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

APPLICATION OF COLGATE OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 22824

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Compulsory Pooling Checklist

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A-4	Sample Well Proposal Letter and AFEs
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B-3	Wolfcamp – Structure Map
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Exhibit C	Affidavit of Dana S. Hardy
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C-2	Chart of Notice to All Interested Parties and Overriding Royalty Interest

Owners

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C-4 Affidavit of Publication for May 18, 2022

COMPULSORY POOLING APPLICATION CHECKLIST

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Applicant Colgate Operating, LLC Designated Operator & OGRID 371449 Applicant's Counsel Hinkle Shanor LLP Case Title Applicant's Counsel Entries of Appearance/Intervenors COG Operating, LLC Mew Mexico Formation/Pool Poilong Formation/Pool Poilong Operating, LLC Pooling this vertical extent Wolfcamp Pooling this vertical extent Wolfcamp Porth Gas Pool (Code 73520) Well Location Setback Nules Standard Spacing Unit Size 320-acre Type (Horizontal/Vertical) Horizontal Size (Acres) 320 Building Blocks Quarter-quarter Orientation West/East Description: TRS/County N2 5/2 of Sections 3 and 4, Township 20 South, Range 28 East, Eddy County Standard Horizontal Well Spacing Unit (Y/N), If No, describe Yes Other Situations No Proximity Defining Well: I'yes, description No Proximity Defining Well: I'yes, description N/A Well A1 Dundee 4 Fed Com 202H (API # pending) Sett 4 Standard Operating, Appression/Mont 5 Sa,000.00 Proximity Defining	Case No.:	22824
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Proof of Published Notice of Hearing (10 days before hearing) Exhibit C-4	Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit C-3
celeased to Imaging: 7/5/2022 2:17:31 PM	Proof of Published Notice of Hearing (10 days before hearing)	Exhibit C-4
Ownership Determination	Released to Imaging: 7/5/2022 2:17:31 PM	•

Received by OCD: 7/5/2022 2:16:31 PM	Page 4 of 91
Land Ownership Schematic of Spacing Unit	Exhibit A-3
Tract List (including lease numbers & owners)	Exhibit A-3
Pooled Parties (including ownership type)	Exhibit A-3
Unlocatable Parties to be Pooled	Exhibit A
Ownership Depth Severance (including percentage above &	
below)	N/A
Joinder	
Sample Copy of Proposal Letter	Exhibit A-4
List of Interest Owners (ie Exhibit A of JOA)	Exhibit A-3
Chronology of Contact with Non-Joined Working Interests	Exhibit A-5
Overhead Rates In Proposal Letter	Exhibit A-4
Cost Estimate to Drill and Complete	Exhibit A-4
Cost Estimate to Equip Well	Exhibit A-4
Cost Estimate for Production Facilities	Exhibit A-4
Geology	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibit B-6
Gross Isopach	N/A
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibits B-4, B-5
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	Exhibit A-2
Tracts	Exhibit A-3
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit A-3
General Location Map (including basin)	Exhibit B-1
Well Bore Location Map	Exhibit B-6
Structure Contour Map - Subsea Depth	Exhibit B-3
Cross Section Location Map (including wells)	Exhibit B-2
Cross Section (including Landing Zone)	Exhibits B-4, B-5
Additional Information	
CERTIFICATION: I hereby certify that the information	
provided in this checklist is complete and accurate.	
Printed Name (Attorney or Party Representative):	Dana S. Hardy
Signed Name (Attorney or Party Representative):	/s/ Dana S. Hardy
Date:	7/5/2022
Date:	7/5/2022

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

APPLICATION OF COLGATE OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 22824

SELF-AFFIRMED STATEMENT OF MARK HADJIK

1. I am a Senior Landman at Colgate Operating, LLC ("Colgate") and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division ("Division") and my credentials as an expert in petroleum land matters were accepted and made a matter of record.

2. I am familiar with the land matters involved in the above-referenced case. Copies of Colgate's application and proposed hearing notice are attached as **Exhibit A-1**.

3. None of the parties proposed to be pooled in this case indicated opposition to this matter proceeding by affidavit; therefore I do not expect any opposition at hearing.

4. Colgate seeks an order pooling all uncommitted interests in the Burton Flat, Wolfcamp North Gas Pool (Code 73520) within the Wolfcamp formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2 S/2 of Sections 3 and 4, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit").

5. The Unit will be dedicated to the **Dundee 4 Fed Com 202H** well ("Well") to be horizontally drilled from a surface hole location NE/4 SE/4 (Unit I) of Section 5 to a bottom hole location in the NE/4 SE/4 (Unit I) of Section 3.

6. The completed interval of the Well will be orthodox.

7. **Exhibit A-2** contains the C-102 for the Well.

8. **Exhibit A-3** contains a plat identifying ownership by tract in the Unit. This exhibit also includes any applicable lease numbers, a unit recapitulation, and the interests Colgate seeks to pool highlighted in yellow. The exhibit also identifies any unlocatable parties.

9. **Exhibit A-4** contains a sample well proposal letter and AFEs sent to working interest owners for the Well. The estimated costs reflected on the AFEs are fair and reasonable and comparable to the cost of other wells of similar depth and length drilled in the subject formation in the area.

10. Colgate has conducted a diligent search of all county public records, including phone directories and computer databases.

11. In my opinion, Colgate made a good-faith effort to reach voluntary joinder of uncommitted interests in the Well as indicated by the chronology of contact described in **Exhibit A-5**.

12. Colgate requests overhead and administrative rates of \$8,000 per month while the Well is being drilled and \$800 per month while the Well is producing. These rates are fair and are comparable to the rates charged by Colgate and other operators in the vicinity.

13. The attached exhibits were either prepared by me or under my supervision or were compiled from company business records.

14. In my opinion, the granting of Colgate's application would serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

15. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date next to my electronic signature below.

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Mattlejdik

Mark Hajdik

<u>6/30/2022</u> Date

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

APPLICATION OF COLGATE OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 22824

APPLICATION

Pursuant to NMSA § 70-2-17, Colgate Operating, LLC (OGRID No. 371449) ("Applicant") applies for an order pooling all uncommitted interests in the Wolfcamp formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2S/2 of Sections 3 and 4, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"). In support of its application, Applicant states the following.

1. Applicant is a working interest owner in the Unit and has the right to drill wells thereon.

2. The Unit will be dedicated to the **Dundee 4 Fed Com 202H** well, which will be horizontally drilled from a surface hole location in the NE/4SE/4 (Unit I) of Section 5 to a bottom hole location in the NE/4SE/4 (Unit I) of Section 3.

3. The completed interval of the Well will be orthodox.

4. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all interest owners to participate in the drilling of the Well but has been unable to obtain voluntary agreements from all interest owners.

5. The pooling of uncommitted interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

6. In order to allow Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted mineral interests in the Unit should be pooled and Applicant should be designated the operator of the Well and Unit.

Colgate Operating, LLC Case No. 22824 Exhibit A-1

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WHEREFORE, Applicant requests this application be set for hearing on June 2, 2022, and that after notice and hearing, the Division enter an order:

- A. Pooling all uncommitted interests in the Unit;
- B. Approving the Well in the Unit;
- C. Designating Applicant as operator of the Unit and the Well to be drilled thereon;
- D. Authorizing Applicant to recover its costs of drilling, equipping and completing the Well;
- E. Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- F. Imposing a 200% penalty for the risk assumed by Applicant in drilling and completing the Well against any working interest owner who does not voluntarily participate in the drilling of the Well.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy Dana S. Hardy Jaclyn M. McLean P.O. Box 2068 Santa Fe, NM 87504-2068 Phone: (505) 982-4554 dhardy@hinklelawfirm.com jmclean@hinklelawfirm.com *Counsel for Colgate Operating, LLC* **Application of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.** Applicant applies for an order pooling all uncommitted interests in the Wolfcamp formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2 S/2 of Sections 3 and 4, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Unit will be dedicated to the **Dundee 4 Fed Com 202H** well, which will be horizontally drilled from a surface hole location in the NE/4 SE/4 (Unit I) of Section 5 to a bottom hole location in the NE/4 SE/4 (Unit I) of Section 3. Also to be considered will be the cost of drilling and completing the Wells and the allocation of the costs, the designation of Applicant as the operator of the Wells, and a 200% charge for the risk involved in drilling and completing the Wells. The Wells are located approximately 12 miles northeast of Carlsbad, New Mexico. District I 1625 N. French Dr., Hobbs, NM 88240

Phone: (575) 393-6161 Fax: (575) 393-0720 District II 811 S. First St., Artesia, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720 District III 1000 Rio Brazos Road, Aztec, NM 87410

Phone: (505) 334-6178 Fax: (505) 334-6170 District IV

1220 S. St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

1	API Number		2 Pool Code 3 Pool Name							
			73520 Burton Flat, Wolfcamp North Gas P					Pool		
4 Property	Code				5 Property				6 Well Number	
					DUNDEE 4 I	FED COM				202H
7 OGRID	No.				8 Operato	r Name				9 Elevation
371449					COLGATE EN	ERGY LLC				3289.71'
	¹⁰ Surface Location									
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/Wes	st line	County
Ι	5	20-S	28-E		1396'	SOUTH	165'	EAS	Т	EDDY
			11 Bo	ttom Ho	le Location	If Different Fro	m Surface			
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/Wes	st line	County
Ι	3	20-S	28-E		2321'	SOUTH	10'	EAS	Г	EDDY
12 Dedicated Acre 320	s 13 Joint o	or Infill 14 Co	onsolidation	Code 15 O	rder No.					

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

16				17 OPERATOR CERTIFICATION
		-		I hereby certify that the information contained herein is true and complete
<u>B</u> B	C	D	E	to the best of my knowledge and belief, and that this organization either
LOT 4 LOT 3	LOT 2 LOT 1 LOT 4	LOT 3 LOT 2	LOT 1	owns a working interest or unleased mineral interest in the land including
	39.69 AC. 39.63 AC. 39.53 AC.	39.38 AC. 39.22 AC.	39.07 AC.	the proposed bottom hole location or has a right to drill this well at this
L	·			location pursuant to a contract with an owner of such a mineral or working
330'				interest, or to a voluntary pooling agreement or a compulsory pooling
	М		F BHL	order heretofore entered by the division.
L FTP				
FTP TO I	_TP = 10,433.73'			Signature Date
SHL			10'	Due
	·	↓ <mark>↓</mark>		
100'	I			Printed Name
	3			
КП – – – ј		— <u>Н</u>	G	E-mail Address
1396	I		— 23	
0201			21	
			CORNER DATA NEW MEXICO EAST - NAD 83	¹⁸ SURVEYOR CERTIFICATION
			UND IRON PIPE W/ BRASS CAP 585641.97' E:585202.31'	I hereby certify that the well location shown on this
SURFACE HOLE LOCATION (SHL)		FTP) B-FO	UND IRON PIPE W/ BRASS CAP 585656.50' E:587858.72'	plat was plotted from field notes of actual surveys
<u>NEW MEXICO EAST - NAD 83</u> X=585024.74 LAT.= 32.59920943° N	NEW MEXICO EAST - I X=585293.17 LAT.= 32.601	73842° N C - FO	UND IRON PIPE W/ BRASS CAP	
Y=581752.27 LONG.= 104.19147105° W NEW MEXICO EAST - NAD 27	Y=582672.68 LONG.= 104.7 NEW MEXICO EAST - I	9039337 VV	585671.76' E:590514.87' UND ฐ" IRON ROD W/ ALUM. CAP	made by me or under my supervision, and that the
X=543844.63 LAT.= 32.59909232° N	X=544113.08 LAT.= 32.6016	2132° N N:5	585686.35' E:593171.86'	same is true and correct to the best of my belief.
Y=581690.73 LONG.= -104.19096322° W 1396' FSL, 165' FEL - SECTION 5	Y=582611.13 LONG.= -104. 2315' FSL, 100' FWL - SE	N:5	UND IRON PIPE W/ BRASS CAP 585701.20' E:595828.61'	at J. MURA
	2010 T OL, 100 T WE - OL	1 - FO	UND IRON PIPE W/ BRASS CAP 583084.74' E:595826.84'	Date of Survey A MEY Y
<u> </u>		G -FO	UND IRON PIPE W/ BRASS CAP 80433.88' E:595824.69'	Signature and Sear of Professional Surveyor:
LAST TAKE POINT (LTP)	BOTTOM HOLE LOCATIO	N (BHL) H - FO	UND IRON PIPE W/ BRASS CAP	
NEW MEXICO EAST - NAD 83	NEW MEXICO EAST - N	I-FO	580412.62' E:593168.80' UND IRON PIPE W/ BRASS CAP	
X=595726.58 LAT.= 32.60191841° N Y=582753.83 LONG.= 104.15671450° W	X=595816.58 LAT.= 32.6019 Y=582754.63 LONG.= 104.1	F0 4000 40 MU	580391.30' E:590513.47' UND IRON PIPE W/ BRASS CAP	
NEW MEXICO EAST - NAD 27	NEW MEXICO EAST - I	NAD 27 N:5	580373.68' E:587849.16'	
X=554546.46 LAT.= 32.60180095° N Y=582692.19 LONG.= -104.15620749° W	X=554636.46 LAT.= 32.6018 Y=582692.99 LONG.= -104.	15591523° W N:5	UND IRON PIPE W/ BRASS CAP 580356.62' E:585185.65'	2/24/2022
2321' FSL, 100' FEL - SECTION 3	2321' FSL, 10' FEL - SEC		UND IRON PIPE W/ BRASS CAP 583002.03' E:585194.24'	Certificate Number
		M -FO	UND IRON PIPE W/ BRASS CAP 583037.35' E:590513.68'	
. <u> </u>	Cal			///
		gate Operating	z, LLC	
leased to Imaging: 7/5/2022	$\mathbf{\mathcal{I}} \cdot \mathbf{\mathcal{I}} \mathbf{\mathcal{I}} \cdot \mathbf{\mathcal{I}} + \mathbf{\mathcal{I}$	se No. 22824		ν · · ·

Exhibit A-2

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				DUNDEE 4 FEI	D COM 202H	(N/2S/2)		
WI OWNER			TRA	TRACT NET		WI	FORCE POOL INTEREST	
Col	Colgate Production, LLC		4-1C, 4-2C, 3-5C(b), 3- 5C(a) 240		240.00	75.00%	Operator	
CO	G Operatir	ng LLC		4-3	C	80.00	25.00%	No
						320.00	100.00%	
		T20S- Secti	R28E ion 4		-R28E tion 3			
	4-1	IA	4-4A	3-4A	3-5A			
	4-3	1B	4-4B	3-4B	3-5B			
	4-1C	4-2C	Dundee 4 4-3C	22824 3-5C(a)	3-5C(b)			
Α.	4-1D	4-2D	4-3D	3-5D(a)	3-5D(b)),		
			OF RECORD	FORCE		TRACT		
CO	G Operating	g, LLC		Ye	s	4-3C		

OVERRIDING ROYALTY INTERESTS					
Realtimezone, Inc.					
Long, LLC					

Sandra Thoma
John Kyle Thoma, Trustee of the Cornerstone Fam
Susan S. Murphy, Trustee of the Susan S. Murphy
Marital Trust under Trust Agreement dated
Monarch Oil and Gas Inc.
Scott Exploration, Inc.
Stelaron, Inc.
Stephen T. Mitchell
Qualia Interests, LLC
Hutchings Oil Company
Pete Balog, Trustee of the Balog Family Trust
dated August 15, 2002
Valorie F. Walker, Trustee of the Jack V. Walker
Revocable Trust under Trust Agreement dated
Robert W. Hanagan
Natalie V. Hanagan
The Heirs and/or Devisees of the Estate of Harold S
Stephens Enterprises
Mark B. Murphy, Trustee of the Mark B. Murphy
Irrevocable Trust under Trust Agreement dated
OGI, Inc.

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ROEC, Inc.
Doris R. Stinson
Energy Properties Limited, L.P.
Sam L. Shackelford
Robin K. Shackelford
William N. Heiss and Susan E. Heiss, Co-Trustees of the William N. Heiss Profit Sharing Plan
Robin L. Morgan
Colgate Royalties, LP
Lowe Royalty Partners, LP
MAP 98A-OK, an Oklahoma general partnership
MAP 98B-NET, a Texas general partnership
Wambaugh Exploration LLC
S & E Royalty, LLC
Motowi, LLC
Frannifin Minerals, LLC
Alan R. Hannifin, a single man
Michelle R. Hannifin, as single woman
MW Oil Investment Company Inc.
FFF, Inc.
Trinity Royalty Holdings I, LP
Shelley Schutz Dominguez
Nuevo Seis, Limited Partnership

Adventure Exploration, L.P.
Paul Davis, Ltd.
PDIII Exploration, Ltd.
JB & PDIII Partners, LLC
Merrick Properties, LLC
MKL Minerals, LLC
JAB Investments, Inc.
Tar Creek, LLC



March 4, 2022

Via Certified Mail

COG Operating LLC 600 W Illinois Ave Midland, TX 79701

RE: Dundee 4 Fed Com – Well Proposals Section 4: All, Section 3: All, T20S-R28E, Bone Spring and Wolfcamp Formation Eddy County, New Mexico

To Whom It May Concern:

Colgate Operating, LLC, as operator for Colgate Production, LLC ("Colgate"), hereby proposes the drilling and completion of the following eleven (11) wells, the Dundee 4 Fed Com 111H, 112H, 113H, 114H, 121H, 122H, 123H, 124H, 131H, 132H, 133H, 134H, 201H, 202H, & 203H at the following approximate locations within Township 20 South, Range 28 East:

1. Dundee 4 Fed Com 111H

SHL: At a legal location in the NE/4NE/4 of Section 5
BHL: 10' FEL & 990' FNL of Section 3
FTP: 100' FWL & 990' FNL of Section 4
LTP: 100' FEL & 990' FNL of Section 3
TVD: 6,160'
TMD: Approximately 16,887'
Proration Unit: N2N2 of Sections 3 and 4
Targeted Interval: 1st Bone Spring
Total Cost: See attached AFE

2. Dundee 4 Fed Com 112H

SHL: At a legal location in the NE/4NE/4 of Section 5
BHL: 10' FEL & 2310' FNL of Section 3
FTP: 100' FWL & 2310' FNL of Section 4
LTP: 100' FEL & 2310' FNL of Section 3
TVD: 6,160'
TMD: Approximately 16,887'
Proration Unit: S2N2 of Sections 3 and 4
Targeted Interval: 1st Bone Spring
Total Cost: See attached AFE

300 N. Marienfeld St., Suite 1000, Midland, Texas 79701 P: (432) 695-4222 | F: (432) 695-4063 www.ColgateEnergy.com

3. Dundee 4 Fed Com 113H

SHL: At a legal location in the SE/4 of Section 5 BHL: 10' FEL & 1650' FSL of Section 3 FTP: 100' FWL & 1650' FSL of Section 4 LTP: 100' FEL & 1650' FSL of Section 3 TVD: 6,160' TMD: Approximately 16,887' Proration Unit: N2S2 of Sections 3 and 4 Targeted Interval: 1st Bone Spring Total Cost: See attached AFE

4. Dundee 4 Fed Com 114H

SHL: At a legal location in the SE/4 of Section 5
BHL: 10' FEL & 330' FSL of Section 3
FTP: 100' FWL & 330' FSL of Section 4
LTP: 100' FEL & 330' FSL of Section 3
TVD: 6,160'
TMD: Approximately 16,887'
Proration Unit: S2S2 of Sections 3 and 4
Targeted Interval: 1st Bone Spring
Total Cost: See attached AFE

5. Dundee 4 Fed Com 121H

SHL: At a legal location in the NE/4NE/4 of Section 5
BHL: 10' FEL & 990' FNL of Section 3
FTP: 100' FWL & 990' FNL of Section 4
LTP: 100' FEL & 990' FNL of Section 3
TVD: 7255'
TMD: Approximately 17982'
Proration Unit: N2N2 of Sections 3 and 4
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

6. Dundee 4 Fed Com 122H

SHL: At a legal location in the NE/4NE/4 of Section 5
BHL: 10' FEL & 2310' FNL of Section 3
FTP: 100' FWL & 2310' FNL of Section 4
LTP: 100' FEL & 2310' FNL of Section 3
TVD: 7255'
TMD: Approximately 17982'
Proration Unit: S2N2 of Sections 3 and 4
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

7. Dundee 4 Fed Com 123H

SHL: At a legal location in the SE/4 of Section 5
BHL: 10' FEL & 1650' FSL of Section 3
FTP: 100' FWL & 1650' FSL of Section 4
LTP: 100' FEL & 1650' FSL of Section 3
TVD: 7,509'
TMD: Approximately 12,794'
Proration Unit: N2S2 of Sections 3 and 4
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

8. Dundee 4 Fed Com 124H

SHL: At a legal location in the SE/4 of Section 5
BHL: 10' FEL & 330' FSL of Section 3
FTP: 100' FWL & 330' FSL of Section 4
LTP: 100' FEL & 330' FSL of Section 3
TVD: 7255'
TMD: Approximately 17982'
Proration Unit: S2S2 of Sections 3 and 4
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

9. Dundee 4 Fed Com 131H

SHL: At a legal location the NE/4NE/4 of Section 5
BHL: 10' FEL & 990' FNL of Section 3
FTP: 100' FWL & 990' FNL of Section 4
LTP: 100' FEL & 990' FNL of Section 3
TVD: 8480'
TMD: Approximately 19207'
Proration Unit: N2N2 of Sections 3 and 4
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

10. Dundee 4 Fed Com 132H

SHL: At a legal location the NE/4NE/4 of Section 5
BHL: 10' FEL & 2,310' FNL of Section 3
FTP: 100' FWL & 2,310' FNL of Section 4
LTP: 100' FEL & 2,310' FNL of Section 3
TVD: 8480'
TMD: Approximately 19207'
Proration Unit: S2N2 of Sections 3 and 4
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

11. Dundee 4 Fed Com 133H

SHL: At a legal location the SE/4 of Section 5
BHL: 10' FEL & 1,650' FSL of Section 3
FTP: 100' FWL & 1,650' FSL of Section 4
LTP: 100' FEL & 1,650' FSL of Section 3
TVD: 8480'
TMD: Approximately 19207'
Proration Unit: N2S2 of Sections 3 and 4
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

12. Dundee 4 Fed Com 134H

SHL: At a legal location in the SE/4 of Section 5
BHL: 10' FEL & 330' FSL of Section 3
FTP: 100' FWL & 330' FSL of Section 4
LTP: 100' FEL & 330' FSL of Section 3
TVD: 8480'
TMD: Approximately 19207'
Proration Unit: S2S2 of Sections 3 and 4
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

13. Dundee 4 Fed Com 201H

SHL: At a legal location in the NE/4NE/4 of Section 5
BHL: 10' FEL & 1,650' FNL of Section 3
FTP: 100' FWL & 1,650' FNL of Section 4
LTP: 100' FEL & 1,650' FNL of Section 3
TVD: 8825'
TMD: Approximately 19552'
Targeted Interval: Wolfcamp XY
Total Cost: See attached AFE

14. Dundee 4 Fed Com 202H

SHL: At a legal location in the SE/4 of Section 5
BHL: 10' FEL & 2,310' FSL of Section 3
FTP: 100' FWL & 2,310' FSL of Section 4
LTP: 100' FEL & 2,310' FSL of Section 3
TVD: 8825'
TMD: Approximately 19552'
Targeted Interval: Wolfcamp XY
Total Cost: See attached AFE

15. Dundee 4 Fed Com 203H

SHL: At a legal location in the SE/4SE/4 of Section 5
BHL: 10' FEL & 990' FSL of Section 3
FTP: 100' FWL & 990' FSL of Section 4
LTP: 100' FEL & 990' FSL of Section 3
TVD: 8825'
TMD: Approximately 19552'
Targeted Interval: Wolfcamp XY
Total Cost: See attached AFE

The locations, TVDs, and targets are approximate and subject to change dependent on surface or subsurface issues encountered. Colgate is proposing to drill these wells under the modified terms of the 1989 AAPL Operating Agreement and a form of said Operating Agreement is available upon request. The Operating Agreement has the following general provisions:

- -100%/300%/300% non-consent provisions
- \$8,000/\$800 drilling and producing rates
- Colgate Operating, LLC named as Operator

Please indicate your election to participate in the drilling and completion of the proposed wells in the space provided below. Please sign and return one copy of this letter, a signed copy of the proposed AFE, a signed copy of the insurance declaration and your geologic well requirements.

In the interest of time, should we not reach an agreement within thirty (30) days of the date of your receipt of this letter, Colgate will apply to the New Mexico Oil Conservation Division for compulsory pooling of your interest into a spacing unit for the proposed well. If you do not wish to participate, Colgate would be interested in acquiring your interest in the subject lands which is subject to further negotiation.

Thank you for your time and consideration, if you have any questions at all, please don't hesitate to contact me at 432.257.3886 or by email at mhajdik@colgateenergy.com.

Respectfully,

Mattlejelik

Mark Hajdik Senior Staff Landman Enclosures

(Plages in diagts	Well Elections: (Please indicate your responses in the spaces below)							
Well(s)	Elect to Participate	Elect to <u>NOT</u> Participate						
Dundee 4 Fed Com 111H								
Dundee 4 Fed Com 112H								
Dundee 4 Fed Com 113H								
Dundee 4 Fed Com 114H								
Dundee 4 Fed Com 121H								
Dundee 4 Fed Com 122H								
Dundee 4 Fed Com 123H								
Dundee 4 Fed Com 124H								
Dundee 4 Fed Com 131H								
Dundee 4 Fed Com 132H								
Dundee 4 Fed Com 133H								
Dundee 4 Fed Com 134H								
Dundee 4 Fed Com 201H								
Dundee 4 Fed Com 202H								
Dundee 4 Fed Com 203H								

Company Name (If Applicable):

By: _____

Printed Name:

Date:

Participate / Rejection Declaration

Please return this page to Colgate by the date specified in the letter, signed indicating your election to either participate in or reject this insurance program. If you reject the insurance coverage arranged by Colgate, then, to the extent that Colgate has an obligation to secure any such insurance on your behalf under any applicable agreements or otherwise, Colgate will be relieved of such obligation, and Colgate will assume that you maintain appropriate levels of insurance and will provide a current Certificate of Insurance upon request. If you fail to make an election within 30 days from receipt of this notice, you will be deemed a participant in the program as detailed on the attached and billed for your percentage participation as such.

- □ I hereby elect to participate in the insurance coverage arranged by Colgate Operating, LLC and understand that I will be charged for such participation.
- □ I hereby elect to reject the insurance coverage arranged by Colgate Operating, LLC.

Agreed this _____ day of _____, 2022 by:

Company Name (If Applicable):

Signature

Printed Name

Title

Colgate Energy 300 N. Marienfeld St., Ste. 1000 Midland, TX 79701 Phone (432) 695-4222 • Fax (432) 695-4063

ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

DATE:	3/3/2022	AFE NO.:	0
WELL NAME:	Dundee 4 Fed Com 202H	FIELD:	Old Millman Ranch; BONE SPRING
LOCATION:	Section 5, Block T20S-R28E	MD/TVD:	19552' MD / 8825' TVD
COUNTY/STATE:	Eddy County, New Mexico	LATERAL LENGTH:	10,400
Colgate WI:		DRILLING DAYS:	21.0
GEOLOGIC TARGET:	WCXY	COMPLETION DAYS:	19

Drill a horizontal WCXY well and complete. AFE includes drilling, completions, flowback and Initial AL install cost REMARKS:

	DRILLING	COMPLETION	PRODUCTION	TOTAL
INTANGIBLE COSTS	COSTS	COSTS	COSTS	COSTS
1 Land / Legal / Regulatory \$	42,500	\$	\$	\$ 42,500
2 Location, Surveys & Damages	207,601	13,000	25,000	245,601
4 Freight / Transportation	34,270	30,250	.,	64,520
5 Rental - Surface Equipment	93,261	153,700	13,060	260,021
6 Rental - Downhole Equipment	147,810	26,250		174,060
7 Rental - Living Quarters	35,745	43,450		79,195
10 Directional Drilling, Surveys	322,288			322,288
11 Drilling	566,837			566,837
12 Drill Bits	72,080			72,080
13 Fuel & Power	142,742	300,000		442,742
14 Cementing & Float Equip	149,460			149,460
15 Completion Unit, Swab, CTU			24,000	
16 Perforating, Wireline, Slickline	-	292,525	28,000	320,525
17 High Pressure Pump Truck	-	46,000	18,000	64,000
18 Completion Unit, Swab, CTU	-	75,950		75,950
20 Mud Circulation System	79,486			79,486
21 Mud Logging	16,236			16,236
22 Logging / Formation Evaluation	7,419	6,000		13,419
23 Mud & Chemicals	264,957	316,753		581,709
24 Water	31,270	487,976		519,246
25 Stimulation	-	562,286		562,286
26 Stimulation Flowback & Disp	-	102,125		102,125
28 Mud / Wastewater Disposal	138,945 93,190	44,000	4.800	182,945
30 Rig Supervision / Engineering		102,075	4,800	200,065
32 Drlg & Completion Overhead 34 Vacuum Truck	7,875		2,000	7,875
35 Labor	103,986	50,000	2,000	173,986
55 Labor 54 Proppant	105,966	1.029,600	20,000	1/3,986
95 Insurance	10,363	1,029,000		10,363
97 Contingency	10,505	16,869		16,869
99 Plugging & Abandonment		10,007		10,005
TOTAL INTANGIBLES >	2,568,320	3,698,808	134.860	6,375,988
TOTAL INTANGIBLES >	2,508,520	3,098,808	134,800	0,3/3,988
TANGIBLE COSTS	DRILLING COSTS	COMPLETION COSTS	PRODUCTION COSTS	TOTAL COSTS
60 Surface Casing \$	COSTS 18,835			COSTS \$ 18,835
60 Surface Casing \$ 61 Intermediate Casing	COSTS			COSTS \$ 18,835
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner	COSTS 18,835 123,096			COSTS \$ 18,835 123,096 -
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing	COSTS 18,835			COSTS \$ 18,835 123,096 -
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Liner	COSTS 18,835 123,096		COSTS	COSTS \$ 18,835 123,096 - - 485,741 -
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Liner 65 Tubing 51 Tubing	COSTS 18,835 123,096 - 485,741 - -		COSTS	COSTS \$ 18,835 123,096 - 485,741 - 85,500
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Liner 65 Tubing 66 Wellhead	COSTS 18,835 123,096 - - 485,741 - - 46,640		COSTS	COSTS \$ 18,835 123,096 - - - - - - - - - - - - -
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Liner 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers	COSTS 18,835 123,096 - 485,741 - -		COSTS	COSTS \$ 18,835 123,096 - - - - - - - - - - - - -
60 Surface Casing \$ 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 68 Tanks 5	COSTS 18,835 123,096 		COSTS	COSTS \$ 18,835 123,096
60 Surface Casing \$ 61 Intermediate Casing \$ 63 Intermediate Casing 6 63 Production Casing 6 64 Production Liner 6 65 Tubing 6 66 Wellhead 67 Packers, Liner Hangers 6 86 Tanks 6 06 Production Vessels 6	COSTS 18,835 123,096 - - 485,741 - - 46,640		COSTS	COSTS \$ 18,835 123,096 - 485,741 - - - - - - - - - - - - -
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 6 64 Production Liner 65 Tubing 6 66 Wellhead 6 76 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 5	COSTS 18,835 123,096 - - - - 46,640 10,600 - - - - - - - - - - - - -		COSTS	COSTS \$ 18,835 123,096 - 485,741 - - - - - - - - - - - - -
60 Surface Casing \$ 61 Intermediate Casing 6 20 Drilling Liner 6 63 Production Casing 6 64 Production Liner 6 65 Tubing 6 66 Wellhead 6 76 Packers, Liner Hangers 6 86 Tanks 6 96 Production Vessels 7 0 Flow Lines 7 1 Rod string 5	COSTS 18,835 123,096 		COSTS	COSTS \$ 18,835 123,096 - - - - - - - - - - - - -
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 6 44 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 How Lines 71 Rod string 72 Artificial Lift Equipment	COSTS 18,835 123,096 - - - - 46,640 10,600 - - - - - - - - - - - - -		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 64 Production Liner 65 Tubing 6 66 Wellhead 6 77 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor	COSTS 18,835 13,096 485,741 405,741		COSTS	COSTS \$ 18,835 123,096
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 6 63 Production Casing 6 64 Production Liner 6 65 Tubing 6 66 Wellhead 6 76 Packers, Liner Hangers 6 66 Tanks 6 69 Production Vessels 7 10 How Lines 7 17 Rod string 7 27 Artificial Lift Equipment 7 37 Compressor 7 24 Installation Costs	COSTS 18,835 123,096 - - - - 46,640 10,600 - - - - - - - - - - - - -		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 6 64 Production Liner 65 Tubing 66 Wellhead 6 76 Packers, Liner Hangers 68 Tanks 69 Production Vessels 71 How Lines 71 Kod string 72 Artificial Lift Equipment 73 Compressor 74 Installation Costs 75 Surface Pumps	COSTS 18,835 13,096 485,741 405,741		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 64 Production Casing 64 Production Liner 65 Tubing 66 Wellhead 6 7 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 74 Installation Costs 75 Surface Pumps 76 Downhole Pumps 76 Downhole Pumps 76 Downhole Pumps 75 Surface Pumps 76 Downhole Pumps 77 D	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 6 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 How Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 74 Installation Costs 75 Surface Pumps 76 Downhole Pumps 76 Measurement & Meter Installation	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing 5 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Casing 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 74 Installation Costs 75 Surface Pumps 70 Downhole Pumps 70 Gas Conditioning/ Dehydration	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096
60 Surface Casing 5 61 Intermediate Casing 62 Drilling Liner 63 Production Casing 64 Production Casing 64 Production Casing 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 66 Value 66 Value 71 Advance 71 Flow Lines 71 Flow Lines 71 Flow Lines 71 Flow Lines 71 Scompressor 74 Installation Costs 75 Surface Pumps 77 Measurement & Meter Installation 78 Gas Conditioning/ Dehydration 79 Interconnecting Facility Piping	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096
60 Surface Casing \$ 61 Intermediate Casing 6 62 Drilling Liner 63 Production Casing 6 64 Production Liner 65 Tubing 66 Wellhead 67 Packers, Liner Hangers 66 Valkers, Liner Hangers 68 Tanks 60 Production Vessels 70 How Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 74 Installation Costs 75 Surface Pumps 76 Downhole Pumps 77 Measurement & Meter Installation 78 Gas Conditioning / Dehydration 79 Interconnecting Facility Piping 80 Gathering / Bulk Lines	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096
60 Surface Casing \$ 61 Intermediate Casing 6 61 Intermediate Casing 6 62 Drilling Liner 6 63 Production Casing 6 64 Production Casing 6 64 Production Liner 6 65 Tubing 6 66 Wellhead 6 76 Packers, Liner Hangers 6 68 Tanks 6 96 Production Vessels 7 07 How Lines 7 17 Rod string 7 27 Artificial Lift Equipment 7 37 Compressor 7 37 Installation Costs 7 35 Surface Pumps 7 37 Measurement & Meter Installation 7 39 Interconnecting Facility Piping 80 Gathering / Bulk Lines 8 17 Valves, Journes, Controllers	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835
60 Surface Casing \$ 61 Intermediate Casing 62 62 Drilling Liner 63 63 Production Casing 64 64 Production Liner 65 65 Tables 64 66 Wellhead 67 67 Packers, Liner Hangers 68 68 Tanks 69 69 Production Vessels 71 71 Rod string 72 72 Artificial Lift Equipment 73 73 Compressor 74 74 Installation Costs 75 75 Surface Pumps 76 76 Insconditioning / Dehydration 79 79 Interconnecting Facility Priping 80 80 Gathering / Bulk Lines 81 <valves, controllers<="" dumps,="" td=""> 81 Tank / Facility Containment 81</valves,>	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096 485,741
60 Surface Casing \$ 61 Intermediate Casing 61 Intermediate Casing 61 Drilling Liner 63 Production Casing 64 Production Casing 64 64 Production Liner 65 65 Tubing 66 Wellhead 66 Vellhead 67 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 73 Interson 75 Surface Pumps 76 Gas Conditioning/ Dehydration 77 Measurement & Meter Installation 78 Gas Conditioning/ Dehydration 79 Interconnecting Facility Piping 80 Gathering / Bulk Lines 81 Valves, Dumps, Controllers 82 Tank / Facility Containment 82 Fare Stack	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096
60 Surface Casing \$ 61 Intermediate Casing 62 62 Drilling Liner 63 63 Production Casing 64 64 Production Casing 64 64 Production Liner 65 65 Tubing 66 66 Wellbead 67 67 Packers, Liner Hangers 68 68 Tanks 69 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compresor 74 Installation Costs 75 Surface Pumps 70 Downhole Pumps 77 Measurement & Meter Installation 79 79 Interconnecting Facility Piping 80 Gathering / Bulk Lines 81 Valves, Dumps, Controllers 82 82 Tank / Facility Containment 83 Flare Stack 84 Electrical / Goounding 14	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096 123,096 123,096 123,096 18,100 85,5741
60 Surface Casing \$ 61 Intermediate Casing 62 61 Intermediate Casing 64 62 Drilling Liner 63 64 Production Liner 65 65 Production Liner 65 65 Tackers, Liner Hangers 68 66 Vealution Vessels 70 71 Rod string 72 72 Artificial Lift Equipment 73 73 Compressor 74 74 Installation Costs 75 75 Surface Fumps 70 70 Measurement & Meter Installation 78 79 Interconnecting Facility Piping 80 80 Cathering / Bulk Lines 81 81 Valves, Dumps, Controllers 82 82 Tank / Facility Containment 88 84 Electrical / Grounding 84 Electrical / Grounding 85 Communications / SCADA 84	COSTS 18,835 13,096 485,741 455,741		COSTS	COSTS 5 18,835 123,096 123,096 123,096 123,096 18,100 85,5741
60 Surface Casing \$ 61 Intermediate Casing 61 Drilling Liner 63 Production Casing 64 Production Liner 65 Tubing 66 Wellhead 66 Wellhead 67 Packers, Liner Hangers 68 Tanks 69 Production Vessels 70 Flow Lines 71 Rod string 72 Artificial Lift Equipment 73 Compressor 73 Indialitift Equipment 75 Surface Pumps 75 Surface Pumps 76 Gas Conditioning / Dehydration 79 Interconnecting Facility Piping 80 Gathering / Balk Lines 80 Flares 81 Flares 81 Flares 82 Flarek (Ack 84 Electrical / Grounding 84 Electrical / Grounding 85 Communications / SCADA 86 Instrumentation / Safety	COSTS 18,835 123,096	COSTS	COSTS	COSTS 5 18,835 125,096
60 Surface Casing \$ 61 Intermediate Casing 62 61 Intermediate Casing 64 62 Drilling Liner 63 64 Production Liner 65 65 Production Liner 65 65 Tackers, Liner Hangers 68 66 Vealution Vessels 70 71 Rod string 72 72 Artificial Lift Equipment 73 73 Compressor 74 74 Installation Costs 75 75 Surface Fumps 70 70 Measurement & Meter Installation 78 79 Interconnecting Facility Piping 80 80 Cathering / Bulk Lines 81 81 Valves, Dumps, Controllers 82 82 Tank / Facility Containment 88 84 Electrical / Grounding 84 Electrical / Grounding 85 Communications / SCADA 84	COSTS 18,835 13,096 485,741 405,741		COSTS	COSTS 5 18,835 123,096 485,741

PREPARED BY Colgate Energy: Drilling Engineer: SS/RM/PS Completions Engineer: BA/ML Production Engineer: Levi Harris Colgate Energy APPROVAL: Co-CEO Co-CEO VP - Operations VP - Land & Legal VP - Geosciences BG SO NON OPERATING PARTNER APPROVAL: Company Name: Working Interest (%): Tax ID: Signed by: Date: Approval: Yes No (mark one) Title: r the AFE may be delayed up to a year nt, regulatory order or other account executing this AFE, the Participant agrees to pa

Dundee 4 Communication Timeline

March 2022 – Initial proposals sent for the Dundee 4 Wells

March-Present 2022 – The following actions were taken for Estate of Don Hoffman and T E Ray Resources:

- From March to present non deliverable proposals were resent to additional addresses
- Colgate utilized a number of resources to locate parties or new addresses
 - o Researched online and county records
 - Utilized idiCore which is a subscription based online investigative search tool to locate last known addresses and other information about parties
 - Searched obituaries to identify possible heirs to send notice to
 - Searched Secretary of State website for details regarding entities that had bad delivery or were not locatable

March 2022 – Rubin and Mordka elected to non consent the proposals. Neitzel and AGS Resources 2007 elected to participate and appears to intend to participate under the orders.

March-May 2022 – Exchanged correspondence with Kirk & Sweeney via email and they plan to participate pursuant to the orders closer to actual spud. Exchanged email and telephone conversations with various parties including Locker and Kennedy. Did not receive a final election or enter into JOA negotiations from several of the parties communicated with.

June 2022 – Negotiated JOA and finalized execution of JOA covering all spacing units with COG.

March 2022 to present – Several parties have not responded to the proposals that were received and two parties were completely unlocatable necessitating compulsory pooling.

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

APPLICATION OF COLGATE OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 22824

SELF-AFFIRMED STATEMENT OF DAVID DAGIAN

1. I am a geologist at Colgate Operating, LLC ("Colgate") and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division ("Division"), and my credentials as an expert in petroleum geology matters were accepted and made a matter of record.

2. I am familiar with the geological matters that pertain to the above-referenced case.

3. **Exhibit B-1** is a regional locator map that identifies the Dundee project area, in proximity to the Capitan Reef within the Delaware Basin, for the Wolfcamp horizontal spacing units that are the subject of these applications.

4. **Exhibit B-2** is a cross section location map for the proposed horizontal spacing unit ("Unit") within the Wolfcamp formation. The approximate wellbore path for the proposed Dundee 4 Fed Com 202H well ("Well") is represented by dashed lines. Existing producing wells in the targeted interval are represented by solid lines. This map identifies the cross-section running from A-A' with the cross-section wells name and a black line in proximity to the proposed well.

5. **Exhibit B-3** is a Wolfcamp Structure map on the top of the Wolfcamp formation in TVD subsea with a contour interval of 50 ft. The map identifies the approximate wellbore path for the Dundee 4 Fed Com 202H proposed Well with a purple dashed line. It also identifies the

> Colgate Operating, LLC Case No. 22824 Exhibit B

1

location of the cross-section running from A-A' in proximity to the proposed well. The data points are indicated by red triangles. The map demonstrates the formation is gently dipping to the east-southeast in this area. I do not observe any faulting, pinch-outs, or geologic impediments to developing the targeted intervals with horizontal wells.

6. **Exhibit B-4** identifies three wells penetrating the targeted interval I used to construct a structural cross-section from A to A'. The structural cross section from west to east shows the regional dip to the East-Southeast for the Wolfcamp Well. I used these well logs because they penetrate the targeted interval, are of good quality, and are representative of the geology in the area. The target zones for the proposed Well is the Wolfcamp formation, which is consistent across the units. The approximate well-path for the proposed Well is indicated by dashed lines to be drilled from west to east across the units.

7. **Exhibit B-5** is a stratigraphic cross-section from A to A' using the representative wells identified on **Exhibit B-4**. It contains gamma ray, resistivity, and porosity logs. The cross section is oriented from west to east and is hung on the top of the Wolfcamp formation. The proposed landing zone for the Well is labeled on the exhibit. The approximate well-path for the proposed well is indicated by dashed lines to be drilled from west to east across the units. This cross-section demonstrates the target interval is continuous across the Unit.

8. **Exhibit B-6** is a gun barrel diagram that shows the Dundee 4 Fed Com 202H well in the Wolfcamp formation.

9. In my opinion, a laydown orientation for the Well is appropriate to properly develop the subject acreage because of consistent rock properties throughout the Unit and is the preferred fracture orientation in this portion of the trend.

2

Based on my geologic study of the area, the targeted interval underlying the Unit is 10. suitable for development by horizontal wells and the tracts comprising the Unit will contribute more or less equally to the production of the Well.

In my opinion, the granting of Colgate's application will serve the interests of 11. conservation, the protection of correlative rights, and the prevention of waste.

The exhibits attached hereto were either prepared by me or under my supervision 12. or were compiled from company business records.

I understand this Self-Affirmed Statement will be used as written testimony in this 13. case. I affirm my testimony in paragraphs 1 through 12 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date identified next to my signature below.

il M

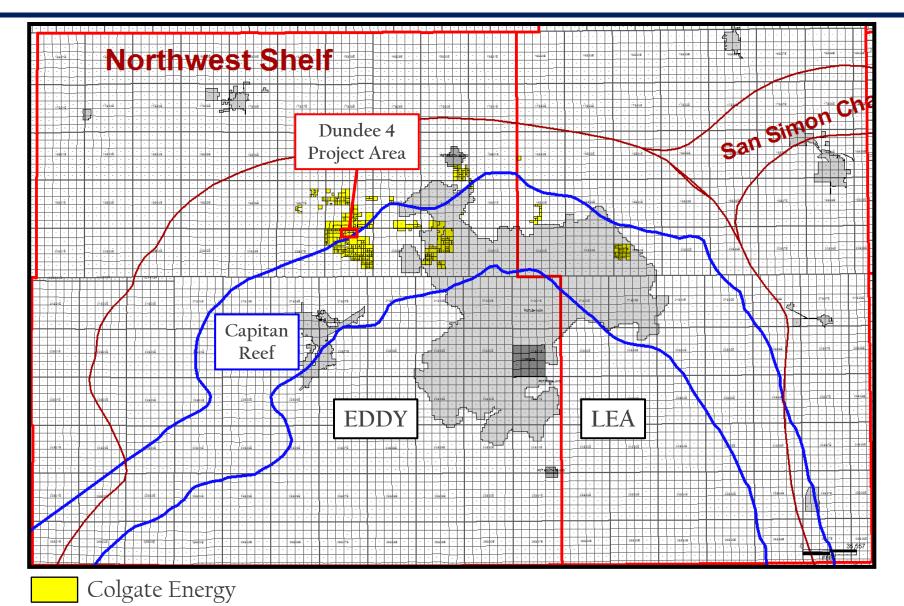
David DaGian

5/25/22 Date

Regiona PEo Zator Map^{PM} Dundee 4 Fed Com







2

Croise Section Dundee 4 Fed Com 202H

Colgate Operating, LLC Case No. 22824 Exhibit B-2





Proposed Wells

BHL

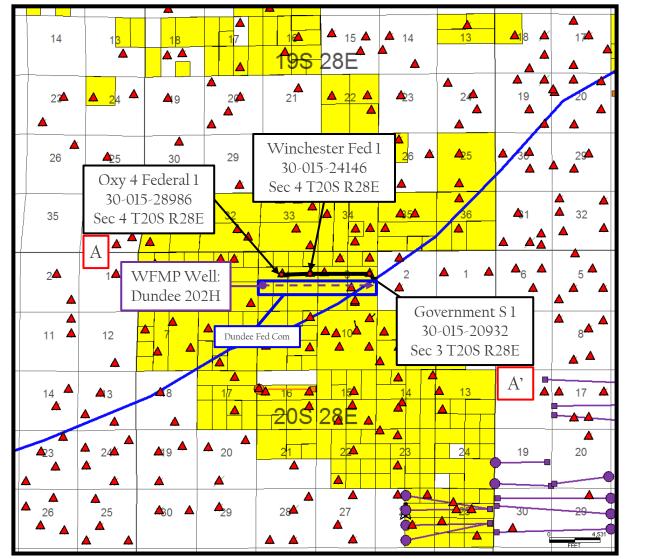
SHL

WFMP

Producing Wells

WFMP

BHL



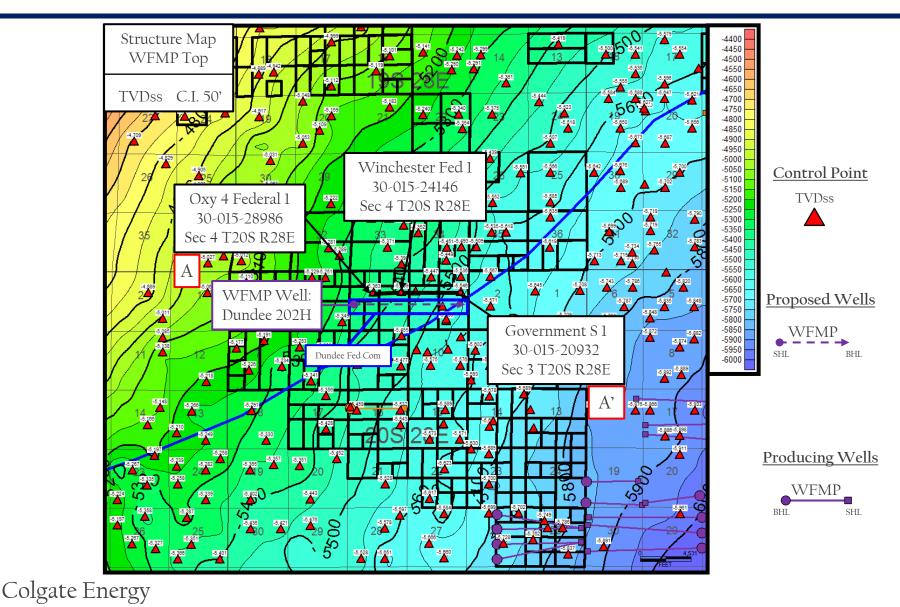
Colgate Energy

3.

Wolfdang ^{7/5/}Structure Map Dundee 4 Fed Com 202H



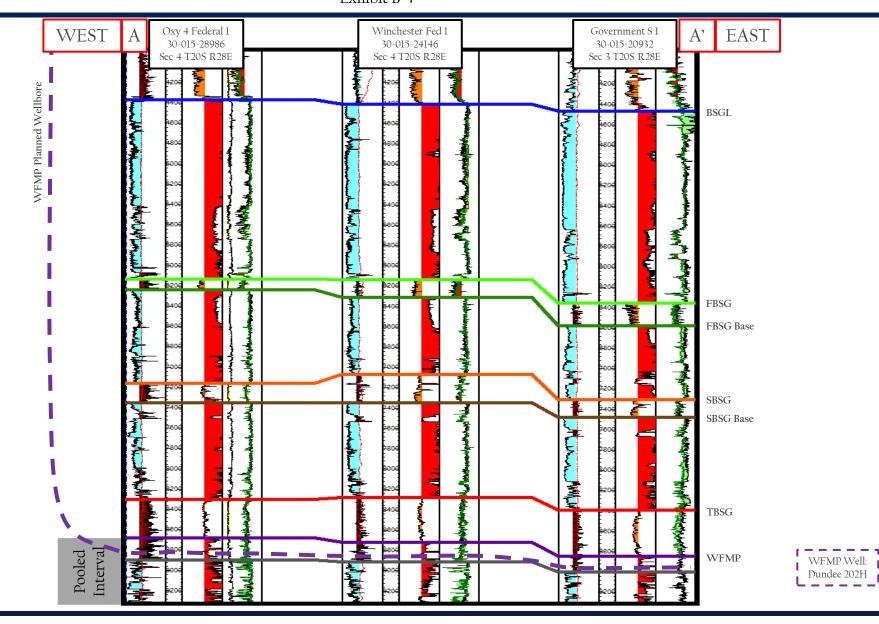




Structural: Cross: Section A-A' Dundee 4 Fed Com 202H

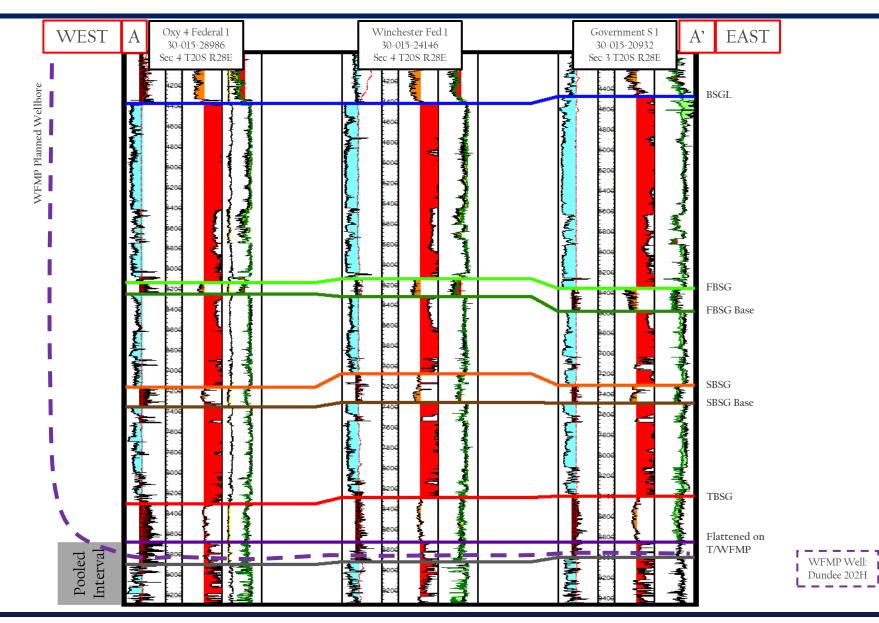






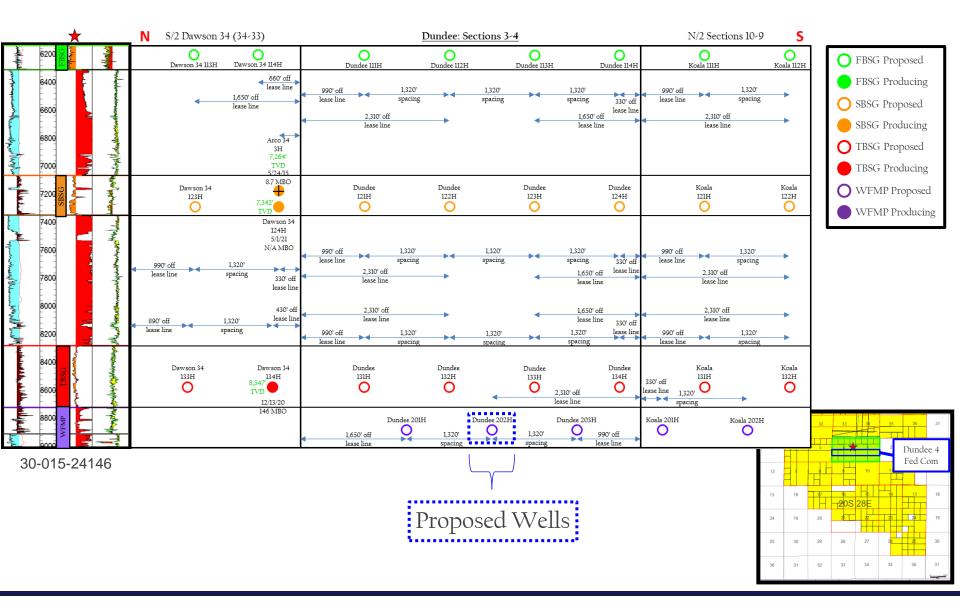
Stratigraphic Cross-Section A-A' Dundee 4 Fed Com 202H











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

APPLICATIONS OF COLGATE OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 22824

SELF-AFFIRMED STATEMENT OF DANA S. HARDY

1. I am attorney in fact and authorized representative of Colgate Operating LLC, the Applicant herein.

2. I am familiar with the Notice Letters attached as **Exhibit C-1** and caused the Notice Letters to be sent to the parties set out in the chart attached as **Exhibit C-2**.

3. The above-referenced Application was provided, along with the Notice Letters, to the recipients listed in Exhibit C-2.

4. Exhibit C-2 also provides the date each Notice Letter was sent and the date each return was received.

5. Copies of the certified mail green cards and white slips are attached as Exhibit C-3 as supporting documentation for proof of mailing and the information provided on Exhibit C-2.

6. On May 18, 2022, I caused a notice to be published to all interested parties in the Carlsbad Current Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad Current Argus, along with a copy of the notice publication, is attached as **Exhibit C-4**.

<u>/s/ Dana S. Hardy</u> Dana S. Hardy July 2, 2022 Date

HINKLE SHANOR LLP

ATTORNEYS AT LAW PO BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623

May 12, 2022

WRITER:

Dana S. Hardy, Partner dhardy@hinklelawfirm.com

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO ALL PARTIES ENTITLED TO NOTICE

Re: Case No. 22824 – Applications of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.

To whom it may concern:

This letter is to advise you that the enclosed application was filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **June 2, 2022** beginning at 8:15 a.m.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <u>https://www.emnrd.nm.gov/ocd/hearing-info/</u>. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement must be filed at the Division's Santa Fe office or submitted through the OCD E-Permitting system (https://wwwapps.emnrd.state.nm.us/ocd/ocdpermitting/) and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

Please do not hesitate to contact Mark Hadjik at 432-257-3886 if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Colgate Operating, LLC Case No. 22824 Exhibit C-1

PO BOX 10 ROSWELL, NEW MEXICO 88202 575-622-6510 (FAX) 575-623-9332 Released to Imaging: 7/5/2022 2:17:31 PM

Enclosure

PO BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623 7501 JEFFERSON ST NE • SUITE 180 ALBUQUERQUE, NEW MEXICO 87109 505-858-8320 (FAX) 505-858-8321



HINKLE SHANOR LLP

ATTORNEYS AT LAW PO BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623

May 12, 2022

WRITER:

Dana S. Hardy, Partner dhardy@hinklelawfirm.com

<u>VIA CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

TO OVERRIDING ROYALTY INTEREST OWNERS SUBJECT TO NOTICE

Re: Case Nos. 22824, 22825, 22826, 22827, 22828, 22829, 22830, 22831, 22834 – Applications of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.

To whom it may concern:

This letter is to advise you that the enclosed application was filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **June 2, 2022** beginning at 8:15 a.m.

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Please do not hesitate to contact Mark Hadjik at 432-257-3886 if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

PO BOX 10 ROSWELL, NEW MEXICO 88202 575-622-6510 (FAX) 575-623-9332 Released to Imaging: 7/5/2022 2:17:31 PM

PO BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623 7601 JEFFERSON ST NE • SUITE 180 ALBUQUERQUE, NEW MEXICO 87109 505-858-8320 (FAX) 505-858-8321

APPLICATION OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case No. 22824

NOTICE LETTERS

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
COG Operating LLC	05/13/22	05/25/22
600 W Illinois Ave		
Midland, TX 79701		

Colgate Operating, LLC Case No. 22824 Exhibit C-2

APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
Adventure Exploration L.P.	05/13/22	Per USPS Tracking:
P.O. Box 11354		
Midland, TX 79702		In Transit to Next
		Facility as of 05/21/22.
Pete Balog, Trustee of the Balog	05/13/22	05/20/22
Family Trust dated August 15,		
2002		
25812 South Danford Dr		
Sun Lake, AZ 85248		
John P. Conn and Eileen C. Knecht	05/13/22	05/25/22
19764 Lexington Dr		
Biloxi, MS 39532		
Shelley Schutz Dominguez	05/13/22	05/25/22
725 Live Oak		
El Paso, TX 79932	05/12/22	0.01/22
Energy Properties Limited, L.P.	05/13/22	06/01/22
PO Box 51408		
Casper, WY 82605 FFF, Inc.	05/13/22	Per USPS Tracking:
2307 Stagecoach Dr	03/13/22	Fel USFS Hacking.
Las Cruces, NM 88011		Delivered, left with an
Las Cruces, INVI 86011		individual on 05/16/22.
Frannifin Minerals, LLC	05/13/22	05/20/22
PO Box 13128	00/10/22	03/20/22
Las Cruces, NM 88013		
Natalie V. Hanagan	05/13/22	06/07/22
1922 18th Ave West		
Williston, ND 58801		
Robert W. Hanagan	05/13/22	06/01/22
PO Box 750		
Big Horn, WY 82833		
Michael D. Hayes and Kathryn A.	05/13/22	05/18/22
Hayes, as Co-Trustees of the Hayes		
Revocable Trust		
3608 Meadowridge Lane		
Midland, TX 79707		

APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

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05/13/22	05/25/22
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05/12/22	individual on 05/20/22. 05/25/22
05/15/22	05/25/22
05/13/22	05/31/22 Return to
03/13/22	sender. Vacant.
	sondor. v dount.
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APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

Stephen T. Mitchell 6212 Homestead Blvd Midland, TX 79707	05/13/22	06/02/22
Monarch Oil and Gas Inc. PO Box 1473 Roswell, NM 88202	05/13/22	05/18/22
Robin L. Morgan 135 Cottonwood Rd Artesia, NM 88210	05/13/22	05/18/22
Motowi, LLC 2307 Stagecoach Dr Las Cruces, NM 88011	05/13/22	Per USPS Tracking: Delivered, left with an individual on 05/16/22.
Mark B. Murphy, Trustee of the Mark B. Murphy Irrevocable Trust under Trust Agreement dated December 11, 2012 PO Drawer 1030 Roswell, NM 88202	05/13/22	05/18/22
Susan S. Murphy, Trustee of the Susan S. Murphy Marital Trust under Trust Agreement dated November 15, 2012 706 Brazos St. Roswell, NM 88201	05/13/22	05/18/22
Nuevo Seis, Limited Partnership PO Box 2588 Roswell, NM 82202	05/13/22	05/20/22
OGI, Inc. PO Box 5686 Pagosa Springs, CO 81147	05/13/22	05/25/22
PDIII Exploration, LTD. P.O. Box 871 Midland, Texas 79702	05/13/22	05/25/22
Paul Davis, Ltd. P.O. Box 871 Midland, TX 79702	05/13/22	05/25/22

APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

Qualia Interests, LLC PO Box 991	05/13/22	05/25/22
Midland, TX 79702		
ROEC, Inc	05/13/22	06/01/22 Return rec'd
528 Corona St.		
Denver, CO 80209		06/28/22 Return to
		Sender Rec'd – not at
		this address
Realtimezone, Inc.	05/13/22	05/20/22
PO Box 1834		
Roswell, NM 88202		
S & E Royalty, LLC	05/13/22	06/01/22
8470 West 4th Ave		
Lakewood, CO 80226		
Michelle R. (Hannifin) Sandoval	05/13/22	Per USPS Tracking:
PO Box 131570		
Carlsbad, CA 92013		In Transit to Next
		Facility as of 05/20/22.
Scott Exploration, Inc.	05/13/22	05/20/22
PO Box 1834		
Roswell, NM 88202		
Harold Scott	05/13/22	05/20/22
12025 N 1878 Rd		
Sayre, OK 73662-7601		
Robin K. Shackelford	05/13/22	Per USPS Tracking:
108 Paradise Canyon		
Ruidoso, NM 88345		Delivered, left with an
		individual on 05/16/22.
Sam L. Shackelford	05/13/22	05/25/22
1096 Mechem Dr.		
Ruidoso, NM 88211		
Elizabeth Sherman Shelton, as	05/13/22	06/16/22
Trustee of the Prescott A. Sherman		Return to sender.
Grandchildren's Trust for the		Unclaimed.
benefit of Amy Shelton Murrell		
315 N Orchard Ln		
Covington, LA 70433		

APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

Elizabeth Sherman Shelton, as	05/13/22	06/16/22
Trustee of the Prescott A. Sherman Grandchildren's Trust for the		Return to sender.
benefit of Cristina Elizabeth		Unclaimed.
Shelton		o neturnica.
315 N Orchard Ln		
Covington, LA 70433		
Stelaron, Inc.	05/13/22	06/01/22
P.O. Box 7787		
Amarillo, Texas 79114		
Stephens Enterprises	05/13/22	05/20/22
1001 Saunders Dr, Roswell		
NM, 88201-1042		
Doris R. Stinson	05/13/22	06/21/22
30 SKP Ranch RD 33		Return to sender.
Lakewood, NM, 88254		
Tar Creek, LLC	05/13/22	05/25/22
2217 Cardinal Road		
Ardmore, OK 73401		
John Kyle Thoma, Trustee of the	05/13/22	06/02/22
Cornerstone Family Trust		
PO Box 558		
Peyton, Colorado 80831		
Sandra Thoma	05/13/22	06/15/22
789 West Hells Gate		Return to sender.
Strawn, TX 76475		
Trinity Royalty Holdings I LP	05/13/22	Per USPS Tracking:
1330 Post Oak Blvd Ste 1888		
Houston, TX 77056		Delivered, left with an
		individual on 05/17/22.
Valorie F. Walker, Trustee of the	05/13/22	06/10/22
Jack V. Walker Revocable Trust		Return to sender.
under Trust Agreement dated May		
21, 1981		
4151 Woronzof Dr.		
Anchorage, AK 99517		

APPLICATIONS OF COLGATE OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

Case Nos. 22824-22831, & 22834

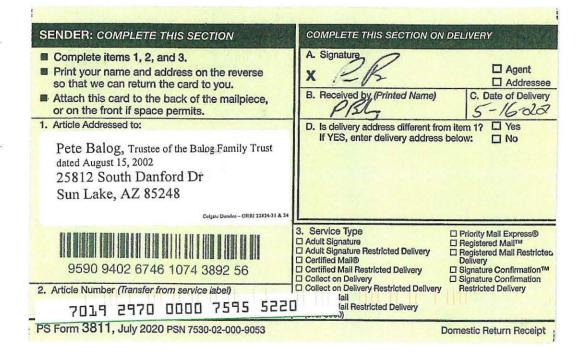
Wambaugh Exploration LLC 4747 RESEARCH FOREST DR	05/13/22	Per USPS Tracking:
STE 410 THE WOODLANDS, TX 77381-		Delivered, left with an individual on 05/17/22.
4903		

8657	Domestic Mail Only For delivery information, visit our website at www.usps.com*.
	OFFICIAL
02E0	S Extra Services & Fees (check box, add ise as appropriate)
2000	
0350	Postage \$ Total Postage and Fees
7021	COG Operating LLC 600 W Illinois Ave Midland, TX 79701 Colgate Dundee - 22824

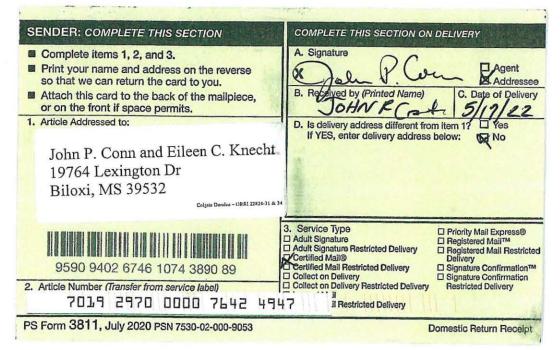


Colgate Operating, LLC Case No. 22824 Exhibit C-3

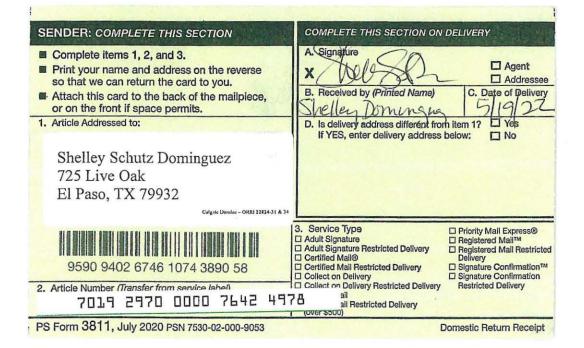




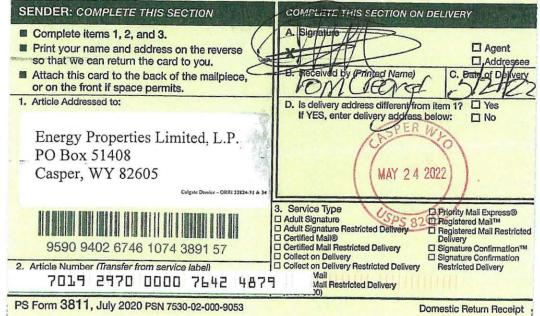




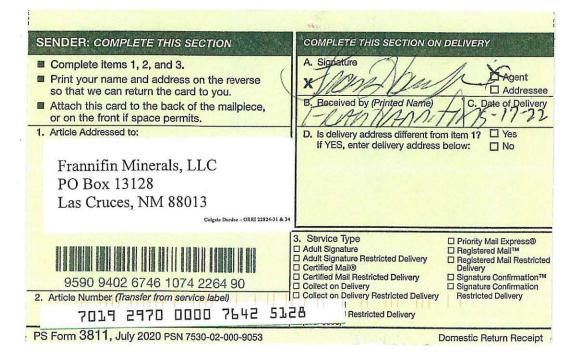






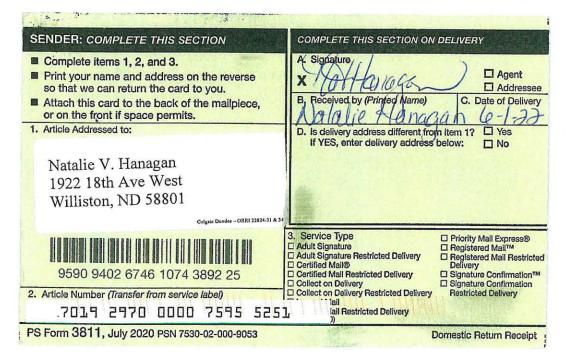


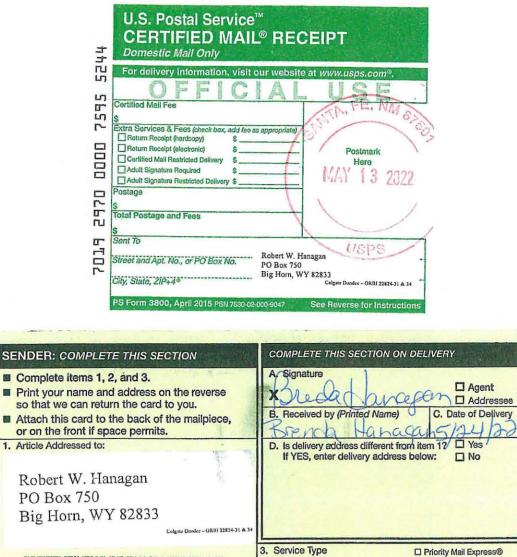




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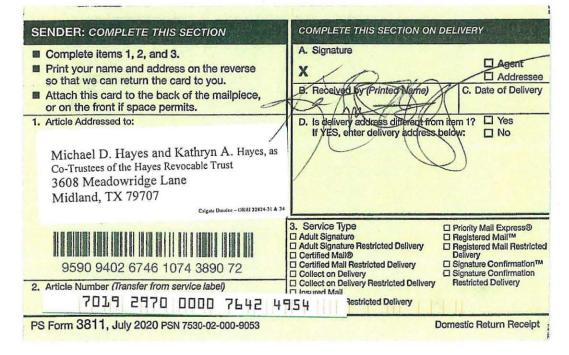




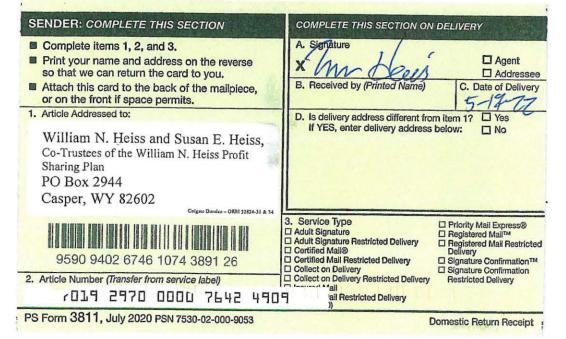


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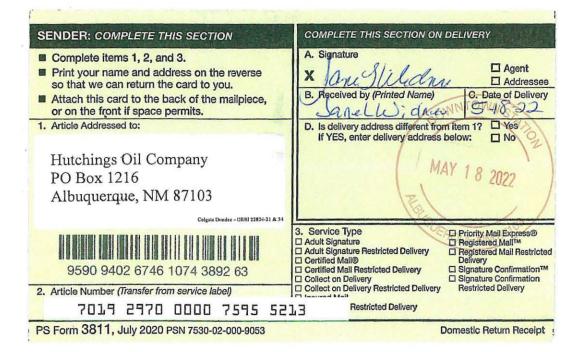
















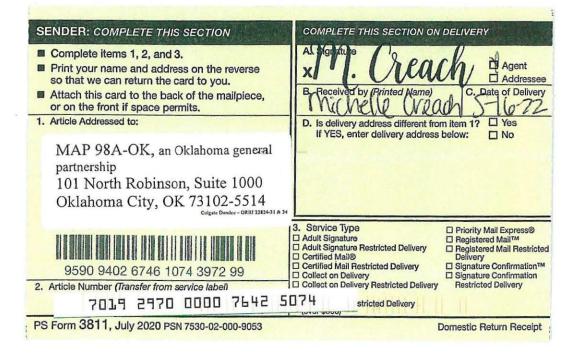


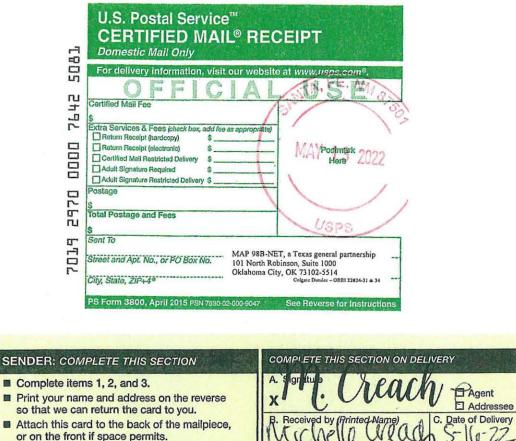














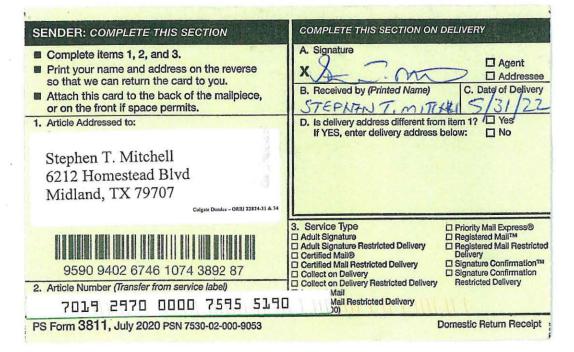






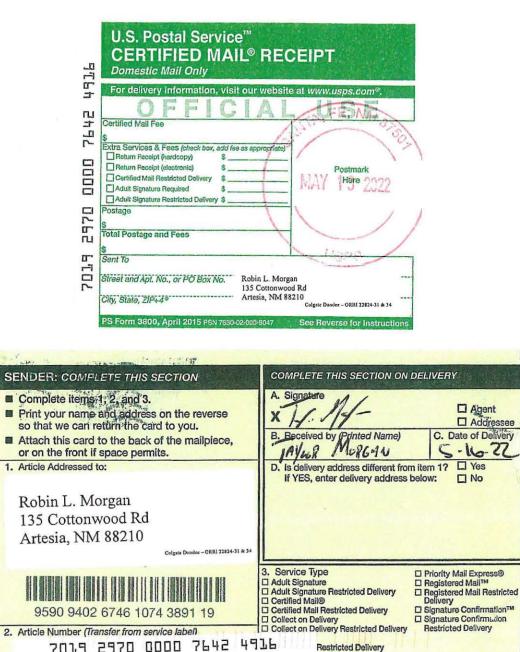










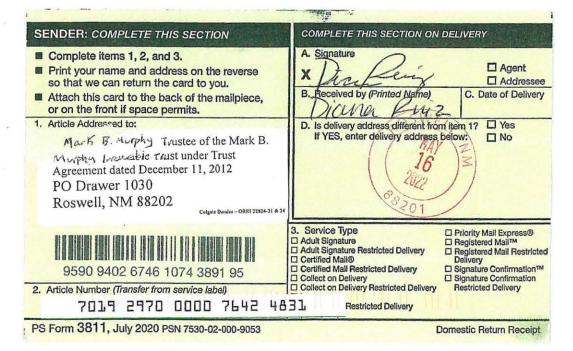


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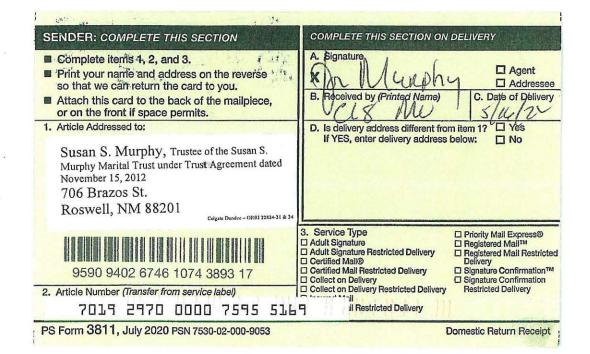
Domestic Return Receipt

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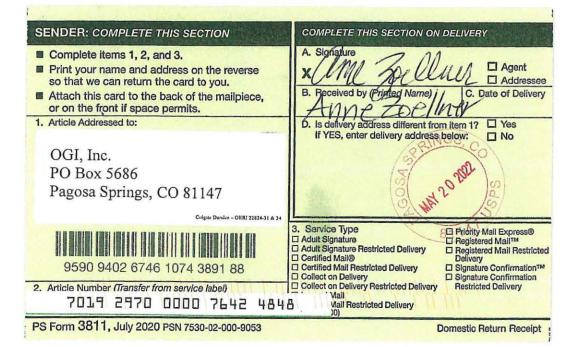
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	15, 2012
~	706 Brazos St. City, State, ZIP+4 [®] Roswell, NM 88201
	City, State, ZIP+4 [®] Roswell, NM 88201 Colgate Dundee - ORRI 22824-31 & 34
	PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions









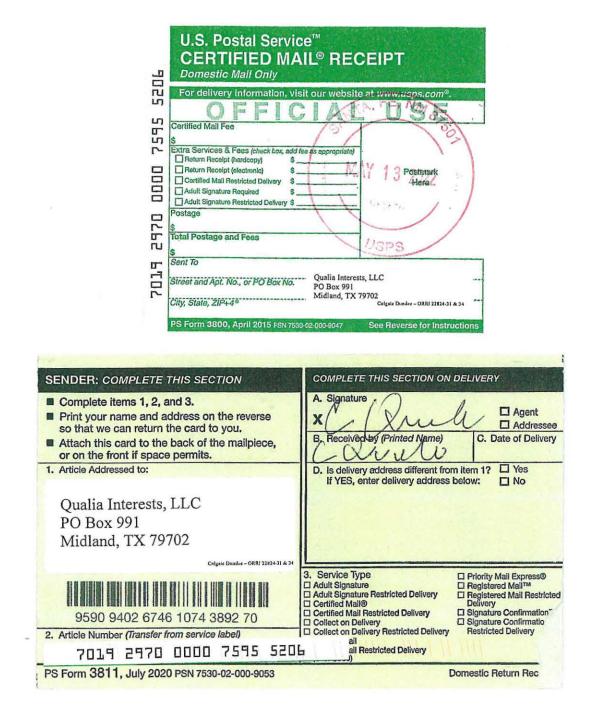


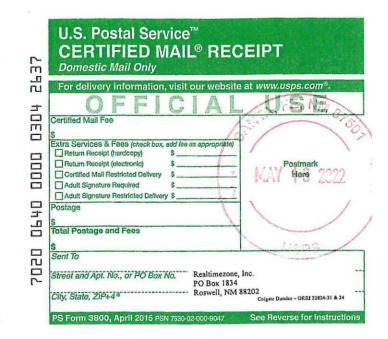


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: PDIII Exploration, LTD. P.O. Box 871 Midland, Texas 79702 	A. Signature X. J. J. Z. M. B. Received by (Printed Name) <u>Jaul L. Guisson</u> D. Is delivery address different from If YES, enter delivery address	
9590 9402 6746 1074 3973 50	3. Service Type Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery	Priority Mail Express® Registered Mail ^{™M} Registered Mail Restricter Delivery Signature Confirmation ^{™M}



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION OF	DELIVERY
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: 	A. Signature X. M. Z. M. B. Received by (Printed Name) <u>Paul L. Advis</u> 44 D. Is delivery address different fro If YES, enter delivery address	
Paul Davis, Ltd. P.O. Box 871 Midland, TX 79702		
Colgsie Dundee - ORRI 22824-31 & 34		- ale and a second
9590 9402 6746 1074 3973 43 2. Article Number (Transfer from service label) 7019 2970 0000 7642 501	3. Service Type Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Restricted Delivery all Restricted Delivery	 Priority Mail Express® Registered MailTM Registered Mail Restricted Delivery Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt















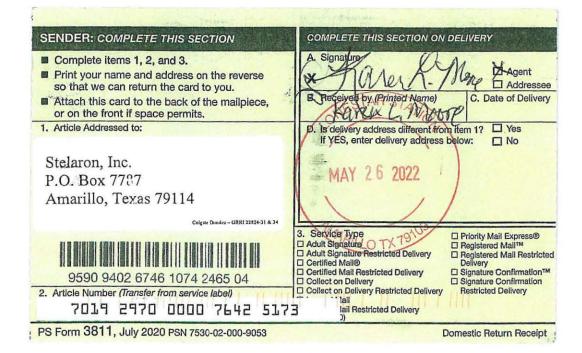




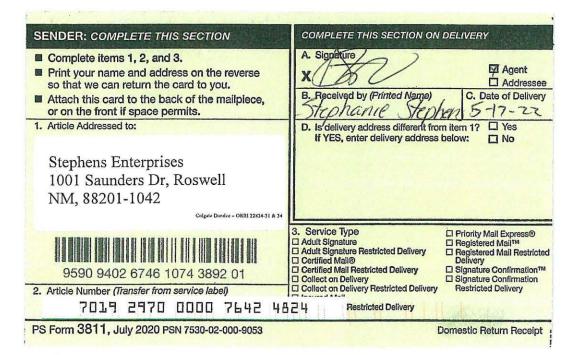




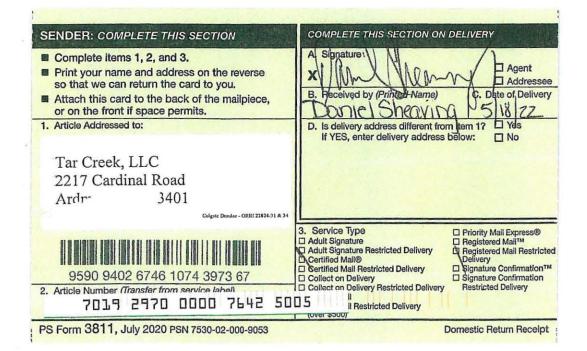




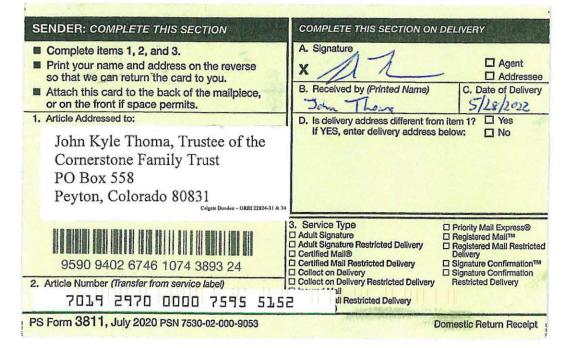




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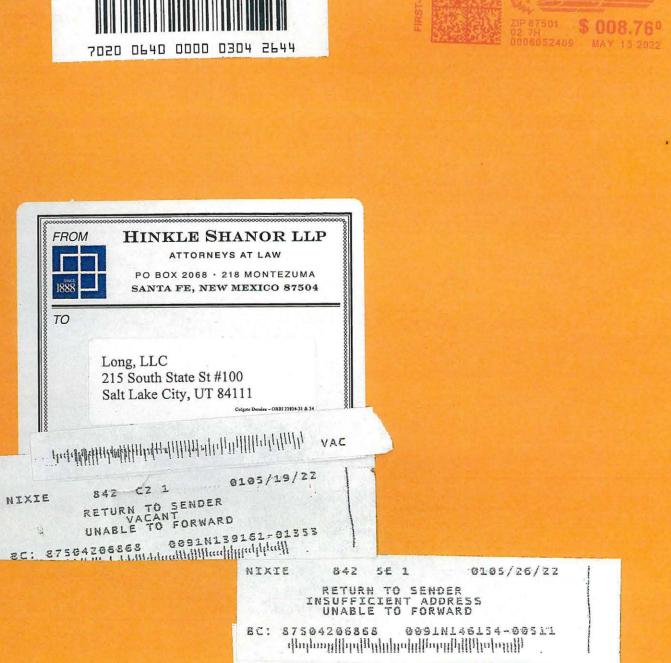


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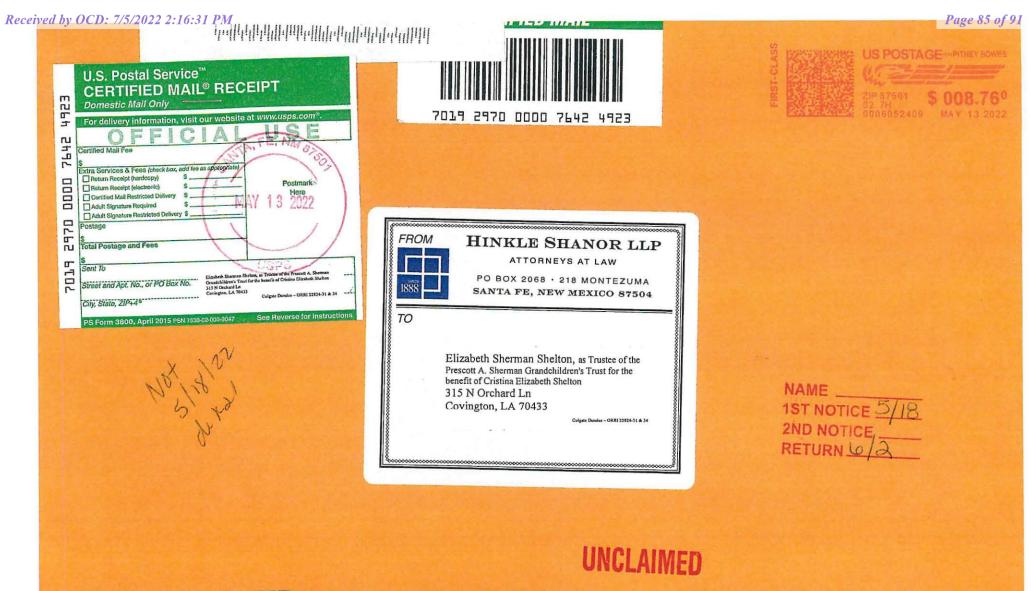
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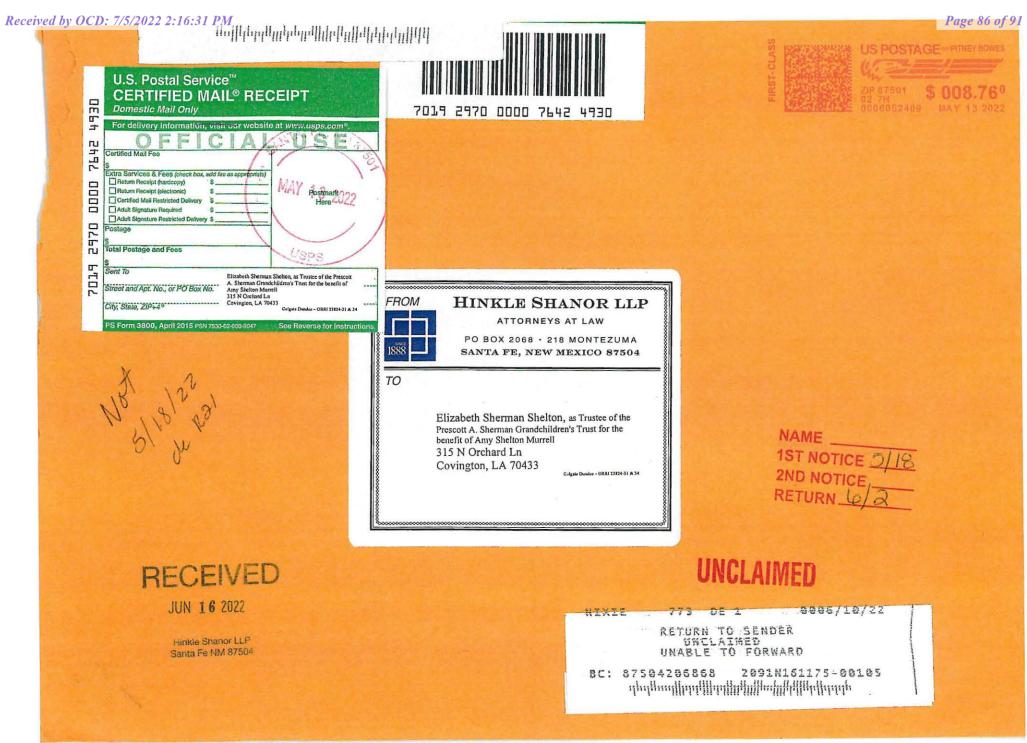


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ROSWELL, NM 88202-0010

I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

05/18/2022

Legal Clerk

Subscribed and sworn before me this May 18, 2022:

State of WI, County of Brown NOTARY PUBLIC

-2-35 1 -

My commission expires

KATHLEEN ALLEN Notary Public State of Wisconsin

Ad # 0005261993 PO #: 5261993 # of Affidavits1

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Colgate Operating, LLC Case No. 22824 Exhibit C-4 This is to notify all interested parties, including COG Operat-ing LLC; Realtimezone, Inc.; Long, LLC; Sandra Thoma; John Kyle Thoma, Trustee of the Cor-nerstone Family Trust; Susan S. Murphy, Trustee of the Susan S. Murphy, Trustee of the Susan S. Murphy Agreement dated Novem-ber 15, 2021; Monarch Oil and Gas Inc.; Scott Exploration, Inc.; Stephen T. Mitchell; Qualia In-terests, LLC; Hutchings Oil Com-pany; Pete Balog, Trustee of the Balog Family Trust dated August 15, 2002; Valorie F. Walker, Trustee of the Jack V. Walker Revocable Trust under Trust Agreement date May 21, 1981; Robert W. Hanagan, Natalie V. Hanagan; Harold Scott; Stephens Enterprises; Mark B. Murphy, Trustee of the Mark B. Murphy Irrevocable Trust under Trust agreement dated December 11, 2012; OGI, Inc.; ROEC, Inc; Doris R. Stinson; Energy Properties Limited, L.P.; Sam L. Shackelford; Nobin K. Shackelford; William N. Heiss Profit Sharing Plan; Robin L. Morgan; Elizabeth S. Shelton, Trustee of the Elizabeth S. Shelton, Com and Elleen C. Knecht; Mi-chael D. Hayes and Kathryn A. Hayes, as Co-Trustees of the Hayes Revocable Trust; Trinity Royalty Holdings I. LP; Shelley Shutz Dominguez; Nuevo Seis, Limited Partnership; Adventure Exploration L.P.; Tar Creek, LLC; Paul Davis, Ltd.; PDIII Explora-tion, LLC; S & E Royalty, LLC; MAL Minerals LLC; Lowe Royalty Partners, LP; MAP 98A-OK, an Oklahoma general partnership; MAP 98B-NET, a Texas general partnership; Wambaugh Explo-ration, LLC; S & E Royalty, LLC; Motowi, LLC; Frannifin Mineral, LLC; Alan R. Hannifin, a single man, Michelle R. (Hannifin) San-doval; MW Oil Investment Com-pany Inc.; FFF, Inc.; JAB Invest-ments, Inc.; Stelaron, Inc.; and the New Mexico Oil Conserva-tion Division will conduct a hearing will be conducted on June 2,

18, 2022