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

APPLICATION OF XTO ENERGY, INC. FOR A NON-STANDARD SPACING AND PRORATION UNIT, AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NOS. 15206, 15207, 15208, AND 15209

<u>AFFIDAVIT</u>

STATE OF NEW MEXICO)
) ss
COUNTY OF SANTA FE)

Michael H. Feldewert, attorney in fact and authorized representative of XTO Energy, Inc., the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications has been provided under the notice letters and proof of receipts attached hereto.

Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 1st day of October 2014 by Michael H.

Feldewert.



BEFORE THE OIL CONVERSATION
DIVISION
Santa Fe, New Mexico
Exhibit No. 12
Submitted by: XTO ENERGY, INC.
Hearing Date: October 1, 2014

XTO ENERGY INC. PERLA VERDE 31 STATE 1H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702

BTA 692 Ltd. 104 South Pecos Midland, TX 79701 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

MACK ENERGY/CHASE OIL P.O. Box 960 Artesia, NM 88211

Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203 COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701

Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

RUBICON OIL & GAS II LP 508 Wall Street, Suite 500 Midland, TX 79701



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 1H Well

Dear Sir or Madam:

This letter is to advise you that XTO Energy, Inc., has filed the enclosed amended application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on October 2, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Prehearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith_Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert

ATTORNEY FOR XTO ENERGY, INC.

Capille a. Sterror



September 12, 2014

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

RE: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico. Perla Verde 31 State 1H Well

This letter is to advise you that XTO Energy, Inc. has filed the enclosed amended application with the New Mexico Oil Conservation Division. Your interests are not being pooled under this application. You are receiving notice of this application because of the request for the proposed non-standard spacing and proration unit and due to the proposed unorthodox well location.

This application has been set for hearing before a Division Examiner at 8:15 AM on October 2, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office, four days in advance of a scheduled hearing, but at least on the Thursday preceding the hearing. This statement must 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert

ATTORNEY FOR XTO ENERGY, INC.

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U.S. Postal Service ... CERTIFIED MAIL RECEIPT 5205 (Domestic Mail Only; N MHF/XTO PERLA VERDE 1H 437 Postage Certified Fee 1000 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 2760 69 Total Postage & Fees \$ Suite 300
Midland TV 70-7006 Street, A or PO B City, Sta Midland, TX 79704

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Ratricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent	
P:O. Box 2546 Fort Worth, Texas 76113	3. Service Type Certified Mail Registered Return Receipt for Merchandise C.O.D.
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Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC	
P.O. Box 11364 Midland, ΓΧ 79702	3. Service Type Certified Mall Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
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PS Form 3800, August 2006

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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 mailplece, or on the front if space permits. Karment Marie Hendrix	COMPLETE THIS SECTION ON DELIVERY A. Signature A. Signature A. Agent Addresse B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No 3. Service Type

Domestic Return Receipt

102595-02-M-1540

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104 South Pecos Midland, TX 79701	3. Service Type Certifled Mail
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Houston, TX 77252	3 Service Type Certified Mail, Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D. 4 Restricted Delivery? (Extra Fee)
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Domestic Return Receipt

102595-02-M-1540

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Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202	. Service Type

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Registered

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Domestic Return Receipt

2. Article Number - | 1 (11-(Transfer from service label)

PS Form 3811, February 2004

4. Restricted Delivery? (Extra Fee)

Express Mail

☐ C.O.D.

Return Receipt for Merchandise

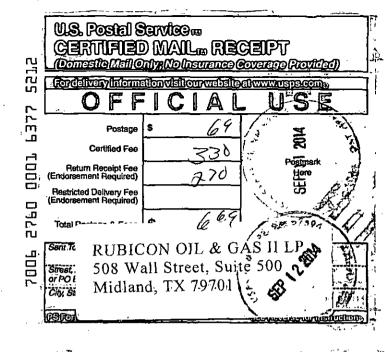
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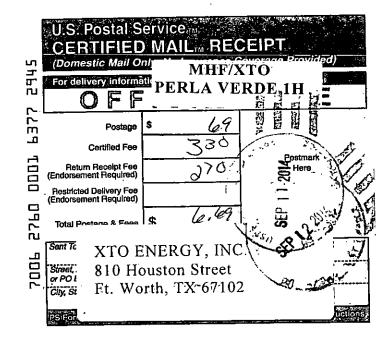
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Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. 1. Article Addressed to: Cimarex Energy Co. of Colorado 1700 Lincoln Street	A. Signature X. Addressee B. Received by (Printed Name) D. Is delivery address different from item 1?
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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 mailplece, or on the front if space permits. 1. Article Addressed to: Cimarex Energy Co. of Colorado 1700 Lincoln Street	A. Signature X. Addressee B. Received by (Printed Name) D. Is delivery address different from item 1? Yes If YES, enter delivery address below: A. Signature A. Signature A. Agent Addressee B. Received by (Printed Name) C. Date of Delivery Types If YES, enter delivery address below: No
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. 1. Article Addressed to: Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800	A. Signature X. Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No Service Type C. Certified Mail
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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. 1. Article Addressed to: Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203	A. Signature X. Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No 3. Service Type Certified Mail Registered Return Receipt for Merchandise
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Ft. Worth, TX 67102	3. Service Type D Certified Mail D Registered Return Receipt for Merchandise D Insured Mail D C.O.D.	
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PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

XTO ENERGY INC. PERLA VERDE 31 STATE 2H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203

MACK ENERGY/CHASE OIL P.O. Box 960 Artesia, NM 88211 Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056



September 12, 2014

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

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

proration unit, and compulsory pooling, Lea County, New Mexico.

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If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert



September 12, 2014

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

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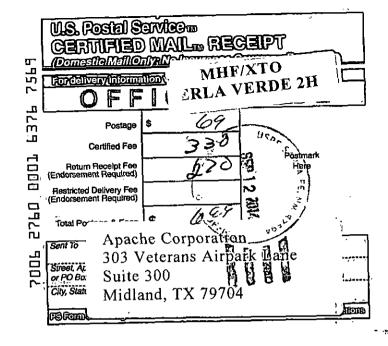
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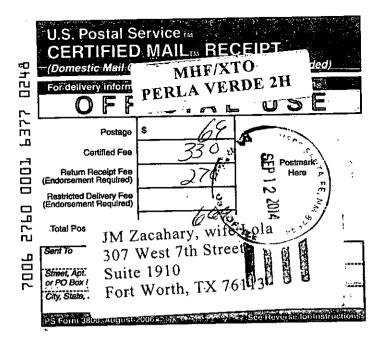
Michael H. Feldewert



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Suite 300 Midland, TX 79704	3. Service Type D. Certified Mall . D. Express Mail D. Registered . D. Insured Mall . D. C.O.D.
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Bankof America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
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P.O. Box 3040 Midland, TX 79702	3. Service Type Certified Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
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Box 3040 Midland, TX 79702	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise. Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee)
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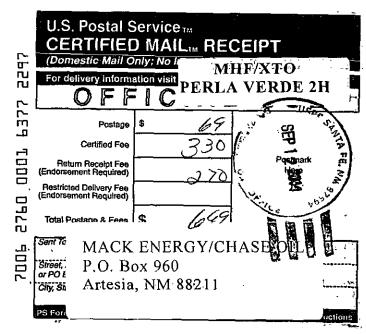
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1. Article Addressed to: CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252	D. Is delivery address different from term 1? Yes If YES enter delivery address below: No 3. Service Type Certified Mail
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■ 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.	COMPLETE THIS SECTION ON DELIVERY Af Signature fire 11-1+1+
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Artesia, NM 88211	3. Service Type Certified Mall Registered Return Receipt for Merchandlse insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee)
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PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540

XTO ENERGY INC. PERLA VERDE 31 STATE 3H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702

BTA 692 Ltd. 104 South Pecos Midland, TX 79701 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

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Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056 Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

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If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert



September 12, 2014

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RE: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico. Perla Verde 31 State 3H Well

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This application has been set for hearing before a Division Examiner at 8:15 AM on October 2, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

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If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

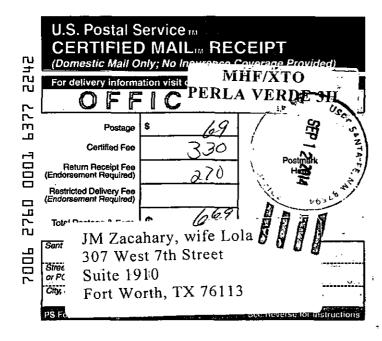
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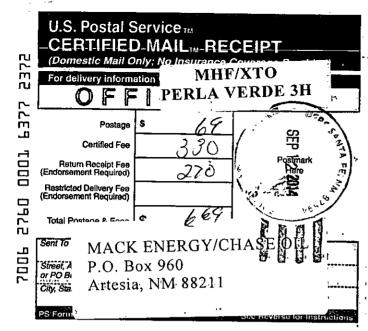
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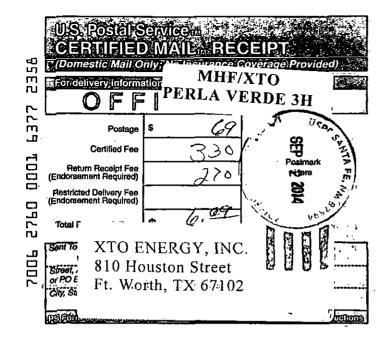
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Featherstone Development Corp. P.O. Box 429	
Roswell, NM 88202	3. Service Type Certified Mail
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XTO ENERGY INC. PERLA VERDE 31 STATE 4H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

New Mexico State Land Office Post Office Box 1148 Santa Fe, New Mexico 87504

COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701 Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203

Bureau of Land Management 301 Dinosaur Trail Santa Fe, New Mexico 87508

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Xeric Oil & Gas Corp. 14781 Memorial Drive Suite 175 Houston, Texas 77079

Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 4H Well

Dear Sir or Madam:

This letter is to advise you that XTO Energy, Inc., has filed the enclosed amended application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on October 2, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

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If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert



September 12, 2014

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

RE: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 4H Well

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Sincerely.

Michael H. Feldewert



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Domestic Return Receipt

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1. Article Addressed to:	D. Is delivery address different from item 1? If YES, enter delivery address below: No
Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC	
P.O. Box 11364 Midland, TX 79702	3. Service Type Certified Mail Registered Receipt for Merchandise C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Article Number 11 111	2760; 0001; 6377; 2235
PS Form 3811, February 2004 Domestic Retu	urn Receipt 102595-02-M-1540

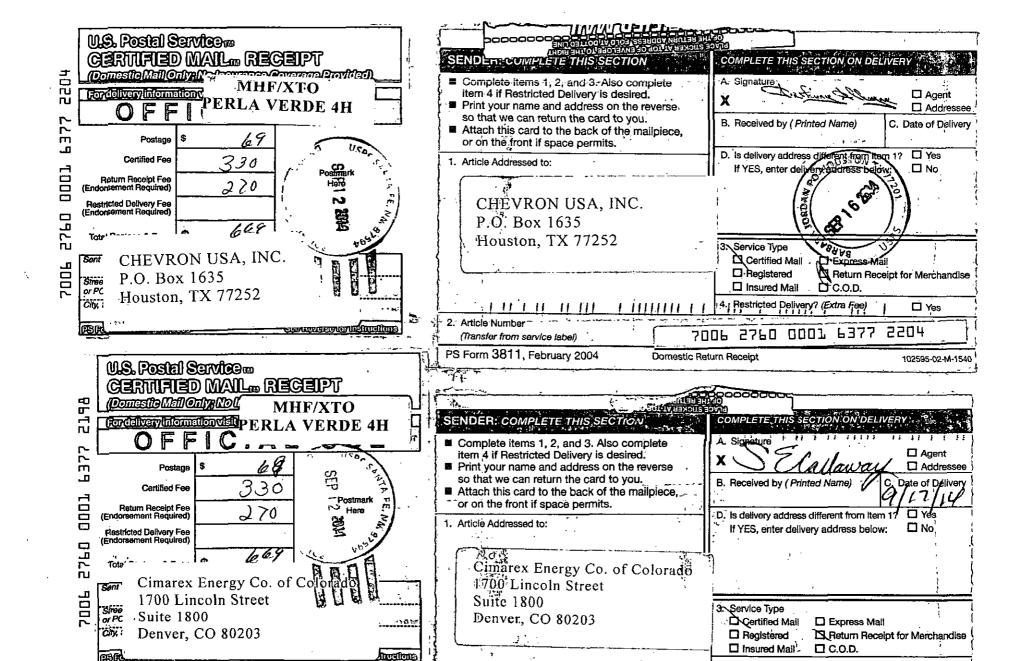


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Article Addressed to:	D. Is delivery address different from item 1? \(^1\) Yes If YES, enter delivery address below: \(^1\) No
Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702	3. Service Type Certified Mail
	4. Restricted Delivery? (Extra Fee)
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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:	A. Signature X. J. Agent Addressee B. Fecelved by (Printed Name) C. Date of Delivery
Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040	D. Is delivery address different from item 1? 'D' Yes'\ .If YES, enter delivery address below: D No
Midland X 79702	3. Service Type Certified Mail
2. Article Number [
(Transfer from service label)	122/2/2010 10001 16377/2211

Domestic Return Receipt

102595-02-M-1540



Article Number
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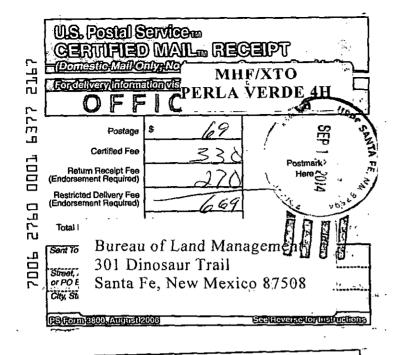
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Xeric Oil & Gas Corp. 14781 Memorial Drive	
Suite 175 Houston, Texas 77079	3. Service Type ☐ Certified Mail ☐ Registered ☐ Insured Mail ☐ C.O.D.
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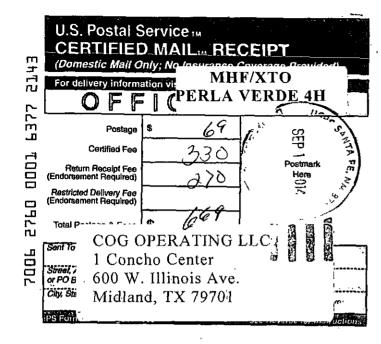


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SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Featherstone Development Corp. P.O. Box 429	A Signature A Sig
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Domestic Return Receipt

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COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701	3. Service Type Certified Mail
	4. Restricted Delivery? (Extra Fee) ☐ Yes
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1. Article Addressed to: XTOLENERGY, INC. 810 Houston Street	D. Is delivery address different from item 1?
Ft. Warth, TX 67102	3. Service Type Di Cértified Mail Di Registered Di Insured Mail C.O.D. 1. Restricted Delivery? (Extra Fee) Di Yes
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