

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

**APPLICATION OF COLGATE OPERATING, LLC  
TO POOL ADDITIONAL INTERESTS UNDER  
ORDER NO. R-21355-A,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22833  
ORDER NO. R-21355-A  
(Re-Open Case No. 21227)**

**EXHIBIT INDEX**

|           |   |
|-----------|---|
| Exhibit A | Self-Affirmed Statement of Mark Hadjik                                  |
| A-1       | Application & Proposed Notice of Hearing                                |
| A-2       | Order No. R-21355-A   |
| A-3       | Plat of Tracts, Ownership Interests, Uncommitted Interests to be Pooled |
| A-4       | Sample Well Proposal Letter and AFEs                                    |
| A-5       | Chronology of Contact   |
| Exhibit B | Affidavit of Dana S. Hardy  |
| B-1       | Hearing Notice Letter   |
| B-2       | Chart of Notice to All Interested Parties and Certified Mail Receipts   |
| B-3       | Affidavit of Publication on June 17, 2022                               |

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

APPLICATION OF COLGATE OPERATING, LLC  
TO POOL ADDITIONAL INTERESTS UNDER  
ORDER NO. R-21355-A,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 22833  
ORDER NO. R-21355-A  
(Re-Open Case No. 21227)

SELF-AFFIRMED STATEMENT  
OF MARK HAJDIK

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

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

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

4. On September 25, 2020, the Division entered Order No. R-21355-A (“Order”) in Case No. 21227, which pooled all uncommitted interests in the Winchester, Bone Spring Pool (Code 65010) within the Bone Spring formation underlying a horizontal spacing unit comprised of the N/2 of Sections 33 and 34, Township 19 South, Range 28 East, Eddy County, New Mexico (“Unit”). The Order further dedicated the Unit to the Shamrock 34 Fed State Com 121H, Shamrock 34 Fed State Com 131H, Shamrock Fed State Com 122H, and Shamrock 34 Fed State Com 132H wells (“Wells”) and designated Applicant as operator of the Unit and Wells.

**Exhibit A**

5. A copy of Order No. R-21355-A is attached as **Exhibit A-2**.
6. Since the Order was entered, Colgate has identified additional uncommitted interests in the Unit that have not been pooled under the terms of the Order.
7. **Exhibit A-3** provides a plat of the tracts included in the Unit, identifies the interests in each tract, and identifies the additional uncommitted interests to be pooled under the terms of Order No. R-21355-A, which are highlighted in yellow. **Exhibit A-3** also identifies any unlocatable parties.
8. **Exhibit A-4** is a sample well proposal letter that I sent to the interest owners.
9. In my opinion, Colgate has made a good-faith effort to reach voluntary joinder as indicated by the chronology of contact described in **Exhibit A-5**.
10. Colgate made a diligent search of public records, including county records and online databases, in an effort to locate the unlocatable parties.
11. Colgate requests the additional uncommitted mineral interests be pooled under the terms of Order No. R-21355-A.
12. In my opinion, the granting of Colgate's application would serve the interests of conservation and the prevention of waste.
13. The attached exhibits attached were either prepared by me or under my supervision or were compiled from company business records.
14. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 13 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

  
\_\_\_\_\_  
Mark Hadjik

6/29/22  
\_\_\_\_\_  
Date

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

**APPLICATION OF COLGATE OPERATING, LLC  
TO POOL ADDITIONAL INTERESTS UNDER  
ORDER NO. R-21355-A,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22833  
ORDER NO. R-21355-A  
(Re-Open Case No. 21227)**

**APPLICATION**

Pursuant to NMSA § 70-2-17, Colgate Operating, LLC (“Applicant”) (OGRID No. 371449) files this application with the Oil Conservation Division (“Division”) for the limited purpose of pooling additional uncommitted interests under the terms of Division Order No. R-21355-A. Applicant states the following in support of its application.

1. On September 25, 2020, the Division entered Order No. R-21355-A (“Order”) in Case No. 21227, which pooled all uncommitted interests in the Winchester, Bone Spring Pool (Code 65010) within the Bone Spring formation underlying a horizontal spacing unit comprised of the N/2 of Sections 33 and 34, Township 19 South, Range 28 East, Eddy County, New Mexico (“Unit”). The Order further dedicated the Unit to the Shamrock 34 Fed State Com 121H, Shamrock 34 Fed State Com 131H, Shamrock Fed State Com 122H, and Shamrock 34 Fed State Com 132H wells (“Wells”) and designated Applicant as operator of the Unit and Wells.
2. Since entry of the Order, Applicant has identified additional interests in the Unit that have not been pooled under the terms of the Order.
3. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from the additional mineral interest owners to participate in the drilling of the Wells but has been unable to obtain voluntary agreements from the owners.

**Exhibit A-1**

4. In order to permit Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the additional mineral interest owners should be pooled into the Unit pursuant to the terms of the Order.

WHEREFORE, Applicant requests this application be set for hearing before an Examiner of the Division on June 2, 2022, and, after notice and hearing, the Division pool the additional uncommitted interests into the Unit pursuant to the terms of Division Order No. R-21335-A.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy

Jaclyn M. McLean

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

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dhardy@hinklelawfirm.com

jmclean@hinklelawfirm.com

*Counsel for Colgate Operating, LLC*

**Application of Colgate Operating, LLC to Pool Additional Interests Under Order No. R-21355-A, Eddy County, New Mexico.** Applicant seeks an order pooling additional uncommitted interests under the terms of Division Order No. R-21355-A. Order No. R-21355-A (“Order”), which was entered in Case No. 21227, pooled all uncommitted interests in the Winchester, Bone Spring Pool (Code 65010) within the Bone Spring formation underlying a horizontal spacing unit comprised of the N/2 of Sections 33 and 34, Township 19 South, Range 28 East, Eddy County, New Mexico (“Unit”). The Order further dedicated the Unit to the Shamrock 34 Fed State Com 121H, Shamrock 34 Fed State Com 131H, Shamrock Fed State Com 122H, and Shamrock 34 Fed State Com 132H wells (“Wells”) and designated Applicant as operator of the Unit and Wells. Since entry of the Order, Applicant has identified additional interest owners in the Unit that should be pooled under the terms of the Order. The Wells are located approximately 12 miles northeast of Carlsbad, New Mexico.

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

**IN THE MATTER OF APPLICATION FOR  
COMPULSORY POOLING SUBMITTED BY  
COLGATE OPERATING, LLC**

**CASE NO. 21227  
ORDER NO. R-21355-A**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on May 28, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

**FINDINGS OF FACT**

1. Colgate Operating, LLC (“Operator”) submitted an application (“Application”) to compulsory pool the uncommitted oil and gas interests within the spacing unit (“Unit”) described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
2. Operator will dedicate the well(s) described in Exhibit A (“Well(s)”) to the Unit.
3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

**CONCLUSIONS OF LAW**

6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
7. Operator is the owner of an oil and gas working interest within the Unit.
8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.

**Exhibit A-2**

9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

**ORDER**

15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
17. Operator is designated as operator of the Unit and the Well(s).
18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by amending this Order for good cause shown.
21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
22. Operator shall submit each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the

CASE NO. 21227

ORDER NO. R-21355-A

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well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."

24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.

- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**

  
**ADRIENNE SANDOVAL**  
**DIRECTOR**  
 AES/jag

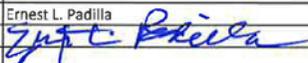
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CASE NO. 21227  
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### Exhibit A

| COMPULSORY POOLING APPLICATION CHECKLIST   |  |
|--|--|
| ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS  |  |
| Case: 21227  | Applicant's Response   |
| <b>Date</b>  |  |
| <b>Applicant</b>   | Colgate Operating, LLC   |
| <b>Designated Operator &amp; OGRID (affiliation if applicable)</b>   | 371449   |
| <b>Applicant's Counsel</b>   | Ernest L. Padilla  |
| <b>Case Title:</b>   | Application of Colgate Operating, LLC, Case No. 21227 for compulsory pooling, and non-standard spacing and proration unit, Eddy County, New Mexico   |
| <b>Entries of Appearance/Intervenor</b>  | Modrall-Lance D. Hough for EOG James Bruce for Mewbourne   |
| <b>Well Family</b>   | Shamrock 34 Fed State Com  |
| <b>Formation/Pool</b>  |  |
| <b>Formation Name(s) or Verticle Extent</b>  | Winchester, Bone Spring  |
| <b>Primary Product (Oil or Gas)</b>  | oil  |
| <b>Pooling this verticle extent</b>  | Bone Spring Formation  |
| <b>Pool Name and Pool Code</b>   | Winchester, Bone Spring (Pool code 65010)  |
| <b>Well Location Setback Rules</b>   | Standard   |
| <b>Spacing Unit Size</b>   | 320 ac   |
| <b>Spacing Unit</b>  |  |
| <b>Type (Horizontal/Verticle)</b>  | Horizontal   |
| <b>Size (acres)</b>  | 320  |
| <b>Building Blocks</b>   | quarter-quarter sections   |
| <b>Orientation</b>   | East to West   |
| <b>Description: TRS/County</b>   | N/2 N/2 of Sections 33 & 34, 19S, 28E, Eddy County, NM   |
| <b>Description: TRS/County</b>   | S/2 S/2 of Sections 33 & 34, 19S, 28E, Eddy County, NM   |
| <b>Standard Horizontal Well Spacing Unit</b>   | Yes  |
| <b>Other Situations</b>  |  |
| <b>Depth Severance: No</b>   | No   |
| <b>Proximity Tracts: If yes, description</b>   | No   |
| <b>Proximity Defining Well: If yes, description</b>  | No   |
| <b>Applicant's Ownership in Each Tract</b>   | Exhibit 1 109 through 116  |
| <b>Well(s)</b>   |  |
| <b>Name &amp; API (if assigned), surface and bottom hole location footages, completion target, orientation, completion status (standard or non-standard)</b> | <p><b>Shamrock 34 Fed State Com 121H</b><br/>                     SHL: 700 feet from the North line and 330 feet from the West line (Unit D) of Section 35, Township 19 South, Range 28 East, NMPM.<br/>                     BHL: 990 feet from the North line and 10 feet from the West line (Unit D) of Section 33, Township 19 South, Range 28 East, NMPM<br/>                     Completion Target: 2nd Bone Spring Sand at approx 7500 feet TVD<br/>                     Well Orientation: East to West<br/>                     Completion Location: standard</p> <p><b>Shamrock 34 Fed State Com 131H</b><br/>                     SHL: 655 feet from the North line and 330 feet from the West line (Unit D) of Section 35, Township 19 South, Range 28 East, NMPM.<br/>                     BHL: 890 feet from the North line and 10 feet from the West line (Unit D) of Section 33, Township 19 South, Range 28 East, NMPM<br/>                     Completion Target: 3rd Bone Spring Sand at approx 8600 feet TVD<br/>                     Well Orientation: East to West<br/>                     Completion Location: standard</p> <p><b>Shamrock 34 Fed State Com 122H</b><br/>                     SHL: 2610 feet from the South line and 295 feet from the East line, (Unit I) of Section 34, Township 19 South, Range 28 East, NMPM.<br/>                     BHL: 2310 feet from the North line and 10 feet from the West line, (Unit E) of Section 33, Township 19 South, Range 28 East, NMPM<br/>                     Completion Target: 2nd Bone Spring Sand at approx 7500 feet TVD<br/>                     Well Orientation: East to West<br/>                     Completion Location: standard</p> <p><b>Shamrock 34 Fed State Com 132H</b><br/>                     SHL: 2610 feet from the South line and 340 feet from the East line (Unit I) of Section 34, Township 19 South, Range 28 East, NMPM</p> |

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|  |  |
|--|--|
|  | BHL: 2210 feet from the North line and 10 feet from the West line<br>(Unit E) of Section 33, Township 19 South, Range 28 East, NMPPM<br>Completion Target: 3rd Bone Spring Sand at approx 8600 feet TVD<br>Well Orientation: East to West<br>Completion Location: standard |
| Horizontal Well First and Last Take Points   | Exhibit 1 pages 054, 067, 081, 093   |
| Completion Target (Formation, TVD and MD)  | Exhibit 1 AFE's pgs. 120 - 122 pgs. 127 - 130 and also listed above with each well.  |
| <b>Identify the Exhibit and Page for information below this line</b>   |  |
| <b>AFE Capex and Operating Costs</b>   |  |
| Drilling Supervision/Month \$  | \$8000/\$800   |
| Production Supervision/Month \$  | Exhibit 1 pages 127 through 130 AFE's  |
| Justification for Supervision Costs  | Exhibit 1 pages 127 through 130 AFE's  |
| Request Risk Charge  | 200% Exhibit 1 pages 127 through 130 AFE's   |
| <b>Notice of Hearing</b>   |  |
| Proposed Notice of Hearing   | Exhibit 3 pages 027-036 (Affidavit of Ernest L. Padilla)   |
| Proof of Mailed Notice of Hearing (20 days before hearing)   | Exhibit 3 pages 037 through 066 (Affidavit of Ernest L. Padilla)   |
| Proof of Published Notice of Hearing (10 days before hearing)  | Exhibit 3 pages 078-083  |
| <b>Ownership Determination</b>   |  |
| Land Ownership Schematic of the Spacing Unit   | Exhibit 1 pages 109 through 116  |
| Tract List (including lease numbers and owners)  | Exhibit 1 pages 109 through 116  |
| Pooled Parties (including ownership type)  | Exhibit 1 pages 109 through 116  |
| Unlocatable Parties to be Pooled   | Exhibit 3 pages 067 through 077 (returns) pages 078-083 (publication notice)   |
| Ownership Depth Severance (including percentage above & below)   | None   |
| <b>Joinder</b>   |  |
| Sample Copy of Proposed Letter   | Exhibit 1 pages 120 through 122  |
| List of Interest Owners (ie Exhibit A of JOA)  | Exhibit 1 pages 109 through 116  |
| Chronology of Contact with Non-Joined Working Interests  | Exhibit 1 page 117   |
| Overhead Rates in Proposal Letter  | Exhibit 1 pages 120 through 122  |
| Cost Estimates to Drill and Complete   | Exhibit 1 pages 127 through 130 AFE's  |
| Cost Estimate to Equip Well  | Exhibit 1 pages 127 through 130 AFE's  |
| Cost Estimate for Production Facilities  | Exhibit 1 pages 127 through 130 AFE's  |
| <b>Geology</b>   |  |
| Summary (including special considerations)   | Exhibit 2 pages 001 through 002  |
| Spacing Unit Schematic   | None   |
| Gunbarrel/Lateral Trajectory Schematic   | Exhibit 2 page 016   |
| Well Orientation (with rationale)  | None   |
| Target Formation   | Exhibit 2 pages 023, 024 & 025   |
| HSU Cross Section  | Exhibit 2 pages 023, 024 & 025   |
| Depth Severance Discussion   | None   |
| Forms, Figures and Tables  | None   |
| C-102  | See Above  |
| Tracts   | Exhibit 2 pages 016, 018, 019, 020, 021  |
| Summary of Interests, Unit Recapitulation (Tracts)   | None   |
| General Location Map (including basin)   | Exhibit 2 page 017   |
| Well Orientation (with rationale)  | Exhibit 2 page 018   |
| Structure Contour Map - Subsea Depth   | Exhibit 2 page 019   |
| Cross Section Location Map (including wells)   | Exhibit 2 page 018   |
| Cross Section (including Landing Zone)   | Exhibit 2 pages 023, 024 & 025   |
| <b>Additional Information</b>  |  |
| <b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b> |  |
| Printed Name: (Attorney or Party Representative):  | Ernest L. Padilla  |
| Signed Name: (Attorney or Party Representative):   |    |
| Date: June 4, 2020   |  |

| WI OWNER   | TRACT   | NET ACRES | WI       | FORCE POOL INTEREST |
|--|---------|-----------|----------|---------------------|
| <b>Interest is uniform across the two spacing units</b>  |         |           |          |                     |
| Colgate Production, LLC  | 1, 2, 3 | 570.51    | 89.1424% | Operator            |
| Bill Ferguson, marital status unknown  | 2       | 0.51      | 0.0799%  | Yes                 |
| C5 Capital Management, LLC   | 1       | 0.83      | 0.1302%  | Yes                 |
| Carl Joseph Garrett, Executor, Estate of Jasper Ben Garrett, Jr.   | 2       | 0.02      | 0.0026%  | Yes                 |
| Catherine E. Huffman   | 1       | 0.83      | 0.1302%  | No                  |
| Connie Gale Becker   | 2       | 0.02      | 0.0026%  | Yes                 |
| Current Trustee under Declaration of Trust dated August 28, 1982, executed by Alice G. Davis (SITL Energy)               | 2       | 2.15      | 0.3359%  | Yes                 |
| Donna Marie Studer, Administrator, Estate of Genevieve Studer  | 2       | 0.02      | 0.0026%  | Yes                 |
| Douglas C. Cranmer and Russell B. Cranmer, Trustees of the Russell E. Cranmer Irrevocable Trust dated December 28, 1992* | 1, 2    | 0.28      | 0.0433%  | Yes                 |
| Douglas Cranmer*   | 1, 2    | 0.09      | 0.0133%  | Yes                 |
| Duer Wagner, III   | 2       | 0.60      | 0.0943%  | Yes                 |
| Chief Capital (O&G) II LLC   | 1       | 10.00     | 1.5625%  | Yes                 |
| Galkay, a Joint Venture  | 2       | 0.75      | 0.1165%  | Yes                 |
| Geoffrey Lanceley, marital status unknown  | 1, 2    | 0.03      | 0.0047%  | Yes                 |
| Gerald L. Michaud, Estate of   | 2       | 0.13      | 0.0200%  | Yes                 |
| Ginger Lee Meyers  | 2       | 0.02      | 0.0026%  | Yes                 |
| HCH Investment, LLC  | 1       | 0.83      | 0.1302%  | Yes                 |
| Heirs or Devises of John R. Kline, deceased*   | 2       | 0.22      | 0.0350%  | Yes                 |
| Hodge Natural Gas Gathering, Inc.  | 2       | 0.06      | 0.0100%  | Yes                 |
| Intrepid Energy, Inc.  | 2       | 3.08      | 0.4820%  | Yes                 |
| J.W. Davis, a widower (SITL Energy)  | 2       | 2.15      | 0.3359%  | Yes                 |
| James Kenneth Garrett  | 2       | 0.03      | 0.0051%  | Yes                 |
| John C. Rocovich, whose wife is Sue Ellen Rocovich   | 2       | 0.22      | 0.0352%  | Yes                 |
| Joyce Eline Garrett  | 2       | 0.03      | 0.0051%  | Yes                 |
| Katherine Ferguson   | 1       | 0.34      | 0.0533%  | Yes                 |
| Magnum Hunter Production, Inc.   | 2       | 5.08      | 0.7933%  | No                  |
| Mary L. Kline, (Estate)*   | 1, 2    | 0.15      | 0.0233%  | Yes                 |
| Myrlene Mannschreck Dillon, separate property  | 1, 2    | 8.75      | 1.3672%  | Yes                 |
| Nelson & Co., for the benefit of John D. Wile Marital Trust  | 2       | 0.10      | 0.0150%  | Yes                 |
| Northern Oil and Gas, Inc.   | 1, 2    | 29.66     | 4.6337%  | No                  |
| Rockwood Resources, LLC  | 2       | 1.14      | 0.1782%  | Yes                 |
| Robert G. Ettleson, Estate*  | 1, 2    | 0.15      | 0.0233%  | Yes                 |
| Robert H. Kriebel, whose wife is Nancy B. Kriebel  | 2       | 0.22      | 0.0350%  | Yes                 |
| Russell Cranmer*   | 1, 2    | 0.09      | 0.0133%  | Yes                 |
| Sombrero Associates*   | 1, 2    | 0.27      | 0.0425%  | Yes                 |
| Ted J. Werts, marital status unknown*  | 2       | 0.06      | 0.0100%  | Yes                 |
| Wildcat Energy, LLC  | 2       | 0.45      | 0.0698%  | Yes                 |
| William L. Hilliard, marital status unknown  | 2       | 0.13      | 0.0200%  | Yes                 |

\*Unlocateable

| Lessee of Record         | WI   | Net Ac | Tract No | FORCE POOL INTEREST |
|--------------------------|------|--------|----------|---------------------|
| Estate of DW Underwood~  | None | None   | 1        | Yes                 |
| Estate of JC Williamson~ | None | None   | 1        | Yes                 |
| Oxy USA WTP LP           | None | None   | 1        | Yes                 |
| CM Resources, LLC        | None | None   | 2        | Yes                 |
| ZPZ Delaware I LLC       | None | None   | 2        | Yes                 |

~unresolved probate matters

## Exhibit A-3

**Shamrock 34 Fed Com Tract Map**

|   |   |   |
|---|---|---|
| <b>Section 33</b><br><br><b>Tract 3</b> | <b>N2N2 Shamrock 34</b><br><br><b>Tract 2</b> | <b>Section 34</b><br><br><b>Tract 1</b> |
| <b>Fee Leases</b>                       | <b>S2N2 Shamrock 34</b>                       |   |
| <b>NMNM 428657</b>                      | <b>NMNM 428657</b>                            | <b>NMNM 473362</b>                      |

| ORRI Owners  |
|--|
| 1B4S Enterprises, LLC  |
| Bill Stinebuck, separate property  |
| Brett C. Barton, separate property   |
| Carolina R. Greene, separate property  |
| Colgate Royalties, LP  |
| Donna Gloyna, separate property  |
| E.L. Latham Co., a New Mexico General Partnership  |
| Elliott Johnson, separate property   |
| Frank Edwards, separate property   |
| Grace Geist, separate property   |
| Grant Bynum, separate property   |
| Heidi C. Barton, separate property   |
| Janice Coley, separate property  |
| Jason Hicks, separate property   |
| Jennifer Herrera, separate property  |
| Jennifer Hicks, separate property  |
| Jimmy L. Dorland, separate property  |
| Kimberly D. Faulkner, separate property  |
| Kyle F. Shepard, single  |
| Marcia Marquez, separate property  |
| Mary Lou Morris, separate property   |
| Mary Lynn Forehand   |
| Matthew L. Bynum, separate property  |
| Mona Rosfeld, separate property  |
| Norma Jane Chanley, separate property  |
| Patrick E. Hudson, separate property   |
| Penasco Petroleum, LLC   |
| Rachel Nagel, separate property  |
| Robert P. Byron and Jeannine Hooper Byron, Trustees of the Robert and Jeannine Byron Revocable Trust UTA dated June 18, 2003 |
| Roberta Nuss, separate property  |
| Rolla R. Hinkle, III   |
| Roy G. Barton, III, separate property  |
| Roy G. Barton, Jr., separate property  |
| Sally Feagin, separate property  |
| Sharon O. Blackard, Trustee of of the Revocable Trust of Sharon O. Blackard dated June 5, 2018                               |
| SoftVest, LP   |
| Stagner, LLC   |
| Stanley A. Bynum, separate property  |

|   |
|---|
| Stephen Bradley Howard, separate property   |
| Kimberly Dorland Combs, Trustee of the Kimberly Dorland Combs Family Trust <u>and/or</u> Patricia Cherry Stewart      |
| Virginia Black, separate property   |
| William Wade Shipley  |
| Zolene Voigt Knott  |
| Abuelo, LLC   |
| Carol Sue Mhoun, separate property  |
| Cheryl Diane Etheredge, Trustee of the Etheredge Revocable Living Trust dated November 4, 1997                        |
| CM Royalties, LP  |
| Ergodic Resources, LLC  |
| Frank J. Pisor  |
| Greenville Partners   |
| Heirs of George A. Lauck and Molly Lauck  |
| James A. Lawson   |
| Kevin Hammitt   |
| Loco Hills Production Company, LLC  |
| Marathon Oil Permian, LLC   |
| Mark and Paula McClellan  |
| Marshall & Winston, Inc.  |
| Mountain Lion Oil & Gas, LLC  |
| Nilo Operating Company  |
| Ross and Kandace McClellan  |
| Silverhair, LLC   |
| Trinity Royalty Holdings 1, LP  |
| William G. Ross and Vee K. Ross, Trustees of the William G. Ross and Vee K. Ross Living Trust UTA dated March 9, 1990 |



March 29, 2022

Estate of Robert G. Ettelson  
C/O Robert A Weil  
416 Sheridan Road  
Highland Park, IL 60035

RE: Proposal to Drill – Shamrock 34 Fed Com 121H, 122H, 131H and 132H (the “Well(s)”)  
N/2 Section 34 & N/2 Section 33, T19S-R28E  
Eddy County, New Mexico

Dear Owner:

Colgate Operating, LLC, (“Colgate”) as Operator, previously proposed the above referenced Wells in November 2020. Your working interest was listed inaccurately in the previous proposal; therefore, Colgate is re-proposing the Wells.

Enclosed for your review, please find copies of the State of Mexico Oil Conservation Division Compulsory Pooling Order Number R-21355A (Case No. 21227) (“Pooling Order”), effective September 25, 2020. Pursuant to the Pooling Order, Colgate submits this letter to you seeking your election for each Well.

Under Article 23 on page 2 of the Pooling Order, you have thirty (30) days following your receipt of this letter to elect to participate and subsequently pay your proportionate share of the well costs or elect to non-consent in these Wells and be considered a “Non-Consenting Pooled Working Interest”. After a preliminary review of title, Colgate shows you own an estimated interest of 0.00023310 in each well.

Interest may be subject to change based upon final verification of title. In the event you elect to participate in any of the Wells, please indicate your election by signing and returning one copy of the enclosed ballot, each AFE and insurance declaration to the undersigned, along with your full payment for each Well within thirty (30) days following your thirty (30) day election period. Failure to timely elect or remit payment will result in your being deemed non-consent.

These proposed locations and target depths are subject to change depending on any surface or subsurface concerns. Also, the enclosed AFEs represent the Estimated Well Costs that will be incurred to drill and complete these Wells, but those electing to participate in the Wells are responsible for their share of the Actual Well Costs incurred.

If you have any questions or concerns regarding this proposal, please contact Mark Hajdik either via telephone at (432) 257-3886 or via e-mail at [nmorelations@colgateenergy.com](mailto:nmorelations@colgateenergy.com).

Sincerely,

**COLGATE OPERATING, LLC**

A handwritten signature in blue ink that reads 'Mark Hajdik'.

Mark Hajdik  
Senior Staff Landman

**Exhibit A-4**

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

Non-Operator hereby elects to:

\_\_\_\_\_ participate in the drilling and completion of the Shamrock 34 Fed Com 121H

\_\_\_\_\_ non-consent the drilling and completion of the Shamrock 34 Fed Com 121H

\_\_\_\_\_ participate in the drilling and completion of the Shamrock 34 Fed Com 122H

\_\_\_\_\_ non-consent the drilling and completion of the Shamrock 34 Fed Com 122H

\_\_\_\_\_ participate in the drilling and completion of the Shamrock 34 Fed Com 131H

\_\_\_\_\_ non-consent the drilling and completion of the Shamrock 34 Fed Com 131H

\_\_\_\_\_ participate in the drilling and completion of the Shamrock 34 Fed Com 132H

\_\_\_\_\_ non-consent the drilling and completion of the Shamrock 34 Fed Com 132H

Agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by:

**ESTATE OF ROBERT G. ETTTELSON**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

**Participate / Rejection Declaration**

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

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

Agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by:

**ESTATE OF ROBERT G. ETTELSON**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

### Colgate Energy

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

#### ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

|                  |  |                  |                        |
|------------------|--|------------------|------------------------|
| DATE:            | 10/19/2021   | AFE NO.:         | 3001520093             |
| WELL NAME:       | Shamrock 34 Fed State Com 121H   | FIELD:           | WINCHESTER/BONE SPRING |
| LOCATION:        | N2 of Sections 33 & 34, T19S-R28E  | MD/TVD:          | 17650' MD / 7448' TVD  |
| COUNTY/STATE:    | Eddy County, New Mexico  | LATERAL LENGTH:  | 10,448                 |
| Colgate WI:      |  | DRILLING DAYS:   | 14.9                   |
| GEOLOGIC TARGET: | SBSG   | COMPLETION DAYS: | 22                     |
| REMARKS:         | Drill a horizontal SBSG well and complete with 44 stages. AFE includes drilling, completions, flowback and Initial AL install cost |                  |                        |

| INTANGIBLE COSTS                    | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 1 Land/ Legal/ Regulatory           | \$ 35,000        | \$               | \$               | \$ 35,000        |
| 2 Location, Surveys & Damages       | 139,500          | 13,000           | 10,000           | 162,500          |
| 4 Freight/ Transportation           | 55,500           | 31,500           |                  | 87,000           |
| 5 Rental - Surface Equipment        | 57,541           | 165,100          | 13,700           | 236,341          |
| 6 Rental - Downhole Equipment       | 121,669          | 50,000           |                  | 171,669          |
| 7 Rental - Living Quarters          | 26,038           | 42,200           |                  | 68,238           |
| 10 Directional Drilling, Surveys    | 183,568          |                  |                  | 183,568          |
| 11 Drilling                         | 378,213          |                  |                  | 378,213          |
| 12 Drill Bits                       | 60,565           |                  |                  | 60,565           |
| 13 Fuel & Power                     | 119,700          | 300,000          |                  | 419,700          |
| 14 Cementing & Float Equip          | 135,000          |                  |                  | 135,000          |
| 15 Completion Unit, Swab, CTU       |                  |                  | 26,000           |                  |
| 16 Perforating, Wireline, Slickline | -                | 261,350          | 9,000            | 270,350          |
| 17 High Pressure Pump Truck         | -                | 41,500           |                  | 41,500           |
| 18 Completion Unit, Swab, CTU       | -                | 80,000           |                  | 80,000           |
| 20 Mud Circulation System           | 64,053           |                  |                  | 64,053           |
| 21 Mud Logging                      | 11,441           |                  |                  | 11,441           |
| 22 Logging/ Formation Evaluation    | 4,935            | 6,000            |                  | 10,935           |
| 23 Mud & Chemicals                  | 213,625          | 358,012          |                  | 571,637          |
| 24 Water                            | 41,850           | 631,880          |                  | 673,730          |
| 25 Stimulation                      | -                | 526,500          |                  | 526,500          |
| 26 Stimulation Flowback & Disp      | -                | 74,000           |                  | 74,000           |
| 28 Mud/ Wastewater Disposal         | 90,060           | 422,000          |                  | 512,060          |
| 30 Rig Supervision/ Engineering     | 69,451           | 108,700          | 9,800            | 187,951          |
| 32 Drlg & Completion Overhead       | 5,625            | -                |                  | 5,625            |
| 35 Labor                            | 95,550           | 57,500           | 20,000           | 173,050          |
| 54 Proppant                         |                  | 680,165          |                  | 680,165          |
| 95 Insurance                        | 31,770           |                  |                  | 31,770           |
| 97 Contingency                      | 160,104          | 274,988          | 8,850            | 443,941          |
| 99 Plugging & Abandonment           | -                |                  |                  | -                |
| <b>TOTAL INTANGIBLES &gt;</b>       | <b>2,100,758</b> | <b>4,124,394</b> | <b>97,350</b>    | <b>6,296,502</b> |

| TANGIBLE COSTS                      | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 60 Surface Casing                   | \$ 18,851        | \$               | \$               | \$ 18,851        |
| 61 Intermediate Casing              | 88,347           |                  |                  | 88,347           |
| 62 Drilling Liner                   | -                |                  |                  | -                |
| 63 Production Casing                | 321,479          |                  |                  | 321,479          |
| 64 Production Liner                 | -                |                  |                  | -                |
| 65 Tubing                           | -                |                  | 55,000           | 55,000           |
| 66 Wellhead                         | 65,000           |                  | 59,100           | 124,100          |
| 67 Packers, Liner Hangers           | 12,825           | -                | 4,500            | 17,325           |
| 68 Tanks                            | -                |                  |                  | -                |
| 69 Production Vessels               | -                |                  |                  | -                |
| 70 Flow Lines                       | -                |                  |                  | -                |
| 71 Rod string                       | -                |                  |                  | -                |
| 72 Artificial Lift Equipment        | -                |                  | 88,000           | 88,000           |
| 73 Compressor                       | -                |                  |                  | -                |
| 74 Installation Costs               | -                |                  |                  | -                |
| 75 Surface Pumps                    | -                |                  | 5,000            | 5,000            |
| 76 Downhole Pumps                   | -                |                  |                  | -                |
| 77 Measurement & Meter Installation | -                |                  | 7,500            | 7,500            |
| 78 Gas Conditioning/ Dehydration    | -                |                  |                  | -                |
| 79 Interconnecting Facility Piping  | -                |                  |                  | -                |
| 80 Gathering/ Bulk Lines            | -                |                  |                  | -                |
| 81 Valves, Dumps, Controllers       | -                |                  |                  | -                |
| 82 Tank/ Facility Containment       | -                |                  |                  | -                |
| 83 Flare Stack                      | -                |                  |                  | -                |
| 84 Electrical/ Grounding            | -                |                  | 90,900           | 90,900           |
| 85 Communications/ SCADA            | -                |                  |                  | -                |
| 86 Instrumentation/ Safety          | -                |                  |                  | -                |
| <b>TOTAL TANGIBLES &gt;</b>         | <b>506,502</b>   | <b>0</b>         | <b>310,000</b>   | <b>816,502</b>   |
| <b>TOTAL COSTS &gt;</b>             | <b>2,607,259</b> | <b>4,124,394</b> | <b>407,350</b>   | <b>7,113,003</b> |
|                                     | \$ 250           | \$ 395           | \$               | \$ 681           |

PREPARED BY Colgate Energy:

|                       |             |
|-----------------------|-------------|
| Drilling Engineer:    | SS/RM       |
| Completions Engineer: | Brady Adams |
| Production Engineer:  | Levi Harris |

Colgate Energy APPROVAL:

|                   |       |                  |       |                 |       |
|-------------------|-------|------------------|-------|-----------------|-------|
| Co-CEO            | _____ | Co-CEO           | _____ | VP - Operations | _____ |
|                   | WH    |                  | JW    |                 | CRM   |
| VP - Land & Legal | _____ | VP - Geosciences | _____ |                 |       |
|                   | BG    |                  | SO    |                 |       |

NON OPERATING PARTNER APPROVAL:

|               |       |                       |   |         |       |
|---------------|-------|-----------------------|---|---------|-------|
| Company Name: | _____ | Working Interest (%): | _____   | Tax ID: | _____ |
| Signed by:    | _____ | Date:                 | _____   |         |       |
| Title:        | _____ | Approval:             | <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) |         |       |

The costs on this AFE are estimates only and may not be construed as ceilings on any specific item or the total cost of the project. Tubing installation approved under the AFE may be delayed up to a year after the well has been completed. In executing this AFE, the Participant agrees to pay its proportionate share of actual costs incurred, including legal, curative, regulatory, brokerage and well costs under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and billed proportionately for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount acceptable to the Operator by the date of spud.

**Colgate Energy**

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

**ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE**

|                  |  |                  |                        |
|------------------|--|------------------|------------------------|
| DATE:            | 10/19/2021   | AFE NO.:         | 3001520064             |
| WELL NAME:       | Shamrock 34 Fed State Com 122H   | FIELD:           | WINCHESTER/BONE SPRING |
| LOCATION:        | N2 of Sections 33 & 34, T19S-R28E  | MD/TVD:          | 17746' MD / 7455' TVD  |
| COUNTY/STATE:    | Eddy County, New Mexico  | LATERAL LENGTH:  | 10,537                 |
| Colgate WI:      |  | DRILLING DAYS:   | 15.0                   |
| GEOLOGIC TARGET: | SBSG   | COMPLETION DAYS: | 22.3                   |
| REMARKS:         | Drill a horizontal SBSG well and complete with 44 stages. AFE includes drilling, completions, flowback and Initial AL install cost |                  |                        |

| INTANGIBLE COSTS                    | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 1 Land/ Legal/ Regulatory           | \$ 35,000        | \$ -             | \$ -             | \$ 35,000        |
| 2 Location, Surveys & Damages       | 139,500          | 13,000           | 10,000           | 162,500          |
| 4 Freight/ Transportation           | 55,500           | 31,500           | -                | 87,000           |
| 5 Rental - Surface Equipment        | 57,541           | 170,550          | 13,700           | 241,791          |
| 6 Rental - Downhole Equipment       | 121,669          | 50,000           | -                | 171,669          |
| 7 Rental - Living Quarters          | 26,044           | 43,200           | -                | 69,244           |
| 10 Directional Drilling, Surveys    | 183,943          | -                | -                | 183,943          |
| 11 Drilling                         | 378,237          | -                | -                | 378,237          |
| 12 Drill Bits                       | 60,565           | -                | -                | 60,565           |
| 13 Fuel & Power                     | 119,700          | 305,000          | -                | 424,700          |
| 14 Cementing & Float Equip          | 135,000          | -                | -                | 135,000          |
| 15 Completion Unit, Swab, CTU       | -                | -                | 26,000           | -                |
| 16 Perforating, Wireline, Slickline | -                | 265,650          | 9,000            | 274,650          |
| 17 High Pressure Pump Truck         | -                | 43,500           | -                | 43,500           |
| 18 Completion Unit, Swab, CTU       | -                | 80,000           | -                | 80,000           |
| 20 Mud Circulation System           | 64,216           | -                | -                | 64,216           |
| 21 Mud Logging                      | 11,492           | -                | -                | 11,492           |
| 22 Logging/ Formation Evaluation    | 4,961            | 6,000            | -                | 10,961           |
| 23 Mud & Chemicals                  | 213,625          | 362,054          | -                | 575,679          |
| 24 Water                            | 41,850           | 621,415          | -                | 663,265          |
| 25 Stimulation                      | -                | 535,275          | -                | 535,275          |
| 26 Stimulation Flowback & Disp      | -                | 74,500           | -                | 74,500           |
| 28 Mud/ Wastewater Disposal         | 90,060           | 423,000          | -                | 513,060          |
| 30 Rig Supervision/ Engineering     | 69,684           | 113,200          | 9,800            | 192,684          |
| 32 Drlg & Completion Overhead       | 5,625            | -                | -                | 5,625            |
| 35 Labor                            | 95,550           | 60,000           | 20,000           | 175,550          |
| 54 Proppant                         | -                | 685,959          | -                | 685,959          |
| 95 Insurance                        | 31,943           | -                | -                | 31,943           |
| 97 Contingency                      | 160,191          | 277,300          | 8,850            | 446,341          |
| 99 Plugging & Abandonment           | -                | -                | -                | -                |
| <b>TOTAL INTANGIBLES &gt;</b>       | <b>2,101,894</b> | <b>4,161,102</b> | <b>97,350</b>    | <b>6,334,346</b> |

| TANGIBLE COSTS                      | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 60 Surface Casing                   | \$ 18,851        | \$ -             | \$ -             | \$ 18,851        |
| 61 Intermediate Casing              | 86,997           | -                | -                | 86,997           |
| 62 Drilling Liner                   | -                | -                | -                | -                |
| 63 Production Casing                | 323,207          | -                | -                | 323,207          |
| 64 Production Liner                 | -                | -                | -                | -                |
| 65 Tubing                           | -                | -                | 55,000           | 55,000           |
| 66 Wellhead                         | 65,000           | -                | 59,100           | 124,100          |
| 67 Packers, Liner Hangers           | 12,825           | -                | 4,500            | 17,325           |
| 68 Tanks                            | -                | -                | -                | -                |
| 69 Production Vessels               | -                | -                | -                | -                |
| 70 Flow Lines                       | -                | -                | -                | -                |
| 71 Rod string                       | -                | -                | -                | -                |
| 72 Artificial Lift Equipment        | -                | -                | 88,000           | 88,000           |
| 73 Compressor                       | -                | -                | -                | -                |
| 74 Installation Costs               | -                | -                | -                | -                |
| 75 Surface Pumps                    | -                | -                | 5,000            | 5,000            |
| 76 Downhole Pumps                   | -                | -                | -                | -                |
| 77 Measurement & Meter Installation | -                | -                | 7,500            | 7,500            |
| 78 Gas Conditioning/ Dehydration    | -                | -                | -                | -                |
| 79 Interconnecting Facility Piping  | -                | -                | -                | -                |
| 80 Gathering/ Bulk Lines            | -                | -                | -                | -                |
| 81 Valves, Dumps, Controllers       | -                | -                | -                | -                |
| 82 Tank/ Facility Containment       | -                | -                | -                | -                |
| 83 Flare Stack                      | -                | -                | -                | -                |
| 84 Electrical/ Grounding            | -                | -                | 90,900           | 90,900           |
| 85 Communications/ SCADA            | -                | -                | -                | -                |
| 86 Instrumentation/ Safety          | -                | -                | -                | -                |
| <b>TOTAL TANGIBLES &gt;</b>         | <b>506,880</b>   | <b>0</b>         | <b>310,000</b>   | <b>816,880</b>   |
| <b>TOTAL COSTS &gt;</b>             | <b>2,608,774</b> | <b>4,161,102</b> | <b>407,350</b>   | <b>7,151,226</b> |
|                                     | \$ 248           | \$ 395           | \$ 679           |                  |

**PREPARED BY Colgate Energy:**

|                       |             |
|-----------------------|-------------|
| Drilling Engineer:    | SS/RM       |
| Completions Engineer: | Brady Adams |
| Production Engineer:  | Levi Harris |

**Colgate Energy APPROVAL:**

|                   |       |                  |       |                 |       |
|-------------------|-------|------------------|-------|-----------------|-------|
| Co-CEO            | _____ | Co-CEO           | _____ | VP - Operations | _____ |
|                   | WH    |                  | JW    |                 | CRM   |
| VP - Land & Legal | _____ | VP - Geosciences | _____ |                 |       |
|                   | BG    |                  | SO    |                 |       |

**NON OPERATING PARTNER APPROVAL:**

|               |       |                       |   |         |       |
|---------------|-------|-----------------------|---|---------|-------|
| Company Name: | _____ | Working Interest (%): | _____   | Tax ID: | _____ |
| Signed by:    | _____ | Date:                 | _____   |         |       |
| Title:        | _____ | Approval:             | <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) |         |       |

The costs on this AFE are estimates only and may not be construed as ceilings on any specific item or the total cost of the project. Tubing installation approved under the AFE may be delayed up to a year after the well has been completed. In executing this AFE, the Participant agrees to pay its proportionate share of actual costs incurred, including legal, curative, regulatory, brokerage and well costs under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and billed proportionately for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount acceptable to the Operator by the date of spud.

### Colgate Energy

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

#### ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

|                  |  |                  |                        |
|------------------|--|------------------|------------------------|
| DATE:            | 10/19/2021   | AFE NO.:         | 3001520066             |
| WELL NAME:       | Shamrock 34 Fed State Com 131H   | FIELD:           | WINCHESTER/BONE SPRING |
| LOCATION:        | N2 Sections 33 & 34, T19S-R28E   | MD/TVD:          | 18858' MD / 8659' TVD  |
| COUNTY/STATE:    | Eddy County, New Mexico  | LATERAL LENGTH:  | 10,445                 |
| Colgate WI:      |  | DRILLING DAYS:   | 23.7                   |
| GEOLOGIC TARGET: | TBSG   | COMPLETION DAYS: | 22                     |
| REMARKS:         | Drill a horizontal TBSG well and complete with 44 stages. AFE includes drilling, completions, flowback and Initial AL install cost |                  |                        |

| INTANGIBLE COSTS                    | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 1 Land/ Legal/ Regulatory           | \$ 35,000        | \$ -             | \$ -             | \$ 35,000        |
| 2 Location, Surveys & Damages       | 142,200          | 13,000           | 10,000           | 165,200          |
| 4 Freight/ Transportation           | 55,500           | 31,500           | -                | 87,000           |
| 5 Rental - Surface Equipment        | 84,491           | 165,100          | 13,700           | 263,291          |
| 6 Rental - Downhole Equipment       | 121,974          | 50,000           | -                | 171,974          |
| 7 Rental - Living Quarters          | 35,376           | 42,200           | -                | 77,576           |
| 10 Directional Drilling, Surveys    | 231,043          | -                | -                | 231,043          |
| 11 Drilling                         | 554,512          | -                | -                | 554,512          |
| 12 Drill Bits                       | 60,565           | -                | -                | 60,565           |
| 13 Fuel & Power                     | 191,520          | 300,000          | -                | 491,520          |
| 14 Cementing & Float Equip          | 135,000          | -                | -                | 135,000          |
| 15 Completion Unit, Swab, CTU       | -                | -                | 26,000           | -                |
| 16 Perforating, Wireline, Slickline | -                | 261,350          | 9,000            | 270,350          |
| 17 High Pressure Pump Truck         | -                | 41,500           | -                | 41,500           |
| 18 Completion Unit, Swab, CTU       | -                | 80,000           | -                | 80,000           |
| 20 Mud Circulation System           | 79,635           | -                | -                | 79,635           |
| 21 Mud Logging                      | 17,018           | -                | -                | 17,018           |
| 22 Logging/ Formation Evaluation    | 7,982            | 6,000            | -                | 13,982           |
| 23 Mud & Chemicals                  | 261,100          | 357,960          | -                | 619,060          |
| 24 Water                            | 48,600           | 616,033          | -                | 664,633          |
| 25 Stimulation                      | -                | 585,000          | -                | 585,000          |
| 26 Stimulation Flowback & Disp      | -                | 74,000           | -                | 74,000           |
| 28 Mud/ Wastewater Disposal         | 90,060           | 422,000          | -                | 512,060          |
| 30 Rig Supervision/ Engineering     | 110,046          | 108,700          | 9,800            | 228,546          |
| 32 Drlg & Completion Overhead       | 9,000            | -                | -                | 9,000            |
| 35 Labor                            | 95,550           | 57,500           | 20,000           | 173,050          |
| 54 Proppant                         | -                | 764,966          | -                | 764,966          |
| 95 Insurance                        | 33,944           | -                | -                | 33,944           |
| 97 Contingency                      | 198,010          | 282,255          | 8,850            | 489,114          |
| 99 Plugging & Abandonment           | -                | -                | -                | -                |
| <b>TOTAL INTANGIBLES &gt;</b>       | <b>2,598,125</b> | <b>4,259,062</b> | <b>97,350</b>    | <b>6,928,537</b> |

| TANGIBLE COSTS                      | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 60 Surface Casing                   | \$ 18,851        | \$ -             | \$ -             | \$ 18,851        |
| 61 Intermediate Casing              | 88,347           | -                | -                | 88,347           |
| 62 Drilling Liner                   | -                | -                | -                | -                |
| 63 Production Casing                | 343,235          | -                | -                | 343,235          |
| 64 Production Liner                 | -                | -                | -                | -                |
| 65 Tubing                           | -                | -                | 55,000           | 55,000           |
| 66 Wellhead                         | 65,000           | -                | 59,100           | 124,100          |
| 67 Packers, Liner Hangers           | 12,825           | -                | 4,500            | 17,325           |
| 68 Tanks                            | -                | -                | -                | -                |
| 69 Production Vessels               | -                | -                | -                | -                |
| 70 Flow Lines                       | -                | -                | -                | -                |
| 71 Rod string                       | -                | -                | -                | -                |
| 72 Artificial Lift Equipment        | -                | -                | 88,000           | 88,000           |
| 73 Compressor                       | -                | -                | -                | -                |
| 74 Installation Costs               | -                | -                | -                | -                |
| 75 Surface Pumps                    | -                | -                | 5,000            | 5,000            |
| 76 Downhole Pumps                   | -                | -                | -                | -                |
| 77 Measurement & Meter Installation | -                | -                | 7,500            | 7,500            |
| 78 Gas Conditioning/ Dehydration    | -                | -                | -                | -                |
| 79 Interconnecting Facility Piping  | -                | -                | -                | -                |
| 80 Gathering/ Bulk Lines            | -                | -                | -                | -                |
| 81 Valves, Dumps, Controllers       | -                | -                | -                | -                |
| 82 Tank/ Facility Containment       | -                | -                | -                | -                |
| 83 Flare Stack                      | -                | -                | -                | -                |
| 84 Electrical/ Grounding            | -                | -                | 90,900           | 90,900           |
| 85 Communications/ SCADA            | -                | -                | -                | -                |
| 86 Instrumentation/ Safety          | -                | -                | -                | -                |
| <b>TOTAL TANGIBLES &gt;</b>         | <b>528,258</b>   | <b>0</b>         | <b>310,000</b>   | <b>838,258</b>   |
| <b>TOTAL COSTS &gt;</b>             | <b>3,126,382</b> | <b>4,259,062</b> | <b>407,350</b>   | <b>7,766,795</b> |
|                                     | \$ 299           | \$ 408           | \$ 744           |                  |

PREPARED BY Colgate Energy:

|                       |             |
|-----------------------|-------------|
| Drilling Engineer:    | SS/RM       |
| Completions Engineer: | Brady Adams |
| Production Engineer:  | Levi Harris |

Colgate Energy APPROVAL:

|                   |       |                  |       |                 |       |
|-------------------|-------|------------------|-------|-----------------|-------|
| Co-CEO            | _____ | Co-CEO           | _____ | VP - Operations | _____ |
|                   | WH    |                  | JW    |                 | CRM   |
| VP - Land & Legal | _____ | VP - Geosciences | _____ |                 |       |
|                   | BG    |                  | SO    |                 |       |

NON OPERATING PARTNER APPROVAL:

|               |       |                       |   |         |       |
|---------------|-------|-----------------------|---|---------|-------|
| Company Name: | _____ | Working Interest (%): | _____   | Tax ID: | _____ |
| Signed by:    | _____ | Date:                 | _____   |         |       |
| Title:        | _____ | Approval:             | <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) |         |       |

The costs on this AFE are estimates only and may not be construed as ceilings on any specific item or the total cost of the project. Tubing installation approved under the AFE may be delayed up to a year after the well has been completed. In executing this AFE, the Participant agrees to pay its proportionate share of actual costs incurred, including legal, curative, regulatory, brokerage and well costs under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and billed proportionately for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount acceptable to the Operator by the date of spud.

### Colgate Energy

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

#### ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

|                  |  |                  |                        |
|------------------|--|------------------|------------------------|
| DATE:            | 10/19/2021   | AFE NO.:         | 3001520067             |
| WELL NAME:       | Shamrock 34 Fed State Com 132H   | FIELD:           | WINCHESTER/BONE SPRING |
| LOCATION:        | N2 of Sections 33 & 34, T19S-R28E  | MD/TVD:          | 18911' MD / 8620' TVD  |
| COUNTY/STATE:    | Eddy County, New Mexico  | LATERAL LENGTH:  | 10,537                 |
| Colgate WI:      |  | DRILLING DAYS:   | 23.8                   |
| GEOLOGIC TARGET: | TBSG   | COMPLETION DAYS: | 22.3                   |
| REMARKS:         | Drill a horizontal TBSG well and complete with 44 stages. AFE includes drilling, completions, flowback and Initial AL install cost |                  |                        |

| INTANGIBLE COSTS                    | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 1 Land/ Legal/ Regulatory           | \$ 35,000        | \$ -             | \$ -             | \$ 35,000        |
| 2 Location, Surveys & Damages       | 142,200          | 13,000           | 10,000           | 165,200          |
| 4 Freight/ Transportation           | 55,500           | 31,500           | -                | 87,000           |
| 5 Rental - Surface Equipment        | 84,491           | 170,550          | 13,700           | 268,741          |
| 6 Rental - Downhole Equipment       | 121,968          | 50,000           | -                | 171,968          |
| 7 Rental - Living Quarters          | 35,387           | 43,200           | -                | 78,587           |
| 10 Directional Drilling, Surveys    | 231,793          | -                | -                | 231,793          |
| 11 Drilling                         | 554,565          | -                | -                | 554,565          |
| 12 Drill Bits                       | 60,565           | -                | -                | 60,565           |
| 13 Fuel & Power                     | 191,520          | 305,000          | -                | 496,520          |
| 14 Cementing & Float Equip          | 135,000          | -                | -                | 135,000          |
| 15 Completion Unit, Swab, CTU       | -                | -                | 26,000           | -                |
| 16 Perforating, Wireline, Slickline | -                | 265,650          | 9,000            | 274,650          |
| 17 High Pressure Pump Truck         | -                | 43,500           | -                | 43,500           |
| 18 Completion Unit, Swab, CTU       | -                | 80,000           | -                | 80,000           |
| 20 Mud Circulation System           | 79,914           | -                | -                | 79,914           |
| 21 Mud Logging                      | 17,118           | -                | -                | 17,118           |
| 22 Logging/ Formation Evaluation    | 8,039            | 6,000            | -                | 14,039           |
| 23 Mud & Chemicals                  | 261,100          | 362,054          | -                | 623,154          |
| 24 Water                            | 48,600           | 637,220          | -                | 685,820          |
| 25 Stimulation                      | -                | 594,750          | -                | 594,750          |
| 26 Stimulation Flowback & Disp      | -                | 74,500           | -                | 74,500           |
| 28 Mud/ Wastewater Disposal         | 90,060           | 423,000          | -                | 513,060          |
| 30 Rig Supervision/ Engineering     | 110,511          | 113,200          | 9,800            | 233,511          |
| 32 Drlg & Completion Overhead       | 9,000            | -                | -                | 9,000            |
| 35 Labor                            | 95,550           | 60,000           | 20,000           | 175,550          |
| 54 Proppant                         | -                | 771,704          | -                | 771,704          |
| 95 Insurance                        | 34,040           | -                | -                | 34,040           |
| 97 Contingency                      | 198,158          | 287,209          | 8,850            | 494,217          |
| 99 Plugging & Abandonment           | -                | -                | -                | -                |
| <b>TOTAL INTANGIBLES &gt;</b>       | <b>2,600,079</b> | <b>4,332,036</b> | <b>97,350</b>    | <b>7,003,465</b> |

| TANGIBLE COSTS                      | DRILLING COSTS   | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS      |
|-------------------------------------|------------------|------------------|------------------|------------------|
| 60 Surface Casing                   | \$ 18,851        | \$ -             | \$ -             | \$ 18,851        |
| 61 Intermediate Casing              | 86,997           | -                | -                | 86,997           |
| 62 Drilling Liner                   | -                | -                | -                | -                |
| 63 Production Casing                | 344,189          | -                | -                | 344,189          |
| 64 Production Liner                 | -                | -                | -                | -                |
| 65 Tubing                           | -                | -                | 55,000           | 55,000           |
| 66 Wellhead                         | 65,000           | -                | 59,100           | 124,100          |
| 67 Packers, Liner Hangers           | 12,825           | -                | 4,500            | 17,325           |
| 68 Tanks                            | -                | -                | -                | -                |
| 69 Production Vessels               | -                | -                | -                | -                |
| 70 Flow Lines                       | -                | -                | -                | -                |
| 71 Rod string                       | -                | -                | -                | -                |
| 72 Artificial Lift Equipment        | -                | -                | 88,000           | 88,000           |
| 73 Compressor                       | -                | -                | -                | -                |
| 74 Installation Costs               | -                | -                | -                | -                |
| 75 Surface Pumps                    | -                | -                | 5,000            | 5,000            |
| 76 Downhole Pumps                   | -                | -                | -                | -                |
| 77 Measurement & Meter Installation | -                | -                | 7,500            | 7,500            |
| 78 Gas Conditioning/ Dehydration    | -                | -                | -                | -                |
| 79 Interconnecting Facility Piping  | -                | -                | -                | -                |
| 80 Gathering/ Bulk Lines            | -                | -                | -                | -                |
| 81 Valves, Dumps, Controllers       | -                | -                | -                | -                |
| 82 Tank/ Facility Containment       | -                | -                | -                | -                |
| 83 Flare Stack                      | -                | -                | -                | -                |
| 84 Electrical/ Grounding            | -                | -                | 90,900           | 90,900           |
| 85 Communications/ SCADA            | -                | -                | -                | -                |
| 86 Instrumentation/ Safety          | -                | -                | -                | -                |
| <b>TOTAL TANGIBLES &gt;</b>         | <b>527,862</b>   | <b>0</b>         | <b>310,000</b>   | <b>837,862</b>   |
| <b>TOTAL COSTS &gt;</b>             | <b>3,127,941</b> | <b>4,332,036</b> | <b>407,350</b>   | <b>7,841,326</b> |
|                                     | \$ 297           | \$ 411           | \$ 744           |                  |

PREPARED BY Colgate Energy:

|                       |             |
|-----------------------|-------------|
| Drilling Engineer:    | SS/RM       |
| Completions Engineer: | Brady Adams |
| Production Engineer:  | Levi Harris |

Colgate Energy APPROVAL:

|                   |       |                  |       |                 |       |
|-------------------|-------|------------------|-------|-----------------|-------|
| Co-CEO            | _____ | Co-CEO           | _____ | VP - Operations | _____ |
|                   | WH    |                  | JW    |                 | CRM   |
| VP - Land & Legal | _____ | VP - Geosciences | _____ |                 |       |
|                   | BG    |                  | SO    |                 |       |

NON OPERATING PARTNER APPROVAL:

|               |       |                       |   |         |       |
|---------------|-------|-----------------------|---|---------|-------|
| Company Name: | _____ | Working Interest (%): | _____   | Tax ID: | _____ |
| Signed by:    | _____ | Date:                 | _____   |         |       |
| Title:        | _____ | Approval:             | <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) |         |       |

The costs on this AFE are estimates only and may not be construed as ceilings on any specific item or the total cost of the project. Tubing installation approved under the AFE may be delayed up to a year after the well has been completed. In executing this AFE, the Participant agrees to pay its proportionate share of actual costs incurred, including legal, curative, regulatory, brokerage and well costs under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and billed proportionately for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount acceptable to the Operator by the date of spud.

### Shamrock 34 Communication Timeline

**December 2019** – Initial proposals sent for the Shamrock 34 Wells

**October 2021 – March 2022** – sent updated proposals to parties and attempted to send proposals to parties that were in the updated title

**February 2022 to present** – Title updates resulted in revised ownership and proposals were sent to any parties that were previously not notified.

**February 2022 to present** – The following actions were taken for bad delivery or unknown parties/updated title parties

- Non deliverable proposals were resent to any additional addresses we could source
- Colgate utilized a number of resources to locate parties or new addresses
  - Employed land brokers to research online and county records
  - Utilized idiCore which is a subscription based online investigative search tool to locate last known addresses and other information about parties
  - Searched obituaries to identify possible heirs to send notice to
  - Searched Secretary of State website for details regarding entities that had bad delivery or were not locatable

**June 2022** – Several parties as noted to not force pool have signed JOAs and are prepared to participate. All locatable parties have been provided proposals and elections have been made.

**June 2022** – Newspaper publication was effectuated for the unreachable parties.

**February 2022 to present** – Sent COM agreements to record title parties, several have unresolved probate issues and others were non responsive. Seeking to add these parties to the force pooling order so that Colgate may obtain COM agreement approval from the BLM.

**February 2022 to present** – A number of parties have not responded to the proposals that were received and several parties were completely unlocatable.

**Exhibit A-5**

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

**APPLICATION OF COLGATE OPERATING, LLC  
TO POOL ADDITIONAL INTERESTS UNDER  
ORDER NO. R-21355-A,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22833  
ORDER NO. R-21355-A  
(Re-Open Case No. 21227)**

**SELF-AFFIRMED STATEMENT  
OF DANA S. HARDY**

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

2. I am familiar with the Notice Letter attached as **Exhibit B-1**.

3. The above-referenced Application was provided, along with the Notice Letter, to the recipients listed in **Exhibit B-2**. Exhibit B-2 also provides the date each Notice Letter was sent and the date each return was received and includes copies of the certified mail green cards and white slips as supporting documentation for proof of mailing.

4. On June 19, 2022, I caused a notice to be published to all interested parties in the Carlsbad Current-Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad Current-Argus, along with a copy of the notice publication, is attached as **Exhibit B-3**.

5. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 4 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

/s/ Dana S. Hardy  
Dana S. Hardy

June 30, 2022  
Date

**Exhibit B**



hinklelawfirm.com

**HINKLE SHANOR LLP**

ATTORNEYS AT LAW

PO BOX 2068

SANTA FE, NEW MEXICO 87504

505-982-4554 (FAX) 505-982-8623

WRITER:

Dana S. Hardy, Partner  
dhardy@hinklelawfirm.com

May 13, 2022

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO ALL INTERESTED PARTIES SUBJECT TO NOTICE**

**Re: Case No. 22833 - Application of Colgate Operating, LLC to Pool Additional Interests Under Order No. R-21355-A, Eddy County, New Mexico.**

To whom it may concern:

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

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

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

Please do not hesitate to contact me if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

**Exhibit B-1**

PO BOX 10  
ROSWELL, NEW MEXICO 88202  
575-622-6510  
(FAX) 575-623-9332

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

7601 JEFFERSON ST NE · SUITE 180  
ALBUQUERQUE, NEW MEXICO 87109  
505-858-8320  
(FAX) 505-858-8321

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

APPLICATION OF COLGATE OPERATING, LLC  
TO POOL ADDITIONAL INTERESTS UNDER  
ORDER NO. R-21355-A,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 22833  
ORDER NO. R-21355-A  
(Re-Open Case No. 21227)

NOTICE LETTERS

| <b>PARTY</b>   | <b>NOTICE LETTER SENT</b> | <b>RETURN RECEIVED</b>  |
|--|---------------------------|---|
| Estate of Robert G. Ettelson<br>C/O Robert A Weil<br>416 Sheridan Road<br>Highland Park, IL 60035                                | 05/13/22                  | 06/01/22  |
| DW Underwood<br>Attn Kimberly Gail Hafemann,<br>aka Kimberly Gail Harkness<br>1036 Liberty Park Drive #42<br>Austin, TX 78746    | 05/13/22                  | 05/25/22  |
| DW Underwood<br>Attn: Merideth Claire Stephens,<br>f/k/a Merideth Claire Benefield<br>3732 Castle Rock Drive<br>Austin, TX 78729 | 05/13/22                  | 05/25/22  |
| DW Underwood<br>Attn Cynthia Dee Tarver<br>10115 Shetland Gate<br>San Antonio, TX 78254  | 05/13/22                  | Per USPS Tracking:<br><br>05/22/22 In transit to next<br>facility |
| Oxy USA WTP<br>5 Greenway Plaza<br>Houston, TX 77046   | 05/13/22                  | 05/25/22  |
| Estate of J.C. Williamson<br>PO Box 16<br>Midland, TX 79701  | 05/13/22                  | 05/25/22  |
| ZPZ Delaware I, LLC<br>2000 Post Oak Blvd., Suite 100<br>Houston, TX 77056   | 05/13/22                  | 05/25/22  |

## Exhibit B-2

7021 0350 0001 3336 1836

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$  
 Return Receipt (electronic) \$  
 Certified Mail Restricted Delivery \$  
 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$  
 Postage \$  
 Total Postage and Fees \$

Sent To  
 Estate of Robert G. Ettelson  
 C/O Robert A Weil  
 416 Sheridan Road  
 Highland Park, IL 60035  
 22833 Colgate Shamrock - WI

Postmark Here  
 MAY 13 2022  
 SANTA FE, NM 87501  
 USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY  |
|--|--|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | <p>A. Signature<br/> <input checked="" type="checkbox"/> Agent<br/> <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>       If YES, enter delivery address below: <input type="checkbox"/> No</p>  |
| <p>1. Article Addressed to:</p> <p>Estate of Robert G. Ettelson<br/>         C/O Robert A Weil<br/>         416 Sheridan Road<br/>         Highland Park, IL 60035<br/>         22833 Colgate Shamrock - WI</p>  | <p>Service Type</p> <input type="checkbox"/> Adult Signature<br><input type="checkbox"/> Adult Signature Restricted Delivery<br><input type="checkbox"/> Certified Mail®<br><input type="checkbox"/> Certified Mail Restricted Delivery<br><input type="checkbox"/> Collect on Delivery<br><input type="checkbox"/> Collect on Delivery Restricted Delivery<br><input type="checkbox"/> Insured Mail<br><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express®<br><input type="checkbox"/> Registered Mail™<br><input type="checkbox"/> Registered Mail Restricted Delivery<br><input type="checkbox"/> Signature Confirmation™<br><input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <p>2. Article Number (Transfer from service label)</p> <p>9590 9402 6746 1074 2471 43<br/>         7021 0350 0001 3336 1836</p>  |  |
| PS Form 3811, July 2020 PSN 7530-02-000-9053   | Domestic Return Receipt  |

7021 0950 0002 0370 8763

| U.S. Postal Service™<br>CERTIFIED MAIL® RECEIPT<br>Domestic Mail Only   |          |
|---|----------|
| For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.  |          |
| <b>OFFICIAL USE</b>   |          |
| Certified Mail Fee  | \$ _____ |
| Extra Services & Fees (check box, add fee as appropriate)   |          |
| <input type="checkbox"/> Return Receipt (hardcopy)  | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)  | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery   | \$ _____ |
| <input type="checkbox"/> Adult Signature Required   | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery  | \$ _____ |
| Postage   | \$ _____ |
| Total Postage and Fees  | \$ _____ |
| Sent To<br>DW Underwood<br>Attn Kimberly Gail Hafemann, aka Kimberly Gail Harkness<br>1036 Liberty Park Drive #42<br>Austin, TX 78746<br>22833 Colgate Shamrock -L. of Rec. |          |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions  |          |



| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |
|--|---|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>Kim Harkness</i></p>  |
| 1. Article Addressed to:   | B. Received by (Printed Name) C. Date of Delivery   |
| DW Underwood<br>Attn Kimberly Gail Hafemann, aka<br>Kimberly Gail Harkness<br>1036 Liberty Park Drive #42<br>Austin, TX 78746<br>22833 Colgate Shamrock -L. of Rec.  | <i>K. Harkness</i> 5/12   |
| 2. Article Number (Transfer from service label)  | D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If YES, enter delivery address below:   |
| 9590 9402 6746 1074 2471 05<br>7021 0950 0002 0370 8763  | 3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™<br><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail Restricted Delivery<br><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery<br><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™<br><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery<br><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail<br><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |
| PS Form 3811, July 2020 PSN 7530-02-000-9053   | Domestic Return Receipt   |

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MAY 13 2022

USPS

7021 0950 0002 0370 8718

Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

DW Underwood  
Attn: Merideth Claire Stephens, f/k/a Merideth Claire Benefield  
3732 Castle Rock Drive  
Austin, TX 78729

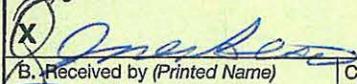
22833 Colgate Shamrock - L. of Rec.

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION   | COMPLETE THIS SECTION ON DELIVERY  |
|---|--|
| <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>  | <p>A. Signature <input checked="" type="checkbox"/> Agent<br/><input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery <u>5-17-22</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>If YES, enter delivery address below: <input type="checkbox"/> No</p>  |
| <p>1. Article Addressed to:</p> <p style="text-align: center;">DW Underwood<br/>Attn: Merideth Claire Stephens, f/k/a<br/>Merideth Claire Benefield<br/>3732 Castle Rock Drive<br/>Austin, TX 78729</p> <p style="text-align: center; font-size: 0.8em;">22833 Colgate Shamrock - L. of Rec.</p> <p style="text-align: center; font-size: 1.2em;">9590 9402 6746 1074 2471 36</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> |
| <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em;">7021 0950 0002 0370 8718</p>  |  |
| PS Form 3811, July 2020 PSN 7530-02-000-9053  | Domestic Return Receipt  |

7021 0950 0002 0370 8749

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|---|--|
| For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.      |  |
| <b>OFFICIAL RECEIPT</b>   |  |
| Certified Mail Fee<br>\$  |  |
| Extra Services & Fees (check box, add fee as appropriate)   |  |
| <input type="checkbox"/> Return Receipt (hardcopy) \$   |  |
| <input type="checkbox"/> Return Receipt (electronic) \$   |  |
| <input type="checkbox"/> Certified Mail Restricted Delivery \$  |  |
| <input type="checkbox"/> Adult Signature Required \$  |  |
| <input type="checkbox"/> Adult Signature Restricted Delivery \$                                       |  |
| Postage<br>\$   |  |
| Total Postage and Fees<br>\$  |  |
| Sent To<br>Oxy USA WTP<br>5 Greenway Plaza<br>Houston, TX 77046<br>22833 Colgate Shamrock -L. of Rec. |  |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions                            |  |

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
|--|---|--|---|--|---|--|--|---|--|--|---|--|--|---------------------------------------|--|--|--|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>   | <p>A. Signature<br/>  <input checked="" type="checkbox"/> Agent<br/> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>J. B. O'CONNEL</u> C. Date of Delivery <u>5/17/22</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>                 If YES, enter delivery address below: <input type="checkbox"/> No</p>  |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <p>1. Article Addressed to:</p> <p style="text-align: center;">Oxy USA WTP<br/>                 5 Greenway Plaza<br/>                 Houston, TX 77046</p> <p style="text-align: center; font-size: small;">22833 Colgate Shamrock -L. of Rec.</p>  <p style="text-align: center;">9590 9402 6746 1074 2471 12</p> | <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table> | <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® | <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ | <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery | <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ | <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery | <input type="checkbox"/> Collect on Delivery Restricted Delivery |  | <input type="checkbox"/> Insured Mail |  | <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |  |
| <input type="checkbox"/> Adult Signature   | <input type="checkbox"/> Priority Mail Express®   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Adult Signature Restricted Delivery   | <input type="checkbox"/> Registered Mail™   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Certified Mail®   | <input type="checkbox"/> Registered Mail Restricted Delivery  |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | <input type="checkbox"/> Signature Confirmation™  |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Collect on Delivery   | <input type="checkbox"/> Signature Confirmation Restricted Delivery   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery   |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Insured Mail  |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)   |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <p>2. Article Number (Transfer from service label)</p> <p style="font-size: large; font-weight: bold;">7021 0950 0002 0370 8749</p>  |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| PS Form 3811, July 2020 PSN 7530-02-000-9053   | Domestic Return Receipt   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |

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|  |                                    |
|--|------------------------------------|
| Certified Mail Fee   |                                    |
| \$ _____   |                                    |
| Extra Services & Fees (check box, add fee as appropriate)    |                                    |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____                           |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____                           |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____                           |
| <input type="checkbox"/> Adult Signature Required            | \$ _____                           |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____                           |
| Postage  |                                    |
| \$ _____   |                                    |
| Total Postage and Fees                                       |                                    |
| \$ _____   |                                    |
| Sent To  |                                    |
| St   | Estate of J.C. Williamson          |
|  | PO Box 16                          |
|  | Midland, TX 79701                  |
| CI   | 22833 Colgate Shamrock -L. of Rec. |

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |
|--|---|
| <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>   | <p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent<br/><input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p>  |
| <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>Estate of J.C. Williamson<br/>PO Box 16<br/>Midland, TX 79701</p> <p style="font-size: 0.8em;">22833 Colgate Shamrock -L. of Rec.</p> <p style="font-size: 1.2em; font-weight: bold;">9590 9402 6746 1074 2471 67</p> </div> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>If YES, enter delivery address below: <input type="checkbox"/> No</p>   |
| <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7021 0950 0002 0370 8732</p>  | <p>3. Service Type <span style="float: right;"><input type="checkbox"/> Priority Mail Express®<br/><input type="checkbox"/> Registered Mail™</span></p> <p><input type="checkbox"/> Adult Signature <span style="float: right;"><input type="checkbox"/> Registered Mail Restricted Delivery</span></p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <span style="float: right;"><input type="checkbox"/> Certified Mail Restricted Delivery</span></p> <p><input type="checkbox"/> Certified Mail® <span style="float: right;"><input type="checkbox"/> Signature Confirmation™</span></p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <span style="float: right;"><input type="checkbox"/> Signature Confirmation Restricted Delivery</span></p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> |
| PS Form 3811, July 2020 PSN 7530-02-000-9053   | Domestic Return Receipt   |

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Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To

ZPZ Delaware I, LLC  
2000 Post Oak Blvd., Suite 100  
Houston, TX 77056

22833 Colgate Shamrock -L. of Rec.

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION   | COMPLETE THIS SECTION ON DELIVERY   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
|---|---|--|---|--|---|--|--|---|--|--|---|--|--|---------------------------------------|--|--|--|
| <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>  | <p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent<br/><input type="checkbox"/> Addressee</span></p> <p><b>X</b> <span style="float: right;">Agent</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p> <span style="float: right;">Date</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>If YES, enter delivery address below: <input type="checkbox"/> No</p>   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>ZPZ Delaware I, LLC<br/>2000 Post Oak Blvd., Suite 100<br/>Houston, TX 77056</p> <p style="font-size: 0.8em;">22833 Colgate Shamrock -L. of Rec.</p> <p style="font-size: 1.2em; font-weight: bold;">9590 9402 6746 1074 2471 29</p> </div> | <p>3. Service Type</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table> | <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® | <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ | <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery | <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ | <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery | <input type="checkbox"/> Collect on Delivery Restricted Delivery |  | <input type="checkbox"/> Insured Mail |  | <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |  |
| <input type="checkbox"/> Adult Signature  | <input type="checkbox"/> Priority Mail Express®   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Adult Signature Restricted Delivery  | <input type="checkbox"/> Registered Mail™   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Certified Mail®  | <input type="checkbox"/> Registered Mail Restricted Delivery  |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Certified Mail Restricted Delivery   | <input type="checkbox"/> Signature Confirmation™  |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Collect on Delivery  | <input type="checkbox"/> Signature Confirmation Restricted Delivery   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery  |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Insured Mail   |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)  |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7021 0950 0002 0370 8725</p>   |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |
| <p>PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt</p>   |   |  |   |  |   |  |  |   |  |  |   |  |  |                                       |  |  |  |

7021 0950 0002 0370 8756

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| <b>OFFICIAL RECEIPT</b>   |    |
| Certified Mail Fee  |    |
| \$  |    |
| Extra Services & Fees (check box, add fee as appropriate)   |    |
| <input type="checkbox"/> Return Receipt (hardcopy)  | \$ |
| <input type="checkbox"/> Return Receipt (electronic)  | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery   | \$ |
| <input type="checkbox"/> Adult Signature Required   | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery  | \$ |
| Postage   |    |
| \$  |    |
| <b>Total Postage and Fees</b>   |    |
| \$  |    |
| <b>Sent To</b>  |    |
| S DW Underwood<br>Attn Cynthia Dec Tarver<br>10115 Shellard Gate<br>C San Antonio, TX 78254<br>22833 Colgate Shamrock -L. of Rec. |    |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions  |    |



# Carlsbad Current Argus.

PART OF THE USA TODAY NETWORK

## Affidavit of Publication

Ad # 0005304676

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HINKLE SHANOR LLP  
218 MONTEZUMA

SANTA FE, NM 87501

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

06/19/2022

  
Legal Clerk

Subscribed and sworn before me this June 19, 2022:



State of WI, County of Brown  
NOTARY PUBLIC

1-7-25

My commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

Ad # 0005304676  
PO #: 22833  
# of Affidavits 1

This is not an invoice

This is to notify all interested parties, including Estates of Paul and Zofia Umbarger; Intrepid Energy LLC; Myrlene Dillon; Estate of Gerald L Michaud; Robert H. Kriebler; Sombrero Associates; William L Hilliard; Hodge Natural Gas Gathering; Amy Umbarger; Patrick D Ferguson; Ted J Werts; Lawrence O Price; Mary L Kline; Timothy S Ferguson; Patricia C Ferguson; Randi Firestone; Heidi Umbarger; John Ettelson; Galkay, a Joint Venture; Russell Cranmer; Virginia B Dean; V Burfiend; Shirley Anne Egbert; Thomas Meaders; Virginia Kriz-Neesen; Wildcat Energy, LLC; Virginia B. Dean, Clinton H. Dean Jr., Michael Charles Dean and Robert Russell Dean, Trustees of the Virginia B. Dean Marital Deduction Trust; Tularosa Oil Company; Togiak Resources LLC; Stanley F. Smith; Sarador, A Partnership; Robert Ettelson; Richard Pruet; Estate of Richard J. Vance & Lorraine Vance; Margaret Andrews Avery; Krista Alicen Stephenson, Trustee of the Krista Alicen Stephenson Trust; Margaret A. McCloud & Thomas D. McCloud, Trustees of the Robert N. Avery Family Trust; John T. Olive; James W. Doak Jr.; J.W. Davis; James M. Welch; Heirs or Devises of John R. Kline; Hodge Natural Gas Gatherins, Inc; Homer L Wedig; International Petroleum Corp.; Gene Wood Joint Venture Account; Five J's Plus L, Inc.; Edna Louse Miller; Douglas C. Cranmer and Russell B. Cranmer, Trustees of the Russell E. Cranmer Irrevocable Trust dated December 28, 1992; Douglas Cranmer; Byrl W. Harris; Becky Ruth Welch Kitto; Trust A u/w/o Galen S. Egbert f/b/o Brian Galen Egbert; Trust B u/w/o Galen S. Egbert f/b/o the grandchildren of Galen S. Egbert; Estate of Robert G. Ettelson d/o Robert A Weil; DW Underwood Attn: Merideth Clair Stephens, f/k/a Merideth Claire Benefield; ZPZ Delaware I, LLC; Estate of J.C. Williamson; Oxy USA WTP; DW Underwood Attn Cynthia Dee Tarver; DW Underwood Attn Kimberly Gail Hafemann, aka Kimberly Gail Harness; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Colgate Operating, LLC (Case No. 22833). During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on July 7, 2022, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website for that date: <http://www.emnrd.state.nm.us/OCD/hearings.html>. Applicant seeks an order pooling additional uncommitted interests under the terms of Division Order No. R-21355-A. Order No. R-21355-A ("Order"), which was entered in Case No. 21227, pooled all uncommitted interests in the Winchester, Bone Spring Pool (Code 65010) within the Bone Spring formation underlying a horizontal spacing unit comprised of the N/2 of Sections 33 and 34, Township 19 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Order further dedicated the Unit to the Shamrock 34 Fed State Com 121H, Shamrock 34 Fed State Com 131H, Shamrock Fed State Com 122H, and Shamrock 34 Fed State Com 132H wells ("Wells") and designated Applicant as operator of the Unit and Wells. Since entry of the Order, Applicant has identified additional interest owners in the Unit that should be pooled under the terms of the Order. The Wells are located approximately 12 miles northeast of Carlsbad, New Mexico.  
#5304676, Current Argus, June 19, 2022

### Exhibit B-3