

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

**APPLICATION OF TAP ROCK RESOURCES LLC
FOR APPROVAL OF A UNIT AGREEMENT,
LEA COUNTY, NEW MEXICO**

CASE NO. 21214

FRANKLIN MOUNTAIN ENERGY, LLC'S PRE-HEARING STATEMENT

Franklin Mountain Energy ("Franklin") submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Division.

APPEARANCES

APPLICANT

TAP ROCK RESOURCES LLC

ATTORNEY

James Bruce
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OPPONENT

FRANKLIN MOUNTAIN ENERGY, LLC

ATTORNEY

Deana M. Bennett
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STATEMENT OF CASE

APPLICANT:

In this case, Tap Rock Resources, LLC seeks approval of the Unit Agreement for the Seinfeld Unit Area, comprising 3,843.44 acres of federal and fee lands, described as follows:

- Township 24 South, Range 35 East, NMPM
- Section 22: All
- Section 26: All
- Section 27: All
- Section 28: E/2E/2
- Section 33: E/2E/2
- Section 34: All
- Section 35: All
- Township 25 South, Range 35 East, NMPM
- Section 3: Lots 1-4, S/2N/2

OPPONENT

Franklin is an interest owner in the proposed Unit. Tap Rock only recently, on April 6, 2020, provided Franklin with certain key documents regarding the proposed Unit. Franklin is reviewing those documents, but there has not been enough time for the parties to fully work through the agreements. Franklin requested that Tap Rock agree to a continuance of the April 30 hearing date currently set for this case to allow the parties to continue to work through the agreements, which Tap Rock has been unwilling to agree to thus far. Franklin opposes the application to protect its correlative rights. Franklin also opposes this case being presented by affidavit.

PROCEDURAL ISSUES

Franklin opposes this case being put on by affidavit.

Respectfully submitted,

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

By: Deana M. Bennett

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on April 23, 2020:

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