# **MINUTES**

# STATE MINERAL AND ENERGY BOARD

LEASE SALE
AND
BOARD MEETING
(via Zoom)

**DECEMBER 9, 2020** 

John Bel Edwards
GOVERNOR



Thomas F. Harris
SECRETARY

Jamie S. Manuel
Assistant Secretary

## State of Louisiana

# DEPARTMENT OF NATURAL RESOURCES OFFICE OF MINERAL RESOURCES

## CERTIFICATION OF INABILITY TO MEET IN PERSON DUE TO COVID-19 PUBLIC HEALTH EMERGENCY FOR STATE MINERAL AND ENERGY BOARD

In accordance with La. Acts 2020, No. 302 and Executive Proclamations JBE 2020-159 and JBE 2020-168, this notice shall serve as a certification of the Louisiana State Mineral and Energy Board's ("Board") inability to otherwise operate in accordance with the Louisiana Open Meetings Law as a result of the COVID-19 public health emergency. The Board will provide for attendance and quorum at its essential government meeting on December 9, 2020, via video conference. Pursuant to La. Acts 2020, No. 302, the Board must meet because:

- 1) Matters that, if they are delayed, will cause curtailment of vital public services or severe economic dislocation and hardship. Because the Board must administer the state's proprietary interest in minerals by granting leases on state owned lands, has full supervision of all mineral leases granted by the state, and has general authority to take any action for the protection of the interests of the state under Louisiana Revised Statue 30:121 et seq., its continued function during this pandemic is essential and, failing timely meeting, would result in the curtailment of vital public services or severe economic dislocation and hardship.
- 2) Matters that are critical to continuation of the business of the public body and that are not able to be postponed to a meeting held in accordance with the other provisions of this Chapter due to a legal requirement or other deadline that cannot be postponed or delayed by the public body. The Board's operations must follow statutorily-mandated deadlines. It is impossible to postpone or delay the matters of the Board.

Considering the foregoing, and in accordance with La. Acts 2020, No. 302 and Executive Proclamations JBE 2020-159 and JBE 2020-168, the Board's meeting on Wednesday, December 9, 2020, at 9:15 a.m. will be held via video conference and in a manner that allows for observation and input by members of the public, as set forth in the Notice posted on December 4, 2020.

JAMLE'S. MANUEL, SECRETARY
State Mineral and Energy Board

#### JOHN BEL EDWARDS GOVERNOR



THOMAS F. HARRIS SECRETARY

## State of Louisiana

DEPARTMENT OF NATURAL RESOURCES OFFICE OF MINERAL RESOURCES STATE MINERAL AND ENERGY BOARD

## **Opening of Bids December 9, 2020**

A public meeting for the purpose of opening sealed bids was held on Wednesday, December 9, 2020, beginning at 9:15 a.m. via Zoom.

Byron Miller presided over the meeting. He then read the letter of notification certifying the legal sufficiency of the advertisement of Tract Nos. 45373 through 45386 which was published for lease by the Board at today's sale.

Mr. Miller stated that there were no letters of protest received for today's Lease Sale.

Mr. Miller stated that there were no tracts to be withdrawn from today's Lease Sale.

The following bids were then opened and read aloud to the assembled public by Mr. Miller:

#### **Tract 45373** (Portion: 25 acres)

Bidder MCGINTY-DURHAM, INC.

**Primary Term** Three (3) years Cash Payment \$12,500.00 Annual Rental \$6,250.00

**Rovalties** 20% on oil and gas

20% on other minerals

Additional Consideration None

## **Tract 45374**

(Portion: 511 acres)

Bidder MCGINTY-DURHAM, INC.

**Primary Term** Three (3) years Cash Payment \$255,500.00 **Annual Rental** \$127,750.00

**Royalties** 20% on oil and gas 20% on other minerals

Additional Consideration None State Mineral and Energy Board Opening of Bids December 9, 2020 Page 2

## Tract 45375

(Entire: 630 acres)

Bidder : MCGINTY-DURHAM, INC.

 Primary Term
 :
 Three (3) years

 Cash Payment
 :
 \$315,000.00

 Annual Rental
 :
 \$157,500.00

 Royalties
 :
 20% on oil and gas

 :
 20% on other minerals

Additional Consideration : None

#### **Tract 45376**

(Entire: 21.360 acres)

Bidder : USG PROPERTIES : HAYNESVILLE, LLC

Primary Term : Three (3) years
Cash Payment : \$32,040.00
Annual Rental : \$16,020.00

Royalties : 20% on oil and gas : 20% on other minerals

Additional Consideration : None

#### **Tract 45377**

(Entire: 4.230 acres)

Bidder : USG PROPERTIES

: HAYNESVILLE, LLC Primary Term : Three (3) years

Cash Payment : \$6,345.00 Annual Rental : \$3,172.00

Royalties : 20% on oil and gas

: 20% on other minerals

Additional Consideration : None

### **Tract 45378**

(Entire: 18.170 acres)

Bidder : USG PROPERTIES

HAYNESVILLE, LLC
Primary Term : Three (3) years
Cash Payment : \$27,255.00
Annual Rental : \$13,627.50

Royalties : 20% on oil and gas

: 20% on other minerals

Additional Consideration : None

State Mineral and Energy Board Opening of Bids December 9, 2020 Page 3

#### **Tract 45379**

(Entire: 42.750 acres)

Bidder : USG PROPERTIES

: HAYNESVILLE, LLC

Primary Term : Three (3) years
Cash Payment : \$64,125.00
Annual Rental : \$32,062.50

Royalties : 20% on oil and gas : 20% on other minerals

Additional Consideration : None

## <u>Tract 45384</u> (Entire: 249 acres)

Bidder : CYPRESS ENERGY CORPORATION

Primary Term : Three (3) years
Cash Payment : \$475,590.00
Annual Rental : \$237,795.00

Royalties : 22.50% on oil and gas

: 22.50% on other minerals

Additional Consideration : None

This concluded the reading of the bids.

The Opening of the Bids Meeting was recessed at 9:30 a.m. to open the Regular Meeting of the Board. The Opening of the Bids Meeting was then reopened at 9:33 a.m. after the Regular Meeting was recessed.

There being no further business, the Opening of the Bids Meeting was concluded at 9:34 a.m.

Respectfully Submitted,

JOHN BEL EDWARDS
GOVERNOR



THOMAS F. HARRIS
SECRETARY

## State of Louisiana

DEPARTMENT OF NATURAL RESOURCES OFFICE OF MINERAL RESOURCES STATE MINERAL AND ENERGY BOARD

### REGULAR MEETING December 9, 2020

The Regular Meeting of the State Mineral and Energy Board was held on **Wednesday**, **December 9**, **2020**, beginning at 9:30 a.m. via Zoom.

#### I. CALL TO ORDER

Mr. W. Paul Segura, Jr. Chairman, called the meeting to order.

#### II. ROLL CALL

He then requested Mr. Jamie Manuel, Assistant Secretary of the Office of Mineral Resources, call the roll for the purpose of establishing a quorum.

W. Paul Segura, Jr., Chairman Carol R. LeBlanc, Vice-Chair Thomas F. Harris, DNR Secretary J. Todd Hollenshead Robert D. Watkins Harvey "Ned" White Willie J. Young, Sr.

The following members of the Board were recorded as absent:

Rochelle A. Michaud-Dugas Thomas L. Arnold, Jr. Darryl D. Smith Harry J. Vorhoff

Mr. Manuel announced that seven (7) members of the Board were present when the roll call was taken and that a quorum was established.

#### III. PLEDGE OF ALLEGIANCE

The Chairman led the Board in reciting the Pledge of Allegiance to the Flag of the United States of America.

Upon motion of Mr. White, seconded by Ms. LeBlanc, the Board Members recessed the Regular Meeting to return to the Opening of the Bids meeting at 9:33 a.m.

Upon motion of Ms. LeBlanc, seconded by Mr. Harris, the Board Members returned to the Regular Meeting at 9:34 a.m.

### IV. APPROVAL OF THE NOVEMBER 18, 2020 MINUTES

The Chairman stated that the first order of business was the approval of the Minutes.

A motion was made by Ms. LeBlanc to adopt the November 18, 2020 Minutes as submitted and to waive reading of same. Her motion was seconded by Mr. Hollenshead and unanimously adopted by the Board. (No public comment was made at this time.)

The Chairman then stated that the next order of business was the presentation of the following Staff Reports:

\* Resolutions are in chronological order at the end of the minutes

#### V. STAFF REPORTS

- a) Lease Review Report
  presented by Jason Talbot, Geology Supervisor
  and Charles Bradbury, Engineering Supervisor
  Geology, Engineering & Land Division
- b) Nomination and Tract Report presented by Byron Miller, Administrator Geology, Engineering & Land Division
- c) Audit Report
  presented by Rachel Newman, Audit Director
  Mineral Income Division
- d) Legal and Title Controversy Report presented by Byron Miller, Administrator Geology, Engineering & Land Division
- e) Docket Review Report
  presented by Byron Miller, Administrator
  Geology, Engineering & Land Division

### a) LEASE REVIEW REPORT DECEMBER 9, 2020 (Resolution Nos. 20-12-001 to 20-12-004)

### I. GEOLOGICAL AND ENGINEERING STAFF REVIEW

According to the SONRIS database, there are 1,089 active State Leases containing approximately 464,206 acres. Since the last Lease Review Report, the Geological and Engineering Division reviewed 90 leases covering approximately 25,974 acres for lease maintenance.

### II. BOARD REVIEW

1. There were no State Lease items discussed.

#### III. FORCE MAJEURE

1. Mr. Charles Bradbury of the Office of Mineral Resources (OMR) reported that Texas Petroleum Investment Company requested recognition of a force majeure event affecting State Lease Nos. 1958, 1961, 2125, and 12002 in Main Pass 31 and Main Pass 35 Fields, Plaquemines Parish, Louisiana.

Mr. Bradbury further reported that these leases were initially shut-in on August 21, 2020, in advance of Hurricanes Laura, Marco and Zeta. They have been unable to restore to production because the hurricanes caused the collapse of their saltwater platform and loss of their saltwater tanks.

Mr. Bradbury further stated that the staff recognized the timely notification of the force majeure condition and granted until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit said payment on or before that date.

Mr. Bradbury recommended that the Board confirm the force majeure recognition of the above stated leases until the April 14, 2021 Board Meeting.

Upon motion of Mr. Watkins, seconded by Ms. LeBlanc, and by unanimous vote of the Board, the Board approved the request by Texas Petroleum Investment Company for recognition of force majeure event affecting State Lease Nos. 1958, 1961, 2125, and 12002 in Main Pass 31 and Main Pass 35 Fields, Plaquemines Parish, Louisiana, until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date. There were no comments from the public on this matter. (Resolution No. 20-12-001)

- 2. Mr. Bradbury reported that S2 Energy Operating LLC requested recognition of force majeure condition affecting State Lease Nos. 192 and 1772 in Timbalier Bay Field, Lafourche Parish, Louisiana.
  - Mr. Bradbury further reported that these leases remain shut-in primarily as a result of Hurricane Zeta which caused major damage to their facilities.
  - Mr. Bradbury further stated that the staff recognized the timely notification of the force majeure condition and granted until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit said payment on or before that date.
  - Mr. Bradbury recommended that the Board confirm the force majeure recognition.

Upon motion of Mr. Watkins, seconded by Ms. LeBlanc, and by unanimous vote of the Board, the Board approved the request by S2 Energy Operating LLC for recognition of force majeure condition affecting State Lease Nos. 192 and 1772 in Timbalier Bay Field, Lafourche Parish, Louisiana, until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date. There were no comments from the public on this matter. (Resolution No. 20-12-002)

- 3. Mr. Bradbury reported that Wapiti Operating LLC requested recognition of force majeure condition affecting State Lease Nos. 20499 and 20512 in Manilla Village Field, Jefferson Parish, Louisiana.
  - Mr. Bradbury further reported that these leases were shut-in on October 27, 2020, as a result of Hurricane Zeta which caused major damage to their facilities.
  - Mr. Bradbury further stated that the staff recognized the timely notification of the force majeure condition and granted until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit said payment on or before that date.
  - Mr. Bradbury recommended that the Board confirm the force majeure recognition.

Upon motion of Mr. Watkins, seconded by Mr. Harris, and by unanimous vote of the Board, the Board approved the request by Wapiti Operating LLC for

recognition of force majeure condition affecting State Lease Nos. 20499 and 20512 in Manilla Village Field, Jefferson Parish, Louisiana, until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date. There were no comments from the public on this matter. (Resolution No. 20-12-003)

4. Mr. Bradbury reported that Energy XXI GOM LLC (Cox Operating LLC) requested recognition of force majeure condition affecting State Lease No. 797 in Grand Isle Block 18 Field, Plaquemines Parish, Louisiana.

Mr. Bradbury further reported that this lease remains shut-in as a result of Hurricane Zeta which caused major damage to their facilities.

Mr. Bradbury further stated that the staff recognized the timely notification of the force majeure condition and granted until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit said payment on or before that date. This lease still has a sixty (60) day continuous operations clause.

Mr. Bradbury recommended that the Board confirm the force majeure recognition and request that the sixty (60) day continuous operations clause in the lease be updated.

Upon motion of Mr. Watkins, seconded by Ms. LeBlanc, and by unanimous vote of the Board, the Board approved the request by Energy XXI GOM LLC (Cox Operating LLC) for recognition of force majeure condition affecting State Lease No. 797 in Grand Isle Block 18 Field, Plaquemines Parish, Louisiana, to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date, and update the sixty (60) day continuous operations clause in the lease. There were no comments from the public on this matter. (Resolution No. 20-12-004)

## b) NOMINATION AND TRACT REPORT December 9, 2020

(Resolution No. 20-12-005)

The Board heard the report of Mr. Byron Miller on Wednesday December 9, 2020 relative to nominations received in the Office of Mineral Resources for the February 10, 2021 Mineral Lease Sale and other matters.

Based upon Staff's recommendation, and on motion of **Ms. LeBlanc**, duly seconded by **Mr. Hollenshead**, the Board granted authority to Staff to advertise all such tracts that have been received by the Staff of the Office of Mineral Resources as well as any tracts that have been previously advertised and rolled over and otherwise approve the Nomination and Tract Report. (**Resolution No. 20-12-005**)

## c) AUDIT REPORT December 9, 2020

The first matter on the audit report was the election of the December 2020 gas royalty to be paid on a processed basis at the Discovery Plant at Larose and the Sea Robin Plant at Henry per the terms of the State Texaco Global Settlement Agreement.

No action required.

### d) LEGAL & TITLE REPORT December 9, 2020

(Resolution No. 20-12-006)

The State Mineral and Energy Board (Board) received a request from Staff for approval of an Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana.

Staff reported that the proposed Operating Agreement provides for a guaranteed minimum annual payment for storage operations plus increased annual payments during years of high storage activity.

Staff recommended that the Board approve the Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana.

Upon motion of Mr. Harris, seconded by Ms. LeBlanc, and by unanimous vote of the Board, the State Mineral and Energy Board granted approval of the Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana. (Resolution No. 20-12-006)

### e) DOCKET REVIEW REPORT

December 9, 2020 (Resolution No(s). 20-12-007 thru 20-12-011)

The Board heard the report from Byron Miller on Wednesday, December 9, 2020, relative to the following:

Category A: State Agency Leases

There were no items for this category

Category B: State Lease Transfers

Docket Item Nos. 1 through 3

Category C: Department of Wildlife & Fisheries State Agency Lease

There were no items for this category

Category D: Advertised Proposals

Docket Item No. 1 and 2

Based upon the staff's recommendation, on motion of Ms. LeBlanc, duly seconded by Mr. Harris, the Board voted unanimously to accept the following recommendations:

Category B: State Lease Transfers

Approve Docket Item Nos 1 through 3

(Resolution Nos. 20-12-007 through 20-12-009)

Category D: Advertised Proposals

Docket Item Nos. 1 and 2

(Resolution Nos. 20-12-010 and 20-12-011)

#### VI. EXECUTIVE SESSION

The Chairman stated that the next order of business was discussions in Executive Session to consider matters before the Board which were confidential in nature.

Upon motion of Ms. LeBlanc, seconded by Mr. Harris, the Board Members went into Executive Session at 9:57 a.m.

Upon motion of Ms. LeBlanc, seconded by Mr. Hollenshead, the Board reconvened in open session at 10:01 a.m. for consideration of the following matters discussed in Executive Session:

a. The Board was briefed in Executive Session on the bids received at today's lease sale.

#### VII. AWARDING OF LEASES

The Chairman stated that the next order of business was the awarding of the leases and called on Mr. Jason Talbot to present Staff's recommendations to the Board.

In regard to the following bids received, a motion was made by Ms. LeBlanc, and seconded by Mr. Watkins, with Mr. Hollenshead recusing himself from the vote, the Board voted to accept Staff's recommendations to accept the bids and award leases on the following tracts:

## Tract 45373 (Portion: 25 acres)

Bidder : MCGINTY-DURHAM, INC.

Primary Term : Three (3) years
Cash Payment : \$12,500.00
Annual Rental : \$6,250.00

Royalties : 20% on oil and gas

: 20% on other minerals

Additional Consideration : None

## Tract 45374 (Portion: 511 acres)

Bidder : MCGINTY-DURHAM, INC.

Primary Term : Three (3) years
Cash Payment : \$255,500.00
Annual Rental : \$127,750.00
Royalties : 20% on oil and gas

: 20% on oil and gas : 20% on other minerals

Additional Consideration : None

## Tract 45375 (Entire: 630 acres)

Bidder : MCGINTY-DURHAM, INC.

Primary Term : Three (3) years
Cash Payment : \$315,000.00
Annual Rental : \$157,500.00
Royalties : 20% on oil and gas
: 20% on other minerals

Additional Consideration : None

### **Tract 45376**

(Entire: 21.360 acres)

Bidder : USG PROPERTIES : HAYNESVILLE, LLC

Primary Term : Three (3) years
Cash Payment : \$32,040.00
Annual Rental : \$16,020.00

Royalties : 20% on oil and gas

: 20% on other minerals

Additional Consideration : None

## <u>Tract 45377</u>

(Entire: 4.230 acres)

Bidder : USG PROPERTIES

: HAYNESVILLE, LLC Primary Term : Three (3) years

Cash Payment : \$6,345.00 Annual Rental : \$3,172.00

Royalties : 20% on oil and gas : 20% on other minerals

Additional Consideration : None

### **Tract 45378**

(Entire: 18.170 acres)

Bidder : USG PROPERTIES

: HAYNESVILLE, LLC

Primary Term : Three (3) years
Cash Payment : \$27,255.00
Annual Rental : \$13,627.50

Royalties : 20% on oil and gas : 20% on other minerals

Additional Consideration : None

#### Tract 45379

(Entire: 42.750 acres)

Bidder : USG PROPERTIES

HAYNESVILLE, LLC

Primary Term : Three (3) years
Cash Payment : \$64,125.00
Annual Rental : \$32,062.50

Royalties : 20% on oil and gas

20% on other minerals

Additional Consideration : None

<u>Tract 45384</u> (Entire: 249 acres)

Bidder : CYPRESS ENERGY CORPORATION

Primary Term : Three (3) years Cash Payment : \$475,590.00 Annual Rental : \$237,795.00

Royalties : 22.50% on oil and gas

22.50% on other minerals

Additional Consideration : None

Leases awarded were conditioned on tract descriptions being accurate, overlapped prior leases being subtracted from acreage bid on, acreage amount being verified and agreed between bidder and state and portion bids verified as being located within advertised boundary of tracts. (No public comment was made at this time.)

This concluded the awarding of the leases.

#### VII. NEW BUSINESS

The Chairman then announced that the next order of business would be the discussion of new business.

No new business was presented.

#### IX. ANNOUNCEMENTS

Mr. Manuel stated that the leases awarded totaled \$1,188,355.00 for the December 9, 2020 Lease Sale bringing the fiscal year total to \$3,587,890.09.

The Chairman also wished everyone Happy Holidays!

## X. ADJOURNMENT

The Chairman then stated there being no further business to come before the Board, upon motion of Ms. LeBlanc, seconded by Mr. White, the meeting was adjourned at 10:04 a.m.

Respectfully Submitted,

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### **RESOLUTION #20-12-001**

(LEASE REVIEW REPORT)

WHEREAS, on motion of Mr. Watkins, seconded by Ms. LeBlanc, the following resolution was offered and adopted:

WHEREAS, Mr. Charles Bradbury of the Office of Mineral Resources made a report on a request by Texas Petroleum Investment Company for recognition of a force majeure event affecting State Lease Nos. 1958, 1961, 2125, and 12002 in Main Pass 31 and Main Pass 35 Fields, Plaquemines Parish, Louisiana; and,

**WHEREAS,** these leases were initially shut-in on August 21, 2020, in advance of Hurricanes Laura, Marco and Zeta, and have been unable to restore to production because the hurricanes caused the collapse of their saltwater platform and loss of their saltwater tanks; and

WHEREAS, the Staff recognized the timely notification of the force majeure condition and granted Texas Petroleum Investment Company until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date; and,

**WHEREAS,** the Staff recommends that the Board confirm the force majeure recognition of State Lease Nos. 1958, 1961, 2125, and 12002 until the April 14, 2021 Board Meeting.

**NOW THEREFORE BE IT RESOLVED,** that the State Mineral and Energy Board confirms the Staff's recognition of a force majeure event requested by Texas Petroleum Investment Company affecting State Lease Nos. 1958, 1961, 2125, and 12002 in Main Pass 31 and Main Pass 35 Fields, Plaquemines Parish, Louisiana until the April 14, 2021 Board meeting. At which time Texas Petroleum must either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date.

#### CERTIFICATE

I HEREBY CERTIFY that the above is a true and correct copy of a Resolution adopted at a meeting on the 9th day of December, 2020 of the State Mineral and Energy Board in the City of Baton Rouge, State of Louisiana, pursuant to due notice and in compliance with law, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Board and is now in full force and effect.

JAMIE S. MANUEL, SECRETARY
LOUISIANA STATE MINERAL AND ENERGY BOARD

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### **RESOLUTION #20-12-002**

#### (LEASE REVIEW REPORT)

WHEREAS, on motion of Mr. Watkins, seconded by Ms. LeBlanc, the following resolution was offered and adopted:

**WHEREAS,** Mr. Charles Bradbury of the Office of Mineral Resources made a report on a request by S2 Energy Operating LLC for recognition of force majeure condition affecting State Lease Nos. 192 and 1772 in Timbalier Bay Field, Lafourche Parish, Louisiana; and,

**WHEREAS**, these leases remain shut-in primarily as a result of Hurricane Zeta which caused major damage to their facilities; and

WHEREAS, the Staff recognized the timely notification of the force majeure condition and granted S2 Energy Operating LLC until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date; and,

**WHEREAS**, the Staff recommends that the Board confirm the force majeure recognition of State Lease Nos. 192 and 1772 until the April 14, 2021 Board Meeting.

**NOW THEREFORE BE IT RESOLVED,** that the State Mineral and Energy Board confirms the Staff's recognition of a force majeure event requested by S2 Energy Operating LLC affecting State Lease Nos. 192 and 1772 in Timbalier Bay Field, Lafourche Parish, Louisiana until the April 14, 2021 Board meeting. At which time S2 Energy must either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date.

#### CERTIFICATE

*I HEREBY CERTIFY* that the above is a true and correct copy of a Resolution adopted at a meeting on the 9th day of December, 2020 of the State Mineral and Energy Board in the City of Baton Rouge, State of Louisiana, pursuant to due notice and in compliance with law, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Board and is now in full force and effect.

JAME S. MANUEL, SECRETARY LOUISIANA STATE MINERAL AND ENERGY BOARD

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### **RESOLUTION #20-12-003**

#### (LEASE REVIEW REPORT)

**WHEREAS,** on motion of Mr. Watkins, seconded by Mr. Harris, the following resolution was offered and adopted:

**WHEREAS,** Mr. Charles Bradbury of the Office of Mineral Resources made a report on a request by Wapiti Operating LLC for recognition of force majeure condition affecting State Lease Nos. 20499 and 20512 in Manilla Village Field, Jefferson Parish, Louisiana; and,

**WHEREAS,** these leases were shut-in on October 27, 2020, as a result of Hurricane Zeta which caused major damage to their facilities; and

WHEREAS, the Staff recognized the timely notification of the force majeure condition and granted Wapiti Operating LLC until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date; and,

WHEREAS, the Staff recommends that the Board confirm the force majeure recognition of State Lease Nos. 20499 and 20512 until the April 14, 2021 Board Meeting.

NOW THEREFORE BE IT RESOLVED, that the State Mineral and Energy Board confirms the Staff's recognition of a force majeure event requested by Wapiti Operating LLC affecting State Lease Nos. 20499 and 20512 in Manilla Village Field, Jefferson Parish, Louisiana until the April 14, 2021 Board meeting. At which time Wapiti must either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date.

#### **CERTIFICATE**

I HEREBY CERTIFY that the above is a true and correct copy of a Resolution adopted at a meeting on the 9th day of December, 2020 of the State Mineral and Energy Board in the City of Baton Rouge, State of Louisiana, pursuant to due notice and in compliance with law, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Board and is now in full force and effect.

JAME S. MANUEL, SECRETARY
LOUISIANA STATE MINERAL AND ENERGY BOARD

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### **RESOLUTION #20-12-004**

#### (LEASE REVIEW REPORT)

WHEREAS, on motion of Mr. Watkins, seconded by Ms. LeBlanc, the following resolution was offered and adopted:

**WHEREAS,** Mr. Charles Bradbury of the Office of Mineral Resources made a report on a request by Energy XXI GOM LLC (Cox Operating LLC) for recognition of force majeure condition affecting State Lease No. 797 in Grand Isle Block 18 Field, Plaquemines Parish, Louisiana; and,

**WHEREAS**, this lease remains shut-in as a result of Hurricane Zeta which caused major damage to their facilities; and

WHEREAS, the Staff recognized the timely notification of the force majeure condition and granted Energy XXI GOM LLC (Cox Operating LLC) until the April 14, 2021 Board Meeting to either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date; and

**WHEREAS**, the Staff further recognized that this lease has a sixty (60) day continuous operations clause; and

WHEREAS, the Staff recommends that the Board confirm the force majeure recognition of State Lease Nos. 20499 and 20512 until the April 14, 2021 Board Meeting and request that Energy XXI GOM LLC (Cox Operating LLC) update the sixty (60) day continuous operations clause in the lease.

**NOW THEREFORE BE IT RESOLVED,** that the State Mineral and Energy Board confirms the Staffs' recognition of a force majeure event requested by Energy XXI GOM LLC (Cox Operating LLC) affecting State Lease No. 797 in Grand Isle Block 18 Field, Plaquemines Parish, Louisiana, until the April 14, 2021 Board Meeting. At which time Energy XXI (Cox) must either restore production or seek other means to extend the leases through amendments to provide for oil shut-in payments to extend the leases further and, if necessary, submit payment on or before that date, and to update the sixty (60) day continuous operations clause in the lease.

#### CERTIFICATE

I HEREBY CERTIFY that the above is a true and correct copy of a Resolution adopted at a meeting on the 9th day of December, 2020 of the State Mineral and Energy Board in the City of Baton Rouge, State of Louisiana, pursuant to due notice and in compliance with law, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Board and is now in full force and effect.

JAME'S. MANUEL, SECRETARY LOUISIANA STATE MINERAL AND ENERGY BOARD

LOUISIANA STATE MINERAL AND ENERGY BOARD

Authority to Advertise Tracts for the February 10, 2021 Lease Sale

### **RESOLUTION #20-12-005**

(NOMINATION AND TRACT REPORT)

WHEREAS, Mr. Byron Miller reported that seven (7) tract(s) were nominated for the February 10, 2021 Mineral Lease Sale, and requested that same be advertised pending staff review;

**ON MOTION** of **Ms. LeBlanc**, seconded by **Mr. Hollenshead**, the following recommendation was offered and unanimously adopted by the Board after discussion and careful consideration:

That the State Mineral and Energy Board grant approval to advertise all such tract(s) for the February 10, 2021 Mineral Lease Sale;

**NOW, BE IT THEREFORE RESOLVED**, that the State Mineral and Energy Board does hereby approve and authorize the advertising of all such tracts received by the staff of the Office of Mineral Resources, as well as any tracts that were previously advertised and rolled over, and to otherwise approve the Nomination and Tract Report.

#### CERTIFICATE

I HEREBY CERTIFY that the above is a true and correct copy of a Resolution adopted at a meeting of the Louisiana State Mineral and Energy Board in the City of Baton Rouge, Louisiana, on the 9th day of December 2020, pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Louisiana State Mineral and Energy Board and is now in full force and effect.

LOUISIANA STATE MINERAL AND ENERGY BOARD

#### **RESOLUTION #20-12-006**

Approval of Operating Agreement for Bistineau Gas Storage facility.

#### (LEGAL & TITLE CONTROVERSY REPORT)

WHEREAS, the State Mineral and Energy Board (Board) received a request from Staff for approval of an Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana; and

WHEREAS, the proposed Operating Agreement provides for a guaranteed minimum annual payment for storage operations plus increased annual payments during years of high storage activity; and

**WHEREAS**, in response to this request, Staff offered the following recommendation for consideration by the Board:

That the Board approve the Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana.

**ON MOTION** of Mr. Harris, seconded by Ms. LeBlanc, after discussion and careful consideration, the following Resolution was offered and unanimously adopted by the Board:

**NOW THEREFORE, BE IT RESOLVED** that the State Mineral and Energy Board approved the Operating Agreement for the Bistineau Gas Storage facility located in Bossier and Bienville Parishes, Louisiana.

#### CERTIFICATE

I HEREBY CERTIFY that the above is a true and correct copy of a Resolution adopted at a meeting on the 9th day of December, 2020 of the State Mineral and Energy Board in the City of Baton Rouge, State of Louisiana, pursuant to due notice and in compliance with law, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Books of said Board and is now in full force and effect.

JAMIE S. MANUEL, SECRETARY
STATE MINERAL AND ENERGY BOARD

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### Resolution #20-12-007 (DOCKET)

On motion of Ms. LeBlanc, seconded by Mr. Harris, the following Resolution was offered and adopted:

BE IT RESOLVED by the State Mineral and Energy Board that Docket Item No. 1 from the December 9, 2020 meeting be approved, said being an Assignment from Six Pines Exploration, LLC to Martin Energy LLC, an undivided 1% of 8/8ths interest in and to State Lease Nos. 21692, 21693, 21694 and 21695, Plaquemines Parish, Louisiana, with further particulars being stipulated in the instrument.

<u>Six Pines Exploration, LLC</u>, is designated as the joint account Lessee (contact company) pursuant to State Mineral and Energy Board Resolution dated September 10, 1975.

This approval is expressly granted and accepted subject to certain conditions in the absence of which conditions approval of said instrument would not have been given as follows:

- 1) That all terms and conditions of the basic lease will be fulfilled, including but not limited to the full payment of rentals and royalties, regardless of the division of leasehold interests resulting from the instrument;
- 2) That failure to comply with the terms and conditions of the basic lease by the original lessee, or by any assignee, sublessor or sublessee, prior or subsequent hereto, shall not be deemed waived by the approval of said instrument by the State Mineral and Energy Board for the State of Louisiana, it being distinctly understood that the State Mineral and Energy Board for the State of Louisiana does not recognize said instrument as creating a novation, as regards any right or interest of the State or Board;
- 3) That in the event ownership of the basic mineral lease is or becomes vested in two or more lessees responsible to the lessor for compliance with indivisible obligations to maintain the lease, then said lessees shall designate in writing to the State Mineral and Energy Board the lessee representing the joint account of all lessees, who shall be accountable to the Board for discharge of indivisible obligations under the lease for all lessees or for release in lieu of compliance therewith, provided that in the event of failure of said lessees to comply with such condition, then the Board may withhold approval of and thereby deny validity to any pending or future assignment or transfer of an interest in the lease, and, provided further, that if any lessee should agree to release the lease or any segregated portion thereof in lieu of complying with an indivisible lease obligation to maintain the lease and no other lessee desires to assume and undertake the indivisible obligation, then all lessees agree to join in a release or to otherwise execute a similar release of their rights to lessor, relegating any nonsignatory lessee to such remedy, if any, as such party may have against the lessee or lessees, who may execute a release purporting to cover the entirety of the lease or of a segregated portion thereof;
- 4) That this approval is given merely for the purpose of validating the assignment or transfer under the provisions of R.S. 30:128, but by giving its approval, the Board does not recognize the validity of any other instrument referred to therein that has not also been considered and approved by the Board in its entirety nor of any descriptions nor adopt any of the terms and conditions in the assignment or transfer, including but not limited to any election to convert an overriding royalty interest to a working interest, and any such election shall not be effective until written notice thereof is given to the Board and assignment or transfer of such working interest in recordable form is docketed for approval and approved by the Board, and, furthermore, that this approval may not operate as the Board's approval of any sales contract, which may have been entered into by the parties to the assignment or transfer, inasmuch as the Board specifically reserves the right to take its royalty oil, gas and other minerals in kind;
- 5) That for purposes of recordation and notice, certified copies of this Resolution be attached to all docketed copies of the instrument approved hereby; and
- 6) That nothing herein shall be construed as approval for any assignment, sublease or transfer to or from any individual, partnership, corporation or other legal entity who has filed bankruptcy proceedings unless such status is specifically recognized in this resolution.

BE IT FURTHER RESOLVED that either the Chairman, Vice-Chairman or Secretary is hereby authorized to reflect the approval of the State Mineral and Energy Board by affixing his signature to the aforesaid instrument.

#### CERTIFICATE

I hereby certify that the above is a true and correct copy of a Resolution adopted at a meeting of the State Mineral and Energy Board held in the City of Baton Rouge, Louisiana, on the 9th day of December, 2020, pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Book of said Board and is now in full force and effect.

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

#### Resolution #20-12-008 (DOCKET)

On motion of Ms. LeBlanc, seconded by Mr. Harris, the following Resolution was offered and adopted:

BE IT RESOLVED by the State Mineral and Energy Board that Docket Item No. 2 from the December 9, 2020 meeting be approved, said being an Assignment from Kenneth H. Savage Family Trust to the following in the proportions set out below:

Katherine Smith Krikorian 25% Shannon Smith Blestel 25% Kenneth Charles Savage 50%

in and to State Lease No. 17339, Lafourche Parish, Louisiana, with further particulars being stipulated in the instrument.

<u>Texas Petroleum Investment Company</u> is designated as the joint account Lessee (contact company) pursuant to State Mineral and Energy Board Resolution dated September 10, 1975.

This approval is expressly granted and accepted subject to certain conditions in the absence of which conditions approval of said instrument would not have been given as follows:

- 1) That all terms and conditions of the basic lease will be fulfilled, including but not limited to the full payment of rentals and royalties, regardless of the division of leasehold interests resulting from the instrument;
- 2) That failure to comply with the terms and conditions of the basic lease by the original lessee, or by any assignee, sublessor or sublessee, prior or subsequent hereto, shall not be deemed waived by the approval of said instrument by the State Mineral and Energy Board for the State of Louisiana, it being distinctly understood that the State Mineral and Energy Board for the State of Louisiana does not recognize said instrument as creating a novation, as regards any right or interest of the State or Board;
- 3) That in the event ownership of the basic mineral lease is or becomes vested in two or more lessees responsible to the lessor for compliance with indivisible obligations to maintain the lease, then said lessees shall designate in writing to the State Mineral and Energy Board the lessee representing the joint account of all lessees, who shall be accountable to the Board for discharge of indivisible obligations under the lease for all lessees or for release in lieu of compliance therewith, provided that in the event of failure of said lessees to comply with such condition, then the Board may withhold approval of and thereby deny validity to any pending or future assignment or transfer of an interest in the lease, and, provided further, that if any lessee should agree to release the lease or any segregated portion thereof in lieu of complying with an indivisible lease obligation to maintain the lease and no other lessee desires to assume and undertake the indivisible obligation, then all lessees agree to join in a release or to otherwise execute a similar release of their rights to lessor, relegating any nonsignatory lessee to such remedy, if any, as such party may have against the lessee or lessees, who may execute a release purporting to cover the entirety of the lease or of a segregated portion thereof;
- 4) That this approval is given merely for the purpose of validating the assignment or transfer under the provisions of R.S. 30:128, but by giving its approval, the Board does not recognize the validity of any other instrument referred to therein that has not also been considered and approved by the Board in its entirety nor of any descriptions nor adopt any of the terms and conditions in the assignment or transfer, including but not limited to any election to convert an overriding royalty interest to a working interest, and any such election shall not be effective until written notice thereof is given to the Board and assignment or transfer of such working interest in recordable form is docketed for approval and approved by the Board, and, furthermore, that this approval may not operate as the Board's approval of any sales contract, which may have been entered into by the parties to the assignment or transfer, inasmuch as the Board specifically reserves the right to take its royalty oil, gas and other minerals in kind;
- 5) That for purposes of recordation and notice, certified copies of this Resolution be attached to all docketed copies of the instrument approved hereby; and
- 6) That nothing herein shall be construed as approval for any assignment, sublease or transfer to or from any individual, partnership, corporation or other legal entity who has filed bankruptcy proceedings unless such status is specifically recognized in this resolution.

BE IT FURTHER RESOLVED that either the Chairman, Vice-Chairman or Secretary is hereby authorized to reflect the approval of the State Mineral and Energy Board by affixing his signature to the aforesaid instrument.

#### CERTIFICATE

I hereby certify that the above is a true and correct copy of a Resolution adopted at a meeting of the State Mineral and Energy Board held in the City of Baton Rouge, Louisiana, on the 9th day of December, 2020, pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Book of said Board and is now in full force and effect.



#### LOUISIANA STATE MINERAL AND ENERGY BOARD

## Resolution #20-12-009 (DOCKET)

On motion of Ms. LeBlanc, seconded by Mr. Harris, the following Resolution was offered and adopted:

BE IT RESOLVED by the State Mineral and Energy Board that Docket Item No. 3 from the December 9, 2020 meeting be approved, said being an Assignment from Six Pines Exploration, LLC to 1704 OX Bow, LLC, an undivided 2% of 8/8ths working interest in and to State Lease Nos. 21692, 21693, 21694 and 21695, Plaquemines Parish, Louisiana, with further particulars being stipulated in the instrument.

<u>Six Pines Exploration, LLC</u>, is designated as the joint account Lessee (contact company) pursuant to State Mineral and Energy Board Resolution dated September 10, 1975.

This approval is expressly granted and accepted subject to certain conditions in the absence of which conditions approval of said instrument would not have been given as follows:

- 1) That all terms and conditions of the basic lease will be fulfilled, including but not limited to the full payment of rentals and royalties, regardless of the division of leasehold interests resulting from the instrument;
- 2) That failure to comply with the terms and conditions of the basic lease by the original lessee, or by any assignee, sublessor or sublessee, prior or subsequent hereto, shall not be deemed waived by the approval of said instrument by the State Mineral and Energy Board for the State of Louisiana, it being distinctly understood that the State Mineral and Energy Board for the State of Louisiana does not recognize said instrument as creating a novation, as regards any right or interest of the State or Board:
- 3) That in the event ownership of the basic mineral lease is or becomes vested in two or more lessees responsible to the lessor for compliance with indivisible obligations to maintain the lease, then said lessees shall designate in writing to the State Mineral and Energy Board the lessee representing the joint account of all lessees, who shall be accountable to the Board for discharge of indivisible obligations under the lease for all lessees or for release in lieu of compliance therewith, provided that in the event of failure of said lessees to comply with such condition, then the Board may withhold approval of and thereby deny validity to any pending or future assignment or transfer of an interest in the lease, and, provided further, that if any lessee should agree to release the lease or any segregated portion thereof in lieu of complying with an indivisible lease obligation to maintain the lease and no other lessee desires to assume and undertake the indivisible obligation, then all lessees agree to join in a release or to otherwise execute a similar release of their rights to lessor, relegating any nonsignatory lessee to such remedy, if any, as such party may have against the lessee or lessees, who may execute a release purporting to cover the entirety of the lease or of a segregated portion thereof;
- 4) That this approval is given merely for the purpose of validating the assignment or transfer under the provisions of R.S. 30:128, but by giving its approval, the Board does not recognize the validity of any other instrument referred to therein that has not also been considered and approved by the Board in its entirety nor of any descriptions nor adopt any of the terms and conditions in the assignment or transfer, including but not limited to any election to convert an overriding royalty interest to a working interest, and any such election shall not be effective until written notice thereof is given to the Board and assignment or transfer of such working interest in recordable form is docketed for approval and approved by the Board, and, furthermore, that this approval may not operate as the Board's approval of any sales contract, which may have been entered into by the parties to the assignment or transfer, inasmuch as the Board specifically reserves the right to take its royalty oil, gas and other minerals in kind;
- 5) That for purposes of recordation and notice, certified copies of this Resolution be attached to all docketed copies of the instrument approved hereby; and
- 6) That nothing herein shall be construed as approval for any assignment, sublease or transfer to or from any individual, partnership, corporation or other legal entity who has filed bankruptcy proceedings unless such status is specifically recognized in this resolution.

BE IT FURTHER RESOLVED that either the Chairman, Vice-Chairman or Secretary is hereby authorized to reflect the approval of the State Mineral and Energy Board by affixing his signature to the aforesaid instrument.

#### CERTIFICATE

I hereby certify that the above is a true and correct copy of a Resolution adopted at a meeting of the State Mineral and Energy Board held in the City of Baton Rouge, Louisiana, on the 9th day of December, 2020, pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Book of said Board and is now in full force and effect.

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

# Resolution #20-012-010 (DOCKET)

On motion of <u>Ms. LeBlanc</u>, seconded by <u>Mr. Harris</u>, the following Resolution was offered and adopted:

BE IT RESOLVED by the State Mineral and Energy Board that Docket Item 20-08 from the December 9, 2020 meeting be approved, said instrument being An Operating Agreement for Hydrocarbon Storage by and between the State Mineral and Energy Board and Gulf South Pipeline Company, LLC, to create an Operating Tract for the purpose of introducing or injecting natural gas or other gases or vapors into that certain geological stratum or formation, generally known or referred to as the Pettit Formation, occurring between a depth of 5,030 feet and a depth of 5,430 feet beneath the surface in the general vicinity of Property A and Property B. (Property A and Property B described in attached instrument), affecting Underground Storage Lease Nos. 470 and 471, Lake Bistineau, Bienville and Bossier Parishes, Louisiana, with further particulars being stipulated in the instrument.

#### **CERTIFICATE**

I hereby certify that the above is a true and correct copy of a Resolution adopted at a meeting of the State Mineral and Energy Board held in the City of Baton Rouge, Louisiana, on the 9th day of December, 2020 pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Book of said Board and is now in full force and effect.

#### LOUISIANA STATE MINERAL AND ENERGY BOARD

# Resolution #20-012-011 (DOCKET)

On motion of *Ms. LeBlanc*, seconded by *Mr. Harris*, the following Resolution was offered and adopted:

BE IT RESOLVED by the State Mineral and Energy Board that Docket Item 20-09 from the December 9, 2020 meeting be approved, said instrument being a Settlement Agreement by and between the State of Louisiana and Michael Stirling Albritton, ASA Properties Limited Partnership, Succession of Andrew Striling Albritton, Succession of Ruth Taber Albritton, Alvin & Louise Albritton Memorial Fund, L.L.C., Alvin & Louise Albritton Memorial Fund II, L.L.C., Stirling Minerals, L.L.C., Albritton Investments, L.L.C. and Pintail Properties. Parties have reached a settlement in the Stroud Petroleum, Inc. Concursus, bearing Docket No. 34865, 39<sup>th</sup> Judicial Court, Parish of Red River, Louisiana, Chesapeake Louisiana, L.P. Concusus, bearing Docket No. 35565, 39<sup>th</sup> Judicial Court, Red River Parish, Louisiana, QEP Concursus, bearing Docket No. 35801, 39<sup>th</sup> Judicial Court, Red River Parish, Louisiana, Petrohawk Concursus, bearing Docket No. 35903, 39<sup>th</sup> Judicial Court, Red River Parish, Louisiana and the State Petition for Declaratory Judgment, bearing Docket No. 35809, 39<sup>th</sup> Judicial Court, Red River Parish, Louisiana, affecting State Lease Nos. 17936, 18820, 19181, 19182, 20079, 20080, 20081, 20166, 20167, 20168 and Operating Agreement Nos. A0340, A0341, A0342, A0344, A0345, A0346, A0348, A0349, A0351 and A0352, DeSoto and Red River Parishes, Louisiana, with further particulars being stipulated in the instrument.

#### **CERTIFICATE**

I hereby certify that the above is a true and correct copy of a Resolution adopted at a meeting of the State Mineral and Energy Board held in the City of Baton Rouge, Louisiana, on the 9th day of December, 2020 pursuant to due notice, at which meeting a quorum was present, and that said Resolution is duly entered in the Minute Book of said Board and is now in full force and effect.