

State of Colorado
Energy & Carbon Management Commission

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



Document Number:

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Receive Date:

04/03/2023

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: ☒ **Intent** ☐ **Subsequent** Intent # 0

OPERATOR INFORMATION

SELLING OPERATOR INFORMATION

OGCC Operator Number: 1375

Name of Operator: LINDE INC

Address: 200 SOMERSET CORP BLVD #7000

City: BRIDGEWATER State: NJ Zip: 07083

Contact Name and Telephone:

Name: Erica Honeycutt

Phone: (303) 870-3996

Email: ericahsolutions@gmail.com

BUYING OPERATOR INFORMATION

OGCC Operator Number: 10810

Name of Operator: MESSER LLC

Address: 200 SOMERSET CORP BLVD #7000

City: BRIDGEWATER State: NJ Zip: 08807

Contact Name and Telephone:

Name: Erica Honeycutt

Phone: (303) 870-3996

Email: ericahsolutions@gmail.com

TRANSFER INFO

Transfer Dates

Form 9 Intent - Anticipated Date of Transfer: 03/01/2019

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: \$ 25,000

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

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

Print Name: Erica Honeycutt Email: ericahsolutions@gmail.com

Signature: _____ Title: Contractor Date: 04/03/2023

Wells & Facilities Proposed for Transfer Summary

1	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	PIT	-	112976	313551	AIRCO DUDLEY 5 #	NWSW	13	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA		1375	LINDE INC					
1	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	WELL	083-06522	224457	313551	AIRCO DUDLEY #5	NWSW	13	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
1	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	LOCATION	-	313551	313551	AIRCO DUDLEY-N36N18W #13NWSW	NWSW	13	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA		1375	LINDE INC					
2	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	LOCATION	-	392946	392946	DUDLEY, DEAN-N36N18W #13NWSW	NWSW	13	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA		1375	LINDE INC					
3	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	WELL	083-06081	224025	392946	DUDLEY, DEAN #3	NWSW	13	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
4	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	LOCATION	-	313482	313482	SCHMIDT-N36N18W #24SWNW	SWNW	24	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA		1375	LINDE INC					
4	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	WELL	083-06256	224191	313482	SCHMIDT #2	SWNW	24	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
4	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	PIT	-	112977	313482	SCHMIDT 2 #	SWNW	24	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					
	MONTEZUMA		1375	LINDE INC					
5	<u>Facility Type</u>	<u>API</u>	<u>Facility ID</u>	<u>Location ID</u>	<u>Facility Name</u>	<u>QtrQtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rng</u>
	PIT	-	112978	393243	AIRCO FED 2 #	NENW	25	36N	18W
	<u>County</u>	<u>Min.Owner. Type</u>	<u>Current Operator Num</u>	<u>Current Operator Name</u>					

	MONTEZUMA		1375	LINDE INC					
5	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	393243	393243	AIRCO FEDERAL-N36N18W #25NENW	NENW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA		1375	LINDE INC					
5	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	083-06536	224471	393243	AIRCO FEDERAL #2	NENW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
6	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	PIT	-	112979	313549	AMERIGAS 1 #	SENW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA		1375	LINDE INC					
6	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	313549	313549	AMERIGAS-N36N18W #25SENW	SENW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA		1375	LINDE INC					
6	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	083-06514	224449	313549	AMERIGAS #1	SENW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
7	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	392952	392952	DYE-FEDERAL-N36N18W #25SWNW	SWNW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA		1375	LINDE INC					
8	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	LOCATION	-	393233	393233	AIRCO-N36N18W #25SWNW	SWNW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA		1375	LINDE INC					
8	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	083-06518	224453	393233	AIRCO #1	SWNW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					
	MONTEZUMA	FEDERAL	1375	LINDE INC					
9	Facility Type	API	Facility ID	Location ID	Facility Name	QtrQtr	Sec	Twp	Rng
	WELL	083-06129	224072	392952	DYE-FEDERAL #2	SWNW	25	36N	18W
	County	Min.Owner. Type	Current Operator Num	Current Operator Name					

	MONTEZUMA	FEDERAL	1375	LINDE INC
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Incidents Proposed for Transfer Summary

1	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	401450235	UNRESOLVED SPILL/RELEASE	10/31/2017	1375	LINDE INC
2	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	402418536	UNRESOLVED NOAV	01/15/2020	1375	LINDE INC
3	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	403174908	UNRESOLVED NOAV	08/01/2022	1375	LINDE INC
4	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	674901972	INSPECTION WITH CORRECTIVE ACTION	11/16/2017	1375	LINDE INC
5	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	685301855	INSPECTION WITH CORRECTIVE ACTION	11/23/2016	1375	LINDE INC
6	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	688800349	INSPECTION WITH CORRECTIVE ACTION	10/26/2018	1375	LINDE INC
7	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	688800353	INSPECTION WITH CORRECTIVE ACTION	10/26/2018	1375	LINDE INC
8	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	688800395	INSPECTION WITH CORRECTIVE ACTION	12/12/2018	1375	LINDE INC
9	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	693903063	INSPECTION WITH CORRECTIVE ACTION	04/06/2021	1375	LINDE INC
10	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	693903065	INSPECTION WITH CORRECTIVE ACTION	04/06/2021	1375	LINDE INC
11	<u>Document Numbers</u>	<u>Incident Type</u>	<u>Incident Date</u>	<u>Current Op #</u>	<u>Current Op. Name</u>
	693903068	INSPECTION WITH CORRECTIVE ACTION	04/06/2021	1375	LINDE INC

Related Wells & Facilities Not Proposed for Transfer Summary

< No row provided >

Related Incidents Not Proposed for Transfer Summary

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Attachment List

<u>Att Doc Num</u>	<u>Name</u>
403356614	Form 09 SUBMITTED
403356622	OTHER
403362148	FORM 9 INTENT ATTESTATION
403362944	EDD-I-INCIDENTS-PROPOSED
403483679	EDD-I-WELLS-FACILITIES-PROPOSED

Total Attach: 5 Files

<u>COA Type</u>	<u>Description</u>
0 COA	

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Financial Assurance	Both operators have resolved all issues and accepted the COAs. Form 9 approved.	08/04/2023
Financial Assurance	<p>The above captioned Form 9 transfer has been reviewed and the following issues were noted.</p> <p>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.</p> <p>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.</p> <p>Assuming the other Form 9 requirements are met, all Form 9s shall now be passed with the following two COAs:</p> <p>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.</p> <p>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.</p> <p>Both operators will need to respond to this email accepting the COAs.</p> <p>When resubmitting the Form 3, please use the following Verbiage</p> <p>This Form 3 Document #_____ is submitted because of an approved Form 9 Transfer of Operatorship and it replaces Form 3 document # _____.</p> <p>Please reach out with any questions.</p> <p>Thanks, Deb</p>	06/15/2023

Total: 2 comment(s)