

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL AND GAS DOCKET NO. OG-19-00002422

SINGLE SIGNATURE P-4 FILING OF MILLENNIUM MINERALS CORPORATION (OPERATOR NO. 567491) FOR THE TAYLOR, W. B., -H- (02854) LEASE, WELL NO. 35, LONGWOOD (GOODLAND LIME) FIELD, HARRISON COUNTY, TEXAS, TO CHANGE THE OPERATOR FROM GREAT NORTHERN ENERGY, INCORPORATED (OPERATOR NO. 328627) TO MILLENNIUM MINERALS CORPORATION; DISTRICT 06

FINAL ORDER

The Commission finds that after notice and opportunity for hearing, the operator of the captioned lease did not respond, and the docket proceeded as a default. 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 FACT

1. Great Northern Energy, Incorporated ("Great Northern") is the operator of record for the Taylor, W. B., -H- (02854) Lease, Well No. 35, Longwood (Goodland Lime) Field, Harrison County, Texas.
2. On or about December 20, 2019, Millennium Minerals Corporation ("Millennium") submitted to the Commission a single-signature Form P-4 *Certificate of Compliance and Transportation Authority* requesting transfer of the subject lease and well, from Great Northern to Millennium, as operator of record. As part of this application, Millennium submitted a Form P-6 *Request for Permission to Consolidate/Subdivide Leases* requesting that the subject well be transferred from Commission Lease No. 02854 to Commission Lease No. 15583.
3. All Commission correspondence to Great Northern was sent via United States Postal Service first-class mail to Great Northern 's address of record, as set forth on Great Northern 's most recent Form P-5 *Organization Report*.
4. On or about January 23, 2020, the Administrative Law Judge requested in writing that Great Northern 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 within 30 days. 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.
5. Great Northern 's Form P-5 is delinquent. Great Northern does not maintain any current record of financial assurance with the Commission.

6. Millennium's Form P-5 is Active-EXT. Millennium has a \$50,000.00 cash deposit as its financial assurance.
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."
8. The subject lease is currently severed, and no production has been reported since May 2014.
9. Great Northern failed to reply to the Administrative Law Judge's letter dated January 23, 2020, with any documents that it holds a "good faith claim" to a continuing right to operate the subject lease and failed to timely request a hearing.
10. Great Northern does not have a "good faith claim" to operate the subject lease.
11. Millennium now asserts a "good faith claim" to a continuous right to operate the subject lease. Along with the filing of the single-signature Form P-4, Millennium provided documentation reasonably sufficient to show a factually supported claim to a continuing possessory right in the mineral estate based on a recognized legal theory.
12. Pursuant to TEX. GOV'T CODE §§ 2001.056 and 2001.062(e), Great Northern and Millennium have waived the opportunity to request a hearing on the matter.
13. The Taylor, W. B., -H- (02854) Lease, Well No. 35, Longwood (Goodland Lime) Field, Harrison County, Texas, should be transferred to Millennium as operator of record.

CONCLUSIONS OF LAW

1. Proper notice of hearing was timely issued to appropriate persons entitled to notice.
2. All things necessary to the Commission attaining jurisdiction has occurred.
3. Resolution of this docket is a matter committed to the jurisdiction of the Commission. TEX. GOV'T CODE §§ 81.051.
4. Great Northern does not have a "good faith claim" to continue to operate Taylor, W. B., -H- (02854) Lease, Well No. 35, Longwood (Goodland Lime) Field, Harrison County, Texas.
5. Millennium does have a "good faith claim" to operate the Taylor, W. B., -H- (02854) Lease, Well No. 35, Longwood (Goodland Lime) Field, Harrison County, Texas.

IT IS THEREFORE ORDERED that the application of Millennium Minerals Corporation for transfer of the Form P-4 "Certificate of Compliance and Transportation Authority" is hereby **APPROVED**, subject to the provisions of TEX. NAT. RES. CODE §§ 91.1041,

91.1042, 91.107, 91.114, 91.142 and TEX. ADMIN. CODE § 3.15, 3.58, and 3.78. If after 90 days after the order becomes final, Millennium Minerals Corporation has not met the requirements of the listed provisions, this Order shall be **VOID** and the subject Form P-4 shall be marked as *Unable to Process* and archived.

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 100 days from the date Commission Order is signed.

All pending motions and requests for relief not previously or herein granted are denied.

Done this 21st day of April, 2020, Austin, Texas.

**Railroad Commission of Texas (Order approved
and signatures affixed by Hearings Division
Unprotested Master Order dated April 21, 2020)**