

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

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

CASE NOS. 23833-23840

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

CASE NOS. 23885-23888

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

CASE NOS. 23961-23964

UNOPPOSED MOTION TO AMEND THE PRE-HEARING ORDER

Franklin Mountain Energy 3, LLC moves to amend the Amended Pre-Hearing Order entered in these matters, issued on October 27, 2023, to add additional competing pooling applications filed by MRC Permian Company under Cases 23961-23964. The applications filed by MRC Permian Company under Cases 23961-23964, which are currently set for the December 7, 2023 docket involve the acreage at issue under Franklin Mountain Energy 3 Cases 23833-23840 and MRC Permian Company Cases 23885-23840, which are set for a contested hearing on December 7, 2023. For these reasons, the Amended Pre-Hearing Order issued on October 27, 2023 should be further amended to include MRC Permian Company Cases 23961-23964. MRC Permian Company concurs in the relief sought in this Motion. No other party objects to the relief sought.

Respectfully submitted,

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

By: /s/ Deana M. Bennett

Deana M. Bennett

Earl E. DeBrine

Yarithza Peña

Post Office Box 2168

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800

Deana.Bennett@modrall.com

eed@modrall.com

yarithza.pena@modrall.com

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2023, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
pmvance@hollandhart.com

Attorneys for MRC Permian Company and COG Operating LLC

Dana S. Hardy
Jaclyn McLean
P.O. Box 2068
Santa Fe, NM 87504-2068
(505) 982-4554
dhardy@hinklelawfirm.com
jmclean@hinklelawfirm.com

Counsel for Armstrong Energy Corporation and Slash Exploration LP

By: /s/ Deana M. Bennett
Deana M. Bennett