

State of Colorado Oil and Gas Conservation Commission

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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 # 0

OPERATOR INFORMATION

SELLING OPERATOR INFORMATION

OGCC Operator Number: 76840 Contact Name and Telephone: Jeff Schneider
Name of Operator: SCHNEIDER ENERGY SERVICES INC Name: Jeff Schneider
Address: P O BOX 889 Phone: (970) 867-9437
City: FORT MORGAN State: CO Zip: 80701 Email: jeff@schneiderenergy.com

BUYING OPERATOR INFORMATION

OGCC Operator Number: 10547 Contact Name and Telephone: Theodore Pagano
Name of Operator: HELENA RESOURCES INC Name: Theodore Pagano
Address: 2960 SIMMS DR Phone: (970) 590-3944
City: LAKEWOOD State: CO Zip: 80215 Email: tapagano@helena-resources.com

TRANSFER INFO

Transfer Dates

Form 9 Intent - Anticipated Date of Transfer: 12/01/2021
Form 9 Subsequent - Effective Date of Transfer: s

Confidentiality

Transfer is Confidential: Yes

Financial Assurance

Form 9 Intent - Estimated amount of Financial Assurance the Buying Operator will submit prior to anticipated date of transfer: \$ 0
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

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

Print Name: Jessica Donahue Email: jdonahue@ardorenvironmental.com

Signature: _____ Title: Compliance Specialist Date: 01/18/2022

Wells & Facilities Proposed for Transfer Summary

1	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	320521	320521	RUBY 1	SWSE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS		76840	SCHNEIDER ENERGY SERVICES INC					
2	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	001-09529	275616	320521	RUBY 2	SWSE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS	FEE	76840	SCHNEIDER ENERGY SERVICES INC					
3	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	415301	415301	RUBY 1-2/DARLOW TANK LOCATION	SESE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS		76840	SCHNEIDER ENERGY SERVICES INC					
4	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	OFF-LOCATION FLOWLINE	-	466274	415301		SESE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS		76840	SCHNEIDER ENERGY SERVICES INC					

Incidents Proposed for Transfer Summary

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Related Wells & Facilities Not Proposed for Transfer Summary

1	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	001-09364	203804	320521	TUDEX RUBY S3	SWSE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS	FEE	90615	TUDEX PETROLEUM INC					
2	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	001-07938	202533	320521	MALLO 1	SWSE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS	FEE	90615	TUDEX PETROLEUM INC					
3	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	TANK BATTERY	-	415394	415301		SESE	12	1S	68W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	ADAMS		10474	MENDELL FINISTERRE II LLC					

Related Incidents Not Proposed for Transfer Summary

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Attachment List

Att Doc Num	Name
402880078	Form 09 SUBMITTED
402930170	FORM 9 INTENT ATTESTATION
402930178	EDD-I-WELLS-FACILITIES-PROPOSED
402930179	EDD-I-RELATED-WELLS-FACILITIES-NOT-PROP

Total Attach: 4 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.	04/29/2022
Financial Assurance	<p>I have reviewed the Form 9 for the above captioned transfer. There is one issue that will need to be addressed. The tank battery (Facility ID 415394, Location ID 415301) that is listed on the Wells and Facilities - Not Transferred list is at the end of the Off-Location Flowline and on one of the locations that is being transferred. If the tank battery will be operated by Helena Resources, then the tank battery will need to be transferred to Helena Resources. COGIS indicates that the current operator is Mendell Finisterre I LLC, Operator 10481. Finisterre's wells have all been plugged and abandoned at this location.</p> <p>Also noted were 9 incidents not accounted for. As explained to Jessica Donahue, FIRs with outstanding corrective actions that may or may not be resolved are transferable items that must be accounted for in the Form 9 in one or more of the following ways.</p> <p>1.If the compliance responsibility for such an FIR transfers to the buyer include that FIR on a Related Incidents Transferred list.</p> <p>2.If the compliance responsibility for such an FIR is retained by the seller include that FIR on a Related Incidents Not Transferred list and provide a Seller Retains Responsibility Attestation.</p> <p>If the parties perform the research and determine that all corrective actions for a particular FIR have been resolved, that FIR does not need to be listed on the Form 9 but will be subject to Rule 218.d(1)D.iii.</p> <p>Please reach out with any questions.</p>	04/08/2022
Financial Assurance	<p>4/4 Email sent.</p> <p>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 12/01/2021. As of today, the Form 9 Subsequent is 118 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>	04/07/2022

Total: 3 comment(s)