

From: [Bradley Pienta](#)
To: [Deborah Bracey - DNR](#); ericahsolutions@gmail.com
Cc: kurt.mcpoland@linde.com
Subject: Re: Form 9 Transfer - Linde Inc #403356614 to Messer LLC #403374415
Date: Thursday, August 3, 2023 7:41:28 AM
Attachments: [Outlook-0nwyzci4.png](#)
[RE Notice of Merger Name Change - Linde Inc to Messer LLC \(1\).eml \(54.9 KB\).msg](#)
[RE Notice of Merger Name Change - Linde Inc to Messer LLC.eml \(21.9 KB\).msg](#)
[RE Form 9 Transfer - Linde Inc #403356614 to Messer LLC #403374415.eml \(680 KB\).msg](#)
[Transfer Support - Linde Inc to Linde LLC to Messer LLC.pdf](#)

Deb:

This is email is to confirm acceptance of the COA's for both Linde (Operator 1373) and Messer (Operator 10810). I represent both buyer and seller because companies are the same entity (supported by attached Merger/Name change documents).

Additionally, just so all notes are captured in a central place I wanted to address the status of the 2 issues noted below:

- Issue 1: Resolved 6/16/2023 (see attached email between Erica Honeycutt to Deborah Bracey)
- Issue 2: Resolved 6/28/2023 (see attached email between Erica Honeycutt to Deborah Bracey)

Lastly, the wells & facilities to be transferred has been amended. Revised spreadsheets were emailed to you from Erica Honeycutt on 8/1/2023.

Best,
Brad

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From: Deborah Bracey - DNR <deborah.bracey@state.co.us>
Sent: Thursday, June 15, 2023 7:05 PM
To: ericahsolutions@gmail.com <ericahsolutions@gmail.com>
Cc: kurt.mcpoland@linde.com <kurt.mcpoland@linde.com>; Bradley Pienta <Brad.Pienta@messer-us.com>
Subject: Form 9 Transfer - Linde Inc #403356614 to Messer LLC #403374415

CAUTION: The identity of the sender of this message could not be verified as it originates from the Internet. Please pay attention!

Erica,

The above captioned Form 9 transfer has been reviewed and the following issues were noted.

Issue 1: the Subsequent Attestation is missing the Subsequent document number at the top of the page.

Solution 1: resubmit the Subsequent Attestation and include the Subsequent document number. Please email me the revised attestation and I will get it uploaded to the transfer.

Issue 2: Please provide a Buyer Notified Local Govt. Attestation. Certificate of Merger from the State of Delaware is not an attestation that the county of Montezuma was notified of the merger and transfer of the wells and facilities.

Solution 2: Please provide a Buyer Notified Local Govt. Attestation attesting that Sherrie "Jane" Duncan at Montezuma County was notified of the merger and transfer.

Assuming the other Form 9 requirements are met, all Form 9s shall now be passed with the following two COAs:

The Buying Operator must file a Form 3, Financial Assurance Plan, within 10 business days of Form 9 approval. Per Rule 702, Buyer will then provide any required additional financial assurance as soon as practicable but no later than 90 days from the Commission's approval of the Form 3, Financial Assurance Plan.

The Selling Operator must file a Form 3, Financial Assurance Plan within 10 business days of Form 9 approval. Per Rule 702, Seller will then provide any required additional financial assurance as soon as practicable but no later than 90 days from the Commission's approval of the Form 3, Financial Assurance Plan.

Both operators will need to respond to this email accepting the COAs.

When resubmitting the Form 3, please use the following Verbiage

This Form 3 Document # ____ is submitted because of an approved Form 9 Transfer of Operatorship and it replaces Form 3 document # _____.

Please reach out with any questions.

Thanks,
Deb

The information contained in this email and any attachments may be confidential and is provided solely for the use of the intended recipient(s). If you are not the intended recipient, you are hereby notified that any disclosure, distribution, or use of this e-mail, its attachments or any information contained therein is unauthorized and prohibited. If you have received this in error, please contact the sender immediately and delete this e-mail and any attachments. No responsibility is accepted for any virus or defect that might arise from opening this e-mail or attachments, whether or not it has been checked by anti-virus software...

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