



August 22, 2012

S & C Construction, Inc.
P. O. Box 940443
Houston, Texas 77094

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. 4H
Exhibit No. 4H

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.

S & C Construction, Inc.
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 black ink, appearing to read "Kevin Hammit", written in a cursive style.

Kevin Hammit
Vice President - Land

KH/glb

Enclosures



First Class Mail



P.O. Box 50880 • Midland, Texas 79710-0880

To:

S & C Construction, Inc.
P. O. Box 940443
Houston, TX 77094

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10/n

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<p>1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so delivery can return the card to you.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>Article Addressed to:</p> <p>S & C Construction, Inc. P. O. Box 940443 Houston, TX 77094</p>		<p>A. Sent by <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____</p> <p>C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: _____</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7007 2560 0003 3690 0404</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	



August 31, 2012

S & C Construction, Inc.
P. O. Box 940443
Houston, Texas 77094

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.

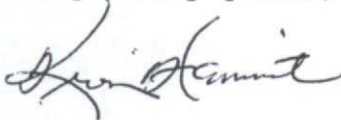
Enclosed are replacement pages for the operating agreement to be substituted in your copy:

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

S & C Construction, Inc.
August 31, 2012
Page 2

We regret any confusion this may have created for you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Hammit", written in a cursive style.

Kevin Hammit
Vice President - Land

KH/glb

Enclosures




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Updated 6/23/2012 - This profile of S&C Construction, Inc. was created using data from Texas Secretary of State

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Officers

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Steven D Cosby

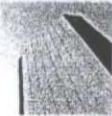
- Director
- President

Carolyn S Cosby

- Director
- Secretary

Layout: [View Large Format](#) | [Circular](#) | [Tree](#) | [ISOM](#) | [EfficientSugiyama](#) | [CompoundFDP](#)

S&C Construction, Inc.



S&C Construction, Inc. has a location in **Houston, TX**. Active officers include **Steven D Cosby** and **Carolyn S Cosby**. S&C Construction, Inc. filed as a *Foreign For-Profit Corporation* on Tuesday, December 19, 1995 in the state of **Texas** and is currently active.

Filings: [Foreign For-Profit Corporation \(TX - Active\)](#)

Source: Texas Secretary of State last refreshed 6/23/2012


 [Company Reports from Dun & Bradstreet](#)



PO Box 940443
Houston, TX 77094

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Officers at S&C Construction, Inc.

Click on  to the left of the name to see the Connection Visualizer.

 **Steven D Cosby**

Director and President at S&C Construction, Inc.

Whitefish, MT

 **Carolyn S Cosby**

Director and Secretary at S&C Construction, Inc.

Whitefish, MT

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Kevin's Mail

From: Jeffrey Sherrick <jeffsherrick54@gmail.com>
Sent: Friday, September 07, 2012 2:59 PM
To: khammit@mar-win.com
Cc: Steve Cosby
Subject: S&C Current Address

Kevin,

It was nice visiting with you this morning regarding your well proposal in Lea County, NM. Below is my contact info and I have also included the same for S&C. I'm sure Steve will work with you in a reasonable timeframe regarding their interest in participating in a new well or a farm-out.

Jeff Sherrick
SherrFive LP
812 Eagle Pointe
Montgomery, Texas 77316
Cell: 713-569-4713

Steve Cosby
S&C Construction Inc
PO Box 1509
Whitefish, Montana 59937

Phone; 406-862-2690

All the best

Jeff=



September 11, 2012

S & C Construction, Inc.
P. O. Box 1509
Whitefish, Montana 59937

Attention: Mr. Steve Cosby

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

Dear Mr. Cosby:

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:

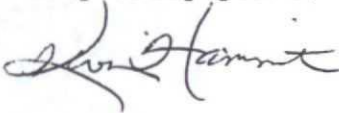
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2. Two copies of Memorandum of Operating Agreement and Notice of Lien and Mortgage.
3. Two copies of an AFE covering the TJG Federal 3 #1H Well.
4. Copy of Drilling Opinion dated October 24, 2011.

S & C Construction, Inc.
September 11, 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. 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:

S&C Construction
ATTN: Mr. Steve Crosby
P.O. Box 1509
Whitefish, MT 59937

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Carolyn Crosby

☒ Agent

☐ Addressee

B. Received by (Printed Name)

CAROLYN CROSBY

C. Date of Delivery

9-14-12

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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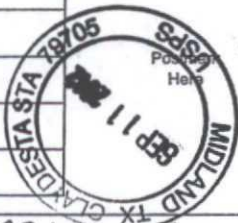
Postage \$

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Restricted Delivery Fee
(Endorsement Required)

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Sent To S+C Construction

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

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions



October 26, 2012

S & C Construction, Inc.
P. O. Box 1509
Whitefish, Montana 59937

Attention: Mr. Steve Cosby

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. Cosby:

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.

S & C Construction, Inc.

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 dark ink, appearing to read "Kevin Hammit", with a stylized, cursive script.

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:

Steve Cosby
C Construction, Inc.
O. Box 1509
Whitefish, MT 59937

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ ☒ Agent☐ Addressee

B. Received by (Printed Name)

STEVE COSBY

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail

4. Restricted Delivery (Extra Fee)

☐ Yes

Article Number

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Street, Apt. No., or PO Box No.	S4C
City, State, ZIP+4	

PS Form 3800, August 2006

See Reverse for Instructions



December 12, 2012

S & C Construction, Inc.
P. O. Box 1509
Whitefish, Montana 59937

Attention: Mr. Steve Cosby

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. Cosby:

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 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:

S & C Construction, Inc.
ATTN: Mr. Steve Cosby
P. O. Box 1509
Whitefish, MT 59937

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X CAROLYN COSBY☒ Agent☐ Addressee

B. Received by (Printed Name)

Carolyn Cosby

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

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

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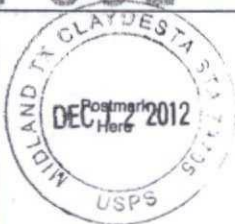
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(Endorsement Required)

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or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions



February 8, 2013

S & C Construction, Inc.
P. O. Box 1509
Whitefish, Montana 59937

Attention: Mr. Steve Cosby

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

Dear Mr. Cosby:

As Marshall & Winston, Inc. moves closer to getting the TJG 3 #1H commenced, we want to clarify a point. The well unit will be the S/2 of Section 3, T19S, R32E, Lea County, New Mexico. Should the well be successful, we will have the opportunity for additional drilling in the unit.

Very truly yours,

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

Kevin Hammit
Vice President - Land

KH/mtb

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:

S&C Construction, Inc.
Attn: Mr. Steve Cosby
P.O. Box 1509
Telford, MT 59937

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Carolyn Cosby*

☒ Agent☐ Addressee

B. Received by (Printed Name)

Carolyn Cosby

C. Date of Delivery

*2/12/13*D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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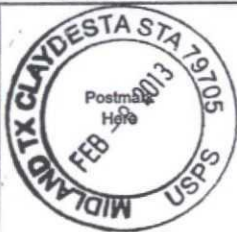
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S Form 3800, August 2006

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