

Jessica Benjamin  
55 Autumn Run Way  
Napa, CA 94558

November 30, 2020

Jim Halvorson  
Montana Board of Oil and Gas Conservation  
2535 St. Johns Ave.  
Billings, Montana, 59102  
[jhalvorson@mt.gov](mailto:jhalvorson@mt.gov)

Re: Docket No. 70-2020, Application of A&S Mineral Development Co., LLC to change operator from Anadarko Minerals, Inc.

Dear Mr. Halvorson,

I am submitting this letter in objection to the above-referenced application of A&S Mineral Development Co., LLC (A&S) for a change of operator and transfer of plugging and reclamation responsibility for various wells in Valley County, MT, from Anadarko Minerals, Inc. (AMI) .

I have a mineral ownership interest in certain of the wells subject to A&S' application and will be directly and adversely affected if the application is approved. Some years ago, AMI's predecessor in interest leased my mineral estate and operated wells pursuant to that oil and gas lease, however, that lease has expired and terminated. The lands covered by the expired lease are described in the attached Affidavit of Non-Production, Non-Payment and Forfeiture of Lease.

Since AMI no longer has a working interest in my property, or wells located thereon, it cannot transfer the wells to a third party. Moreover, neither it nor any third party may plug and reclaim the wells without my consent and cooperation. I have been able to learn very little about A&S except that it may be a subsidiary of the sovereign nations of the Assiniboine and Sioux Tribes. In any case, I have serious concerns about A&S' experience, ability, and commitment to assume AMI's plugging and reclamation obligations.

Moreover, the little information available to me about the bonding being proposed by A&S leads me to believe that it is insufficient to ensure plugging and reclamation of all 48 wells. I am apprehensive that the wells on my property will not be properly plugged and abandoned nor the lands reclaimed, and that I will have no further recourse against A&S.


AMI and A&S have excluded me from the application process. I only recently learned of it and have not had adequate time to prepare for it. I am an integral party to any plan for the wells located on my property – wells in which AMI no longer owns a working interest. I would greatly appreciate additional time to review and discuss the application with AMI and A&S, and learn about A&S and its plans for the wells. A

December hearing on the application is premature. Therefore, I respectfully request that you continue the application in Docket No. 70-2020 to the February 2021 hearing. Additionally, I respectfully request a more definite and detailed statement of the issues involved in the hearing. Alternatively, I respectfully request that after notice and hearing, the Board of Oil and Gas Conservation deny the application, and order any additional relief deemed necessary and appropriate.

I am available and would be delighted to discuss my concerns at your convenience. Please contact me by phone or email, as follows:

Phone: 559-776-9433  
Email: [jessicaflemming2020@gmail.com](mailto:jessicaflemming2020@gmail.com)

Sincerely,



Handwritten signature of Jessica Benjamin in cursive script.

Jessica Benjamin

Return to:  
Diamond Resources Co.  
P.O. Box 1938  
Williston, ND 58802

AFFIDAVIT OF NON-PRODUCTION, NONPAYMENT AND  
FORFEITURE OF LEASE

STATE OF WYOMING MONTANA )

COUNTY OF MONTGOMERY VALLEY )

Jessica Benjamin, as Trustee of the Justin Ruggles Testamentary Trust, being first duly sworn, on his oath deposes and says:

That Jessica Benjamin, as Trustee of the Justin Ruggles Testamentary Trust is the present owner of a part of the oil, gas and other minerals in and under the following described lands in Valley County, State of Montana, to wit:

Township 30 North, Range 45 East of the M.P.M.  
Section 15: W $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$

which land is described in an oil and gas lease executed by J.R. Ruggles, as Lessor, and Diamond Resources Co., as Lessee, recorded in Book 75 OGL, Page 567, in the office of the Clerk and Recorder of said county, AND

which land is described in an oil and gas lease executed by J.R. Ruggles, as Lessor, and Diamond Resources Co., as Lessee, recorded in Book 75 OGL, Page 555, in the office of the Clerk and Recorder of said county.

That since the date of said lease, there has been production established on said lands from producing oil and/or gas wells holding said lease beyond the primary term thereof.

That since March 31, 2020, no oil or gas has been produced from said well(s), no royalties have been paid for anything other than production prior to that date, no shut-in or rentals payments have been received, and affiants state that they have not at any time executed any extensions of said original lease, and that the same has expired under its own terms.

Affiants further state that by reason of noncompliance with the terms of said lease by lessee, its successors or assigns, affiants hereby declare said lease forfeited, and will not, by acceptance of royalty, rentals, or in any other manner, recognize the same as valid or existing lease.

Dated this 9<sup>th</sup> day of November, 2020.

Justin Ruggles Testamentary Trust

x Jessica Benjamin  
\_\_\_\_\_  
Jessica Benjamin, Trustee

STATE OF CALIFORNIA )  
 ) ss. ACKNOWLEDGMENT  
COUNTY OF CONTRA COSTA )

On this 9<sup>th</sup> day of November, 2020, before me, a notary public, personally appeared Jessica Benjamin, as Trustee of the Justin Ruggles Testamentary Trust to me known to be the person described in and who executed the foregoing instrument, and acknowledged to me that she executed the same as her free act and deed.

My Commission expires: 10/19/21

Notary Public

