

3 Bear Delaware Operating–NM, LLC

LOCAL TARIFF

CONTAINING

RULES, REGULATIONS AND RATES

GOVERNING THE GATHERING AND TRANSPORTATION

OF

CRUDE OIL

BY PIPELINE

Movements under this tariff are governed, except as otherwise provided herein, by the rules and regulations published in 3 Bear Delaware Operating–NM, LLC F.E.R.C. No. 1.1.0, or any subsequent reissues thereof.

Filed pursuant to 18 C.F.R. [W] §§ 342.3 (Indexing), 342.2(c) (Settlement Rates)

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

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TABLE OF RATES^{1,2,3}
(Rates in Dollars per Barrel)

| Receipt Point | Delivery Point | 10 Year Term Committed Rate³ | Uncommitted Rate⁴ |
|--|---|--|-------------------------------------|
| Tank Battery Receipt Points in Eddy County, New Mexico | Oryx Delaware Oil Transport LLC's Carlsbad Station, Eddy County, New Mexico | [U] \$0.6304 | [D] <u>\$0.6166</u> |

Notes:

1. An additional pumlover fee of [D] \$0.0626 per Barrel will be assessed on any deliveries to Oryx Delaware Oil Transport LLC's Carlsbad Station in Eddy County, New Mexico.
2. Carrier shall assess a charge of [U] \$0.10 per Barrel for any Receipt Point that delivers less than 2,000 Barrels in a given month.
3. In order to qualify for the 10 Year Term Committed Rate, an Acreage Dedication Shipper must have entered into a GSA with Carrier, with such GSA having a minimum term of 10 years following the In-Service Date.
4. The Uncommitted Rate shall apply to any Shipper shipping from the indicated Receipt Point to the indicated Delivery Point that does not qualify for the 10 Year Term Committed Rate.

Explanation of Reference Marks:

- [D] Decreased rate.
- [U] Unchanged rate.
- [W] Change in wording only.