

EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

There is a Proposed Settlement in a class action
brought against TEP Rocky Mountain LLC on
behalf of certain royalty owners.

You may be able to obtain benefits

A court authorized this notice. This is NOT a solicitation from an attorney.

A Proposed Settlement (“JPR Settlement”) has been reached in a class action lawsuit against TEP Rocky Mountain LLC (“TEP”). The lawsuit is about the alleged underpayment of royalty payments made by TEP on the production of natural gas in Garfield County, Colorado from wells connected to the Grand Valley Gathering System (“GVGS gathering system”). The Court previously certified this case as a class action. This Notice is being sent to you because you may be a member of the JPR Class who is eligible to receive monetary benefits from the JPR Settlement. Please read this Notice carefully.

A SUMMARY OF YOUR RIGHTS AND CHOICES	
REMAIN A JPR CLASS MEMBER	To remain a member of the JPR Class, you do not need to take any action. JPR Class members will receive money from the JPR Settlement as outlined in Section 4 of this Notice. Due Date: <u>Automatic Distribution</u>
OBJECT OR COMMENT ON THE PROPOSED JPR SETTLEMENT	If you are a JPR Class member, you can object to or comment on the JPR Settlement on your own or through your attorney. <i>See</i> Section 8 of this Notice. Due Date: <u>Post-marked on or before July 18, 2025</u>

1. WHY YOU RECEIVED THIS NOTICE.

Records show that you have received a royalty payment from TEP between August 1, 2011 and December 31, 2020 from wells in Garfield County, Colorado. This Notice is sent to you to inform you about the proposed settlement of a class action lawsuit, captioned *Jolley Potter Ranches Energy Co. LLC, individually and on behalf of the certified class, Plaintiff v. TEP Rocky Mountain LLC, Defendant*, Civil Action No. 19-cv-00495-DDD-NRN, in the United States District Court for the District of Colorado (the “Lawsuit”), brought on behalf of certain royalty payees who received royalty payments from TEP for natural gas or natural gas liquids (“Gas”) produced in Garfield County, Colorado and gathered on the GVGS gathering system. The settlement has been preliminarily approved by the Court as being fair, reasonable and adequate. As explained below, you will be entitled to monetary benefits under the Jolley Potter Ranches (“JPR”) Settlement if the JPR Settlement is finally approved by the Court.

You may be a member of the class of royalty payees defined below who are covered by a proposed settlement of the Lawsuit. In this Notice, the settlement is referred to as the “JPR Settlement” and the class of TEP gas royalty payees covered by the Settlement is referred to as the “JPR Class.” The JPR Class includes the following:

The class of all royalty owners under oil and gas leases (and their successors and assigns) who received royalty payments for one or more production months during the period August, 2011 to December, 2020 from non-federal oil and gas leases in Garfield County, Colorado, which, as of December 31, 2020, were owned in whole or part by TEP Rocky Mountain LLC, and whose production was gathered on the Grand Valley Gathering System; and excluding from such class:

(1) NYSE or NASDAQ listed entities (together with their subsidiaries and affiliates) engaged in oil and gas exploration and production;

(2) any person or entity to the extent that their interest is derived from the following leases: (A) that certain Oil and Gas Lease, dated July 20, 2005, with Mary Anne Bosely, et al, as lessors, whose memorandum is recorded at Reception No. 680846 in the records of the Clerk and Recorder of Garfield County, Colorado; (B) that certain Oil and Gas Lease, dated May 9, 2006, with Jonathon H. Wellendorf et ux, as lessors, whose memorandum is recorded at Reception No. 697889 in such records; (C) that certain Oil and Gas Lease, dated April 14, 2002, with Theo Ertl, as Trustee for the Jann Ertl Trust, under Trust dated January 25, 1964, as lessor, whose lease is recorded at Reception No. 610354 in such records; (D) that certain Memorandum of Oil and Gas Lease, dated November 1, 2011, with The Ranch at Parachute, LLC, as lessor, which is recorded at Reception No. 811051 in such records; (E) that certain Oil and Gas Lease, dated June 7, 2006, with Pavillion Land Development, LLC, as lessor, whose lease is recorded at Reception No. 701520 in such records; (F) that certain Oil and Gas Lease, dated April 27 1998, with NationsBank of Texas, N.A., Agent for the First Church of Christ, Scientist Agency #1221900 as lessor, whose lease is recorded at Reception No. 531029 in such records; and (G) that certain Oil and Gas Lease, dated December 5, 1997, with Colorado National Bank as Trustee of the Ann F. Dickerson Irrev. T/A Family Trust as lessor, whose lease is recorded at Reception No. 517758 in such records; and

(3) any person or entity who submitted an Election of Exclusion from the Class.

The Court has appointed the Plaintiff in the Lawsuit as class representative for the JPR Class, and the Plaintiff’s attorneys as counsel for the JPR Class (“Class Counsel”).

This Notice outlines the terms of the JPR Settlement, who is a JPR Class member, how JPR Settlement monies will be paid, and how to comment on, or object to, the proposed JPR Settlement. This Notice also explains that the Court will hold a Final Fairness Hearing to decide whether to approve the JPR Settlement on August 1, 2025,

at 10:00a.m., in Courtroom A1002 of the United States District Court of the District of Colorado, 901 19th Street, Denver, Colorado.

2. WHAT IS A CLASS ACTION?

A class action is a type of lawsuit in which a named Plaintiff brings a suit on behalf of all of the members of a similarly-situated group to recover damages and other relief for the entire group, without the necessity of each member filing an individual lawsuit, incurring expenses or appearing as an individual plaintiff. Class actions are used by the courts when the claims raise issues of law or fact that are common, making it fair to bind all class members to the orders and judgments in the case, without the necessity of multiple lawsuits involving hearing the same claims over and over.

3. THE LAWSUIT.

Plaintiff, on behalf of itself and all other similarly situated royalty payees, filed the Lawsuit against TEP on February 19, 2019, in the United States District Court for the District of Colorado. The Lawsuit seeks monetary relief against TEP for a class of Gas royalty payees, except for certain payees who are excluded from the class. The Lawsuit has been pending before the Honorable Daniel D. Domenico, District Court Judge of the United States District Court for the District of Colorado. On September 21, 2023, the Court certified the JPR Class defined in Section 1 above.

Plaintiff has alleged that, at various times from August 1, 2011 through December 31, 2020, TEP paid royalties on a below-market or otherwise improperly low price, or deducted or adjusted from royalties certain charges for costs that should not have been deducted (the “Disputed Amounts”).

The following is a description of the claims alleged by Plaintiff (the “Class Claims”):

- i. Unreasonable Gathering and Processing Deductions Based on Alleged Non-Arm’s Length Contracts: The claims, as certified as a class action by the District Court [Dkt. #130], alleging that the deduction of gathering and processing costs from royalties paid to the JPR Class, as a result of alleged non-arm’s length agreements, was unreasonable and excessive.
- ii. Unreasonable NWPL Transportation Costs for Residue Gas Sold from July 2016 through December 2020: The claims, as certified as a class action by the District Court [Dkt. #130], alleging that the deduction of NWPL Transportation Costs from royalties paid to the JPR Class on residue gas sold from July 2016 through December 2020 was unreasonable, excessive, undisclosed, and unnecessary.
- iii. Unreasonable Firm Transportation Costs for Residue Gas Sold from August 2011 through June 2016: The claims, as certified as a class action by the District Court [Dkt. #130], alleging that the deduction of transportation costs from royalties paid to the JPR Class on residue gas sold from August 2011 through June 2016 was unreasonable and excessive because those costs were unnecessary.
- iv. Failure to Prudently Market Residue Gas and/or to Pay Royalties on the Best Reasonably Available Price from August 2011 through June 2016: The claims, as certified as a class action by the District Court [Dkt. #130], alleging the failure to prudently market residue gas and/or failure to pay royalties to the JPR Class on the best reasonably available price on the sale of residue gas from August 2011 through June 2016.

TEP has disputed all of the Class Claims. Class Counsel has extensively reviewed and analyzed information and documents regarding TEP’s calculation of royalties paid to the members of the JPR Class. The Parties also have engaged in continuous negotiations over the resolution of the Class Claims. The JPR Settlement described in this Notice is the result of those negotiations.

Class Counsel and the Plaintiff believe that the issues before the Court are complex, and there is uncertainty as to the outcome of the JPR Litigation should it proceed to trial. TEP denies all of the Class Claims and continues to

deny any wrongdoing or liability to Plaintiff or any member of the JPR Class in connection with the Claims. TEP contends that the Class Claims have no merit, and that TEP would prevail at trial in the Lawsuit, including any necessary appeal.

Class Counsel and the Plaintiff have considered both the monetary benefits of the proposed JPR Settlement and the risks of proceeding if the JPR Settlement was rejected. Class Counsel and the Plaintiff have concluded that the proposed JPR Settlement provides members of the JPR Class with substantial monetary benefits, resolves disputed issues without prolonged litigation and expense, avoids the delay and expense of likely appeals, eliminates inherent risks of litigation, and is in the best interests of the JPR Class. Plaintiff and Class Counsel have concluded that the proposed TEP Settlement is fair, reasonable, and adequate.

4. THE SETTLEMENT.

TEP has agreed to pay the sum of \$41,700,000 in order to settle the Lawsuit (the “Settlement Fund”), paid into an interest-bearing escrow account on February 14, 2025. The amount of the Settlement Fund that will be available for distribution to each member of the JPR Class will be determined by each member’s proportionate share of the Disputed Amounts.

The method to be used to allocate the JPR Settlement Fund to each Class Claim is set out in the JPR Settlement, which is available to you on the website of JPR Class Counsel, online at www.dwmk.com. The website of JPR Class Counsel (www.dwmk.com) also will include a spreadsheet on which you can identify, by your TEP Owner Number, the gross amount allocated to you if the JPR Settlement is approved prior to reduction for attorney fees and expenses as approved by the Court.

The Court has preliminarily approved the JPR Settlement.

The expenses and attorneys’ fees of Class Counsel, as approved by the Court, will be subtracted from the Settlement Fund to determine the net amount to be distributed to the members of the JPR Class. Class Counsel will request that the Court award attorneys’ fees of one-third of the net Settlement Fund, which Class Counsel estimates will be approximately \$13,766,000, plus accrued interest on that amount, which Class Counsel estimates to be approximately \$301,000 if distributions are made by September 14, 2025. Class Counsel will also seek to be reimbursed for out-of-pocket expenses Class Counsel has expended in prosecuting this action, which Class Counsel estimates will not exceed \$490,000, and for additional expenses related to the notice and administration of the JPR Settlement (with such notice and administration expenses to be paid first out of the interest accrued on the JPR Settlement Fund in the Escrow Account) prior to the distribution to the JPR Class members. You may review a copy of Class Counsel’s application for attorney fees and expenses on the website of JPR Class Counsel (www.dwmk.com), which will contain the total amount of attorneys’ fees and expenses requested by Class Counsel.

Upon final Court approval, eligible members of the JPR Class will receive the monetary benefits of the JPR Settlement and will be bound by the resulting Order in the Lawsuit, barring them from bringing any claims, demands, or causes of action arising from the Class Claims.

For more detailed information regarding the terms of the JPR Settlement, please read the JPR Settlement, which you may review online at www.dwmk.com or you may obtain a copy of the JPR Settlement by contacting Class Counsel as identified in Section 9 of this Notice.

5. THE COURT HAS CONDITIONALLY APPROVED THE SETTLEMENT.

The Court has provisionally determined that the JPR Settlement is fair, reasonable and adequate. On September 21, 2023, the Court ordered that this case may proceed as a class action. This does not mean that Plaintiff would be successful if the case went to trial. The Court has made no final determination as to the merits of the Lawsuit. This Notice and the proposed JPR Settlement do not imply that TEP is liable to Plaintiff or to any member of the JPR Class for any of the Claims.

6. REMAINING A MEMBER OF THE JPR CLASS.

As a member of the JPR Class, you do not need to take any action. Plaintiff and Class Counsel will represent your interests as a member of the JPR Class. You will not be charged for their services or any expenses other than the payment of attorney fees and expenses from the Settlement Fund that are approved by the Court. You may enter an appearance in the Lawsuit by yourself or through your attorney, at your own expense. You will be bound by the judgment and final disposition of the Lawsuit, and if eligible, you should receive a distribution check for your share of the Settlement Fund approximately 14 days after the Approval Event specified in the JPR Settlement Agreement. If you are a JPR Class member and the JPR Settlement is approved, you will be barred from bringing any further legal action against TEP, its affiliates, and its predecessors, arising from the Class Claims.

Should the JPR Settlement be approved, you will:

- 1) Receive your allocated share of the Settlement Fund (after payment of attorney fees and expenses approved by the Court).
- 2) Release the Class Claims.

7. RIGHT TO OBJECT TO THE JPR SETTLEMENT.

The Court has determined that, because JPR Class members were previously provided with an opportunity to exclude themselves from the JPR Class, there is no additional right for JPR Class members to exclude themselves from the proposed JPR Settlement.

You may, however, object to the proposed JPR Settlement and/or to Class Counsel's Application for attorney fees and expenses. **All objections shall be in writing and must be filed on or before July 18, 2025, which is 14 days before the date of the Final Fairness Hearing**, with the Court at the address of the District Court Clerk as it appears below. Your objection must set forth your full name, current address, and telephone number. In addition, your objection must include **a written statement of the position that you wish to assert**. Your objection also must be mailed to each of the following and postmarked on or before July 18, 2025:

Class Counsel

Nathan A. Keever
DUFFORD WALDECK
744 Horizon Court, Suite 300
Grand Junction, CO 81506

Counsel for TEP

Christopher A. Chrisman
Michelle R. Seares
HOLLAND & HART LLP
555 Seventeenth Street, Suite 3200
Denver, CO 80201-8749

You or your attorney may appear at the Final Fairness Hearing, but are not required to do so. **In order to be heard at the Final Fairness Hearing you must file a Notice of Intent to Appear at the Final Fairness Hearing with the Court on or before July 25, 2025.** Any JPR Class member who does not file a notice of intent to appear at the Final Fairness Hearing may be prohibited from participating at that Hearing.

8. FINAL FAIRNESS HEARING.

A Final Fairness Hearing will be held on August 1, 2025, at 10:00 a.m. in Courtroom A1002 of the United States District Court for the District of Colorado, located at 901 19th Street, Denver, Colorado 80294. The purpose of the Hearing will be to finally determine whether the proposed JPR Settlement is fair, reasonable, and adequate, and whether a final judgment approving the JPR Settlement should be entered. The amount of attorney fees and expenses to be paid from the Settlement Fund to Class Counsel, will also be considered at the Final Fairness Hearing. The Hearing may be continued or adjourned without further notice to the JPR Class.

If the JPR Settlement is approved, Plaintiff and each member of the JPR Class will be bound by the JPR Settlement. Additionally, the respective heirs, executors, administrators, representatives, agents, successors, and assigns of the JPR Class members will be deemed bound by the JPR Settlement as to that member's interests. Likewise, the JPR Settlement will bind TEP and its successors and assigns.

9. ATTORNEYS FOR THE PARTIES.

Attorneys for the Plaintiff and the JPR Class ("Class Counsel")

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ANY QUESTIONS CONCERNING THE SETTLEMENT SHOULD BE DIRECTED TO CLASS COUNSEL.

In any written correspondence with the attorneys or submissions to the Court, it is important that the envelope and any documents inside contain the following case name and identifying number:

Jolley Potter Ranches Energy Co. LLC v. TEP Rocky Mountain LLC
Civil Action No. 19-cv-00495-DDD-NRN

In addition, you must include your full name, address, and telephone number.

10. IF YOU WANT TO INSPECT THE COURT FILE.

The complaints, answers, pleadings, court orders, and other documents, including the JPR Settlement, are available online at www.dwmk.com. In addition, all pleadings are on file in this case and may be inspected at the following address:

United States District Court of the District of Colorado
Alfred A. Arraj United States Courthouse, Room A105
901 19th Street
Denver, Colorado 80294

DO NOT WRITE OR TELEPHONE THE CLERK'S OFFICE if you have any questions about this Notice or the TEP Settlement. Please address any questions regarding this Notice or the proposed JPR Settlement in writing to Class Counsel, at the address identified in Section 9 of this Notice, or by telephone to Class Counsel, at the telephone number identified in Section 9 of this Notice.

DO NOT CALL THE COURT OR THE COURT CLERK

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