.

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

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 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. 21444

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 Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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

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 and the E/2 W/2 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 to form a 720-acre, more or less, spacing unit.
3. FME plans to drill the **Kaston Fed Com 703H** and **Bus Driver Fed Com 702H** wells to a depth sufficient to test the Wolfcamp formation. The wells will be horizontally drilled and will be drilled at orthodox locations under the Division's rules.

4. The completed interval for Kaston Fed Com 703H well is less than 330' from the adjoining tracts and the Division's rules allow for the inclusion of proximity tracts within the proposed spacing unit for the wells.

5. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation that covers the W/2 E/2 of Section 1 and the W/2 NE/4 of Section 12, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H.

6. FME's 720-acre horizontal spacing unit will cover the W/2 E/2 of Sections 1 and 12 and is necessary to efficiently and effectively develop the Wolfcamp formation underlying the W/2 E/2 of Sections 1 and 12 and the balance of the lands in FME's proposed unit.

7. Because FME's proposed spacing unit will partially overlap an existing spacing unit, notice of this application will be provided as required by Rule 19.15.16.9 NMAC.

8. FME 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.

9. 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.

10. FME further requests that it be allowed one (1) year between the time the first well is drilled and completion of the wells 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 Wolfcamp formation underlying a horizontal spacing unit within the W/2 E/2 and the E/2 W/2 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;

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

C. Authorizing FME 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;

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;

F. Allowing a time period of one (1) year between when the first well is drilled and when the wells are completed under the order.

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. 21444 : 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 Wolfcamp horizontal spacing unit underlying the W/2 E/2 and the E/2 W/2 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. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H. FME's spacing unit will be dedicated to the **Kaston Fed Com 703H and the Bus Driver Fed Com 702H** wells, to be horizontally drilled. The completed interval for Kaston Fed Com 703H well will be within 330' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the wells will 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, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells, and allowing a one year period between when the first well is drilled and when the wells are completed. 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 21442-1 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 Jean 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



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Modrall Sperlberg Roehl Harris & Sisk P.A.
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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:			\$28.00	\$71.00	\$34.00	\$0.00	
Grand Total:						\$133.00	

List Number of Pieces Listed by Sender: 20
Total Number of Pieces Received at Post Office: 20
Postmaster: Name of receiving employee

Dated:

20

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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 Company, LLC		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
9314869904300074804713	2020-09-10 10:54 AM	Lacy Dinsmoore Roop 1999 Revocable		Breckenridge	TX	76424	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804706	2020-09-10 10:54 AM	Elanor Jeanne Hopper		Midland	TX	79701	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
9314869904300074804690	2020-09-10 10:54 AM	David N. Grimes		Midland	TX	79702	Delivered	Return Receipt - Electronic, Certified Mail	09-14-2020
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
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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

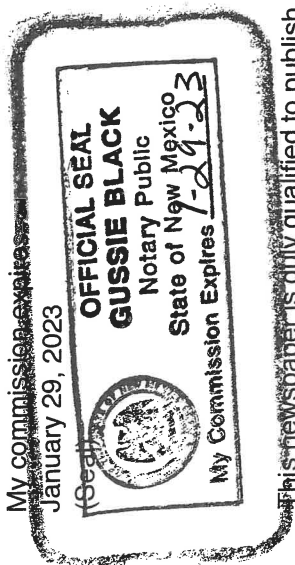
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

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 USA, 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; Eleanor 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 W/2 W/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 Judge-Baylor Fed Com 701H 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 Jai, 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; Eleanor Jeanne Hopper; Lacy Dinsmoore Roop 1999 Revocable Management Trust; Doris Earline Freeman; Young Minerals Company; VPD New Mexico Royalty LLC; COG Production LLC; Malaga Royalty, LLC; Malaga EF7, LLC; Canean Resources Drilling Company, LLC; JP Morgan Ventures Energy Corporation; Canean Resource Partners Drilling Fund L.P.; 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 W/2 E/2 and the E/2 W/2 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. Part of FME's 720-acre horizontal spacing unit will overlap an existing 240-acre spacing unit for the Wolfcamp formation, which is approved under Division Order R-14547 for the Ushanka Federal Com. Well No. 23H. FME's spacing unit will be dedicated to the Kaston Fed Com 703H and the Bus Driver Fed Com 703H wells, to be horizontally drilled. The completed interval for Kaston Fed Com 703H well will be within 350' from the adjoining tracts to allow inclusion of proximity tracts within the proposed standard horizontal spacing unit. The producing area for the wells will 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

LEGAL NOTICE
September 15, 2020

CASE NO. 21438: Notice to all affected parties, as well as the heirs and devisees of Chevron USA, 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; Eleanor Jeanne Hopper; Lacy Dinsmoore Roop 1999 Revocable Management Trust; Doris Earline Freeman; Young Minerals Company; VPD New Mexico Royalty, LLC 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 Jai, 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; Eleanor 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 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 Jai, 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; Eleanor 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 Jai, New Mexico.

CASE NO. 21441: Notice to all affected parties, as well as the heirs and devisees of Chevron USA, 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; Eleanor Jeanne Hopper; Lacy Dinsmoore Roop 1999 Revocable Management Trust; Doris Earline Freeman; Young Minerals Company; VPD New Mexico Royalty, LLC 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 801H 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 Jai, 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; Eleanor Jeanne Hopper; Lacy Dinsmoore Roop 1999 Revocable Management Trust; Doris Earline Freeman; Young Minerals Company; VPD New Mexico Royalty, LLC; COG Production LLC; Malaga Royalty, LLC; Malaga EF7, LLC 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 Jai, New Mexico.

Case No. 21444: Parties to Be Pooled

COG Operating LLC	WI
COG Production LLC	WI
VPD New Mexico LLC	WI
Chevron U.S.A. Inc.	WI
Devon Energy Production Co., L.P.	ORRI
Chevron U.S.A. Inc.	ORRI
COG Operating LLC	ORRI
Green Ribbon, Inc.	ORRI
Bernard A. Winer and Grace S. Winer, as Trustees	ORRI
David N. Grimes	ORRI
Sandia Minerals, LLC	ORRI
Elanor Jeane Hopper	ORRI
Lacy Dinsmoore Roop 1999 Revocable	ORRI
Doris Earline Freeman	ORRI
Young Minerals Company	ORRI
VPD New Mexico Royalty LLC	ORRI
Malaga Royalty, LLC	ORRI
Malaga EF7, LLC	ORRI
J.P.Morgan Ventures Energy Corporation	ORRI
Canaan Resource Partners Drilling Fund, L.P.	ORRI

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. 21444
(W/2 E/2 and E/2 W/2 and NW/4 NE/4
and NE/4 NW/4 Wolfcamp)

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 wells at issue in this case and the wells proposed in Case Numbers 21438-21443.



6. The exhibits behind **Tab 11** are the geology study I prepared for the **Kaston Fed Com 703H** and the **Bus Driver Fed Com 702H** wells.

7. **Exhibit 11-A** is structure map of top of the Wolfcamp. The proposed unit is identified by a green box. The Bus Driver Fed Com 702 H well is the green dashed line identified by the box labeled “1” and the Kaston Fed Com 3H well is the green dashed line identified by the box labeled “2”. 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 four wells in the vicinity of the proposed wells, 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. The well logs on the cross-section give a representative sample of the Upper Wolfcamp 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 703H and the Bus Driver Fed Com 702H wells fall within the wells I used for cross-section.

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

11. **Exhibit 11-D** is a Gross Interval Isochore of the Upper Wolfcamp. The gross interval thickness increases from north to 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.

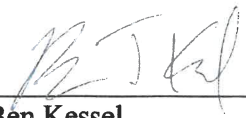
13. **Exhibit 12** provides an overview of the stress orientation in the area based on the 2018 Snee-Zoback paper.

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.

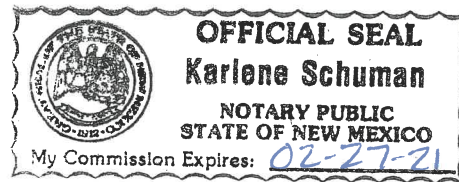
[Signature page follows]


Ben Kessel

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


Notary Public

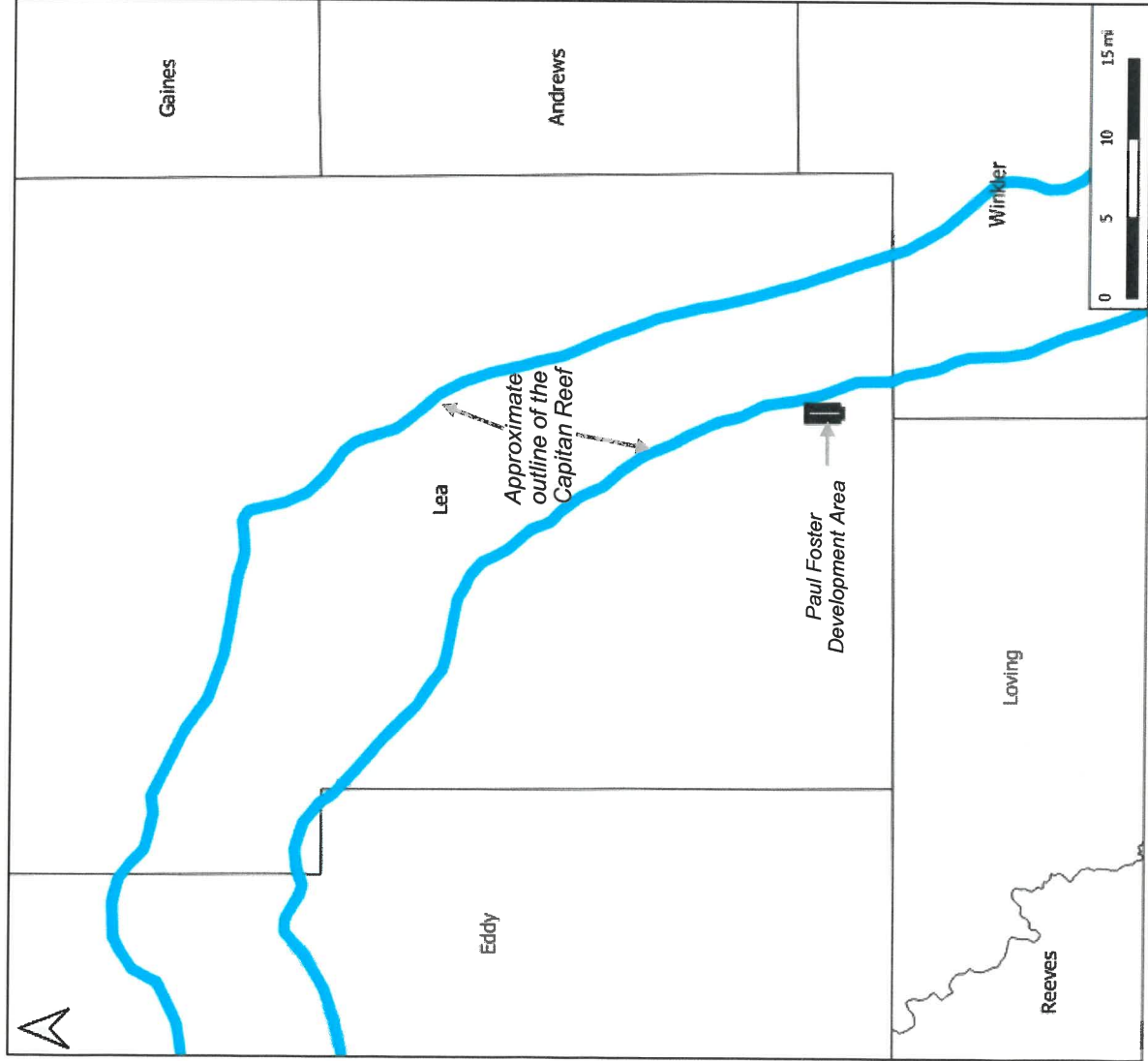
My commission expires: 02-27-21



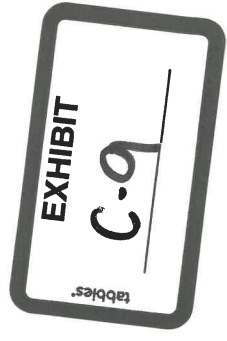
Paul Foster Development



Locator Map



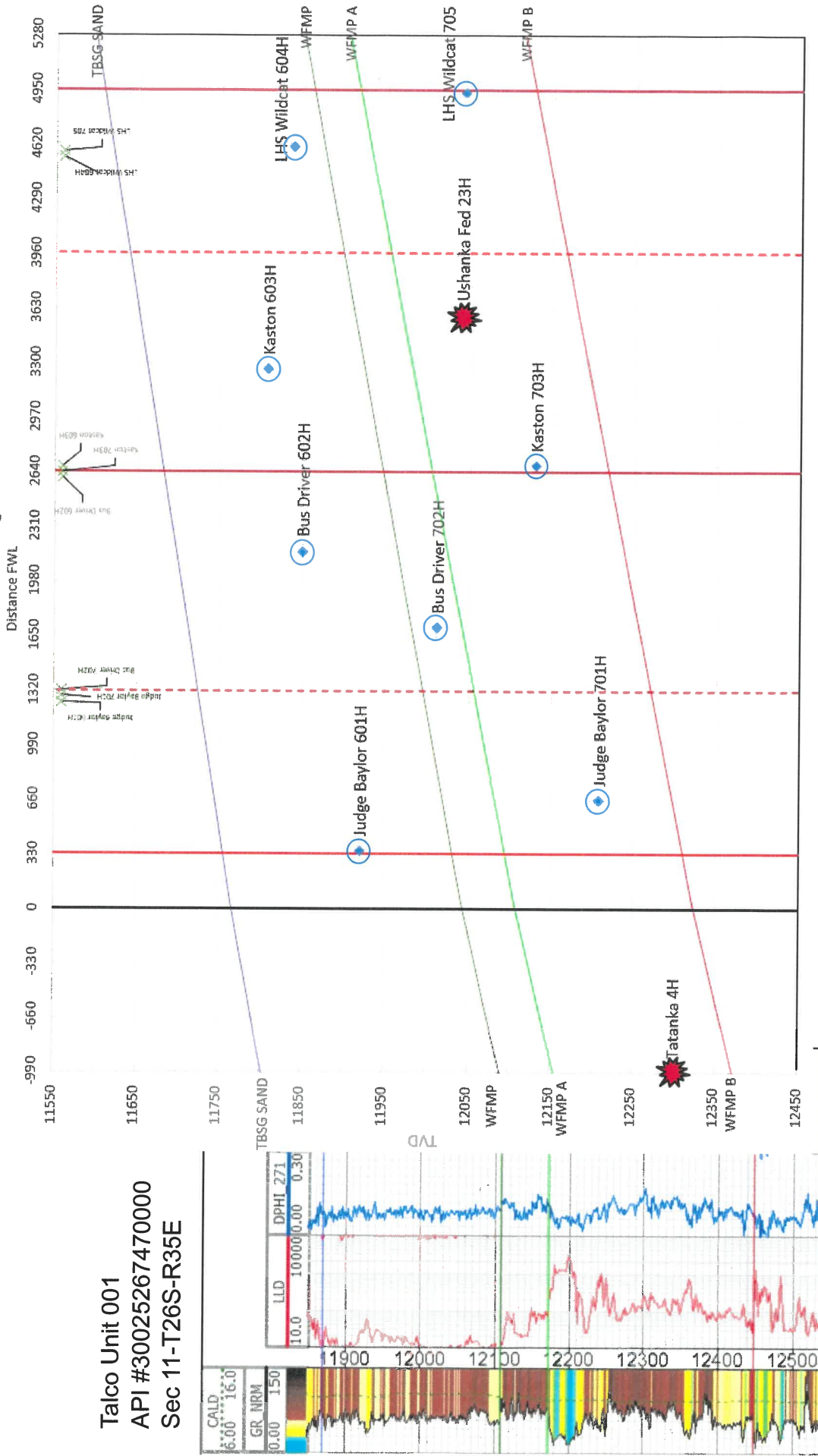
- Black box shows the location of Paul Foster development area
- Planned wells are located outside of the western edge of the Capitan Reef



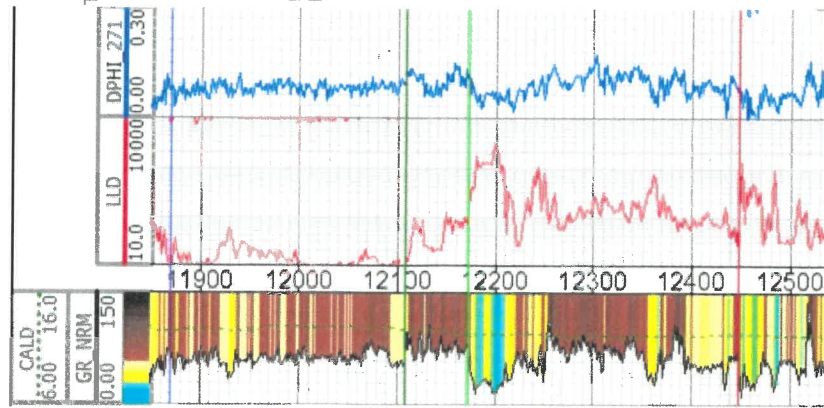
Wellbore Schematic



26S 35E Section 1-Looking North



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



EXHIBIT

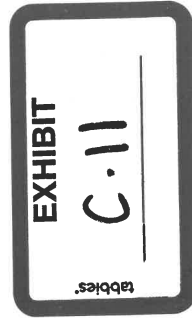
C.10

Existing Lateral

Proposed Lateral

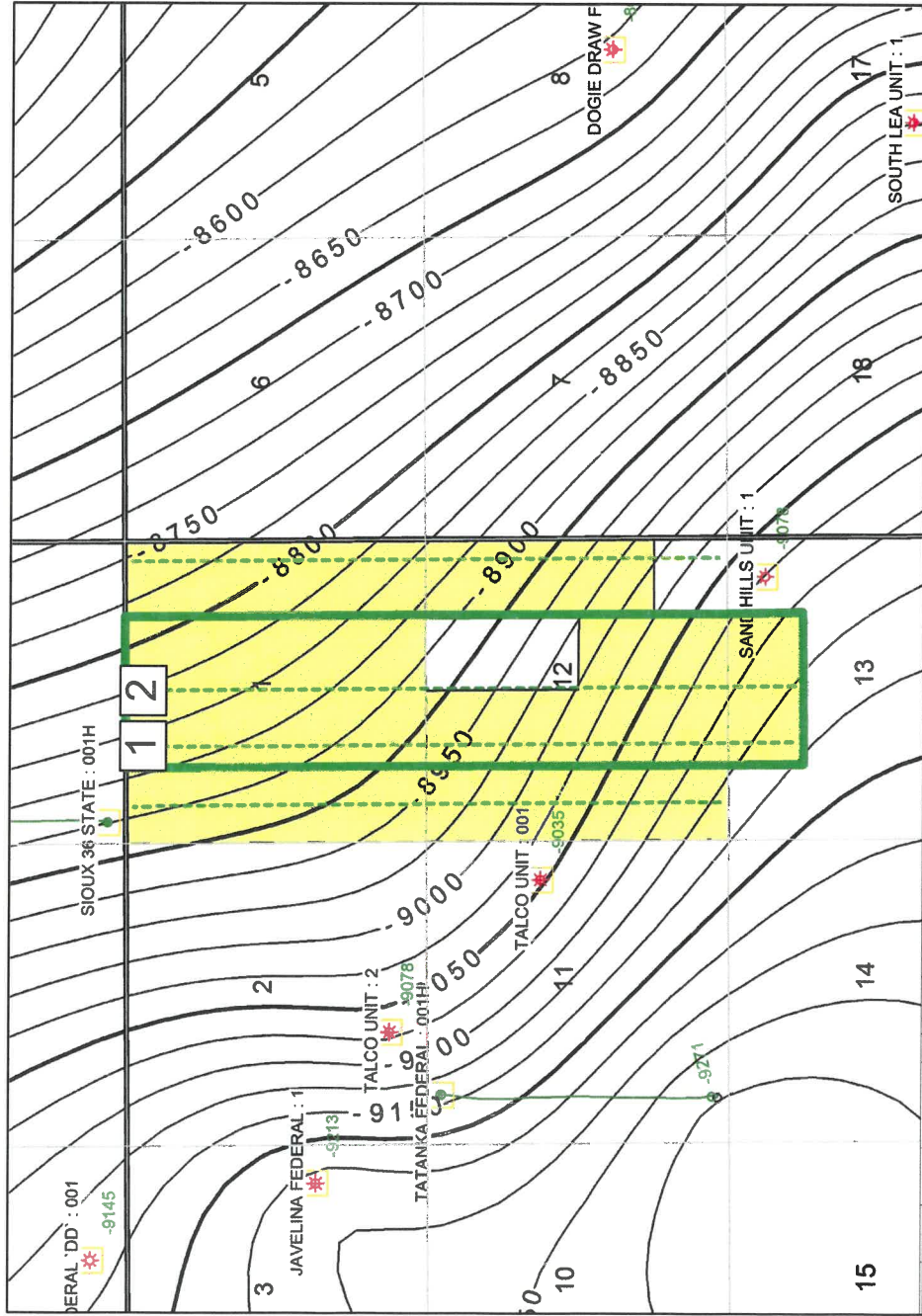
*Case No. 21444: Bus Driver Fed Com 702H &
Kaston Fed Com 703H*

Wolfcamp



Upper Wolfcamp Structure Map (SSTVD)

Case No. 21444: Bus Driver Fed Com 702H & Kaston Fed Com 703H



Franklin Mountain Acreage

Wolfcamp Unit

Proposed Horizontal Location

- 1 Bus Driver Fed Com 702H
- 2 Kaston Fed Com 703H

1 mile

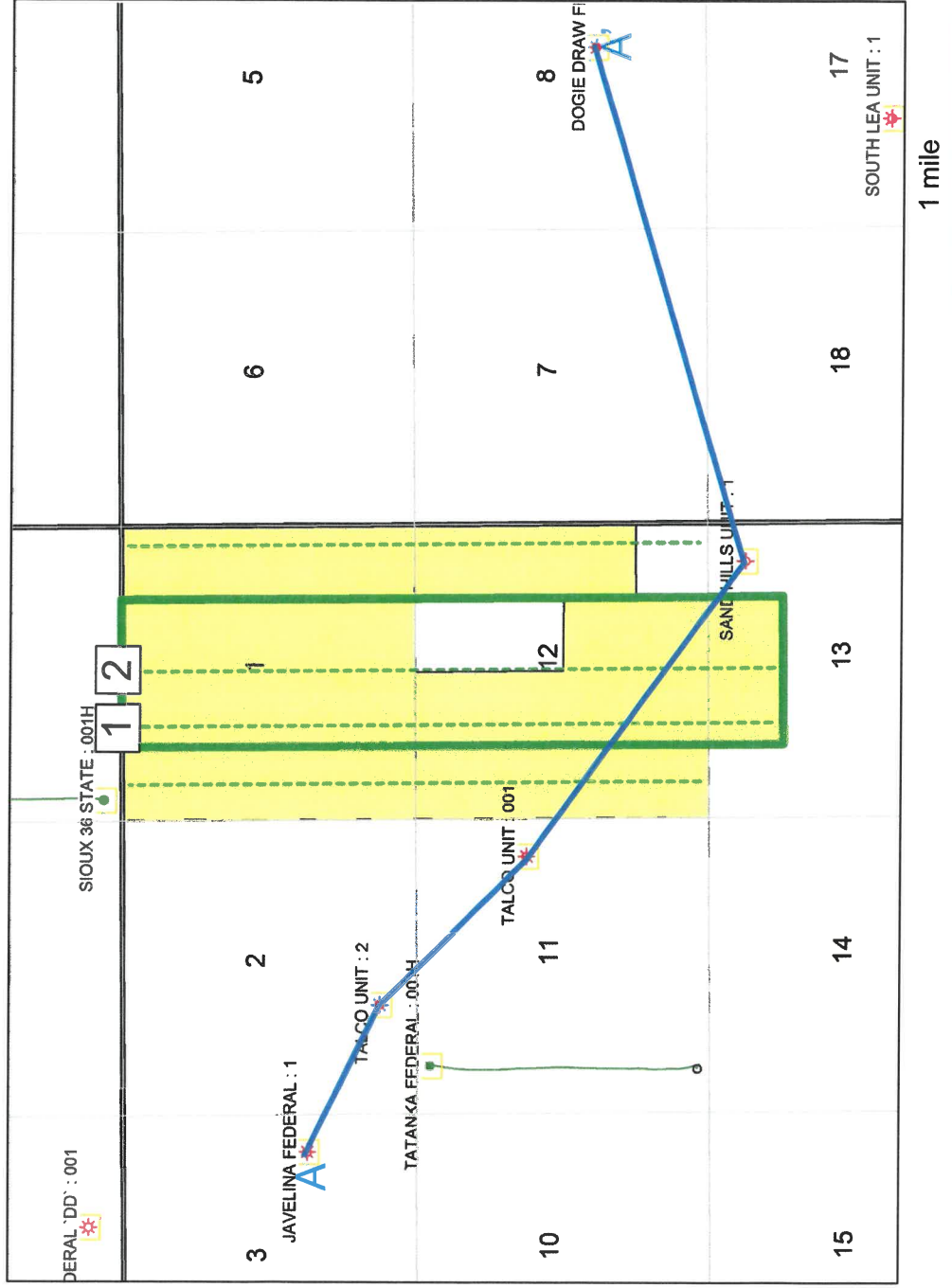
C.I. = 25'

EXHIBIT

11.A

Upper Wolfcamp Cross Section Reference Map

Case No. 21444: Bus Driver Fed Com 702H & Kaston Fed Com 703H



Franklin Mountain Acreage

Wolfcamp Unit

Proposed Horizontal Location

Cross Section Line

1 Bus Driver Fed Com 702H

2 Kaston Fed Com 703H

EXHIBIT

11.B

tabbles

Upper Wolfcamp Cross Section



JAVELINA FEDERAL 1 TALCO UNIT 2 TALCO UNIT 001 SAND HILLS UNIT 1 DOGIE DRAW FED 1
 30025286440000 30025276140000 30025267470000 30025086890000 30025247190000
 A' 2952 ft 3741 ft 6608 ft 9612 ft A'

Offset: 0. 1.366

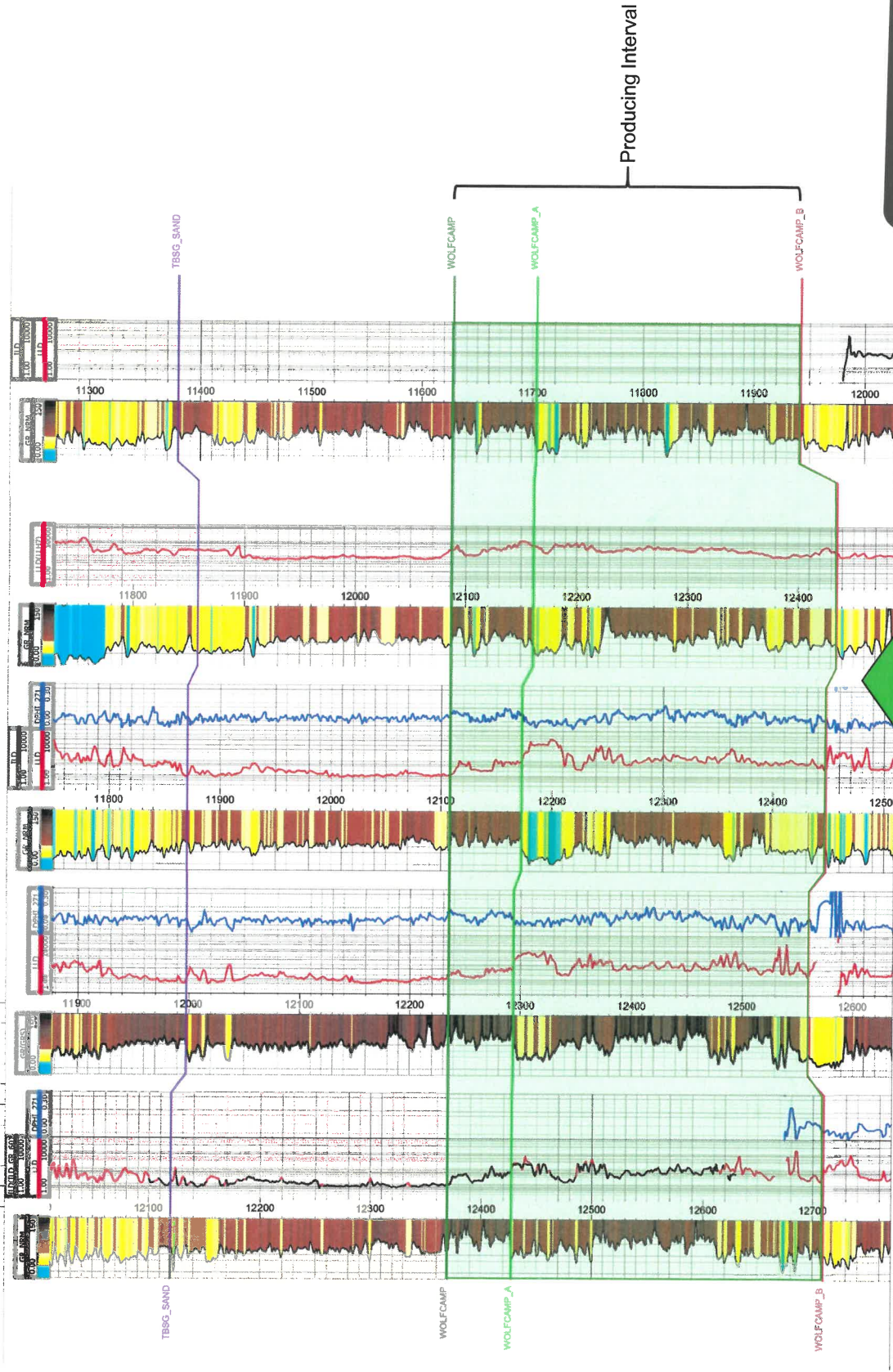
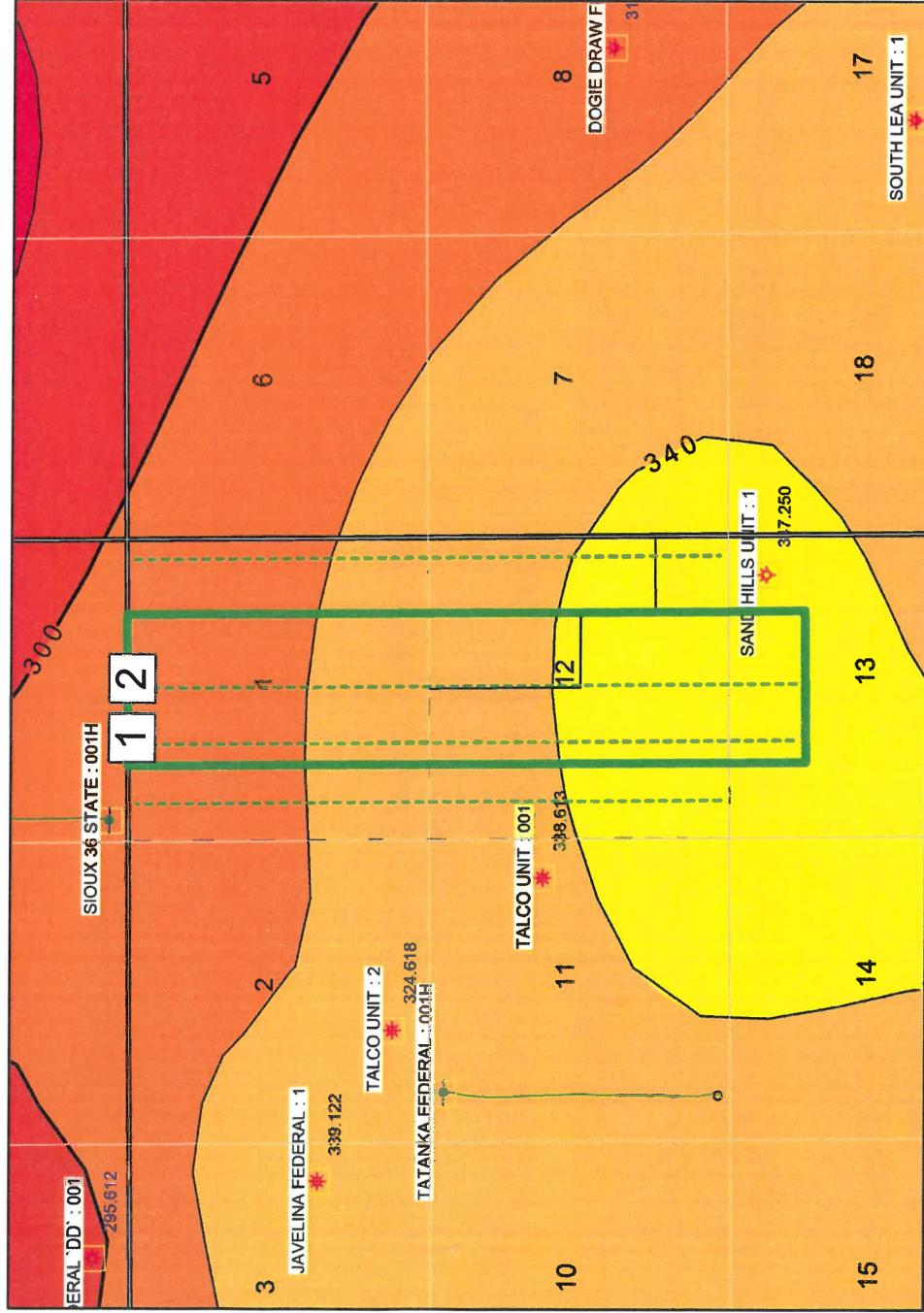


EXHIBIT
 11.0

Bus Driver Fed Com 702H & Kaston Fed Com 703H

Upper Wolfcamp Isochore Map

Case No. 21444: Bus Driver Fed Com 702H & Kaston Fed Com 703H



C.I. = 20'

1 mile



Franklin Mountain
Acreage



Wolfcamp Unit

Proposed Horizontal Location

1

Bus Driver Fed Com 702H

2

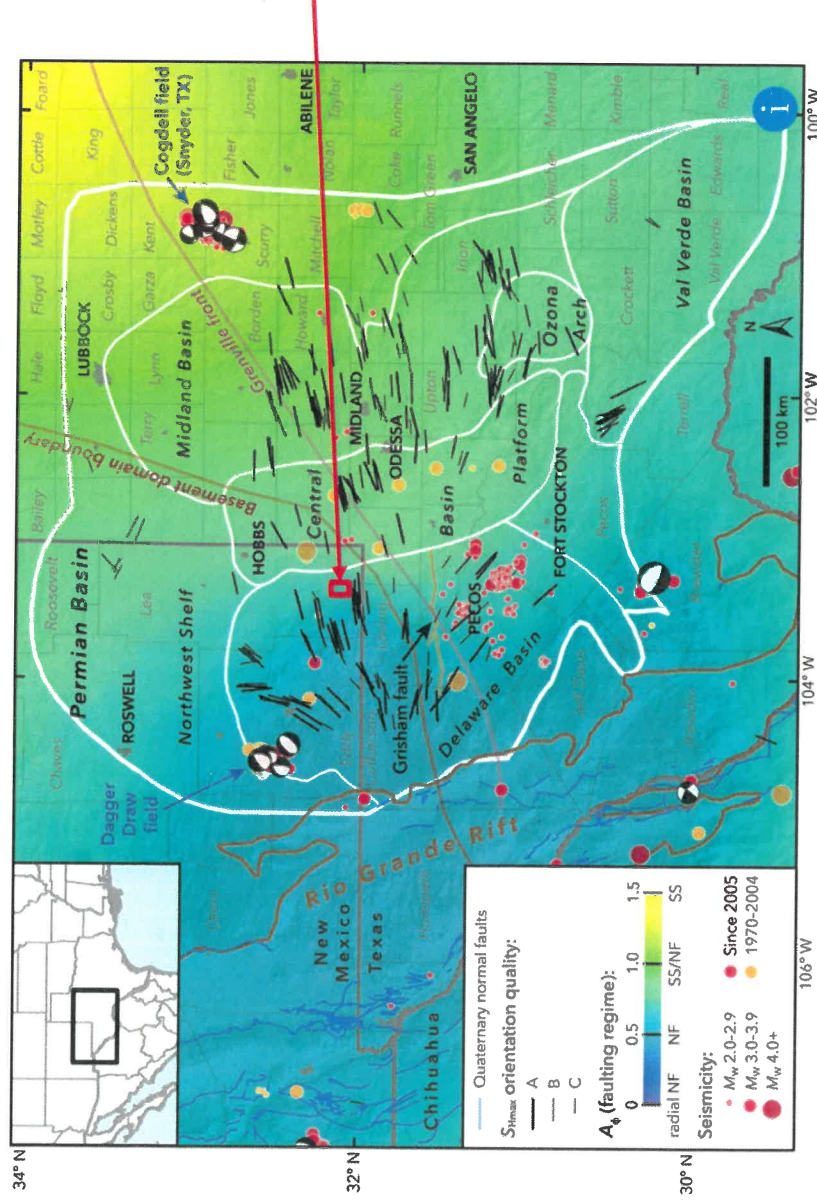
Kaston Fed Com 703H

EXHIBIT

11-D

tabbles

Regional Stress



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

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/MobilePagedArticle.action?articleId=1331603#articleId1331603

