

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

**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY 3, LLC FOR COMPULSORY POOLING  
AND NOTICE OF OVERLAPPING SPACING UNIT,  
LEA COUNTY, NEW MEXICO.**

**CASE NOS. 23843–23844**

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

**CASE NOS. 23619 23620**

**APPLICATIONS OF COG OPERATING LLC  
FOR COMPULSORY POOLING, LEA COUNTY,  
NEW MEXICO**

**CASE NOS. 23869 23870**

**AMENDED PRE-HEARING ORDER**

This Pre-Hearing Order follows a status conference held on October 5, 2023, before an Oil Conservation Division (“Division”) Hearing Examiner (“Examiner”), in which the hearing date was agreed to by all parties.

1. These two matters shall be consolidated and set for hearing with case numbers 23619, 23620, 23869 and 23870, on November 2, 2023, following the completion of the Division’s regular hearing docket and continue as necessary through completion.

2. The hearing will be recorded and transcribed by a court reporter.

3. The hearing will be conducted using the virtual meeting platform; sign-in information will be sent to the parties closer to the date of the hearing. The Examiner may modify the format of the hearing consistent with the available resources and public distancing directives in place at the time of the hearing.

4. The parties shall file, with the pre-hearing statement required by 19.15.4.13.B NMAC, the following additional information, all of which is due by 5 p.m. no later than seven (7) calendar days before the hearing:

- a. a list of material facts not in dispute;
- b. a list of disputed facts and issues;
- c. identification of the witnesses and their qualifications; and
- d. a full narrative of the direct testimony and exhibits for each witness.

5. Any evidentiary objections to the filed direct testimony or any exhibit shall be filed by 5 p.m. no later than two (2) calendar days before the hearing and will be addressed at the commencement of the hearing.

6. All witnesses filing direct testimony shall attend the hearing and will be subject to cross examination by counsel for the parties and the Division Examiners.

7. Any requests for continuances or status conferences shall be filed in writing through the Division fee portal.

**IT IS SO ORDERED.**

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GREGORY CHAKALIAN  
HEARING EXAMINER