

State of Colorado Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

402804792

Receive Date:

09/08/2021

TRANSFER OF OPERATORSHIP

A Selling Operator will notify the Commission about the transfer of any Transferable Item associated with its Oil and Gas Operations to a Buying Operator by filing a Form 9, Transfer of Operatorship – Intent, with the Commission at least 30 days, or as soon as practicable, before the anticipated transfer date. (Rule 218.b.) When a transaction subject to a Form 9 – Intent becomes final, the Buying Operator will submit a Form 9 – Subsequent within 7 days of closing. (Rule 218.d.(1).)

Type of Form 9, Transfer of Operatorship: [X] Intent [] Subsequent Intent # _____

OPERATOR INFORMATION

SELLING OPERATOR INFORMATION

OGCC Operator Number: 10670 Contact Name and Telephone: Erin Mathews
Name of Operator: MALLARD EXPLORATION LLC Name: Erin Mathews
Address: 1400 16TH STREET SUITE 300 Phone: (720) 543-7959
City: DENVER State: CO Zip: 80202 Email: emathews@mallardexploration.com

BUYING OPERATOR INFORMATION

OGCC Operator Number: 10691 Contact Name and Telephone: Taylor Heffner
Name of Operator: PHOENIX RESOURCES LLC Name: Taylor Heffner
Address: 5566 S SYCAMORE STREET Phone: (281) 460-1517
City: LITTLETON State: CO Zip: 80120 Email: theffner@phxresources.com

TRANSFER INFO

Transfer Dates

Form 9 Intent - Anticipated Date of Transfer: 09/08/2021

Form 9 Subsequent - Effective Date of Transfer: s

Confidentiality

Transfer is Confidential: No

Financial Assurance

Form 9 Intent - Estimated amount of Financial Assurance the Buying Operator will submit prior to anticipated date of transfer: \$ 85,000

Form 9 Subsequent - The Buying Operator's Financial Assurance:

SUBSEQUENT LIABILITY

Rule 218.d.(1).D.i.

"For Transferable Items listed in Rule 218.d.(1).B.i an acknowledgment that upon the effective date of transfer, that the Buying Operator assumes all responsibility for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders for the Transferable Items."

In checking this box the Buying Operator's acknowledges the subsequent liability pursuant to Rule 218.d.(1).D.i. []

Rule 218.d.(1).D.ii.

"For Transferable Items listed in Rule 218.d.(1).B.ii or iii, an acknowledgment that the Buying Operator may be or may become responsible for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders if the Buying Operator takes any action, or fails to take any action, that would cause such Transferable Item to be out of compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders."

In checking this box the Buying Operator's acknowledges the subsequent liability pursuant to Rule 218.d.(1).D.ii. []

Rule 218.d.(1).D.iii.

"For Transferable Items not listed in Rule 218.d.(1).B.i-iii but Related in the Commission's records, an acknowledgment that the Commission will presume that the Transferable Item was transferred, and that the Buying Operator is responsible for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders for the Transferable Items."

In checking this box the Buying Operator's acknowledges the subsequent liability pursuant to Rule 218.d.(1).D.iii.

SUBMITTAL

OPERATOR COMMENT AND SUBMITTAL

The wellbores associated with these locations were included on the original Transfer of Ownership in 2019. Because the off-location flowlines were registered after the fact, these three Location/Facility IDs remained under Mallard.

I hereby certify all statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Taylor Heffner Email: theffner@phxresources.com

Signature: _____ Title: Mallard Contractor Date: 09/08/2021

Wells & Facilities Proposed for Transfer Summary

1	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	476715	476715	MCGAHEY STATE 1A	SWSW	16	8N	61W
	<u>County</u>	<u>Min.Owner.Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	WELD	STATE	10670	MALLARD EXPLORATION LLC					
2	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	OFF-LOCATION FLOWLINE	-	476716	310112	STATE 1 FLOWLINE_MAIN	SWSE	16	8N	61W
	<u>County</u>	<u>Min.Owner.Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	WELD	STATE	10670	MALLARD EXPLORATION LLC					
3	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	OFF-LOCATION FLOWLINE	-	476717		MCGAHEY STATE 1A FLOWLINE_MAIN	SWSW	16	8N	61W
	<u>County</u>	<u>Min.Owner.Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	WELD	STATE	10670	MALLARD EXPLORATION LLC					

Incidents Proposed for Transfer Summary

< No row provided >

Related Wells & Facilities Not Proposed for Transfer Summary

< No row provided >

Related Incidents Not Proposed for Transfer Summary

< No row provided >

Attachment List

Att Doc Num	Name
402804792	Form 09 SUBMITTED
402804821	FORM 9 INTENT ATTESTATION
402987129	EDD-I-WELLS-FACILITIES-PROPOSED

Total Attach: 3 Files

Condition of Approval

COA Type

Description

0 COA	

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Financial Assurance	Both operators have resolved all issues. Form 9 approved.	04/04/2022
Financial Assurance	3/21/2022 Spoke the Taylor Heffner about corrections to the Subsequent Attestation, Buyer Notified Govt. Attestation and there needs to be an Incidents Transferred List or Incidents Not Transferred/Seller Retains Responsibility Attestation.	03/21/2022
Financial Assurance	<p>I have reviewed your Form 9 Intent, document #402804902, and noted the following issues. The Form 9 Intent Attestation is inadequate. Please refer to the attached Attestation Guidance and resubmit the Intent Attestation. Please review the Form 9 Instructions which are also attached and prepare a Wells and Facilities Proposed List in Excel using the Form 9 Tools. More specifically, your Wells and Facilities Proposed list is missing a Facility ID for the item #1. For items 2 and 3, please include the location IDs. There are outstanding Unresolved Field Inspection Reports as well as an Open Remediation Project. Please compile an Incidents Proposed List or an Incidents Not Proposed for Transfer list depending on which applies. Instructions can be found in the attached Form 9 Instructions and in the Form 9 Tools. In order to upload the revised documents to the form, I can either return the form to draft or you can email to me the revised documents to me and I will upload them to the form.</p> <p>Additionally in accordance with COGCC Rule 218.e.(3), we do not approve a Form 9 Intent on its own; the Form 9 Intent can only be approved in coordination with corresponding Form 9 Subsequent. COGCC Rule 218.d.(1) requires the buyer to submit a Form 9 Subsequent within 7 days of closing of the business transaction. According to the Intent, the transaction was expected to close on 07/01/2021. As of today, the Form 9 Subsequent is 256 days past due and this transfer is not in compliance with COGCC Rules. If the transfer was cancelled, please let me know and I will withdraw the Form 9 Intent. However, if it did occur as scheduled, please submit the Form 9 Subsequent as soon as possible to complete the transfer.</p>	03/15/2022

Total: 3 comment(s)