

**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 NOS. 20951, 20952  
& 29053**

**FRANKLIN MOUNTAIN ENERGY, LLC'S PRE-HEARING STATEMENT**

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

**APPEARANCES**

**APPLICANT**

**FRANKLIN MOUNTAIN ENERGY, LLC**

**ATTORNEY**

Deana M. Bennett  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
P. O. Box 2168  
Albuquerque, New Mexico 87103-  
2168  
(505) 848-1800

**STATEMENT OF CASES**

**APPLICANT:**

These three cases were heard at the examiner hearing on December 12, 2019. Franklin was ordered to republish notice for these three cases due to the fact that the publication notice in the newspaper was not timely. Franklin has done so, as evidenced by Exhibit 1 to this prehearing statement. Counsel for Franklin intends to put on the notice information by affidavit at the January 9, 2020 hearing.

As a reminder. Franklin seeks the following in the three cases:

In Case No. 20951, Franklin seeks an order from the Division pooling all uncommitted mineral interest within a Bone Spring horizontal spacing unit underlying the W/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the County Fair Fed Com 602H well, to be horizontally drilled. 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.

In Case No. 20952, Franklin seeks an order from the Division pooling all uncommitted mineral interest within a Wolfcamp horizontal spacing unit underlying the E/2 W/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Blue Ribbon Fed Com 702H well and Blue Ribbon Fed Com 703H well. The producing interval for the 702H well will be orthodox. The producing interval for the Blue Ribbon Fed Com 703H well will be unorthodox. 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 wells are drilled and completion of the first well.

In Case No. 20953, Franklin seeks an order from the Division pooling all uncommitted mineral interest within a Wolfcamp horizontal spacing unit underlying the W/2 W/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the County Fair Fed Com 701H well. 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.

## **PROPOSED EVIDENCE**

### **APPLICANT:**

<b>WITNESS</b>	<b>ESTIMATED TIME</b>	<b>EXHIBITS</b>
Landman: Shelly Albrecht	Approx. 30 minutes	Approx. 8
Geologist: Ben Kessel	Approx. 30 minutes	Approx. 6

## PROCEDURAL ISSUES

Franklin intends to put these cases on by affidavit and requests that they be consolidated for purposes of the hearing.

Respectfully submitted,

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

By: Deana M. Bennett

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

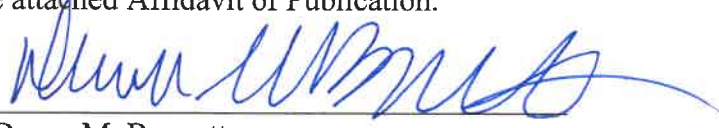
**APPLICATION OF FRANKLIN MOUNTAIN  
ENERGY, LLC FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NOS. 20951, 20952, and 20953**


**AFFIDAVIT**

STATE OF NEW MEXICO            )  
  ) ss.  
COUNTY OF BERNALILLO        )

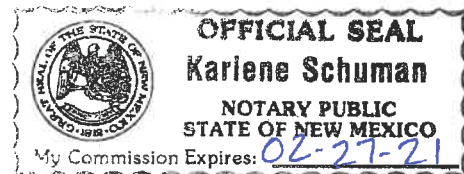
Deana M. Bennett, attorney in fact and authorized representative of Franklin Mountain Energy, LLC, the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced cases being set for hearing on January 9, 2020, was published in the Hobbs News-Sun on December 21, 2019, as reflected on the attached Affidavit of Publication.

  
Deana M. Bennett

SUBSCRIBED AND SWORN to before me this 2nd day of January, 2020 by Deana M. Bennett.

  
Notary Public

My commission expires: 02-27-21



## Affidavit of Publication

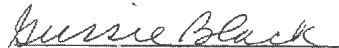
STATE OF NEW MEXICO  
COUNTY OF LEA

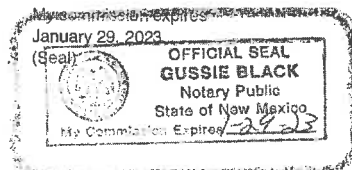
I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated  
December 21, 2019  
and ending with the issue dated  
December 21, 2019.

  
Publisher

Sworn and subscribed to before me this  
21st day of December 2019.

  
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

LEGAL LEGAL LEGAL

LEGAL NOTICE  
DECEMBER 21, 2019

CASE NO. 20951: Notice to all affected parties, as well as the heirs and devisees of Aaron Dillard, BC Operating, Inc., Chad Dillard, Charlyne Hobson Ward, Chief Capital (O&G), II LLC, Chilmark Properties, LLC, Coert Holdings 1 LLC, COG Operating LLC, Constitution Resources II LP, CrownRock Minerals, L.P., Encanto Minerals LLC, Foundation Minerals LLC, Franklin Mountain Energy 2 LLC, Franklin Mountain Energy LLC, Franklin Mountain Royalty Investments, LLC, Heirs or devisees of Mary Helen Sims Sprinkles, Heirs or devisees of Mary Helen Sims Sprinkles, c/o Lavora M. Sprinkle or Allington Paul Wishart, Heirs or devisees of Max Sims, Heirs or devisees of Mildred Guinn Anderson, Heirs or devisees of Mildred Guinn Anderson c/o: Mildred G. Anderson; Robert E. Landreth; Amy Collier Crow; David Collier; Martha Collier Harrison; Richard Malcom Grayson; Jeri K. Hartung; or Gertrude Ann Hartung Ellison, Heirs or devisees of Reed Craig Collier, Heirs or devisees of Uta Jane Findley, Jack Sims, Jean Richelleu Faeth c/o Jennie Nolasco, Katy Joe Hobson Lundy, Lawrence Edward Boulter, Lawrence Edward Boulter c/o James Troy Boulter or Jesse Ellen Boulter, Lisa Catherine Ammirati McDonald, Lonnie H. Dillard Jr., Lowell Cliff Dillard, Mavros Minerals II, LLC, Monticello Minerals LLC, Oak Valley Minerals and Land, LP, OGX Royalty Fund, LP, Ohio State University, P.H. Gordon, Prevall Energy LLC, Rheiner Holdings, LLC, Safemark Companies, LLC, Sandia Minerals, LLC, Santo Royalty Company LLC, State of New Mexico, heirs and devisees of Mary Helen Sims Sprinkles, c/o Hugh Blanton Wishart, heirs or devisees of Uta Jane Findley c/o Elizabeth A. Findley, Heirs or devisees of Uta Jane Findley c/o Elizabeth Crockett, Heirs or devisees of Uta Jane Findley c/o Thomas Clay Findley, Tierra Royalties, LLC, United State of America, West Texas A&M University 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 January 9, 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 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the County Fair Federal 802H 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 when the well is completed. Said area is located approximately 9 miles Northwest of Jal, New Mexico.

CASE NO. 20952: Notice to all affected parties, as well as the heirs and devisees of Aaron Dillard, BC Operating, Inc., Chad Dillard, Charlyne Hobson Ward, Chief Capital (O&G), II LLC, Chilmark Properties, LLC, Coert Holdings 1 LLC, COG Operating LLC, Constitution Resources II LP, CrownRock Minerals, L.P., Encanto Minerals, LLC, Foundation Minerals LLC, Franklin Mountain Energy 2, LLC, Franklin Mountain Energy, LLC, Franklin Mountain Royalty Investments, LLC, Heirs or devisees of Mary Helen Sims Sprinkles, Heirs or devisees of Mary Helen Sims Sprinkles, c/o Lavora M. Sprinkle or Allington Paul Wishart, Heirs or devisees of Max Sims, Heirs or devisees of Mildred Guinn Anderson, Heirs or devisees of Mildred Guinn Anderson c/o: Mildred G. Anderson; Robert E. Landreth; Amy Collier Crow; David Collier; Martha Collier Harrison; Richard Malcom Grayson; Jeri K. Hartung; or Gertrude Ann Hartung Ellison, Heirs or devisees of Reed Craig Collier, Heirs or devisees of Uta Jane Findley, Jack Sims, Jean Richelleu Faeth c/o Jennie Nolasco, Katy Joe Hobson Lundy, Lawrence Edward Boulter, Lisa Catherine Ammirati McDonald, Lonnie H. Dillard Jr., Lowell Cliff Dillard, Mavros Minerals II, LLC, Monticello Minerals LLC, Oak Valley Minerals and Land, LP, OGX Royalty Fund, LP, Ohio State University, P.H. Gordon, Prevall Energy LLC, Rheiner Holdings, LLC, Safemark Companies, LLC, Sandia Minerals, LLC, Santo Royalty Company LLC, State of New Mexico, heirs and devisees of Mary Helen Sims Sprinkles, c/o Hugh Blanton Wishart, heirs or devisees of Uta Jane Findley c/o Elizabeth A. Findley, Heirs or devisees of Uta Jane Findley c/o Elizabeth Crockett, Heirs or devisees of Uta Jane Findley c/o Thomas Clay Findley, Tierra Royalties, LLC, United State of America, West Texas A&M University 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 January 9, 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/2W/2 of Sections 2 and 11, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico. This spacing unit will be dedicated to the Blue Ribbon Federal 702H and the Blue Ribbon Federal 703H wells, to be horizontally drilled. The producing area for the Blue Ribbon Federal 703H well will be unorthodox. The producing area for the Blue Ribbon Federal 702H well 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 wells are drilled and completion of the first well. Said area is located approximately 9 miles Northwest of Jal, New Mexico.

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