

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

**APPLICATIONS OF MRC PERMIAN
COMPANY FOR APPROVAL OF AN
OVERLAPPING HORIZONTAL
WELL SPACING UNIT AND
COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE NOS. 24314-24319, 24327-24334

**APPLICATIONS OF FRANKLIN
MOUNTAIN ENERGY 3, LLC FOR
COMPULSORY POOLING AND,
TO THE EXTENT NECESSARY,
APPROVAL OF OVERLAPPING
SPACING UNIT, LEA COUNTY,
NEW MEXICO**

CASE NOS. 24348, 24350-24356, 24358-24360 & 24362

PRE-HEARING ORDER

This Pre-Hearing Order is issued by the Oil Conservation Division's (OCD) Hearing Examiner following a status conference held on April 18, 2024. The parties confirmed the necessity of a contested hearing, and a date was stipulated.

IT IS THEREFORE ORDERED:

1. MRC Permian Company and Franklin Mountain Energy filed competing applications identified in the caption above and are therefore consolidated for the purposes of a contested hearing.
2. The contested hearing will commence on **June 26, 2024, at 9:00 a.m.**, and will continue as required through completion.
3. If either party withdraws their objection to hearing by affidavit, the cases will proceed by affidavit hearing on June 26th and will not be moved to a regular docket.
4. The hearing will be recorded and transcribed by a court reporter.
5. The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via MS Teams virtual meeting platform (sign-in information will be sent to the parties closer to the date of the hearing). It is strongly preferred

that Counsel be physically present during the contested hearing while witnesses may be offered in person or virtually. The Hearing Examiner may modify the format of the hearing consistent with the available resources at the time of the hearing.

6. At least four business days in advance of the contested hearing, the parties shall file their pre-hearing statements, to include the following:

- a. all exhibits and written testimony a party intends to enter into evidence at the contested hearing;
- 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.

7. No later than 48 hours before the hearing, any objections to submitted direct testimony or any exhibit shall be filed. Such objections will be addressed at the commencement of the hearing.

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

9. Any requests for continuance or status conference shall be filed in writing through the OCD fee portal, no later than 48 hours prior to the time the hearing is set to begin, pursuant to 19.15.4.13(C) NMAC.

ORDERED this 18th day of April, 2024.

GREGORY CHAKALIAN
HEARING EXAMINER

GC/ft