

Protested

NSL

Application

## **Lowe, Leonard, EMNRD**

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**From:** Lowe, Leonard, EMNRD  
**Sent:** Monday, January 27, 2020 10:46 AM  
**To:** 'Deana M. Bennett'  
**Subject:** RE: [EXT] Non Standard Location of Parade State Well No. 603H

Thank you Ms. Deana M. Bennett.

### **Leonard R. Lowe**

Engineering Bureau  
OCD-EMNRD  
1220 S. St. Francis  
Santa Fe, N.M. 87004  
O:505-476-3492  
C: 505-930-6717  
F: 505-476-3462  
<http://www.emnrd.state.nm.us/ocd/>

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**From:** Deana M. Bennett <dmb@modrall.com>  
**Sent:** Monday, January 27, 2020 10:45 AM  
**To:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Subject:** RE: [EXT] Non Standard Location of Parade State Well No. 603H

Hello Leonard,

Thanks for your email. The application has not changed and FME would like the application to move forward now that the protest has been resolved.

Thanks,

Deana



Deana M. Bennett  
Lawyer  
Modrall Sperling | [www.modrall.com](http://www.modrall.com)  
P.O. Box 2168 | Albuquerque, NM 87103-2168  
500 4<sup>th</sup> St. NW, Ste. 1000 | Albuquerque, NM 87102  
D: 505.848.1834 | O: 505.848.1800

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**From:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>  
**Sent:** Thursday, January 23, 2020 2:07 PM  
**To:** Deana M. Bennett <[dmb@modrall.com](mailto:dmb@modrall.com)>  
**Cc:** 'Jeri Hartung' <[jerikayhartung@gmail.com](mailto:jerikayhartung@gmail.com)>  
**Subject:** RE: [EXT] Non Standard Location of Parade State Well No. 603H

## **Lowe, Leonard, EMNRD**

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**From:** Lowe, Leonard, EMNRD  
**Sent:** Wednesday, January 22, 2020 4:53 PM  
**To:** 'Jeri Hartung'  
**Cc:** 'Deana M. Bennett'  
**Subject:** RE: [EXT] Non Standard Location of Parade State Well No. 603H

Jeri Hartung,

The OCD will acknowledge your protest withdrawal. The OCD will commence forth to process the NSL application for Franklin Mountain Energy LLC's Well: Parade State Well No. 603H.

### **Leonard R. Lowe**

Engineering Bureau  
OCD-EMNRD  
1220 S. St. Francis  
Santa Fe, N.M. 87004  
O:505-476-3492  
C: 505-930-6717  
F: 505-476-3462  
<http://www.emnrd.state.nm.us/oed/>

**From:** Jeri Hartung <jerikayhartung@gmail.com>  
**Sent:** Wednesday, January 22, 2020 3:50 PM  
**To:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Subject:** Re: [EXT] Non Standard Location of Parade State Well No. 603H

Dear Mr. Lowe,  
I am writing to tell you that my concerns have been resolved with the application I have protested::E2, Sections 2 & 11.  
I am now dropping my protest.  
Thank you,  
Jeri Hartung  
711 VZ 3604  
Edgewood, Texas  
75117

On Mon, Jan 6, 2020 at 10:29 AM Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)> wrote:

Jeri Hartung,

Good morning.

Has Franklin Mountain Energy contacted you to discuss any information in regards to their intent for a Non Standard Location?

If you would like to contact me I would give you an explanation on what Franklin Mountain Energy is doing.

Your protest is valid in all regards.

I hope someone from Franklin Mountain Energy has contacted you in reference to your request.

Have a nice day.

**Leonard R. Lowe**

Engineering Bureau

OCD-EMNRD

1220 S. St. Francis

Santa Fe, N.M. 87004

O:505-476-3492

C: 505-930-6717

F: 505-476-3462

<http://www.emnrd.state.nm.us/oed/>

**From:** Jeri Hartung <[jerikayhartung@gmail.com](mailto:jerikayhartung@gmail.com)>

**Sent:** Tuesday, December 31, 2019 3:43 PM

**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>

**Subject:** [EXT] Non Standard Location of Parade State Well No. 603H

Hello,

I'm writing in response to the letter I received from Lowe, Leonard, ENMRD regarding my protest of the Non Standard Location of Parade State Well No. 603H of Franklin Mountain Energy LLC.

I believed that my protest would be overridden by a large number of non-protests, and Well 603H would proceed without issue because of majority rule. I had no intention of causing a problem for Franklin Mountain Energy LLC.

I'm an 81-year-old widow and a straightforward explanation in plain English excluding legal jargon of the whole affair would go a long way to resolving any misunderstanding regarding my protest.

In addition to Well 603H I'd appreciate an explanation in layman's terms of what benefits or requirements I have by being an heir to Mildred Guinn Anderson since that has never been made clear to me.

Thank you.

Sincerely,

Jeri Kay Hartung

## Lowe, Leonard, EMNRD

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**From:** Deana M. Bennett <dmb@modrall.com>  
**Sent:** Tuesday, December 31, 2019 11:01 AM  
**To:** Lowe, Leonard, EMNRD  
**Cc:** Goetze, Phillip, EMNRD; Murphy, Kathleen A, EMNRD; Warnell, Terry G, EMNRD; Rose-Coss, Dylan H, EMNRD; McClure, Dean, EMNRD; Lamkin, Baylen, EMNRD; Bratcher, Mike, EMNRD; Kautz, Paul, EMNRD  
**Subject:** [EXT] RE: Jeri K. Hartung - Protest of Franklin Mountain Energy's NSL Application for the Parade State Well No. 603H Well.  
**Attachments:** FME Response to Jeri Hartung Protest Parade State 603H NSL.pdf

Hello,

Thanks for the information regarding the protest received from Jeri Hartung. I forwarded the letter to Franklin Mountain Energy and Franklin sent the attached letter to Jeri Hartung offering to discuss her concerns with her to resolve her protest. Franklin also tried a number of different ways to find a phone number for her, but all of the numbers they located were either disconnected or did not have voicemail. I will be back in touch with additional information about the communications between Franklin and Ms. Hartung as I have more information.

Thanks tons and happy New Year to you all.

Deana

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**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Monday, December 23, 2019 3:39 PM  
**To:** Deana M. Bennett <dmb@modrall.com>  
**Cc:** Goetze, Phillip, EMNRD <Phillip.Goetze@state.nm.us>; Murphy, Kathleen A, EMNRD <KathleenA.Murphy@state.nm.us>; Warnell, Terry G, EMNRD <TerryG.Warnell@state.nm.us>; Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>; McClure, Dean, EMNRD <Dean.McClure@state.nm.us>; Lamkin, Baylen, EMNRD <Baylen.Lamkin@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Kautz, Paul, EMNRD <paul.kautz@state.nm.us>  
**Subject:** Jeri K. Hartung - Protest of Franklin Mountain Energy's NSL Application for the Parade State Well No. 603H Well.  
**Importance:** High

**EXTERNAL EMAIL:** Please do not click any links or open any attachments unless you trust the sender and are expecting this message and know the content is safe.

RE:

<b>Applicant:</b> <u>Franklin Mountain Energy</u>	<b>OGRID Number:</b> <u>373910</u>
<b>Well Name:</b> <u>Parade State 603H</u>	<b>API:</b> <u>Pending</u>
<b>Pool:</b> <u>WC025 G09 S253502B; LWR BONE SPRING</u>	<b>Pool Code:</b> <u>98185</u>

Ms. Deanna M. Bennet,



December 30, 2019

Jeri K. Hartung  
711 Vz County Road 3604  
Edgewood, TX 75117-3914

Re: Parade State 603H Non-Standard Location  
Response to Objection  
**Township 25 South, Range 35 East:**  
W/2E/2 of Sections 2 & 11

Dear Ms. Hartung:

Franklin Mountain Energy, LLC is in receipt of your recent objection letter sent to the New Mexico Oil Conservation Division protesting our proposed Parade State 603H well in a non-standard location.

For your reference, and according to our records, you *may* have an interest in the W/2 of Sections 2 & 11, T25S-R35E stemming from the heirship of your late husband, Roger C. Hartung and his deceased relative, Mildred Guinn Anderson. The well you objected to is proposed in the E/2 of Sections 2 & 11, T25S-R35E, outside of lands to which you may own an interest, but it will have what is known as a “non-standard location.” “Non-standard location” means the proposed well will be located closer to proration unit boundaries than the general set back requirements under the New Mexico rules. Under the New Mexico rules, Franklin Mountain Energy, LLC was required to provide notice to owners or potential owners in offsetting lands (i.e. adjacent lands), hence the notice you’ve received.

Franklin Mountain Energy, LLC would like to better understand your concerns with the application you’ve protested and attempt to resolve them. Unfortunately, your letter did not provide details as to how we can best reach you, so we kindly request you contact the undersigned via the contact information provided below at your earliest convenience to further discuss this matter. Your prompt attention and response are much appreciated.

Best Regards,

**Franklin Mountain Energy, LLC**



Shelly Albrecht  
Director of Land  
Direct Phone: 720.414.7855  
Cell Phone: 720.630.0544  
[salbrecht@fmlc.com](mailto:salbrecht@fmlc.com)

## **Lowe, Leonard, EMNRD**

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**From:** Deana M. Bennett <dmb@modrall.com>  
**Sent:** Friday, January 17, 2020 9:38 AM  
**To:** Lowe, Leonard, EMNRD; Jeri Hartung  
**Cc:** Shelly Albrecht  
**Subject:** Re: [EXT] Non Standard Location of Parade State Well No. 603H

Good Morning Mrs. Hartung,

My name is Deana Bennett, and I am the lawyer representing Franklin Mountain Energy that sent you the application you received that you have been discussing with Mr. Lowe. As you may have seen from Mr. Lowe's email, he copied me on his response to you earlier this week. I have included Shelly Albrecht on this email now too. She is the Director of Land at Franklin Mountain Energy. I have also copied her contact information below. Shelly sent you a letter in December that explained Franklin Mountain Energy's application that you received from me. If it would be helpful to you, Shelly is available to have further discussions with you to answer any questions you have and to resolve any concerns you may still have. You can email her or feel free to give her a call. Her direct and mobile numbers are below. She may also reach out to you via email too, so that you can have a conversation with her directly if you have any questions or would like other information from her.

Shelly's contact information:

Shelly Albrecht  
Director of Land  
Franklin Mountain Energy, LLC  
2401 E 2nd Avenue, Suite 300  
Denver, CO 80206  
Direct: 720-414-7855  
Mobile: 720-630-0544  
[salbrecht@fmellc.com](mailto:salbrecht@fmellc.com)

Thanks much,

Deana



Deana M. Bennett  
Lawyer  
Modrall Sperling | [www.modrall.com](http://www.modrall.com)  
P.O. Box 2168 | Albuquerque, NM 87103-2168  
500 4<sup>th</sup> St. NW, Ste. 1000 | Albuquerque, NM 87102  
D: 505.848.1834 | O: 505.848.1800

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**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Tuesday, January 14, 2020 4:00:17 PM



**To:** Jeri Hartung  
**Cc:** Deana M. Bennett  
**Subject:** RE: [EXT] Non Standard Location of Parade State Well No. 603H

**EXTERNAL EMAIL:** Please do not click any links or open any attachments unless you trust the sender and are expecting this message and know the content is safe.

Jeri Hartung,

Good afternoon.

Have all objections to this NSL application been resolved with the Applicant, Franklin Mountain Energy?

**Leonard R. Lowe**

Engineering Bureau  
OCD-EMNRD  
1220 S. St. Francis  
Santa Fe, N.M. 87004  
O:505-476-3492  
C: 505-930-6717  
F: 505-476-3462  
<http://www.emnrd.state.nm.us/ocd/>

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## New Mexico - Oil Conservation Division

[www.emnrd.state.nm.us](http://www.emnrd.state.nm.us)

The Oil Conservation Division regulates oil, gas, and geothermal activity in New Mexico.

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**From:** Jeri Hartung <jerikayhartung@gmail.com>  
**Sent:** Tuesday, December 31, 2019 3:43 PM  
**To:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Subject:** [EXT] Non Standard Location of Parade State Well No. 603H

Hello,

I'm writing in response to the letter I received from Lowe, Leonard, ENMRD regarding my protest of the Non Standard Location of Parade State Well No. 603H of Franklin Mountain Energy LLC.

I believed that my protest would be overridden by a large number of non-protests, and Well 603H would proceed without issue because of majority rule. I had no intention of causing a problem for Franklin Mountain Energy LLC.

I'm an 81-year-old widow and a straightforward explanation in plain English excluding legal jargon of the whole affair would go a long way to resolving any misunderstanding regarding my protest.

In addition to Well 603H I'd appreciate an explanation in layman's terms of what benefits or requirements I have by being an heir to Mildred Guinn Anderson since that has never been made clear to me.

Thank you.

Sincerely,

Jeri Kay Hartung

This e-mail may be a confidential attorney-client communication. If you received it in error, please delete it without forwarding it to others and notify the sender of the error.

## **Lowe, Leonard, EMNRD**

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**From:** Lowe, Leonard, EMNRD  
**Sent:** Monday, December 23, 2019 3:39 PM  
**To:** 'Deana M. Bennett'  
**Cc:** Goetze, Phillip, EMNRD; Murphy, Kathleen A, EMNRD; Warnell, Terry G, EMNRD; Rose-Coss, Dylan H, EMNRD; McClure, Dean, EMNRD; Lamkin, Baylen, EMNRD; Mike Bratcher (mike.bratcher@state.nm.us); Kautz, Paul, EMNRD  
**Subject:** Jeri K. Hartung - Protest of Franklin Mountain Energy's NSL Application for the Parade State Well No. 603H Well.  
**Attachments:** Jeri K. Hartung PROTEST letter.pdf  
**Importance:** High

RE:

<b>Applicant:</b> <u>Franklin Mountain Energy</u>	<b>OGRID Number:</b> <u>373910</u>
<b>Well Name:</b> <u>Parade State 603H</u>	<b>API:</b> <u>Pending</u>
<b>Pool:</b> <u>WC025 G09 S253502B; LWR BONE SPRING</u>	<b>Pool Code:</b> <u>98185</u>

Ms. Deanna M. Bennet,

The OCD was notified that a **Jeri K. Hartung** has protested this application for approval of a Non Standard Location for the above subject well. This party is identified as an affected person for the location. Therefore, you are being notified that if **Franklin Mountain Energy, LLC** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL application will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days

If the protest remains after 30 days, the OCD will process the application.

12/23/19, Noticed date  
01/24/20, 30 day ends

Please call/e-mail me with any questions regarding this matter.

Protestant contact information:

**Jeri K. Hartung**  
711 Vz. County Road 3604  
Edgewood, TX 75117-3914

**Leonard Lowe**  
Engineering Bureau  
Oil Conservation Division  
Energy Minerals and Natural Resources Department

1220 South St. Francis  
Santa Fe, New Mexico 87505  
Office: 505-476-3492  
Cell: 505-930-6717  
Fax: 505-476-3462  
E-mail: [leonard.lowe@state.nm.us](mailto:leonard.lowe@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/ocd/>

Franklin Mountain Energy LLC:

I object to the application of the approval of the unorthodox well location Parade State 603H well, located in the W/2E/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico.

*Jeri Kay Hartung*

DEC 33 2019 #02:15

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Philip