

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL AND GAS DOCKET No. 7B-0304590

THE COMPLAINT OF PATTSIE ANDREWS HAINES AND FRANK ANDREWS THAT SUNDANCE CONSULTING CORP. (829549) DOES NOT HAVE A GOOD FAITH CLAIM TO OPERATE THE ANDREWS, FRANK (15659) LEASE, THE ANDREWS, FRANK "A" (20068) LEASE, THE ANDREWS, FRANK "B" (21608) LEASE, OR THE ANDREWS 'S' B (31635) LEASE, SHACKELFORD COUNTY REGULAR FIELD, SHACKELFORD COUNTY, TEXAS

FINAL ORDER

The Commission finds that after notice and opportunity for hearing, the operator of the captioned leases failed to respond with evidence purporting to demonstrate that the operator maintains a "good faith claim" to operate the captioned leases. The proceeding having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following Findings of Facts and Conclusions of Law.

FINDINGS OF FACTS

1. Sundance Consulting Corp. ("Sundance") holds Form P-5 *Organization Report Operator* No. 829549. Sundance is the current Form P-4 *Certificate of Compliance and Transportation Authority* operator of record for the Andrews, Frank (15659) Lease, the Andrews, Frank "A" (20068) Lease, the Andrews, Frank "B" (21608) Lease or the Andrews 'S' B (31635) Lease, Shackelford County Regular Field, Shackelford County, Texas.
2. On or about April 13, 2017, Colton P. Johnson, Attorney for Patsie Andrews Haines and Frank Andrews, submitted to the Commission a complaint letter alleging that Sundance lacks authority to operate the Andrews, Frank (15659) Lease, the Andrews, Frank "A" (20068) Lease, the Andrews, Frank "B" (21608) Lease or the Andrews 'S' B (31635) Lease, Shackelford County, Texas.
3. On or about April 19, 2017, the Administrative Law Judge requested in writing that Sundance either (1) provide evidence that it holds a good faith claim to a continuing right to operate the referenced property or (2) request a hearing on the matter on or before April 13, 2017. This writing expressly notified the operator that failure to timely request a hearing would constitute waiver of the opportunity to request a hearing on the matter.
4. Sundance failed to submit any evidence of a good faith claim or to request a hearing.
5. Sundance has a delinquent Form P-5 status.
6. The Andrews, Frank (15659) Lease, the Andrews, Frank "A" (20068) Lease, the Andrews, Frank "B" (21608) Lease or the Andrews 'S' B (31635) Lease, Shackelford County, Texas, have no reported oil production since May 2016.
7. A "good faith claim" is defined in Commission Statewide Rule 15(a)(5) as "a factually supported claim based on a recognized legal theory to a continuing possessory right in

the mineral estate, such as evidence of a currently valid oil and gas lease or a recorded deed conveying a fee interest in the mineral estate.” [16 TEX. ADMIN. CODE § 3.15(a)(5)].

8. Sundance failed to file any evidence to demonstrate Sundance’s “good faith claim” to a continuing right to the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas. Therefore, Sundance does not have a “good faith claim” to operate the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County.
9. Absent a “good faith claim” to operate, the subject wells are not eligible for extensions to the plugging requirements of Statewide Rule 15(e)(3).
10. Any plugging extensions of the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas, should be cancelled pursuant to Statewide Rule 15(h).

CONCLUSIONS OF LAW

1. Proper notice of an opportunity for a hearing was timely issued to appropriate persons.
2. All things necessary to the Commission attaining jurisdiction have occurred.
3. Sundance Consulting Corp. does not have a “good faith claim” to operate the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas.
4. The Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas are not eligible for extensions to the plugging requirements of Statewide Rule 15(e)(3).
5. Any plugging extensions for the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas, should be cancelled pursuant to Statewide Rule 15(h).

THEREFORE, THE RAILROAD COMMISSION OF TEXAS HEREBY FINDS that Sundance Consulting Corp. (Operator No. 829549) does not have a “good faith claim” to the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas, and **HEREBY ORDERS** that any plugging extensions for the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County, Texas, be cancelled and that Sundance Consulting Corp. shall plug all wells on the Andrews, Frank (15659) Lease, the Andrews, Frank “A” (20068) Lease, the Andrews, Frank “B” (21608) Lease or the Andrews ‘S’ B (31635) Lease, Shackelford County Regular Field, Shackelford County, Texas.

It is **FURTHER ORDERED** by the Commission that this order shall not be final and effective until 25 days after the Commission’s order is signed, unless the time for filing a motion for rehearing has been extended under Tex. Gov’t Code § 2001.142, by agreement under Tex. Gov’t Code § 2001.147, or by written Commission Order issued pursuant to Tex. Gov’t Code § 2001.146(e). If

a timely motion for rehearing of an application is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to Tex. Gov't Code § 2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until 90 days from the date Commission Order is signed. All pending motions and requests for relief not previously granted or granted herein are denied.

Done this 1st day of August, 2017, in Austin, Texas.

**RAILROAD COMMISSION OF TEXAS (Order approved
and signatures affixed by Hearings Division
Unprotested Master Order dated August 1, 2017)**