

**DECLARATION OF POOLED UNIT – OSPREY 10 E/2W/2 BONE SPRING AND  
WOLFCAMP HORIZONTAL UNIT**

**STATE OF NEW MEXICO**

**COUNTY OF LEA**

This Declaration of Pooled Unit is executed by the undersigned, the present Lessee and owner of all or a part of the oil and gas leasehold estate created under those oil, gas and mineral leases referred to or described in Exhibit “A”, which exhibit is attached to and incorporated by reference (collectively referred to as the “Leases”). Each of the Leases authorizes the Lessee to pool, unitize, or combine all or a portion of the lands covered by the Leases with other lands, or leases to form a Pooled Unit for the exploration, development, and production of oil, gas, and other hydrocarbons from the lands covered by the Leases or pooled therewith. The pooling, unitization, and combination of the Leases to form a Pooled Unit as, described below, is necessary and proper to prudently develop and/or operate the Leases.

IN CONSIDERATION OF THE PREMISES, and pursuant to and in accordance with the terms and provisions of the Leases and the authority granted thereby, the undersigned Lessee pools, unitizes, and combines (a) the Leases, including all renewals, extensions, ratifications, and amendments of the Leases, (b) the mineral and/or royalty estates in the Leases and lands described on Exhibits “A” and “B”, and (c) the overriding royalty interests in the Leases and lands described on Exhibits “A” and “B” which the undersigned Lessee has the authority to pool, into a unit for the exploration, development, and production of oil, gas, and other hydrocarbons, IN SO FAR ONLY as the foregoing cover and include, or are attributed to, the land described and depicted on Exhibit “B”, which is named the **OSPREY 10 E/2W/2 BONE SPRING AND WOLFCAMP HORIZONTAL UNIT** and shall be deemed to contain 240.00 acres (hereafter referred to as the “Pooled Unit”).

Production from the Pooled Unit shall be allocated proportionately among all of the tracts within the Pooled Unit in the proportion which the number of surface acres in each tract bears to the total number of surface acres in the Pooled Unit. From and after the Effective Date of this Declaration of Pooled Unit, production from or operations on any part of the Pooled Unit shall be deemed to be production from or operations on each of Leases sufficient to maintain the Leases in force and effect in accordance with the terms thereof. If at any time any tract of land or interest within the Pooled Unit is not properly pooled or unitized by this Declaration, or is not committed to the Pooled Unit for any reason, such fact shall not affect, terminate, impair, or otherwise invalidate the Pooled Unit as to any other interest which would otherwise be properly pooled or unitized by this Declaration.

In the event the undersigned, as of the effective date of this Declaration, owns any leasehold interest or mineral and/or royalty interest other than those specifically described or referred to in this Declaration which cover lands within the lands described on Exhibit “B”, or any interest for which ratification of the Pooled Unit created by this Declaration is necessary, those interests are hereby pooled and combined into the Pooled Unit, without the necessity of specifically enumerating such interest or interests or the specific land which they cover or in which they are held.

The undersigned Lessee expressly reserves the right, from time to time, to amend this Declaration of Pooled Unit, and its terms and provisions, and to change the size and area of and interests covered by the Pooled Unit, including, without limitation, the power: (i) to change, reduce, enlarge, or extend the size or configuration of the unit area; (ii) to include any other formation or formations and any other mineral or minerals in, under, or produced from the Pooled Unit, all in accordance with the terms and provisions of the Leases; (iii) to include in the Pooled Unit or in any amendments thereto, oil, gas, and mineral leases, or interests in the lands described, covering interests in the Pooled Unit area, which are secured or obtained subsequent to the Effective date of this Declaration, or prior to the Effective date of this Declaration and not included

or described in this Declaration; and, (iv) to include in the Pooled Unit or in any amendments thereto, any interests in the Pooled Unit which are not otherwise included. The Pooled Unit may be dissolved or terminated by the undersigned Lessee at any time or for any reason by an instrument filed in the official real property records of the county in which the Pooled Unit is located.

This Declaration of Pooled Unit shall be binding on the heirs, representatives, successors and assigns, as applicable, of the undersigned Lessee and of the Lessors in the Leases identified in Exhibit "A" and of each mineral and/or royalty owner whose interest is pooled hereby.

The Pooled Unit created by this Declaration shall be effective as of date of **November 1, 2019**, (the "Effective Date") and shall remain in force as long as oil, gas or other hydrocarbons are being produced from the Pooled Unit, or so long as the Pooled Unit Leases are maintained in force and effect by payment or tender of shut-in royalties or by any other means in the manner provided for under the terms of the Leases.

**LESSEE**

**EOG RESOURCES, INC.**

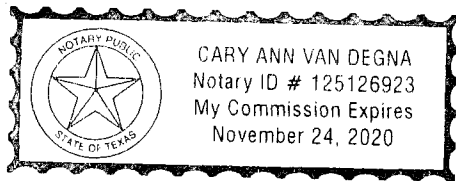
By:   
Wendy Dalton   
Agent and Attorney in Fact

## ACKNOWLEDGMENT

STATE OF TEXAS           §

COUNTY OF MIDLAND   §

This instrument was acknowledged before me on this 23<sup>rd</sup> day of June, 2020, by Wendy Dalton, Agent and Attorney in Fact, EOG Resources, Inc., a Delaware corporation, on behalf of said corporation.



Cary Ann Van Degna  
Notary public in and for State of Texas

**EXHIBIT "A"**

ATTACHED TO AND MADE A PART OF THE DESIGNATION  
 OF OSPREY 10 E/2W/2 BONE SPRING AND WOLFCAMP HORIZONTAL UNIT

	EOG Lease No.	Lessor	Original Lessee	Lease Date	Recording Information		
					County	Book	Page
1	0022037/001	JOHN WARREN, ET UX	AMOCO PRODUCTION COMPANY	7/19/1979	Lea	320	920
2	0022037/002	MICKEY WARREN	AMOCO PRODUCTION COMPANY	7/19/1979	Lea	320	922
3	0089667/001	LEON HARDMAN ET UX	SOUTHWEST PETROLEUM LAND SERVICES, LLC	10/15/2009	Lea	1654	683
4	0089667/002	GARY L NEISLER ET UX	SOUTHWEST PETROLEUM LAND SERVICES, LLC	10/15/2009	Lea	1654	680
5	0089667/003	BOB V WARREN	EOG RESOURCES, INC	4/11/2014	Lea	1894	896
6	0089667/004	GARY F WARREN	EOG RESOURCES, INC	4/11/2014	Lea	1894	924
7	0089667/005	DERINDA WARREN FOSTER	EOG RESOURCES, INC	4/11/2014	Lea	1895	730
8	0089667/006	SUE WARREN DURAN	EOG RESOURCES, INC	4/11/2014	Lea	1897	949
9	0089667/007	DHERYL SHERRILL	EOG RESOURCES, INC	4/11/2014	Lea	1897	952
10	0089667/008	DELWYNN SHERRILL	EOG RESOURCES, INC	4/11/2014	Lea	1897	955
11	0089667/009	LAYLAN COPELIN	EOG RESOURCES, INC	4/11/2014	Lea	1903	213
12	0089667/011	DONNA C HOPKINS	EOG RESOURCES, INC	4/11/2014	Lea	1906	523
13	0089667/012	JIMMIE A SMITH TRUST	EOG RESOURCES, INC	5/21/2014	Lea	1911	853
14	0089667/013	JOHN WALTER WARREN	EOG RESOURCES, INC	8/2/2014	Lea	1921	323
15	0089667/014	LOIS J PRICE AKA JARENE PRICE	EOG RESOURCES, INC	11/21/2014	Lea	1939	266
16	0089667/015	LONZO ESTELL SETTLES JR	EOG RESOURCES, INC	9/23/2014	Lea	1945	525

17	0089667/016	PATRICE RENEE WARREN MASTERSON	EOG RESOURCES, INC	2/7/2015	Lea	1948	495
18	0089667/017	CONNIE JEAN WARREN STEPHENS	EOG RESOURCES, INC	2/7/2015	Lea	1948	492
19	0089667/018	RONALD DEAN COKER	EOG RESOURCES, INC	2/12/2015	Lea	1954	27
20	0089667/019	ELMER LLOYD COKER	EOG RESOURCES, INC	9/23/2014	Lea	1954	30
21	0089667/020	JO LYNN MAYES	EOG RESOURCES, INC	2/12/2015	Lea	1954	33
22	0089667/021	KAREN SUE NEISLER DENNY	FEATHERSTONE DEVELOPMENT CORPORATION	4/29/2013	Lea	1858	666
23	0089667/022	BILLY E BOLER	EOG RESOURCES, INC	6/8/2017	Lea	2114	636
24	0089667/023	KAREN B ALDRIDGE	EOG RESOURCES, INC	6/8/2017	Lea	2114	637
25	0089734/001	CHARLES G AND BILLIE JOHNS TRUST 8/18/90	SOUTHWEST PETROLEUM LAND SERVICES, LLC	12/29/2009	Lea	1669	327
26	0089734/002	SHARYN ANN MADERA RASH	SOUTHWEST PETROLEUM LAND SERVICES, LLC	4/26/2010	Lea	1679	364
27	0089734/003	LYNDA DIANE MADERA JACOBSEN	SOUTHWEST PETROLEUM LAND SERVICES, LLC	4/26/2010	Lea	1680	25
28	0089734/005	SARA LEE MADERA LANGFORD	SOUTHWEST PETROLEUM LAND SERVICES, LLC	5/13/2010	Lea	1680	747
29	0089734/008	LEE W HORTON ET UX	EOG RESOURCES, INC	4/1/2014	Lea	1890	150
30	0089734/009	RANDAL J GARDNER ET UX	EOG RESOURCES, INC	4/1/2014	Lea	1890	161
31	0089734/011	PAUL PAGE JR	EOG RESOURCES, INC	4/1/2014	Lea	1890	159
32	0089734/012	BARBARA A COLLINS	EOG RESOURCES, INC	5/21/2014	Lea	1903	970
33	0089734/013	MAXIE W ALLEN	EOG RESOURCES, INC	5/21/2014	Lea	1906	526
34	0089734/014	JOHN W PHILLIPS	EOG RESOURCES, INC	8/18/2014	Lea	1921 1936	335 722
35	0089734/015	DEBORAH P BOWER	EOG RESOURCES, INC	8/18/2014	Lea	1921	326

36	0089734/016	DIANNE P ALBRECHT	EOG RESOURCES, INC	8/18/2014	Lea	1921	329
37	0089734/017	CYNTHIA P CLOSE	EOG RESOURCES, INC	8/18/2014	Lea	1921	332
38	0089734/018	RIDGEROCKTX LLC	EOG RESOURCES, INC	9/16/2014	Lea	1921	52
39	0089734/019	BRININSTOOL XL RANCH LLC	EOG RESOURCES, INC	2/10/2015	Lea	1962	611
40	0089734/020	ROBERT E LANDRETH ET UX	EOG RESOURCES, INC	10/1/2014	Lea	1962	779
41	0089734/021	BOB M FANNIN ESTATE	MRC PERMIAN COMPANY	4/15/2014	Lea	1899	691
42	0089734/022	DAWN FANNIN LEON TRUST	MRC PERMIAN COMPANY	12/16/2013	Lea	1876	103
43	0089734/023	E M DAGGETT JR TR BANK OF AMERICA TTEE	MRC PERMIAN COMPANY	8/11/2014	Lea	1918	714
44	0089734/024	JOHN PATRICK ALLEN	EOG RESOURCES, INC	4/26/2017	Lea	2103	944
45	0089734/034	RICHARD A TOTH	EOG RESOURCES, INC	5/17/2017	Lea	2107	886
46	0089734/035	DAVID C EDWARDS	EOG RESOURCES, INC	5/17/2017	Lea	2107	885
47	0089734/036	DEBORAH G PARTRIDGE	EOG RESOURCES, INC	5/17/2017	Lea	2100	471
48	0089734/037	GEORGE H ALLEN	EOG RESOURCES, INC	5/2/2017	Lea	2106	202
49	0089734/038	WILLIAM W EDWARDS	EOG RESOURCES, INC	5/17/2017	Lea	2112	72
50	0089734/039	JAMES W EDWARDS	EOG RESOURCES, INC	5/17/2017	Lea	2112	70
51	0089734/040	DEBORAH E WAKIMOTO	EOG RESOURCES, INC	5/23/2017	Lea	2114	639
52	0089734/041	MICHAEL B WEAVER	EOG RESOURCES, INC	5/23/2017	Lea	2114	638
53	0089734/042	TRACY JO GROOM	MRC PERMIAN COMPANY	1/21/2014	Lea	1879	337
54	0089734/043	KATHERINE ROSS MADERA	MRC PERMIAN COMPANY	1/20/2014	Lea	1879	335
55	0089734/044	KENDRA LEE COHEA COLEMAN	MRC PERMIAN COMPANY	1/21/2014	Lea	1879	399
56	0089734/045	VANESSA FANNIN-RADA	MRC PERMIAN COMPANY	12/16/2013	Lea	1874	205

57	0089734/046	ROBERT ALAN FANNIN	MRC PERMIAN COMPANY	12/16/2013	Lea	1876	101
58	0089734/047	BILL B FANNIN JR	MRC PERMIAN COMPANY	12/16/2013	Lea	1874	201
59	0089734/048	DAWN DENISE RADA	MRC PERMIAN COMPANY	12/16/2013	Lea	1874	203
60	0089734/049	JOHN B PAYNE ET UX	MRC PERMIAN COMPANY	3/17/2014	Lea	1887	592
61	0089734/050	LINDSEY BRININSTOOL TST	MRC PERMIAN COMPANY	8/11/2014	Lea	1918	712
62	0089734/051	CHARLES WILLIAM JORDAN SR	MRC PERMIAN COMPANY	3/7/2014	Lea	1899	616
63	0089734/052	SHELLY LYNN JORDAN	MRC PERMIAN COMPANY	2/25/2014	Lea	1907	14
64	0089734/053	DEENA SCHMELZLE AND RUTH SMITH J/T	MRC PERMIAN COMPANY	1/31/2014	Lea	1882	291
65	0089734/054	WILLIAM PERRY ANDERSON	MRC PERMIAN COMPANY	3/17/2014	Lea	1887	598
66	0089734/055	BARBARA BRYANT	MRC PERMIAN COMPANY	1/23/2014	Lea	1878	56
67	0089734/056	JO ANN BRININSTOOL	MRC PERMIAN COMPANY	3/14/2014	Lea	1887	602
68	0089734/057	CECIL BRININSTOOL	MRC PERMIAN COMPANY	1/3/2014	Lea	1874	197
69	0089734/058	LILA WEBB	MRC PERMIAN COMPANY	1/3/2014	Lea	1874	191
70	0089734/059	DEEANNA MARIE MAES	MRC PERMIAN COMPANY	3/6/2014	Lea	1887	596
71	0089734/060	MITCHELL BRININSTOOL	MRC PERMIAN COMPANY	3/14/2014	Lea	1887	604
72	0089734/061	ALBERT J MARCHIONE	MRC PERMIAN COMPANY	1/3/2014	Lea	1874	193
73	0089734/062	CARLA R ANDERSON	MRC PERMIAN COMPANY	1/3/2014	Lea	1874	195
74	0089734/063	MARY K MARCHIONE ET VIR	MRC PERMIAN COMPANY	1/7/2014	Lea	1878	232
75	0089734/064	TILLMAN WARDEN SR	MRC PERMIAN COMPANY	1/9/2014	Lea	1876	91
76	0089734/065	BILLIE HEMLER LYNN	XPLOR RESOURCES, LLC	9/6/2013	Lea	1857	599
77	0089734/066	MARK E NORTHCUTT	MRC PERMIAN COMPANY	3/9/2015	Lea	1956	435
78	0089734/067	DEREK R NORTHCUTT	MRC PERMIAN COMPANY	3/9/2015	Lea	1976	117
79	0089734/068	KIMBERLY ANN TAYLOR	MRC PERMIAN COMPANY	1/9/2014	Lea	1876	97
80	0089734/069	PATRICIA ANNETTE WARDEN	MRC PERMIAN COMPANY	1/9/2014	Lea	1876	93
81	0089734/070	TILLMAN WARDEN JR	MRC PERMIAN COMPANY	1/9/2014	Lea	1876	95
82	0089734/071	LEAGUE BASIL CLAY	MRC PERMIAN COMPANY	3/7/2014	Lea	1892	437

83	0089734/072	ROBERT FLOYD KELTON ET UX	MRC PERMIAN COMPANY	12/9/2013	Lea	1872	674
84	0089734/073	KATHERINE JANELL KELTON	MRC PERMIAN COMPANY	12/9/2013	Lea	1872	672
85	0089734/074	NANCY SNAILUM	MRC PERMIAN COMPANY	12/9/2013	Lea	1872	676
86	0089734/075	BOBBY GREG COHEA ET UX	MRC PERMIAN COMPANY	12/9/2013	Lea	1876	99
87	0089734/076	ALAN JOCHIMSEN	MRC PERMIAN COMPANY	1/21/2014	Lea	1876	83
88	0089734/077	MONTY B MCLANE ET UX	MRC PERMIAN COMPANY	1/21/2014	Lea	1876	89
89	0089734/078	JENNIE BETH FANNIN	MRC PERMIAN COMPANY	12/17/2013	Lea	1874	207
90	0089734/079	BARBARA ANNE FANNIN II	MRC PERMIAN COMPANY	4/15/2014	Lea	1899	693
91	0089734/080	OLIVER W FANNIN III	MRC PERMIAN COMPANY	4/15/2014	Lea	1899	697
92	0089734/081	BARBARA A FANNIN MD LIFE EST	MRC PERMIAN COMPANY	4/15/2014	Lea	1899	695
93	0089734/082	LARRY LEE ANDERSON	MRC PERMIAN COMPANY	3/17/2014	Lea	1887	600
94	0089734/084	KRISTI K NORTHCUTT	MRC PERMIAN COMPANY	3/9/2015	Lea	1976	117
95	0089734/085	MICHELE D SHAW	EOG RESOURCES, INC	5/23/2017	Lea	2132	590
96	0089734/086	JOHN W GALBREATH II	EOG RESOURCES, INC	9/2/2014	Lea	2136	937
97	0089734/087	LAURIE GALBREATH NICHOLS	EOG RESOURCES, INC	9/2/2014	Lea	2136	936
98	0089734/088	LIZANNE GALBREATH	EOG RESOURCES, INC	9/2/2014	Lea	2136	938
99	N/A	DUER WAGNER JR TRUSTEE OF THE RUTH WAGNER TRUST	CHESAPEAKE EXPLORATION LLC	9/1/2011	Lea	1763	690
100	N/A	DUER WAGNER JR	CHESAPEAKE EXPLORATION LLC	9/2/2011	Lea	1763	692
101	N/A	STATES ROYALTY LP	BRAZOS LIMITED PARTNERSHIP ET AL	2/8/2015	Lea	1944	939
102	N/A	FLAT ROCK ROYALTIES LLC	SCRATCH PROPERTIES LLC	5/1/2017	Lea	2103	512
103	N/A	LELA ELLEN MADERA	BLACK MOUNTAIN	8/8/2016	Lea	2063	13



			OPERATING LLC				
104	N/A	MICHAEL FRED MADERA	BLACK MOUNTAIN OPERATING LLC	8/16/2016	Lea	2063	26

## EXHIBIT "B"

ATTACHED TO AND MADE A PART OF THE DESIGNATION  
OF OSPREY 10 E/2W/2 BONE SPRING AND WOLFCAMP HORIZONTAL UNIT

### **Pooled Lands:**

#### **Tract 1:**

The E/2SW/4 of Section 10, Township 25 South, Range 34 East, Lea County, New Mexico.

#### **Tract 2:**

The E/2NW/4 of Section 10, Township 25 South, Range 34 East, Lea County, New Mexico.

#### **Tract 3:**

The E/2SW/4 of Section 3, Township 25 South, Range 34 East, Lea County, New Mexico

### **Pooled Interval:**

Pooled as to the Bone Spring and Wolfcamp Formation, the top of the Bone Spring being 9,254' TVD and the base of the Wolfcamp being 13,780' TVD based on the Gamma log of EOG Resources Chaparral 10 # 1 well (API: 30-025-29127)

**Please return recorded document:**

EOG Resources, Inc.  
Attention: Cary VanDegna  
5509 Champions Drive  
Midland, TX 79706

LEA COUNTY, NM  
KEITH MANES, COUNTY CLERK  
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Book 2167 Page 394  
11 of 11  
06/25/2020 08:49 AM  
BY CRESLEY BARBRE