From: Gomez - DNR, Jason
To: mollieo@maralexinc.com
Subject: Re: Immediate Corrective Action Required - Keegan Patrick 3-7-11 location
Date: Saturday, May 02, 2026 7:31:20 PM
Attachments: image001.png
Official Logo of the Colorado Energy and Carbon Management Commission.png
image002.png

That will be fine . I'm out on vacation this week but I'll be back on May 11th. But if you need something please reach out to me i will be available by phone.

On Sat, May 2, 2026 at 7:03 PM <mollieo@maralexinc.com> wrote:

> Hi Mr. Gomez,
>
> I apologize, I am still having technological difficulties so I will try to get you this video, etc. next week.
>
> Thank you,
>
> *Mollie O'Hare*
>
> *Maralex Resources, Inc.*
>
> *970-563-4000*
>
> *mollieo@maralexinc.com*
>
> ---
>
> **From:** mollieo@maralexinc.com <mollieo@maralexinc.com>
> **Sent:** Friday, May 01, 2026 9:45 PM
> **To:** 'jason.gomez@state.co.us' <jason.gomez@state.co.us>
> **Cc:** 'Labowskie - DNR, Steve' <steve.labowskie@state.co.us>; A. M. O'Hare (amo@maralexinc.com) <amo@maralexinc.com>; Phoebe Bechtolt (pbechtolt@maralexinc.com) <pbechtolt@maralexinc.com>
> **Subject:** RE: Immediate Corrective Action Required - Keegan Patrick 3-7-11 location
>
> Hello Mr. Gomez,
>
> Yes, we would be happy to schedule a call to discuss and ensure this issue is amicably resolved.

According to our receptionist, who first spoke with Mr. Labowskie, she stated he was “rude and forceful”, “brazen and demanding”. There is no reason for this behavior.

To address Rule 605.a, the phone number listed on our well signs is our office number. Upon answering the phone, our receptionist fields the calls to the correct person in the office. If there is an emergency, she contacts the person on-call in the field and sends them directly to handle the matter. If you reach us after hours, the voicemail directs you to the cellphone of the person on call. This is standard procedure in any office and the only possible way to ensure someone is always available to handle emergencies whether or not employee turnover occurs. Mr. Labowskie himself recommended a similar approach regarding a central email system. Further, we know this system is successful, as does Mr. Labowskie, because he met our representative on location shortly after his phone call to our office. His phone call to our office, moreover, was within minutes of sending his emails, the first of which arrived at 4:18pm.

Because Rule 602.h only references emergencies and members of the public, we were not aware that this situation applied, as it does not specify, nor allude to such a case. When our lease operator found the calf, he had been dead for at least a day, judging from the bloating. Operations were in no way inhibited by the calf as the rule describes, nor were members of the public harmed or affected. No leak occurred, no spill took place. This was a freak accident but not an emergency as nothing could be done to save the calf at the time it was found.

DETAILS:

Around 10:15am on April 29th, 2026, our lease operator found a dead calf, severely bloated, next to the Keegan Patrick #1 well. It’s clear from the fencing that the calf must have caught its foot in the fence and thrashed about to escape: two fence posts were pulled entirely out of the ground, others were bent over, and the wiring was mangled and smashed together as if the calf had laid on the wiring. The calf was not caught in the belts, nor smashed by the pumpjack weights, indeed the concrete slab was remarkably clean and the calf was intact. It is therefore difficult to determine the exact cause of death.

Upon discovery, the lease operator immediately shut down the pump jack and called the landowner. The lease operator called three times and left a voicemail (please see attached screenshots). The landowner eventually came to the location and proceeded to verbally assault the lease operator upon arrival, cussing him out, and filming him. After taking this abuse for 5-10 minutes with no sign of productive conversation, the lease operator left, calling our president to apprise the president of the situation and inform him that the lease operator was leaving the location. A female representative of Maralex then came to location to document the issue and film the details, but did not speak to the landowner, who continued to be aggressive and threatening. The landowner eventually called our president and left a voicemail that evening. Our president was in meetings due to a death in the family and was not able to call the landowner back until the afternoon of April 30th, 2026, although he was forced to leave a message as the landowner did not pick up the call. (Please see attached screenshot).

Later that day, April 30th, 2026, at 4:18pm, Mr. Labowskie sent an email demanding immediate corrective actions—which our company had already executed the day before. After sending his email, Mr. Labowskie then called our office and spoke with our receptionist, as noted above, who called both myself and the president to let us know of Mr. Labowskie's demands. Our president immediately headed to the sight himself to ensure all pumping units were shut down and Mr. Labowskies' demands were met and verified that they were. Our president met Mr. Labowskie and the landowner as he was coming out of the location and they were coming in. Our president greeted Mr. Labowskie and proceeded forward to address the landowner, who drove in behind Mr. Labowskie. The landowner refused to speak with our president, only pausing long enough to take a picture of the president before moving on.

Today, however, the landowner had multiple pleasant, recorded, conversations with our president, and the two agreed to schedule a time to meet in person once the landowner gets through this weekend of branding.

Also today, Maralex ripped out all fencing on the well location and replaced it with heavier, stronger cattle wire panels (see attached photos). Both wells on location continue to be shut-in at this time.

Since you mentioned in your email below that we should have submitted a Form 22, I pulled up the Form 22 just now to do so but there is no option for this particular situation in the listing on the form and nothing in the report facilitates the handling of this particular issue, nor does it coincide with the description listed in the rules. Please advise.

Maralex has acted in good faith and intends to work together with the landowner, and ECMC as necessary, to amicably and speedily resolve this issue.

I'm having issues attaching the media referenced above so I apologize, I will come back tomorrow (Saturday) to send it separately, but I wanted to keep my word to get back to you today.

Thank you and have a great evening,

Mollie O'Hare

Maralex Resources, Inc.

970-563-4000

mollieo@maralexinc.com

From: Gomez - DNR, Jason <jason.gomez@state.co.us>

Sent: Friday, May 01, 2026 2:42 PM
To: mollieo@maralexinc.com
Cc: Labowskie - DNR, Steve <steve.labowskie@state.co.us>; Phoebe Bechtolt <pbechtolt@maralexinc.com>; A. M. O'Hare <amo@maralexinc.com>
Subject: Re: Immediate Corrective Action Required - Keegan Patrick 3-7-11 location

Dear Mollie O'Hare,

I appreciate Maralex's response to the incident and your follow-up on this matter.

Regarding the allegations of unprofessional conduct by Mr. Labowskie, please share any further details that would help me better understand what occurred. I have always found Mr. Labowskie's demeanor and professionalism to be exemplary, but I am open to further discussion if you feel it is warranted.

Regarding Rule 605.a, while the rule requires a 24-hour contact number, my concern is whether a number answered by a receptionist satisfies the requirement for after-hours compliance. Although the person answering is not required to have operational knowledge under 605.a, Rule 605.a.(3) and the associated guidance for Emergency Response Plans specify that operators must provide contact numbers for staff who "may respond or assist in response," such as EHS or lease operations staff. This ensures the ECMC can resolve emergent situations with personnel who understand the operations and safety plans.

Additionally, I would like to address the timeline mentioned in your reply. You noted that your staff discovered the dead calf on the morning of April 29. Per Rule 602.h, operators are required to notify the Commission of a reportable safety event via a Form 22. This requires an initial notice as soon as practicable, but no later than 6 hours after the event, followed by a formal Form 22 submission within 3 days. The Commission was not made aware of this incident until the landowner contacted Mr. Labowskie on April 30.

Please let me know if you would like to schedule a time to discuss these points further.

Best regards,

Jason Gomez

Compliance Manager ECMC

On Fri, May 1, 2026 at 10:37 AM <mollieo@maralexinc.com> wrote:

> Mr. Labowskie,
>
> I will have a formal document to you later today documenting all of our efforts in this matter, but I want to be clear that our secretary contacted both me and our President by phone immediately after your phone call to her. Further, you saw and spoke with our president in person around 5pm yesterday, April 30, 2026, after your phone call to our secretary, at the location, as our president came himself to verify that the wells were shut-in, so we will not tolerate allegations pretending we are not responsive to our emergency line, nor that we have been nonresponsive in this matter. We must also insist on basic courtesy when you are speaking with our personnel. There is no reason to be rude or aggressive to any of our people when you call or email.
>
> Your emails came in late yesterday (Thursday), as can be seen below, and I had stepped out of the office to run an errand so while I did not receive your emails until this morning, you should know, and the landowner knows, our company has not only been responsive, we have been proactive in taking care of this matter.
>
> Our lease operator discovered the dead calf on Wednesday morning, April 29th. Our lease operator promptly shut in the pump jack and called the landowner himself four or five times and left one voicemail to let the landowner know about the calf. Eventually the landowner came to the location and immediately verbally assaulted the lease operator, antagonized the lease operator by filming him, taunting him, and threatening him. Our lease operator was courteous and silently took this verbal abuse for five or ten minutes and then recommended the landowner talk to our president and HR about the matter and left. The landowner continued to mutter things at the lease operator as the latter drove off location. Another of our personnel came shortly after to take video and document the issue. This second Maralex personnel, a woman, did not speak to the landowner who was still on the location, but the landowner was also aggressive and threatening toward her.
>
> Our President called the landowner himself yesterday, Thursday, April 30th around 1pm and

was only able to leave a voicemail. The landowner never called him back. After our secretary informed him of your phone conversation with her around 4:30pm yesterday, our president immediately went himself to the location and actually spoke with you at the location, before driving over to speak with the landowner. The landowner, as you know, refused to speak with our president, merely snapped a photo of him and drove on.

At this time, both wells are shut in and the fencing is being repaired.

As I stated, we will submit a formal document with photos and videos later today.

Thank you,

Mollie O'Hare

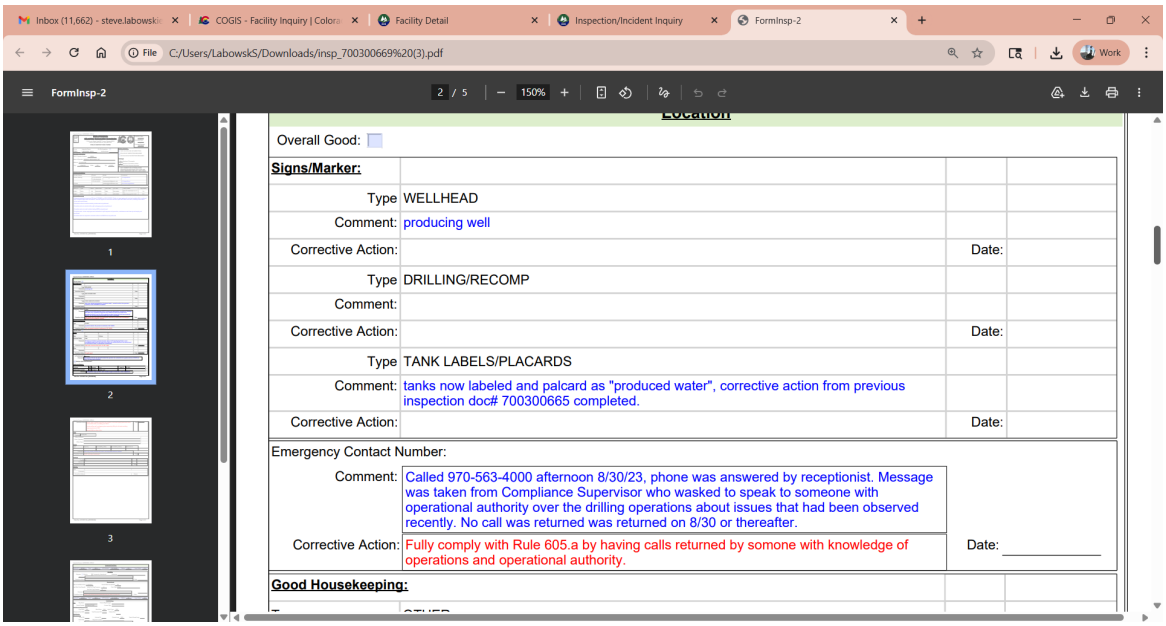
Maralex Resources, Inc.

970-563-4000

mollieo@maralexinc.com

From: Labowskie - DNR, Steve <steve.labowskie@state.co.us>
Sent: Friday, May 01, 2026 6:47 AM
To: mollieo@maralexinc.com; Phoebe Bechtolt <pbechtolt@maralexinc.com>; Charles Garcia - DNR <charles.r.garcia@state.co.us>; Jason Gomez - DNR <jason.gomez@state.co.us>; Megan Adamczyk - DNR <megan.adamczyk@state.co.us>
Subject: Re: Immediate Corrective Action Required - Keegan Patrick 3-7-11 location

In August of 2023 similar non-complianmce of Rule 605 in regards to adequate 24-hour operator contact number was documented in FIR doc#700300 with corrective action given. See screen shot below from that document.



Overall Good:

Signs/Marker:			
Type	WELLHEAD		
Comment:	producing well		
Corrective Action:		Date:	
Type	DRILLING/RECOMP		
Comment:			
Corrective Action:		Date:	
Type	TANK LABELS/PLACARDS		
Comment:	tanks now labeled and palcard as "produced water", corrective action from previous inspection doc# 700300665 completed.		
Corrective Action:		Date:	

Emergency Contact Number:

Comment:	Called 970-563-4000 afternoon 8/30/23, phone was answered by receptionist. Message was taken from Compliance Supervisor who wasked to speak to someone with operational authority over the drilling operations about issues that had been observed recently. No call was returned was returned on 8/30 or thereafter.	
Corrective Action:	Fully comply with Rule 605.a by having calls returned by somone with knowledge of operations and operational authority.	Date:

Good Housekeeping:

Steve Labowskie
SW Compliance Supervisor

COLORADO
Energy & Carbon Management Commission
Department of Natural Resources

P 970.259.0945 | C 970.946.5073 | F 303.894.2109
1120 Lincoln Street, Suite 801, Denver, CO 80203
Your_Email@state.co.us | https://ecmc.colorado.gov/

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On Thu, Apr 30, 2026 at 5:07 PM Labowskie - DNR, Steve <steve.labowskie@state.co.us> wrote:

> I called the 24-hour contact number at 4:30 PM and was only able to speak to the secretary who was unable to get me in touch with anyone with operational knowledge or authority. She took a message for me and I'm reiterating that we need immediate action at the location and the Rule 605 24-hour operator contact number do require a response and not just a message taken by an employee who stated she "just answered phones".

Steve Labowskie
SW Compliance Supervisor

COLORADO
Energy & Carbon Management Commission
Department of Natural Resources

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On Thu, Apr 30, 2026 at 4:16 PM Labowskie - DNR, Steve <steve.labowskie@state.co.us> wrote:

> Maralex,

Charles Garcia and I were just at the Keegan Patrick 3-7-11 location responding to a landowner complaint of property loss (cattle calf) due to entanglement in a pumping unit. We observed inadequate and not maintained fencing on both pumping units (#1 067-08915 and #3B 067-09478). Both units also had belt guards removed. The landowner, Mr. Whittle, reported that the incident occurred yesterday, April 29, 2026 and he is currently working with ECMC Community Relations staff in filing a complaint. Fresh blood and hair were observed on and near one of the pumping units and he supplied us with photos.

The #3B pumping unit was still actively pumping with cattle still in the direct vicinity today. Immediate action is required at the Keegan Patrick 3-7-11 location in order to protect the public, wildlife resources and property. ECMC staff will confirm tomorrow that unsafe conditions have been rectified with adequate fencing and wildlife protections or cessation of pumping unit until work can be performed.

Further action by be taken by staff including those pursuant to Rule 603.f

I'll back this up with a call to the 24-hour operator contact number.

Steve

Steve Labowskie
SW Compliance Supervisor

COLORADO
Energy & Carbon Management Commission
Department of Natural Resources

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--

Jason E. Gomez
Compliance Manager

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Department of Natural Resources

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Jason E. Gomez
Compliance Manager

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