

April 13, 2021

Attn: Dean McClure NM Oil Conservation Division 1220 South Saint Francis Drive Santa Fe, New Mexico 87505

Re: Application for Administrative Approval Off-lease Measurement – Oil Only

Dear Mr. McClure,

COG Operating LLC, respectfully requests approval for off-lease measurement – Oil only for the following wells:

Gunner 8 Federal Com 604H API# 30-025-46758 Bobcat Draw; Upper Wolfcamp Ut. D, Sec. 25-T26S-R34E Lea County, NM

Gunner 8 Federal Com 704H API# 30-025-47172 Bobcat Draw; Upper Wolfcamp Ut. C, Sec. 25-T26S-R34E Lea County, NM Gunner 8 Federal Com 703H API# 30-025-47171 Bobcat Draw; Upper Wolfcamp Ut. C, Sec. 25-T26S-R34E Lea County, NM

Gunner 8 Federal Com 705H API# 30-025-46760 Bobcat Draw; Upper Wolfcamp Ut. D, Sec. 25-T26S-R34E Lea County, NM

Oil Production:

The oil production from these wells may be transported by truck to either the Red Hills Offload Station, located in Unit O, Section 4-T26S-R32E, or the Jal Offload Station, located in Unit D, Section 4-T26S-R37E, Lea County in the event the CTB on lease is over capacity or in the case of battery or pipeline repairs. Oil will remain segregated and will be measured by lact meter when offloading at the Offload Stations.

Notifications have been sent to all working interest owners.

Please see the enclosed Administrative Application Checklist, C-107-B Application for Off Lease Measurement, plats for referenced wells, site facility diagram, maps with lease boundaries showing wells and facility locations and a copy of the communization agreement application.

Thank you for your attention to this matter. If you have questions or need further information, please email me at <u>ibarron@concho.com</u> or call 575.748.6974.

Sincerely Damon eanette Barron

Regulatory Technician II

Received by OCD: 4/13/2021 9:27:29 AM

CORPORATE ADDRESS One Concho Center | 600 West Illinois Avenue | Midland. Texas 79701 P 432.683.7443 | F 432.683 7441

ARTESIA WEST OFFICE

2208 Main Street | Artesia, New Mexico 88210 P 575.748.6940 | F 575.746.2096

RECEIVED:	REVIEWER:	TYPE:	APP NO:	
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N	ote: Statement must be comple	ted by an individual with	managerial and/or super	visory capacity.
			4/13/21	

Jeanette Barron

Received by OCD: 4/13/2021 9:27:29 AM

Print or Type Name

575-746-6974

Date

Phone Number

(<u>fleanette Barran</u> signature

jbarron@concho.com e-mail Address

District I	State of New Mexico
1625 N, French Drive, Hobbs, NM 88240 District II	Energy, Minerals and Natural Resources Department
311 S. First St., Artesia, NM 88210	
District III	OIL CONSERVATION DIVISION
1000 Rio Brazos Road, Aztec, NM 87410	1220 S. St Francis Drive
<u>District IV</u> 1220 S. St Francis Dr. Santa Fe, NM	Santa Fe, New Mexico 87505
87505	·

Form C-107-B Revised August 1, 2011

Submit the original application to the Santa Fe office with one copy to the appropriate District Office.

APPLICATION FOR SURFACE COMMINGLING (DIVERSE OWNERSHIP)

OPERATOR NAME: COG Ope	erating LLC			· · · · ·			
OPERATOR ADDRESS: 2208 W M	Main Street, Artesia, N	ew Mexico 88210					
APPLICATION TYPE:							
Pool Commingling Lease Comminglin	g Pool and Lease Cor	nmingling Off-Lease	Storage and Measur	ement (Only if not Surface	Commingled)		
LEASE TYPE: 🗍 Fee	State 🛛 Feder	ral					
Is this an Amendment to existing Order							
Have the Bureau of Land Management (BLM) and State Land office (SLO) been notified in writing of the proposed commingling Yes No							
·		L COMMINGLIN s with the following in					
(1) Pool Names and Codes	Gravities / BTU of Non-Commingled Production	Calculated Gravities / BTU of Commingled Production		Calculated Value of Commingled Production	Volumes		
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 (2) Are any wells producing at top allowal (3) Has all interest owners been notified b (4) Measurement type: Metering [y certified mail of the pro	l posed commingling?	Yes No.	L	J		
 (4) Measurement typeMeteringOne (specify) (5) Will commingling decrease the value of production?YesNo If "yes", describe why commingling should be approved 							
(B) LEASE COMMINGLING							
Please attach sheets with the following information							
 Pool Name and Code. Is all production from same source of supply? Dives Dives 							
 (2) Is all production from same source of supply? Yes No (3) Has all interest owners been notified by certified mail of the proposed commingling? Yes No 							
 (3) Flas all interest owners been notified by certified mail of the proposed comminging? (4) Measurement type: Metering Other (Specify) 							
(C) POOL and LEASE COMMINGLING							
(C) POOL and LEASE COMMINGLING Please attach sheets with the following information							
(1) Complete Sections A and E.							
(D) OFF-LEASE STORAGE and MEASUREMENT Please attached sheets with the following information							
(1) Is all production from same source of supply? X Yes No							
(2) Include proof of notice to all interest owners.							
(E) ADDITIONAL INFORMATION (for all application types)							
Please attach sheets with the following information							
(1) A schematic diagram of facility, including legal location.							
 (2) A plat with lease boundaries showing (3) Lease Names, Lease and Well Number 	-	ons. Include lease numbe	ers if Federal or Sta	ate lands are involved.			
I hereby certify that the information above is	true and complete to the	best of my knowledge an	d belief.	,,,,	a 14.		
SIGNATURE: ALANTE BANA	т ті	TLE: Regulatory Technic	ian 11	DATE	<u> 312 </u>		
TYPE OR PRINT NAME Jeanette Barron	TELEPHONE NO.:	<u>575.748.6974</u>					
E-MAIL ADDRESS:_jbarron@concho.com							

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DISTRICT II 111 S. FIRST ST., A Phone: (575) 748-1233 DISTRICT III 1000 RIO BRAZOS F	D., AZTEC, N	88210 5-9720 M 87410	1	1220 SC	OUTH ST.	ION DIVIS FRANCIS DR. lexico 87505		Revised Au Submit one copy to	orm C-10 agust 1, 20 o appropria ct Offic
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DISTRICT I State of New Mexico Frome: (578) 555-5151 Fax: (578) 552-5785 Energy, Minerals & Natural Resources Department

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Form C-102

DISTRICT I 1625 N. FRENCH DR., HOBBS, MI Prome: (076) 383-4161 Faz: (676) 12 DISTRICT II 611 S. FIRST ST., ARTESIA, Phone: (575) 745-1623 Faz: (675 DISTRICT III 1000 RIO BRAZOS RD., AZTE: Fhone: (506) 334-6178 Faz: (67	M 68210 748-9720	DIL CON	ls & Na NSERV 0 SOUTH	tural 7ATI ST. F	w Mexico Resources De ON DIVIS RANCIS DR. exico 87505	SION	Revised Au Submit one copy to	form C-102 ngust 1, 2011 > appropriate ct Office
DISTRICT IV 1220 S. ST. FRANCIS DR., SANTA Phone: (505) 478-3460 Fax: (5		WELL LOCAS		ACDE	ACE DEDICATIO		D AMEND	ED REPORT
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CHAD HARCROW

Certificate No.

W.O. # 19-2054

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LONG.=103.499380" W

B.H.

330'

LONG.=103.499380' W

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Gunner 8 Federal Com Wells

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Sec. 5, 8-T26S-R34E Lea County, NM



Gunner 8 Federal Com 604H, 701H, 704H & 705H જ

Red Hills and Jal Offload Station Map

9	nner 8 704H &	Federal 705H L	nner 8 Federal Com 604H, 70: 704H & 705H Lea County, NM	Gunner 8 Federal Com 604H, 703H, 704H & 705H Lea County, NM	Ŧ		Red F L	Hills Offload Sta Lea County, NM	Red Hills Offload Station Lea County, NM	5			Jal Offi Lea Co	Jal Offload Station Lea County, NM	tion	
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04.13.21	ß	CHIEF CAPITAL (0&G) II LLC	8111 WESTCHESTER STE 900	DALLAS	<u>۲</u>	75225	7017 3040 0000 1205 1371	
04.13.21	ß	CRP XII HOLDINGS LLC DBA	1101 N BROADWAY STE 300	OKLAHOMA CITY OK 73103	ŏ		7017 3040 0000 1205 1364	
04.13.21	B	BLM	414 West Taylor	Hobbs	N	NM 88240	7017 3040 0000 1205 1333	

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Federal Communitization Agreement

Contract No.

THIS AGREEMENT entered into as of the 1st day of November, 2019, by and between the parties subscribing, ratifying, or consenting hereto, such parties being hereinafter referred to as "parties hereto."

WITNESSETH:

WHEREAS, the Act of February 25, 1920 (41 Stat. 437), as amended and supplemented, authorizes communitization or drilling agreements communitizing or pooling a Federal oil and gas lease, or any portion thereof, with other lands, whether or not owned by the United States, when separate tracts under such Federal lease cannot be independently developed and operated in conformity with an established well-spacing program for the field or area and such communitization or pooling is determined to be in the public interest; and

WHEREAS, the parties hereto own working, royalty or other leasehold interests, or operating rights under the oil and gas leases and lands subject to this agreement which cannot be independently developed and operated in conformity with the well-spacing program established for the field or area in which said lands are located; and

WHEREAS, the parties hereto desire to communitize and pool their respective mineral interests in lands subject to this agreement for the purpose of developing and producing communitized substances in accordance with the terms and conditions of this agreement:

NOW, THEREFORE, in consideration of the premises and the mutual advantages to the parties hereto, it is mutually covenanted and agreed by and between the parties hereto as follows:

1. The lands covered by this agreement (hereinafter referred to as "communitized area") are described as follows:

Township 26 South, Range 34 East, N.M.P.M. Section 5: W/2 Section 8: W/2 Lea County, New Mexico

Containing <u>640.00</u> acres, and this agreement shall include only the <u>Wolfcamp formation</u> underlying said lands and the crude oil and associated natural gas *(or)* oil and gas hereafter referred to as "communitized substances," producible from such pool.

2. Attached hereto, and made a part of this agreement for all purposes is Exhibit "A", a plat designating the communitized area and, Exhibit "B", designating the operator of the

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communitized area and showing the acreage, percentage and ownership of oil and gas interests in all lands within the communitized area, and the authorization, if any, for communitizing or pooling any patented or fee lands within the communitized area.

- 3. The Operator of the communitized area shall be COG Operating LLC, 600 W. Illinois Ave., Midland, TX, 79701. All matters of operations shall be governed by the operator under and pursuant to the terms and provisions of this agreement. A successor operator may be designated by the owners of the working interest in the communitized area and four (4) executed copies of a designation of successor operator shall be filed with the Authorized Officer.
- 4. Operator shall furnish the Secretary of the Interior, or his authorized representative, with a log and history of any well drilled on the communitized area, monthly reports of operations, statements of oil and gas sales and royalties and such other reports as are deemed necessary to compute monthly the royalty due the United States, as specified in the applicable oil and gas operating regulations.
- 5. The communitized area shall be developed and operated as an entirety, with the understanding and agreement between the parties hereto that all communitized substances produced there from shall be allocated among the leaseholds comprising said area in the proportion that the acreage interest of each leasehold bears to the entire acreage interest committed to this agreement.

All proceeds, 8/8ths, attributed to unleased Federal or Indian lands included within the CA area are to be paid into the appropriate Unleased Lands Account or Indian Trust Account by the designated operator until the land is leased or ownership is established.

- 6. The royalties payable on communitized substances allocated to the individual leases comprising the communitized area and the rentals provided for in said leases shall be determined and paid on the basis prescribed in each of the individual leases. Payments of rentals under the terms of leases subject to this agreement shall not be affected by this agreement except as provided for under the terms and provisions of said leases or as may herein be otherwise provided. Except as herein modified and changed, the oil and gas leases subject to this agreement shall remain in full force and effect as originally made and issued. It is agreed that for any Federal lease bearing a sliding- or step-scale rate of royalty, such rate shall be determined separately as to production from each communitized lease production, provided, however, as to leases where the rate of royalty for gas is based on total lease production per day, such rate shall be determined by the sum of all communitized production allocated to such a lease plus any noncommunitized lease production.
- 7. There shall be no obligation on the lessees to offset any well or wells completed in the same pool as covered by this agreement on separate component tracts into which the communitized area is now or may hereafter be divided, nor shall any lessee be required to measure separately communitized substances by reason of the diverse ownership thereof, but the lessees hereto shall not be released from their obligation to protect said communitized area from drainage of communitized substances by a well or wells which may be drilled offsetting said area.

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- 8. The commencement, completion, continued operation, or production of a well or wells for communitized substances on the communitized area shall be construed and considered as the commencement, completion, continued operation, or production on each and all of the lands within and comprising said communitized area, and operations or production pursuant to this agreement shall be deemed to be operations or production as to each lease committed hereto.
- 9. Production of communitized substances and disposal thereof shall be in conformity with allocation, allotments, and quotas made or fixed by any duly authorized person or regulatory body under applicable Federal or State statutes. This agreement shall be subject to all applicable Federal and State laws or executive orders, rules and regulations, and no party hereto shall suffer a forfeiture or be liable in damages for failure to comply with any of the provisions of this agreement if such compliance is prevented by, or if such failure results from, compliance with any such laws, orders, rules or regulations.
- 10. The date of this agreement is <u>May 1, 2020</u>, and it shall become effective as of this date or from the onset of production of communitized substances, whichever is earlier upon execution by the necessary parties, notwithstanding the date of execution, and upon approval by the Secretary of the Interior or by his duly authorized representative, and shall remain in force and effect for a period of 2 years and for as long as communitized substances are, or can be, produced from the communitized area in paying quantities: Provided, that prior to production in paying quantities from the communitized area and upon fulfillment of all requirements of the Secretary of the Interior, or his duly authorized representative, with respect to any dry hole or abandoned well, this agreement may be terminated at any time by mutual agreement of the parties hereto. This agreement shall not terminate upon cessation of production if, within 60 days thereafter, reworking or drilling operations on the communitized area are commenced and are thereafter conducted with reasonable diligence during the period of nonproduction. The 2-year term of this agreement will not in itself serve to extend the term of any Federal lease which would otherwise expire during said period.
- 11. The covenants herein shall be construed to be covenants running with the land with respect to the communitized interests of the parties hereto and their successors in interests until this agreement terminates and any grant, transfer, or conveyance of any such land or interest subject hereto, whether voluntary or not, shall be and hereby is conditioned upon the assumption of all obligations hereunder by the grantee, transferee, or other successor in interest, and as to Federal land shall be subject to approval by the Secretary of the Interior, or his duly authorized representative.
- 12. It is agreed between the parties hereto that the Secretary of the Interior, or his duly authorized representative, shall have the right of supervision over all Fee and State mineral operations within the communitized area to the extent necessary to monitor production and measurement, and assure that no avoidable loss of hydrocarbons occur in which the United States has an interest pursuant to applicable oil and gas regulations of the Department of the Interior relating to such production and measurement.
- 13. This agreement shall be binding upon the parties hereto and shall extend to and be binding upon their respective heirs, executors, administrators, successors, and assigns.

- 14. This agreement may be executed in any number of counterparts, no one of which needs to be executed by all parties, or may be ratified or consented to by separate instrument, in writing, specifically referring hereto, and shall be binding upon all parties who have executed such a counterpart, ratification or consent hereto with the same force and effect as if all parties had signed the same document.
- 15. <u>Nondiscrimination</u>. In connection with the performance of work under this agreement, the operator agrees to comply with all the provisions of Section 202(1) to (7) inclusive, of Executive Order 11246 (30F.R. 12319), as amended, which are hereby incorporated by reference in this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written and have set opposite their respective names the date of execution.

OPERATOR: COG OPERATING LI Date: _1/13/2021 By: Sean Johnson Attorney-In-Fact ACKNOWLEDGEMENT STATE OF TEXAS § § **COUNTY OF MIDLAND** § This instrument was acknowledged before me on the 13 day of Vanuary 2021, by Sean Johnson, Attorney-In-Fact of COG Operating LLC, a Delaware Limited Liability Company, on behalf of same. **Jessica Froman** Notary Public in and for the State of Texas lotary Public, State of Texas My Commission expires: .M Notary ID 12949422-4

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Commission Exp. 07-18-202

LIST OF PARTIES TO FEDERAL COMMUNITIZATION AGREEMENT:

Working Interest Owners:

Page 17 of 43

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COG Operating LLC	Signature attached
Chevron U.S.A. Inc.	Signature attached
MRC Permian Company	Signature attached
Devon Energy Production	-
Company, LP	Pooled via Compulsory Pooling Order No. R-21225
Brigham Exploration	Signature attached
Chief Capital (O&G) II, LLC	Signature attached
Marathon Oil Permian LLC, on	-
Behalf of CRP XII, LLC	Signature attached

TRACT 1 - Multiple Fee Leases

Lessee of Record:	COG Operating LLC MRC Permian Company Marathon Oil Permian, LLC Devon Energy Production	Signature attached Signature attached Signature attached
	Company, LP	Pooled via Compulsory Pooling Order No. R-21225

ORRI Owner:

Sugarberry Oil & Gas Corporation, Advent Trust Company, Trustee of the Frederica H. Crain Trust, Frank T. Fleet, Inc., P.A.W.N. Enterprises, Daniel Fleet Freeman, Successor Trustee of Trust "A" under the will of Margaret Helen Kalmar, Tundra AD3, LP, 1836 Royalty Partners, LLC, Marc T. Wray, Trustee of the Marc T. Wray Trust 2008, Andrew Wray, Fortis Minerals II, LLCC, The Estate of Warren J. Bates, Bates Family Investment Company, LLC, L.J. Barnes, Trustee of the Lucille Chism Bates Testamentary Trust, Pony Oil Operating, LLC, TD Minerals LLC, John V. McCarthy, II, Joseph M. Victory, Yates Brothers, McMullen Minerals, LLC, Pegasus Resources, LLC, Panhandle Properties LLC, Monticello Minerals LLC

TRACT 2 - NMNM 124664

Lessees of Record per SRP: COG Operating LLC Operating Rights Owner per SRP: COG Operating LLC

Signature attached Signature attached

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	COG OPERATING LLC
Date: 1/13/2021	By:
	Sean Johnson
	Attorney-In-Fact
	Chevron USA, Inc.
Date:	Ву:
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Ti	tle: Attomey-In-Fact
	MRC Permian Company
Date: H	Зу:
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Tit	le:
	Devon Energy Production Company, LP *Pooled Via Compulsory Pooling Order No. R-21225
Date: B	By:
Nan	ne:
Tit	le:
	Brigham Exploration
Date: B	ly:
Nam	le:
Tit	le:

W2 Gunner 8 Federal Com - Wolfcamp

COG OPERATING LLC

Date:	By:	
		Sean Johnson
		Attorney-In-Fact
		Chevron U.S.A. Inc.
Date:	Ву	Kelly Coppins
	Name:	Kelly Coppins
	Title:	Attorney-In-Fact
		MRC Permian Company
Date:	By:	
	Name:	
	Title:	
		Devon Energy Production Company, LP *Pooled Via Compulsory Pooling Order No. R-21225
Date:	By:	
	Name:	
	Title:	
		Brigham Exploration
Date:	By:	
	Name:	
	Title:	

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COG OPERATING LLC

Date:	By:		
	• • • • • • • • • • • • • • • • • • •	Sean Johnson Attorney-In-Fact	
		Chevron USA, Inc.	
Date: _	By:		
	Name:		
	Title:	Attorney-In-Fact	
		MRC Permian Company	
Date:	By:	Cughhdam	0.8
	Name:	from al al a	10
	Title:	Everytive Vice President & COO	g.w.z.
		Devon Energy Production Company, LP *Pooled Via Compulsory Pooling Order No. R-21225	
Date: _	By:		
	Name:		
	Title:		
		Brigham Exploration	
Date:	By:		
	Name:		
	Title:		

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COG OPERATING LLC

Date:	By:	
	·	Sean Johnson Attorney-In-Fact
		Chevron USA, Inc.
Date:	By:	
		Attorney-In-Fact
		MRC Permian Company
Date:	By:	
	Name:	
		Devon Energy Production Company, LP *Pooled Via Compulsory Pooling Order No. R-21225
Date:	By:	
		DEXP 1, LP Brighten Exploration
Date: 1/22/2021	By:	CAR
	Name:	
	Title:	President & LEO

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4		Chief Capital (D&G) IL LLC
Date: 1/21	2021	By: WACK A
		Name: LAME DIXOP
		Title: Vie Resident
		Marathon Oil Permian LLC, on behalf of CRP XII, LLC
Date:		Ву:
		Name:
		Title:
	AC	KNOWLEDGEMENTS
STATE OF TEXAS	Ş	
COUNTY OF MIDLAND	5 5 5	
This instrument wa Sean Johnson, Attorney-In-Fa liability company.	s acknowledged befor act, of COG Operating	e me on the day of, 202_, by g LLC, a Delaware Limited Liability Company, on behalf of said limited
		Notary Public in and for the State of Texas My Commission Expires:
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COUNTY OF	§ §	
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CREWION USA IQC., 8		, on behalf of same.
		Notary Public in and for the State of
		My Commission Expires

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Date:	Ву:
	Name:
	Title:
Date: 2/4/2021	Marathon Oil Permian LLC, on behalf of CRP XII, LLC By: <u>TGMGMd</u> Name: <u>Ryan Gyllenband</u> Title: <u>Attorney-In Fact</u>
ACKN	NOWLEDGEMENTS
STATE OF TEXAS	
COUNTY OF MIDLAND	
This instrument was acknowledged before r Sean Johnson, Attorney-In-Fact, of COG Operating L liability company.	me on the day of, 202_, by LC, a Delaware Limited Liability Company, on behalf of said limited
	Notary Public in and for the State of Texas My Commission Expires:
STATE OF §	
COUNTY OF§	
This instrument was acknowledged before n	ae on the day of, 202_, by
Chevron USA Inc., a	, as of of of
	Notary Public in and for the State of

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Chief Capital (O&G) II, LLC

Date:	By:	
		Marathon Oil Permian LLC, on behalf of CRP XII, LLC
Date:	Ву:	
	Name:	
	ACKNOWLED	
STATE OF TEXAS		
COUNTY OF MIDLAND §		
This instrument was acknowledged Sean Johnson, Attorney-In-Fact, of COG Op liability company.	d before me on the erating LLC, a De	aware Limited Liability Company, on behalf of said limited
Jessica Froma Notary Public, State of Notary ID 1294942 My Commission Exp. 07-	Texas 2-4	Notary Public in and for the State of Texas My Commission Expires:
STATE OF §		
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		day of, 202_, by
		of
Chevron USA Inc., a		, on Denair of same.
	ī	Notary Public in and for the State of
	1	My Commission Expires:

Date:	Ву		
	Name		
	Title		
		Marathon Oil Permian LLC, on behalf XII, LLC	of CRP
Date:	D .,	-	
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	Title		
	ACKNOWLE	DGEMENTS	
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		Notary Public in and for the State of Texas My Commission Expires:	
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Chevron U.S.A Inc., a renusyival	ua corporation , on benain	R. I L	
BRENDAL GUERRA		Notary Public in and for the State of	TEXAS
My Notary ID # 1294850 Expires July 11, 2021		My Commission Expires: 07/11/2	

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Acknowledgments cont.

STATE OF TENAS	
COUNTY OF PALLAS	the -
This instrument was acknowledged before me on the	e day of Connary, 202], by <u>ucutive vice fresident + COO</u> of , on behalf of same. Notary Public in and for the State of Jexas My Commission Expires: <u>410</u> 2021
STATE OF § COUNTY OF §	
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, as, bevon Energy Production Company, LP, a	of of
	Notary Public in and for the State of
	My Commission Expires:
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This instrument was acknowledged before me on the	day of, 202_, by
Brigham Exploration, a, as,	
	Notary Public in and for the State of

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Keith P Lile	_	, as prosident # (60	, 102_, 0)
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		Notary Public in and for the State of Te	×45
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Com	m. Expires 10-15-2023		

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STATE OF TOYAL S	
COUNTY OF DALLAL	
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This instrument was acknowledged before ma Walt Nixon	
Chief Capital (O&G) II, LLC, a LIXAL limited	as vice mender on behalf of same
	Angene Workson
LACY ROBERSON	Notary Public in and for the State of Texas
Comm. Expires 02-12-2023 Notary ID 131890792	My Commission Expires: 1/12/23
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	on the day of, 202_, by
Marathan All Permian LLC on babalt of ODD WH	, 85 of
of same.	LLC, a, on behalf

Notary Public in and for the State	of
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STATE OF § COUNTY OF §	
This instrument was acknowledged before me on th	le day of, 202_, by
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Chief Capital (O&G) II, LLC, a	
	Notary Public in and for the State of
STATE OF Texas § COUNTY OF Harris § This instrument was acknowledged before me on the Ryan Gyllenband, as Marathon Oll Permian LLC, on behalf of CRP XII, LLC, a of same.	e 4th day of February, 202], by Attorney-in-Fact of a United Hability Company behalf
Janine D Salgado Notary Public, State of Texas My Comm. Exp. 10/05/2024 Notary ID 13271036-0	Notary Public in and for the State of <u>Texas</u> My Commission Expires: <u>10 5 2024</u>

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	Notary Public in and for the State of	
	My Commission Expires:	
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	e day of, 202	
, as, Devon Energy Production Company, LP, a	, on behalf of same.	- 01
	Notary Public in and for the State of	
	My Commission Expires:	
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	e day of, 202_	
Brigham Exploration, a, as		of
	Notary Public in and for the State of	
	My Commission Expires:	

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EXHIBIT "A"

Plat of communitized area covering 640.00 acres in the W/2 of Section 5 & the W/2 of Section 8, T26S - R34E, N.M.P.M., Lea County, New Mexico Communitized depths are hereby limited to the Wolfcamp formation

Tract 1: Fee Leases		
Tract 2:		
NMNM 124664		
		SEC. 5 SEC. 8
~		

EXHIBIT "B"

To Communitization Agreement dated November 1, 2019 embracing the following described land in the W/2 of Section 5 & the W/2 of Section 8, T26S – R34E, N.M.P.M., Lea County, New Mexico Communitized depths are hereby limited to the Wolfcamp formation

Operator of Communitized Area: COG Operating LLC

DESCRIPTION OF LEASES COMMITTED

TRACT #1

Lease 1 Lease Date: Lease Term: Recordation: Lessor:

Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 2 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 3 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

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October 1, 2013 Three (3) Years Book 1863, Page 184 **Duard D. Thomas, Personal Representative of the Estate of Warren J. Bates** Energex LLC COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South. Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 20%

September 28, 2012 Three (3) Years Book 1800, Page 779 Nommensen Investment Co Southwest Petroleum Land Services LLC COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 20%

November 1, 2019 Three (3) Years Book , Page 1836 Royalty Partners, LLC COG Operating LLC COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25% Lease 4 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 5

Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 6 Lease Date:

Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed;

Number of Acres: Royalty Rate:

Lease 7 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed: November 1, 2019 Three (3) Years Book 2161, Page 180 **Tundra AD3 LP** COG Operating LLC COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

November 1, 2019 Three (3) Years Book 2161, Page 178 Jubilee Royalty Holdings LLC COG Operating LLC COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South. Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

November 22, 2011 Three (3) Years Book 1765, Page 857 Janss Oil Company, LLC Chesapeake Exploration, LLC Chevron USA Inc. Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

Effective September 27, 2012 Three (3) Years Book 1792, Page 223 Lucille Chism Bates Testamentary Trust, LJ Barnes as Trustee Ross Duncan Properties, LLC Oxy USA WTP Limited Partnership Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico Number of Acres: Royalty Rate:

Lease 8

Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate: WI Owners Names and Interests: ORRI Owners:

Lease 9 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed;

Number of Acres: Royalty Rate:

Lease 10 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

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January 30, 2018 Three (3) Years Book 2132, Page 572 P.A.W.N. Enterprises, Ltd. Jetstream New Mexico, LLC MRC Permian Company Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25% MRC Permian Company 100% Of Record

80.00

20%

Effective March 8, 2018 Three (3) Years Book 2133, Page 802 John V. McCarthy, II SSP Jetstream New Mexico, LLC MRC Permian Company Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

Effective March 8, 2018 Three (3) Years Book 2133, Page 801 Susan Duff, SSP Jetstream New Mexico, LLC MRC Permian Company Insofar and only insofar as said lease covers: Township 26 South. Range 34 East Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25% Lease 11 Lease Date: Lease Term: Recordation: Lessor:

Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 12 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 13 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed;

Number of Acres: Royalty Rate:

Lease 14 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: April 18, 2016 Three (3) Years Memorandum Recorded in Book 2027, Page 188 **Bates Family Investment Company LLC, The Trust Company of Oklahoma, as agent** Black Mountain Operating LLC Marathon Oil Permian LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

April 25, 2016 Three (3) Years Memorandum Recorded in Book 2027, Page 206 James R. Bates Black Mountain Operating LLC Marathon Oil Permian LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

February 21, 2018 Three (3) Years Book 2130, Page 839 Marc T. Wray Trust 2008 Novo Oil & Gas Northern Delaware, LLC Novo Oil & Gas Northern Delaware, LLC Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 22.5%

February 21, 2018 Three (3) Years Book 2130, Page 840 Andrew Wray Novo Oil & Gas Northern Delaware, LLC Novo Oil & Gas Northern Delaware, LLC

Received by OCD: 4/13/2021 9:27:29 AM

Description of Land Committed:

Number of Acres: Royalty Rate:

Lease 15 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed:

Number of Acres: Royalty Rate:

<u>TRACT #2</u>

Lease 16 Lease Date: Lease Term: Recordation: Lessor: Original Lessee: Current Lessee: Description of Land Committed: June 1, 2010 Ten (10) Years Unrecorded United States of America NMNM 124664 Ronald Miles COG Operating LLC Insofar and only insofar as said lease covers: <u>Township 26 South. Range 34 East</u> Section 5: S/2N/2, S/2 Section 8: ALL Lea County, New Mexico 80.00

Number of Acres: Royalty Rate:

RECAPITULATION

12.5%

Tract No.	No. of Acres Committed	Percentage of Interest In Communitized Area		
L	80.00	12.5000%		
2	560.00	87.5000%		
Tetal	640.00	100.0000%		

Insofar and only insofar as said lease covers: <u>Township 26 South. Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 22.5%

January 30, 2018 Three (3) Years Book 2132, Page 568 Frank T. Fleet Inc. Jetstream New Mexico, LLC MRC Permian Company Insofar and only insofar as said lease covers: <u>Township 26 South, Range 34 East</u> Section 5: N/2 NW/4 Lea County, New Mexico 80.00 25%

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY Page 37 of 43
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. 	A Suprisure X All Multi Alm A activesse B. Hecaved by (Prinage Name) C. Date of Deliver Activesse
1. CHEVRON U.S.A. INC. 6301 DEAUVILLE BLVD MIDLAND, TX 79706	D. Is delivery address different from item 1? 17 Yes alivery address below: 10 No
9590 9402 6479 0346 9477 99	Aduit Signature Aduit Signature Aduit Signature Aduit Signature Certified Maile Certified Maile Certified Maile Continued Maile Continued Maile Signature Confirmation -ivery Restricted Delivery Restricted Delivery Restricted Delivery Restricted Delivery Restricted Delivery Restricted Delivery
725 13040 0000 1205 1357	

PS Form 3811. July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

From:	Engineer, OCD, EMNRD
To:	Barron, Jeanette
Cc:	McClure, Dean, EMNRD; Simmons, Kurt, EMNRD; Bratcher, Mike, EMNRD; Kautz, Paul, EMNRD; Hawkins, James, EMNRD; Powell, Brandon, EMNRD; lisa@rwbyram.com; Glover, James; Paradis, Kyle O; Walls, Christopher
Subject:	Approved Administrative Order OLM-239
Date:	Saturday, July 17, 2021 12:23:12 PM
Attachments:	OLM239 Order.pdf

NMOCD has issued Administrative Order OLM-239 which authorizes COG Operating, LLC (229137) to surface commingle or off-lease measure, as applicable, the following wells:

Well API	Well Name	UL or Q/Q	S-T-R	Pool Code
30-025-46758 Gunner 8 Federal Com #604H	Cupper 8 Eddard Com #60411	W /2	5-26S-34E	98094
	W /2	8-26S-34E	98094	
20.025.47171	Commune 9 Federal Commut 70211	W/2	5-26S-34E	00004
30-025-47171 Gunner 8 Federal Com #703H	W /2	8-26S-34E	98094	
20.025.47172	Commente P. F. Jamel Comm. #70.411	W/2	5-26S-34E	00004
30-025-47172 Gunner 8 Federal Com #704H	W /2	8-26S-34E	98094	
30-025-46760	Gunner 8 Federal Com #705H	W/2	5-26S-34E	00004
		W /2	8-26S-34E	98094

The administrative order is attached to this email and can also be found online at OCD Imaging.

Please review the content of the order to ensure you are familiar with the authorities granted and any conditions of approval. If you have any questions regarding this matter, please contact me.

Dean McClure Petroleum Engineer, Oil Conservation Division New Mexico Energy, Minerals and Natural Resources Department (505) 469-8211

State of New Mexico Energy, Minerals and Natural Resources Department

Notice

Order: OLM-239 Operator: COG Operating, LLC (229137) Publication Date: Submittal Date: 4/13/2021

Noticed Persons

Date	Person	Certified Tracking Number	Status
4/19/2021	CHEVRON USA INC	7017 3040 0000 1205 1357	Delivered
4/16/2021	MRC PERMIAN COMPANY	7017 3040 0000 1205 1388	Delivered
4/19/2021	BEXP I LP	7017 3040 0000 1205 1340	Delivered
4/19/2021	CHIEF CAPITAL (O&G) II LLC	7017 3040 0000 1205 1371	Delivered
4/24/2021	CRP XII HOLDINGS LLC DBA	7017 3040 0000 1205 1364	Delivered
4/16/2021	BLM	7017 3040 0000 1205 1333	Delivered

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

APPLICATION FOR OFF-LEASE MEASUREMENT SUBMITTED BY COG OPERATING, LLC

ORDER NO. OLM-239

<u>ORDER</u>

The Director of the New Mexico Oil Conservation Division ("OCD"), having considered the application and the recommendation of the Engineering Bureau, issues the following Order.

FINDINGS OF FACT

- 1. COG Operating, LLC ("Applicant") submitted a complete application to off-lease measure the oil production ("Application") from the wells, pool, and lease identified in Exhibit A.
- 2. Applicant provided notice of the Application to all persons owning a working interest in the oil production to be off-lease measured in accordance with 19.15.23.9(A)(5) NMAC, and those persons either submitted a written waiver or did not file an objection to the Application.
- 3. Applicant provided notice of the Application to the Bureau of Land Management or New Mexico State Land Office, as applicable.

CONCLUSIONS OF LAW

- 4. OCD has jurisdiction to issue this Order pursuant to the Oil and Gas Act, NMSA 1978, §§ 70-2-6, 70-2-11, 70-2-12, and 19.15.23 NMAC.
- 5. Applicant satisfied the notice requirements for the Application in accordance with 19.15.23.9(A)(5) NMAC.
- 6. By granting the Application with the conditions specified below, this Order prevents waste and protects correlative rights, public health, and the environment.

<u>ORDER</u>

- 1. Applicant is authorized to store and measure oil and gas production off-lease from the pools, leases, and wells identified in Exhibit A at a central tank battery described in Exhibit A.
- 2. The oil production from the wells identified in Exhibit A shall be physically separated from the oil production from other wells and no commingling of production from different leases shall occur in accordance with 19.15.23.9(A)(3) NMAC and 19.15.23.9(A)(4) NMAC, except as otherwise provided in order(s) issued by OCD.
- 3. Applicant shall measure the commingled oil at a central tank battery described in Exhibit A in accordance with 19.15.18.15 NMAC or 19.15.23.8 NMAC.

Order No. OLM-239

- 4. Applicant shall calibrate the meters used to measure or allocate oil production in accordance with 19.15.12.10(C)(2) NMAC.
- 5. OCD retains jurisdiction of this matter and reserves the right to modify or revoke this Order as it deems necessary.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION



DATE: 7/16/2021

Order No. OLM-239

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State of New Mexico Energy, Minerals and Natural Resources Department

Exhibit A

Order: OLM-239 Operator: COG Operating, LLC (229137) Central Tank Battery: Gunner Federal 5 D Central Tank Battery Central Tank Battery Location: Unit D, Section 5, Township 26 South, Range 34 East Central Tank Battery: Red Hills Offload Station Central Tank Battery Location: Unit O, Section 4, Township 26 South, Range 32 East Central Tank Battery: Jal Offload Station Central Tank Battery Location: Unit D, Section 4, Township 26 South, Range 37 East Gas Title Transfer Meter Location:

	Pools			
	P	ool Name	Pool Code	
	BOBCAT DRAW; UPPER	R WOLFCAMP	98094	
	Leases as defined in 19.15.	12.7(C) NMA	С	
	Lease	UL or Q/Q	S-T-R	
	CA Wolfoomn PLM	W /2	5-26S-34E	
	CA Wolfcamp BLM	W /2	8-26S-34E	
	Wells			
Well API	Well Name	UL or Q/Q	S-T-R	Pool Cod
20 025 46758	Gunner 8 Federal Com #604H	W /2	5-26S-34E	98094
30-025-46758	Guimer 8 rederal Com #004ff	W /2	8-26S-34E	90094
30-025-47171	Gunner 8 Federal Com #703H	W /2	5-26S-34E	00004
30-025-4/1/1	Gunner 8 rederal Com #/05h	W /2	8-26S-34E	98094
30-025-47172	Cupper 8 Federal Com #704U	W /2	5-26S-34E	00004
30-023-4/1/2	Gunner 8 Federal Com #704H	W /2	8-26S-34E	98094
	Cupper 9 Federal Com #705U	W/2 5-26S-34E	00004	
30-023-40/00	O-025-46760 Gunner 8 Federal Com #705H	W /2	8-26S-34E	98094

District I 1625 N. French Dr., Hobbs, NM 88240 Phone:(575) 393-6161 Fax:(575) 393-0720 District II

811 S. First St., Artesia, NM 88210 Phone:(575) 748-1283 Fax:(575) 748-9720

District III

1000 Rio Brazos Rd., Aztec, NM 87410 Phone:(505) 334-6178 Fax:(505) 334-6170

District IV 1220 S. St Francis Dr., Santa Fe, NM 87505 Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico Energy, Minerals and Natural Resources Oil Conservation Division 1220 S. St Francis Dr. Santa Fe, NM 87505

CONDITIONS

Operator:	OGRID:
COG OPERATING LLC	229137
600 W Illinois Ave	Action Number:
Midland, TX 79701	23858
	Action Type:
	[C-107] Surface Commingle or Off-Lease (C-107B)

CONDITIONS

Created By	Condition	Condition Date
dmcclure	Please review the content of the order to ensure you are familiar with the authorities granted and any conditions of approval. If you have any questions regarding this matter, please contact me.	7/17/2021

Action 23858