

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

**APPLICATIONS OF EARTHSTONE OPERATING,
LLC FOR A HORIZONTAL SPACING UNIT AND
COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO**

**Case Nos. 23244, 23245,
23270, 23272**

**WITHDRAWAL OF ENTRY OF APPEARANCE AND NOTICE OF
OPPOSITION TO PRESENTATION BY AFFIDAVIT**

Legacy Reserves Operating LP (“Legacy”), and Earthstone Operating, LLC have agreed that in the captioned matters: (i) Earthstone will not designate Legacy as a pooled party, (ii) Legacy will not be subject to a risk penalty, and (iii) Legacy will withdraw its Entry of Appearance and its Notice of Opposition to Presentation by Affidavit. Contingent on Earthstone removing Legacy as a pooled party, Legacy has no objection to the matters proceeding by affidavit at the Division’s January 5, 2023 hearing, and hereby withdraws such Entry of Appearance and Notice of Opposition to Presentation by Affidavit.

Respectfully submitted,

By: 
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was served to counsel of record by electronic mail this 5th day of January 2023, as follows:

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