

RECEIVED**APR 10 2026**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**ATTACHMENT 1****PUBLICLY AVAILABLE TRADE SECRET JUSTIFICATION**

To demonstrate that the information for which confidentiality is sought constitutes trade secrets or confidential commercial information, you must respond to the following questions and provide the information specified and any supporting documentation (such as previous confidentiality determinations):

1.) To your knowledge, has the identity of the ingredient, its concentration, or both, as appropriate, been publicly disclosed:

The ingredients, and their concentration contained within, of DA-0501, for which confidentiality protection is sought, represent a unique modified acid product for use within hydraulic fracturing operations. To Texx Chemical Technologies' ("TEXXCHEM") knowledge, neither the ingredients nor concentration of those ingredients have been identified as being a constituent of this particular type of product in the FracFocus database or any other public source. Disclosure would cause competitive harm to our company by allowing competitors to determine the exact chemical identity and composition of this proprietary product. TEXXCHEM has carefully reviewed this product to ensure only the components which represent trade secret components are protected.

a. Pursuant to any federal or state law or regulation?

TEXXCHEM has not disclosed the ingredient identities or their concentration for DA-0501 pursuant to any federal, state, or local law or regulation other than the requisite Hydrochloric Acid content. There has been no regulatory submission of this product's composition, in the context of its use, in conjunction with DA-0501. After reviewing all federal, state, or local submissions, to the best of our knowledge, there has been no disclosure of the underlying ingredient identity (other than Hydrochloric Acid) pursuant to any federal, state, or local law or regulation. To the best of our knowledge, the full chemical composition has not been previously disclosed via the FracFocus database by anyone else.

RECEIVED

APR 10 2026

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**b. In professional trade publications?**

TEXXCHEM has not disclosed the ingredient identities for DA-0501 in any professional trade publication. TEXXCHEM does not publicly disclose any chemical composition for any of its products in any trade publications or other publications.

c. Through any other media or publications available to the public or your competing oil and gas operators, or service companies?

TEXXCHEM has not disclosed the ingredient identity for DA-0501 through any other media or publications available to the public or competitors. To the best of our knowledge, in the context of its use in conjunction with DA-0501, there has not been any public disclosure of any chemical composition for any of its products through any other media or publications available to the public or competitors.

2.) To what extent is the identity of the ingredient, concentrations, or both, as appropriate, known within the company? Please describe in detail how this information is housed in your company and what steps your employees, officers, agents, and directors take to prevent disclosure of the information to parties outside of your company.

TEXXCHEM maintains the product composition as trade secret or confidential business information by providing limited internal access thereto and requiring non-disclosure confidentiality agreements for anyone to whom the information is disclosed. Electronic copies of proprietary ingredients and product composition information are protected and maintained on a secure internal network, within a file structure to which access is again restricted to only the product development team and regulatory group. Information about the product composition of our products is maintained in a limited-access secure database. Access to this information is granted strictly on a need-to-know basis for employees based on their job function, such as regulatory compliance. Otherwise, only the product trade names and information included in the SDS sheets and/or listed in the "Available to Public" non-confidential disclosure is available to employees.

3.) Has any other federal or state entity determined that the ingredient, concentrations, or both, as appropriate, is not entitled to protection from public

RECEIVED

APR 10 2026

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

disclosure? If so, provide a copy of the agency's determination, along with any explanation as to why the Board should not make a similar determination. Provide any other information concerning prior requests for confidentiality and/or regulatory body determinations you believe is relevant to the Board's determination.

No other regulatory body (federal, state, tribal, or local) has determined that the ingredient identities are not entitled to protection from public disclosure as trade secret or confidential commercial information. The only exceptions are instances where disclosure of the ingredient identities is required by law. These include disclosures in circumstances consistent with the OSHA hazard communication standard (in which case disclosure is required in order to address a medical emergency or other medical situation) or circumstances consistent with EPA reporting regulations (in which case disclosure is required in the event of an environmental release). There have been no regulatory disclosures required by law to date for this product.

4.) How is the identity of the ingredient, concentrations, or both, as appropriate, commercially valuable to the owner, operator, or service company? In answering this question, please describe why the ingredient, concentrations, or both, as appropriate, is not common knowledge in the industry, including any novel or unusual aspects of the ingredient in this application.

The modified acid market is highly competitive, and TEXXCHEM has sustained a leadership position in the market based upon its highly specialized products. The composition of any specialty, performance, and innovative products is of high value to TEXXCHEM and to its competitors. Divulgence of the formulation provides a distinct advantage to competitors who offer comparable products and services. Disclosure of the trade secret components of this product would cause loss of our competitive advantage that this product demonstrates and would allow other companies to take advantage of our substantial investment of money and corporate resources in innovation, testing, and product development without allowing or providing a mechanism to recuperate these costs, negatively impacting TEXXCHEM's business.

TEXXCHEM has devoted substantial time, capital, and resources to the research and development of DA-0501. DA-0501 provides multifunctional, kinetically modified acidizing performance in a wide range of environments because of its synergistic blend of ingredients. The product is critical to TEXXCHEM's operations in the oilfield and also has

RECEIVED

APR 10 2026

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

potential applications in other industries. Revealing the full composition of DA-0501 would erode the commercial advantage TEXXCHEM gains from keeping this information confidential. The proprietary blend's composition derives its economic value from not being generally known or readily ascertainable by competitors, who could otherwise benefit from learning the specific chemical makeup. TEXXCHEM specifically prefers this product because it presents low hazards under workplace and transportation classification schemes. If the composition were revealed publicly, the resulting loss of competitive advantage would be felt throughout the broader market, not only in Montana.

5.) Describe the ease or difficulty with which the complete composition of the fracturing fluid, including the ingredient identity, concentrations, or both, as appropriate, could be determined from public disclosure. Specifically, explain why use of the "systems approach" format would not adequately protect your proprietary interest.

TEXXCHEM's current practices and controls are specifically designed to prevent competitors from obtaining or reverse-engineering its proprietary product information. Including NDA's for sample distribution and legal protections against reverse engineering of samples. Public disclosure of the full composition of the active ingredients in DA-0501 would give competitors a straightforward roadmap to understand and reproduce the product. In addition, presenting the active ingredients using a "systems approach" format would immediately reveal the primary active components to TEXXCHEM's competitors. While the systems approach can help protect proprietary information, listing the components, as contemplated in Attachment 3 to this document, would undermine that protection in an environment where frac fluids are increasingly lean and efficient, with fewer chemicals being used. When fewer chemicals are present, identifying the underlying chemical compositions becomes significantly easier. Accordingly, the ingredients other than Hydrochloric Acid warrant treatment as trade secrets. If this product information were made public, TEXXCHEM's substantial investment of time, resources, and capital in bringing this technology to market would be compromised.

