



Dwaine Moore II
Staff Land Professional
Permian Asset Team



Marathon Oil Company
990 Town & Country Blvd., Houston, TX 77024
Mobile: 979.229.7503
Dmoore3@marathonoil.com

Date 8/28/2023

DELIVERED VIA:
USPS Certified – Signature Requested

Linda Ann Jurva, as Power of Attorney for Martha W. Skeen and Linda Ann Jurva, Trustee of the Testamentary Trusts contained in the Last Will and Testament of Kelly Skeen, dated 5/9/1979.
305 E. Chapman Rd.
Carlsbad, NM 88220

Re: Letter Agreement
Reclamation of Well Site
Well Name: Otis 33 #2
Township 22 South, Range 27 East
Section _33: NW/4
Eddy County, New Mexico

Dear Linda Ann Jurva, as Power of Attorney for Martha W. Skeen and Linda Ann Jurva, Trustee of the Testamentary Trusts contained in the Last Will and Testament of Kelly Skeen, dated 5/9/1979-

Marathon Oil Permian LLC and/or Marathon Oil Company (collectively "Marathon") has plugged and abandoned the Otis 33 #2 (API: 30-015-24810) subject well (the "Well"). The Well is located on private surface lands owned by Linda Ann Jurva, as Power of Attorney for Martha W. Skeen and Linda Ann Jurva, Trustee of the Testamentary Trusts contained in the Last Will and Testament of Kelly Skeen, dated 5/9/1979. ("Surface Owner" and, together with Marathon, the "Parties"). Pursuant to the requirements contained within the New Mexico Surface Owner Production Act, and as agreed by the Parties, Marathon has reclaimed the Well location, except for the portion of the improvements Surface Owner elects to retain, which are listed below.

Surface Owner and Marathon agree as follows:

1. Marathon and Surface Owner agree that the following improvements will not be restored or reclaimed and shall not be removed from the Well Site:
 - The existing lease road, which comes off of Smedley Rd., will be left in place all the way to the Well,
 - A portion of the pad, being on the South side of the pad, will be left in place at the Surface Owner's request,
 - Marathon did not re-seed the location at the request of the Surface Owner,
 - Marathon contoured the rest of the pad to the original grade, meeting Surface Owner's specifications.

(Collectively referred to as the "Improvements").

2. Should Surface Owner desire to keep all or any portion of the Improvements, Marathon and Surface Owner agree that the Surface Owner shall assume ownership of said Improvements and shall accept all responsibility and liability therefor.
3. Notwithstanding anything to the contrary within any applicable oil and gas lease, the Surface Owner (on behalf of themselves and any assigns, heirs and successors, being the "Surface Owner Releasors") **RELEASES, ACQUITS and FOREVER DISCHARGES** the Marathon Released Parties (as defined below), from any and all claims, demands, and causes of action of whatsoever kind or nature, at common law, statutory, in contract, in tort, or otherwise, whether under local, state or federal law, whether accrued or unaccrued, whether known or unknown, whether now existing or that might arise hereafter, whether suspected or unsuspected, whether asserted or unasserted, whether foreseen or unforeseen, including, but not limited to, any claims for losses and damages of any kind, for property damage, diminution in property value, property contamination, damage to buildings, fences, roads, culverts, trees, timber, grass, turf, lands, cultivated lands, growing crops, or other improvements on the lands covered by any oil and gas lease or surface use agreement, or to livestock and other personal property on such land, damages to natural resources, nuisance, bodily and personal injury, physical and mental pain and suffering, disability, disfigurement, loss of wages, loss of earning capacity, loss of services, loss of enjoyment of life, medical expenses, punitive damages, penalties, interest, attorneys' fees and any consequence of the foregoing or any other legal right, claims of gross negligence, negligence, intentional torts, strict liability, strict products liability, breach of contract, breach of warranty, pecuniary loss, property damage, exemplary damages, court costs, expenses, interest, and all other claims, expenses or damages (collectively, a "Claim"), related to or arising from (i) any operations by or on behalf of Marathon on Surface Owner's property, (ii) the Improvements; (iii) Marathon's failure to restore the surface of Surface Owner's property or of the Well Site, and (iv) the condition of the Well Site, which, per this Agreement, the Surface Owner Releasors have agreed that Marathon is not required to restore to its previous condition prior to any operations by or on behalf of Marathon.
4. This agreement (the "Letter Agreement") shall run with the land and shall extend to and be binding on the heirs, executors, administrators, successors and assigns of the parties to this instrument. Marathon may record a memorandum of this Letter Agreement in the official records of Lea County, New Mexico.
5. This Letter Agreement may be executed in counterparts, and each of which as so executed shall be given the effect of the execution of the original instrument. Failure of any party hereto to execute this Letter Agreement or a counterpart thereof shall not render it ineffective as to any party hereto who does execute it or a counterpart thereof but shall be binding upon each executing party and its successors and assigns. If counterparts of this Letter Agreement are executed, the signatures and acknowledgments of the parties, as affixed hereto, may be combined in, and treated and given effect for all purposes as a single instrument.

Should you have any questions or concerns please contact me at (979) 229-7503 or via e-mail at Dmoore3@marathonoil.com.

Respectfully,
Marathon Oil Company

Dwaine Moore
Staff Land Professional
Permian Asset Team

Surface Owner Acceptance:

Agreed to and accepted on 10th day of Oct., 2023.

Linda Ann Jurva
Linda Ann Jurva, as Power of Attorney for Martha W. Skeen and Linda Ann Jurva, Trustee of the Testamentary Trusts contained in the Last Will and Testament of Kelly Skeen, dated 5/9/1979.

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

DEFINITIONS

Action 288177

DEFINITIONS

Operator: MARATHON OIL PERMIAN LLC 990 Town & Country Blvd. Houston, TX 77024	OGRID: 372098
	Action Number: 288177
	Action Type: [C-103] Sub. Release After P&A (C-103Q)

DEFINITIONS

For the sake of brevity and completeness, please allow for the following in all groups of questions and for the rest of this application: <ul style="list-style-type: none">• lease and well location, hereinafter "location";• flowlines or pipelines, hereinafter "pipelines";• and non-retrieved or abandoned, hereinafter "abandoned".
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QUESTIONS

Action 288177

QUESTIONS

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QUESTIONS

Subsequent Report of: Location Ready For OCD Inspection After P&A	
Was this the last remaining or only well on the location	Yes
Are there any abandoned pipelines that are going to remain on the location	No
Is there any production equipment or structure (not including steel marker, poured onsite concrete bases, or pipelines) that is going to remain on the location	No
If any production equipment or structure is to remain on the location, please specify	Please see attached letter from landowner requesting for items to remain on site as is.

Site Evaluation

Please answer all the questions in this group.

Have all the required pits been remediated in compliance with OCD rules and the terms of the Operator's pit permit and closure plan	Yes
Have the rat hole and cellar been filled and leveled	Yes
Have the cathodic protection holes been properly abandoned	Yes
Has a steel marker, at least 4 inches in diameter and at least 4 feet above ground level, been set in concrete	Yes
The (concrete-set) steel marker shows: Must attach marker photograph(s). *	THE OPERATOR NAME, LEASE NAME AND WELL NUMBER AND LOCATION, INCLUDING UNIT LETTER, SECTION, TOWNSHIP AND RANGE, SHALL BE WELDED, STAMPED OR OTHERWISE PERMANENTLY ENGRAVED INTO THE MARKER'S METAL.
Has the location been leveled as nearly as possible to original ground contour	Yes
Have all the required pipelines and other production equipment been cleared	Yes
Has all the required junk and trash been cleared from the location	Yes
Have all the required anchors, dead men, tie downs and risers have been cut off at least two feet below ground level	Yes
Have all the required metal bolts and other materials have been removed	Yes

Poured onsite concrete bases do not have to be removed.

Have all the the required portable bases been removed	Yes
Have all other environmental concerns have been addressed as per OCD rules	Yes
If any environmental concerns remain on the location, please specify	Not answered.

* Proof of the site marker (photograph) is required.

Please submit any other site photographs that would assist in documenting the above answers, site features, additional concerns, or other nearby / remaing structures and equipment.

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QUESTIONS, Page 2

Action 288177

QUESTIONS (continued)

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QUESTIONS

Abandoned Pipelines	
<i>Only need to provide answers in this group, if any pipelines have been abandoned (in accordance with 19.15.35.10 NMAC).</i>	
Have all fluids have been removed from any abandoned pipelines	<i>Not answered.</i>
Have all abandoned pipelines been confirmed to NOT contain additional regulated NORM, other than that which accumulated under normal operation	<i>Not answered.</i>
Have all accessible points of abandoned pipelines been permanently capped	<i>Not answered.</i>

Last Remaining or Only Well on the Location	
<i>Please answer all questions that apply in this group, specifically if there is no longer going to be any well or facility remaining at this location.</i>	
Have all electrical service poles and lines been removed from the location	Yes
Is there any electrical utility distribution infrastructure that is remaining on the location	No
Have all the battery and pit location(s) have been remediated in compliance with OCD rules and the terms of the Operator's pit permit and closure plan	Yes
Have all the retrievable pipelines, production equipment been removed from the location	Yes
Has all the junk and trash been removed from the location	Yes

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ACKNOWLEDGMENTS

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ACKNOWLEDGMENTS

<input checked="" type="checkbox"/>	I hereby certify that all the work has been completed for this location and the site is ready for an OCD scheduled inspection.
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CONDITIONS

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CONDITIONS

Created By	Condition	Condition Date
gcordero	None	11/29/2023