



FORM 9 – SUBSEQUENT ATTESTATION

Fulcrum Energy Operating, LLC, Operator No. 10805 ("Fulcrum") and D90 Energy, LLC, Operator No. 10706 ("D90") (each a "Party" and collectively the "Parties"), hereby submit this Attestation to the Colorado Energy and Carbon Management Commission (ECMC) in connection with that certain Form 9 – Intent (eForm Document No. **403564278** ("Form 9") for transfer of Transferable Items being acquired by Fulcrum, as Buying Operator, from D90, as Selling Operator. All capitalized terms used, but not specifically defined herein, shall have their meaning as set forth in the ECMC's Rules. The Parties hereby attest as follows.

The Transferable Items set forth on the Form 9 are being transferred from D90 to Fulcrum. The information and content set forth in the Form 9 is true and correct to the best of the Parties' knowledge. Other than as described on Exhibit A, attached hereto, D90 is retaining no responsibility for any open and/or unresolved inspection items, warning letters, NOAVs, or compliance deficiencies associated with the Transferable Items set forth on the Form 9.

BUYING OPERATOR

Fulcrum Energy Operating, LLC
Operator No. 10805

By: Brad Morse

Name: Brad Morse

Title: President

SELLING OPERATOR

D90 Energy, LLC
Operator No. 10706

By: Daniel Silverman

Name: Daniel Silverman

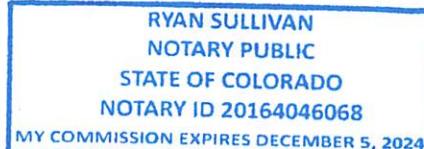
Title: President

STATE OF COLORADO)
) ss.
CITY & COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 27th day of October, 2023 by Brad Morse
as President of Fulcrum Energy Operating, LLC.

Witness my hand and official seal.

Ryan Sullivan
Notary Public

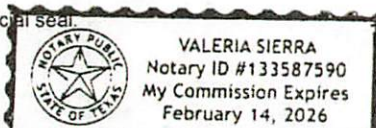


STATE OF TEXAS)
) ss.
CITY & COUNTY OF HARRIS)

The foregoing instrument was acknowledged before me this 27 day of October, 2023 by Daniel Silverman
as President of D90 Energy, LLC.

Witness my hand and official seal.

Valeria Sierra
Notary Public



240 Saint Paul Street, Suite 502 - Denver, CO 80206

(720) 328-5070