



August 22, 2012

Tritex Energy A, LP  
15455 Dallas Parkway, Suite 600  
Addison, Texas 75001

Re: TJG Federal 3 1#H Well  
Township 19 South, Range 35 East  
Section 3: S/2  
Lea County, New Mexico, limited from  
9157' subsurface down to 13,107' as  
identified in the compensated  
neutron-formation density log for  
the Marshall & Winston, Inc. -  
Federal 3 #2 Well located in the  
SE/4 of Section 3, Township 19 South,  
Range 32 East, Lea County, New Mexico

Oil Conservation Division  
Case No. 4A  
Exhibit No. 4A

Gentlemen:

Marshall & Winston, Inc. is proposing the drilling of a second Bone Spring formation horizontal well in the above described lands. From the information available to us in the federal records and the Lea County, New Mexico records, you appear to own a working interest in the lands.

Enclosed you will find:

1. Operating Agreement dated August 20, 2012, along with an extra set of signature pages.
2. Two copies of Memorandum of Operating Agreement and Notice of Lien and Mortgage.
3. Two copies of an AFE covering the TJG Federal 3 #1H Well.
4. Copy of Drilling Opinion dated October 24, 2011.

Tritex Energy A, LP  
August 22, 2012  
Page 2

If you want to participate, we ask that you sign the extra copy of the signature page, one copy of the Memorandum of Operating Agreement and one copy of the AFE before returning them to us. Please note that your signatures will need acknowledgments from a notary public on the operating agreement and Memorandum. You should also include a drilling information letter in the packet so drilling reports and documentation on the well can be delivered properly. Because of the significant cost of the well, it is possible we may require prepayment of dry hole expenses.

However, if you do not want to participate, you need to get in touch with me and we can discuss a trade for your interest. Should you have any questions regarding this matter, please do not hesitate to contact us. Your attention to this matter is appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kevin Hammit".

Kevin Hammit  
Vice President - Land

KH/glb

Enclosures

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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Article Addressed to:

Pritex Energy A, LP  
15455 Dallas Parkway, Suite 600  
Addison, TX 75001

**COMPLETE THIS SECTION ON DELIVERY**A. Signature  
*Carl Barkell*☐ Agent  
☐ AddresseeB. Received by (Printed Name) C. Date of Delivery  
*Claire Barkell* *8-27*D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

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S Form 3811, February 2004

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S Form 3800, August 2006

See Reverse for Instructions



August 31, 2012

Tritex Energy A, LP  
15455 Dallas Parkway, Suite 600  
Addison, Texas 75001

Re: TJG Federal 3 1#H Well  
Township 19 South, Range 32 East  
Section 3: S/2  
Lea County, New Mexico, limited from  
9157' subsurface down to 13,107' as  
identified in the compensated  
neutron-formation density log for  
the Marshall & Winston, Inc. -  
Federal 3 #2 Well located in the  
SE/4 of Section 3, Township 19 South,  
Range 32 East, Lea County, New Mexico

Gentlemen and Ladies:

In the packet sent to you by Marshall & Winston, Inc. containing the letter dated August 22, 2012, it has been discovered that there was an error in the description of lands on certain pages of the operating agreement. Please be advised the above acreage is the correct description for the lands on which we will drill the new well. The range is 32 East, not 35 East.

Enclosed are replacement pages for the operating agreement to be substituted in your copy:

1. Cover Page.
2. First page of Exhibit "A".
3. Exhibit "A" of Memorandum of Operating Agreement.

Tritex Energy A, LP  
August 31, 2012  
Page 2

We regret any confusion this may have created for you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kevin Hammit".

Kevin Hammit  
Vice President - Land

KH/glb

Enclosures

## Kevin's Mail

---

**From:** Riley Edwards <REdwards@concho.com>  
**Sent:** Monday, September 10, 2012 3:56 PM  
**To:** Kevin's Mail  
**Subject:** RE: Sec. 3, T19S, R32E, Lea Co., NM

Devin,

I am dealing with two people at Tritex trying to get things done. Don Ritter is the owner and his email is [stlritter@aol.com](mailto:stlritter@aol.com), between us he seems to be dealing with some internal budgeting concerns and is a little slow to commit. His attorney is named Linda Graham and her email is [Linda.graham@tklaw.com](mailto:Linda.graham@tklaw.com) and her cell is 214-534-5434, she seems to be handling all the landman work. We are working some stuff on our end and will be in contact, good luck getting your loose ends tied up, as of now it looks like we are planning on having to go to force pooling.

Thanks,

Riley Edwards

---

**From:** Kevin's Mail [<mailto:khammit@mar-win.com>]  
**Sent:** Monday, September 10, 2012 3:49 PM  
**To:** Riley Edwards  
**Subject:** Sec. 3, T19S, R32E, Lea Co., NM

Riley,

As requested I am sending you a copy of the merger certificate between Collier Diamond C and Walter Exploration. Hope it helps.

Kevin Hammit

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Linda Graham  
Tritex Energy

214 534-5434 - cell

214 969-1449 - direct

return 10/1/12

called her to let her  
know I had received her  
phone message.

See Riley Edwards email, attached

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Wednesday, October 03, 2012 9:29 AM  
**To:** 'linda.graham@tklaw.com'  
**Subject:** FW: S/2 of Sec. 3, T19S, R32E, Lea Co., NM

Wrong address. I will try again

---

**From:** Kevin's Mail [<mailto:khammit@mar-win.com>]  
**Sent:** Wednesday, October 03, 2012 8:05 AM  
**To:** 'lynda.graham@tklaw.com'  
**Subject:** S/2 of Sec. 3, T19S, R32E, Lea Co., NM

Lynda,

I picked up your message this morning, and I will be calling you shortly to get introduced.

You said in your voice mail you are preparing a stipulation of interest between Ray Westall and his wife and I assume Tritex so that Marshall & Winston can make an adjustment to the JOA. The title opinion we had done and used to prepare the JOA has Westall Oil & Gas, LLC as owning a 2.0421% working interest in the captioned lands. We have received back a signed JOA and a signed AFE from Westall O&G with Ray Westall executing both. I will be happy to get a copy of the stipulation from you to look over, but based on the opinion I do not see Ray Westall et ux as having an interest.

I appreciate your letting me know that Don Ritter will be the person to speak to about Tritex's participation.

Kevin Hammit  
VP – Land  
Marshall & Winston, Inc.



## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Friday, October 26, 2012 2:36 PM  
**To:** 'Graham, Linda'  
**Subject:** S/2 of Sec. 3, T19S, R32E, Lea Co., NM

Linda,

I appreciate the update. I did see in the Transfer that the Westalls are conveying 30.07195% interest in Lease LC-067982-B. The title opinion of 10/24/11 we had prepared and provided to Tritex earlier indicates Westall Oil & Gas LLC to have 4.08428%. I want to make sure you are aware of that.

Kevin Hammit

-----Original Message-----

**From:** Graham, Linda [<mailto:Linda.Graham@tklaw.com>]  
**Sent:** Friday, October 26, 2012 1:21 PM  
**To:** Kevin's Mail  
**Subject:**

The attached Transfer of Operating Rights form was sent to Westall et al on October 15. This transfer covers the Federal Lease BLM #LC-067982-B. I spoke to his attorney last night and I hope to have the forms by the middle of next week. I will file with BLM and send you a copy.

Thank you for your patience,

LINDA SUE GRAHAM,RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)

Thompson&Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214) 534 5434  
TKlaw Direct : (214) 969-1449  
fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

LAW FIRM OF THE YEAR IN OIL&GAS LAW,U.S. NEWS-  
BESTLAWYERS(r)2011-2012

This message is confidential and may be attorney-client privileged. If received in error, please do not read. Instead reply to me that you have received it in error and then delete the message.  
Thank you.



October 26, 2012

Tritex Energy A, LP  
15455 Dallas Parkway, Suite 600  
Addison, Texas 75001

Attention: Mr. Don Ritter

Re: TJG Federal 3 #1H Well  
Township 19 South, Range 32 East  
Section 3: S/2  
Lea County, New Mexico, limited from  
9157' subsurface down to 13,107' as  
identified in the compensated  
neutron-formation density log for  
the Marshall & Winston, Inc. -  
Federal 3 #2 Well located in the  
SE/4 of Section 3, Township 19 South,  
Range 32 East, Lea County, New Mexico

Dear Mr. Ritter:

Previously, along with a letter dated August 22, 2012, you were mailed a packet concerning the drilling of the above captioned well. So far, we have not received any signed paperwork from you. If this is a drilling opportunity you do want to be in, Marshall & Winston asks that you sign the necessary documentation and return that to us. However, should you not want to participate, it will be appreciated for you to contact me so a trade can be discussed for your interest.

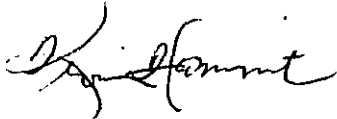
Another of the working interest owners, COG Operating, LLC, had concerns with certain provisions in the operating agreement. Marshall & Winston is agreeable to their requested changes. We ask that you substitute the enclosed pages for the corresponding pages in your possession.

Tritex Energy A, LP  
October 26, 2012  
Page 2

Replacement Page 2 to the operating agreement substitutes "one-eighth (1/8)" for "those existing" in Line 15. Replacement Page 10 modifies the casing point election in Lines 1-13 to accommodate the differences between vertical wells and horizontal wells.

Marshall & Winston appreciates your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kevin Hammit".

Kevin Hammit  
Vice President - Land

KH/mtb

Enclosures

**SENDER: COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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:

on Ritter  
ritex Energy A, LP  
5455 Dallas Parkway, Ste. 600  
Addison, TX 75001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

10-29-12

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Sent To

Intex Energy A

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or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions



December 12, 2012

Tritex Energy A, LP  
15455 Dallas Parkway, Suite 600  
Addison, Texas 75001

Attention: Mr. Don Ritter

Re: TJG Federal 3 #1H Well  
Township 19 South, Range 32 East  
Section 3: S/2  
Lea County, New Mexico, limited from  
9157' subsurface down to 13,107' as  
identified in the compensated  
neutron-formation density log for  
the Marshall & Winston, Inc. -  
Federal 3 #2 Well located in the  
SE/4 of Section 3, Township 19 South,  
Range 32 East, Lea County, New Mexico

Dear Mr. Ritter:

Marshall & Winston, Inc. has two times earlier contacted you about the planned drilling of the above captioned well. Be advised that we are proceeding with those plans. Should you want to be involved in this drilling activity, we need you to sign and return the paperwork provided with the letter dated August 22, 2012. If you no longer have that paperwork but are interested in participating, let us know and we will replace that documentation.

Should you not wish to participate, you are asked to contact me so we can discuss a trade for your working interest. Marshall & Winston appreciates your attention to this situation.

Very truly yours,

Kevin Hammit  
Vice President - Land

KH/mtb



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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.		A. Signature x <i>Clare Barfield</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
Article Addressed to: Tritex Energy A, LP ATTN: Mr. Don Ritter 5455 Dallas PKWY, STE 600 Addison, TX 75001		B. Received by (Printed Name) <i>Clare Barfield</i> C. Date of Delivery <i>12-14-12</i>	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Article Number (Transfer from service label)		7006 0810 0000 0529 9845	
Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

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Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

CLAY DESTA ST  
Postmark Here  
DEC 12 2012

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Friday, December 14, 2012 4:15 PM  
**To:** 'Graham, Linda'  
**Subject:** RE: BLM Forms for Section 3,T19S, R32E ( Tritex- McKay Shell)

Linda,

I made a note to myself to send a revised Exhibit "A" to the JOA along with a new AFE to Tritex after M&W a copy of the approved Transfer of Operating Rights covering the SW/4 of Sec. 3. If you are also doing a conveyance to be sent to Lea Co., NM, we would like a copy of that after recording. Thanks for all your input.

Kevin Hammit

---

**From:** Graham, Linda [<mailto:Linda.Graham@tklaw.com>]  
**Sent:** Friday, December 14, 2012 2:14 PM  
**To:** Kevin's Mail  
**Cc:** [stritter@aol.com](mailto:stritter@aol.com); [garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)  
**Subject:** BLM Forms for Section 3,T19S, R32E ( Tritex- McKay Shell)

FYI, left you a message regarding the proposal of the Drilling of the South/2 of Sec. 3, T19S, R32E. Attached are the fully executed Transfers of Operating Rights correcting Tritex Energy A LP's interest in both the NW & SW of Sec. 3, T-19S, 32E. Upon approval by the BLM, copies will be forwarded to your attention. If you have any questions or concerns, please do not hesitate to contact me.

LINDA SUE GRAHAM,RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)



Thompson&Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214 )534 5434  
TKlaw Direct : (214) 969-1449  
fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

**LAW FIRM OF THE YEAR IN OIL&GAS LAW,U.S. NEWS-  
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12/13/12

Linda Orheim, representing Tritex,  
says the intent of the Transfer/Oper.  
Kts. is to convey to Tritex ALL the  
int. they were entitled in the orig.  
conv. The new Tr/Op Kts. is a  
correction & is intended to replace  
the original one.

12/13/12

As soon as we get corrected  
A1 from Westfall to Tritex,  
send Tritex a revised Ex. "A"  
to the JOA along with a new  
AFE.

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Friday, January 04, 2013 2:58 PM  
**To:** 'Graham, Linda'  
**Subject:** RE: Federal # LC-067982-B

Linda,

In speaking with you yesterday I thought you were forwarding a copy of the Corrected Transfer of Operating Rights from Westall Oil et al to Tritex with a received stamp from the BLM. Previously you have provided a copy of that signed document but without a stamp from the BLM. I see that your intent with the more recent email is to get all interest out of Tritex and into Endurance. That is fine and we will be able to update the JOA and the AFE with that information. But first we need evidence of the BLM at least receiving and hopefully approving the transfer from Westall to Tritex.

As always you are welcome to contact me with any questions or comments.

Kevin Hammit

-----Original Message-----

From: Graham, Linda [<mailto:Linda.Graham@tklaw.com>]  
Sent: Friday, January 04, 2013 12:44 PM  
To: Kevin's Mail  
Cc: [stlritter@aol.com](mailto:stlritter@aol.com)  
Subject: Federal # LC-067982-B  
Importance: High

As per our conversation of yesterday, attached is the BLM file stamped copy of the referenced federal lease. I will provide an approved form upon receipt along with a recorded copy of the recorded Conveyance.

Thank you again for your cooperation in this matter, I look forward to working with you.

Linda

LINDA SUE GRAHAM,RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)

Thompson Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214) 534 5434  
TKlaw Direct : (214) 969-1449  
fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

LAW FIRM OF THE YEAR IN OIL GAS LAW,U.S. NEWS- BEST LAWYERS(r)2011-2012 2012-2013

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Thank you.

Thank you again for your cooperation in this matter, I look forward to working with you.





January 16, 2013

Tritex Energy A, LP  
15455 Dallas Parkway, Suite 150  
Addison, Texas 75001

Attention: Mr. Don Ritter

Re: TJG Federal 3 #1H Well  
Township 19 South, Range 32 East,  
Section 3: S/2  
Lea County, New Mexico

Dear Mr. Ritter:

Marshall & Winston, Inc. will be drilling the second Bone Spring formation horizontal well in the near future. Enclosed you will find the following instruments containing revisions covering your interest:

1. Operating Agreement dated August 20, 2012, along with an extra set of signature pages.
2. Two copies of Memorandum of Operating Agreement and Notice of Lien and Mortgage.
3. Two copies of an AFE covering the TJG Federal 3 #1H Well.

We ask that you sign the extra copy of the signature page, one copy of the Memorandum of Operating Agreement and one copy of the AFE before returning them to us. Please note that your signatures will need acknowledgements from a notary public on the Operating Agreement and Memorandum. We also ask that you provide a drilling requirements letter for reports, logs, etc.

Should you have any questions regarding the matter, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Hammit", written over a horizontal line.

Kevin Hammit  
Vice President - Land

KH/mtb

Enclosures

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Tuesday, January 22, 2013 8:41 AM  
**To:** linda.graham@tklaw.com  
**Subject:** FW: TJY Prospect. SW.3-19S-32E, Lea.Co.NM

Linda,

After speaking with you on Friday and receiving the email also from you, I contact our title attorney, Rudi Woerndle, on the matter. I explained the situation with him on the conveyances between Westall and Tritex referencing a 30.07195% interest in the SW/4 of Sec. 3 being conveyed and the interests shown on Page 4 of his drilling opinion of 10/24/11 totalling 29.19795% for the Westall and Tritex leasehold interests. M&W had used the 29.19795% figure for the JOA by dividing it in two because of the combining of the SW/4 and the SE/4 to result in an interest of 14.598975% for Tritex now Endurance. Rudi reviewed his notes and the documentation and arrived at the figures shown below.

I will hold off on making any adjustments to Exhibit "A" of the JOA until you have a chance to look at your records and determine if you reach a different conclusion than Mr. Woerndle. I apologize for any inconvenience this creates for you and Endurance. Obviously the bottom line is that all of us want the figures to be correct, and we are all working towards that. In hindsight I wished I had contacted Rudi as soon as I spotted the discrepancy between the 30.07195% and the 29.19795% figures. But I did not and we are now at the point of addressing the matter. You are welcome to contact me with any questions or comments.

Kevin Hammit

**From:** Rudolph Woerndle [[mailto:r\\_woerndle@sbcglobal.net](mailto:r_woerndle@sbcglobal.net)]  
**Sent:** Monday, January 21, 2013 5:04 PM  
**To:** Kevin's Mail  
**Subject:** TJY Prospect. SW.3-19S-32E, Lea.Co.NM

Kevin, After searching my file extensively, I can only support a 28.89465% WI for Tritex, being the interests acquired by Ray Westall, as follows:

Petroleum Development Corp.	15.58340%
Phil Weldon	1.50000%
Lloyd Wayne	0.75000%
Harold E. Katz	0.50000%
Randolph Seligman	0.75000%
Wadi Petroleum	5.53000%
Susan Dolese	0.50000%
J. O. LeBlanc	0.50000%
Robinson Resources	2.50000%
T. T. Sanders Jr.	<u>0.78125%</u>
Total:	28.89465%

The remainder of the 0.3033% interest credited to Westall in the Opinion appears to have been erroneously credited to Westall, and should have been credited to Schulz Properties LLC. If Westall / Tritex can show where the balance of the (30.07195%) interest claimed (being 1.1773%) was derived, please ask them to do so. The references to that 30.07195% in the tabulation of Assignments contained in the Opinion was merely the interest claimed by Westall, not the proved interest. Indeed, the Transfer of Operating Rights from Westall to Tritex only purports to assign 25.11367% (See Assignment No. 102).

Rudolph A. Woerndle, P. C.  
1004 N. Big Spring, Ste. 220  
Midland, Texas 79701  
432.570.1500  
432.570.1560 (fax)  
[r\\_woerndle@sbcglobal.net](mailto:r_woerndle@sbcglobal.net)

## Kevin's Mail

---

**From:** Graham, Linda <Linda.Graham@tklaw.com>  
**Sent:** Friday, February 01, 2013 12:04 PM  
**To:** Kevin's Mail  
**Cc:** stlritter@aol.com; garrett@enduranceresourcesllc.com  
**Subject:** Marshall Winston JV Drilling meeting

TGIF TO YOU MY FRIEND,

Don Ritter mentioned to me yesterday that the Endurance representatives would like to set up a meeting with Marshall Winston regarding the proposed Joint Venture drilling program. Since NAPE is next week, Endurance would prefer to come to Midland the following week, if that is acceptable. Kevin, can you please handle this matter for me. Are you attending NAPE this year?

thank you,

Linda Sue Graham

LINDA SUE GRAHAM,RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)



Thompson&Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214 )534 5434  
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fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

**LAW FIRM OF THE YEAR IN OIL&GAS LAW,U.S. NEWS-  
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Thompson & Knight   
ATTORNEYS AND COUNSELORS

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February 4, 2013

Endurance Properties, Inc.  
15455 Dallas Parkway, Suite 150  
Addison, Texas 75001

Attention: Mr. Don Ritter

Re: TJG Federal 3 #1H Well  
Township 19 South, Range 32 East  
Section 3: S/2  
Lea County, New Mexico

Dear Mr. Ritter:

Previously Marshall & Winston, Inc. has been in contact with Linda Graham who has been working with you concerning the above captioned well and property. There have been some questions about the interest Endurance/Tritex is to have in the operations. Enclosed is a copy of an email dated January 21, 2013 from Rudolph Woerndle, the title attorney assisting us in this project. In the email, he recounts the interests that ultimately are owned by Endurance/Tritex in the SW/4 of Section 3. The final figure is a bit different from the one used to determine your interest in Exhibit "A" of the operating agreement of August 20, 2012 and covering the captioned property. We apologize for any inconvenience this change may have caused for you. But I am sure that you will agree with me when I say that the intent is to get it correct.

We continue to move forward with our plans to drill the TJG Federal 3 #1 well. Previously we have provided you with the operating agreement dated August 20, 2012. Enclosed you will find the following documents concerning your interest:

1. Revised Exhibit "A" to the operating agreement of August 20, 2012, along with two sets of signature pages.
2. Two copies of Memorandum of Operating Agreement and Notice of Lien and Mortgage.
3. Two copies of an AFE for the TJG Federal 3 #1H Well.



Endurance Properties, Inc.  
February 4, 2013  
Page 2

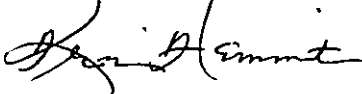
Should you want to participate, we ask that you sign the extra copy of the signature page, one copy of the Memorandum of Operating Agreement and one copy of the AFE before returning them to us. Please note that your signatures will need acknowledgments from a notary public on the Operating Agreement and Memorandum. We also ask that you provide a drilling requirements letter for reports, logs, etc.

Please be advised that Marshall & Winston is commencing a compulsory pooling action on those working interest owners in the well who are unlocatable or will not participate or otherwise commit their interest to the project. The hearing for this action is tentatively set for March 7, 2013. Since we have no written confirmation of your involvement in the project, we must include you in the action. Should an agreement be reached after the paperwork begins on the action, you can easily be removed from the proceedings.

Should you determine Endurance prefers not to participate, please let us know at the soonest so an offer can be made for your interest.

If you have any questions on this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Kevin Hammit", written over a horizontal line.

Kevin Hammit  
Vice President - Land

KH/glb

Enclosures

**DER: COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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, on the front if space permits.

Article Addressed to:  
 Ritter  
 Insurance Properties, Inc.  
 155 Dallas Parkway, Suite 150  
 Addison, TX 75001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee  
*D. Trotter*  
 B. Received by (Printed Name) *D. Trotter* C. Date of Delivery *2-8-13*  
 D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
 4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7011 3500 0002 4986 8820  
 (Transfer from service label)

Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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Sent To *Endurance Properties, Inc.*  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Monday, February 11, 2013 3:36 PM  
**To:** 'Graham, Linda'  
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

Linda,

The revised packet to Mr. Ritter was mailed out on 2/4/13. I trust he has received it.

I tried calling your cell at NAPE on Thursday afternoon. Sorry we could not connect and meet face to face. We will try again another time.

Kevin Hammit

---

**From:** Graham, Linda [<mailto:Linda.Graham@tklaw.com>]  
**Sent:** Monday, February 04, 2013 4:52 PM  
**To:** Kevin's Mail  
**Cc:** [stlritter@aol.com](mailto:stlritter@aol.com); [garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)  
**Subject:** MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

Endurance Properties, Inc. approves the interests that were set out in the Title Opinion and emails received from Marshall and Winston. Please prepare the revised paperwork for the referenced well and send to Don Ritter's attention. Mr... Ritter will sign at his earliest convenience.

Thank you; see you at NAPE,  
Linda Sue Graham  
214 534 5434

---

**From:** [stlritter@aol.com](mailto:stlritter@aol.com) [<mailto:stlritter@aol.com>]  
**Sent:** Monday, February 04, 2013 4:33 PM  
**To:** Graham, Linda  
**Subject:** Re: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H  
Yes go  
Sent via BlackBerry by AT&T

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**From:** "Graham, Linda" <[Linda.Graham@tklaw.com](mailto:Linda.Graham@tklaw.com)>  
**Date:** Mon, 4 Feb 2013 19:38:54 +0000  
**To:** [stlritter@aol.com](mailto:stlritter@aol.com)<[stlritter@aol.com](mailto:stlritter@aol.com)>;  
[garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)[garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)

**Subject:** MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

ENDURANCE PROPERTIES, INC	WI	14.47325
ENDURANCE PROPERTIES, INC.	ORRI	2.5562
RAY WESTALL'S	ORRI	1% proportionately reduced of Endurance WI

I need you to respond to me that you agree with the these numbers and will forward the e mail to Ken Hammitt at MW to prepare the revised paperwork.

thx

LINDA SUE GRAHAM, RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)



Thompson&Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214) 534 5434  
TKlaw Direct : (214) 969-1449  
fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

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Thank you.

## Kevin's Mail

---

**From:** Kevin's Mail <khammit@mar-win.com>  
**Sent:** Wednesday, February 13, 2013 2:13 PM  
**To:** 'Graham, Linda'  
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

Linda,

Gabe said this morning he plans on being here tomorrow. Mr. Ritter is welcome to come by. 10:00 is good. Our situation with the Pecos Co. well is better today but that could change. I want you and Mr. Ritter to be aware of that.

Kevin Hammit

---

**From:** Graham, Linda [mailto:Linda.Graham@tklaw.com]  
**Sent:** Wednesday, February 13, 2013 12:11 PM  
**To:** Kevin's Mail  
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

I understand, Don is out of the office today??? his light is off. So if Gabriel Herrera can meet Thursday that would be best.

Thank you,

Linda Sue

We will still visit later.

---

**From:** Kevin's Mail [mailto:khammit@mar-win.com]  
**Sent:** Wednesday, February 13, 2013 7:36 AM  
**To:** Graham, Linda  
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

Linda,

Let me check again with Gabriel Herrera, the engineer on his schedule. He is to be in the office later today.

Because of the compulsory pooling hearing, I think the sooner we speak with Mr. Ritter the better.

Kevin

---

**From:** Graham, Linda [mailto:Linda.Graham@tklaw.com]  
**Sent:** Tuesday, February 12, 2013 5:26 PM  
**To:** Kevin's Mail  
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H  
**Importance:** High

I am sorry I said Wednesday, Don wanted to do the meeting on Thursday, with the problem with the well in Pecos, would next week be better

---

**From:** Kevin's Mail [<mailto:khammit@mar-win.com>]

**Sent:** Tuesday, February 12, 2013 3:25 PM

**To:** Graham, Linda

**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

As in tomorrow morning at 10:00? If so I will check with our drilling engineer (team of one) to see if he will be in the office. We have a well drilling in Pecos Co., TX that is giving us significant problems. I can answer any land questions.

Kevin

---

**From:** Graham, Linda [<mailto:Linda.Graham@tklaw.com>]

**Sent:** Tuesday, February 12, 2013 2:15 PM

**To:** Kevin's Mail

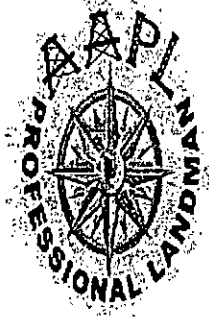
**Subject:** RE: MARSHALL AND WINSTON, INC PROPOSED TJG FEDERAL 3 #1H

Sorry, real busy right now, I will call later and we can visit. Don wants to set up a Meeting with Marshall and Winston on Wednesday at 10:00 to discuss the well proposal. Will your team be available?

thx

Linda

LINDA SUE GRAHAM,RPL  
Registered Professional Landman  
and Right of Way Agent (35 yrs)



Thompson&Knight LLP  
One Arts Plaza  
1722 Routh Street, Suite 1500  
Dallas, Texas 75201  
cell: (214 )534 5434  
TKlaw Direct : (214) 969-1449  
fax: (214) 999-9038  
[linda.graham@tklaw.com](mailto:linda.graham@tklaw.com)

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**Thompson & Knight Impact**  
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[garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)[garrett@enduranceresourcesllc.com](mailto:garrett@enduranceresourcesllc.com)

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Registered Professional Landman  
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