

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>In re:</b>	§	<b>Chapter 11</b>
	§	
<b>MONTCO OFFSHORE, INC. and</b>	§	
<b>MONTCO OILFIELD</b>	§	<b>Case No. 17-31646</b>
<b>CONTRACTORS, LLC,</b>	§	
	§	
<b>Debtors.</b>	§	<b>(Jointly Administered)</b>

**NOTICE OF PERFECTION OF LIEN PURSUANT TO SECTION 546(b)**

COMES NOW Thomas Energy Services, LLC d/b/a Thomas Tools, LLC (“Thomas Tools”), and files this Notice pursuant to 11 U.S.C. § 546(b) of the perfection, maintenance or continuation of perfection of liens against the Debtor’s interest in mineral property as described herein, together with all hydrocarbons produced therefrom and proceeds of production, pursuant to the laws of the state of Louisiana and Texas. In support of this Notice, Thomas Tools will show the following:

1. Overview. Thomas Tools furnished goods, materials, supplies, machinery, equipment and labor under contract with the Debtor in connection with oil and gas operations conducted by Montco Offshore, Inc. (“Montco”) in the states of Louisiana and Texas for which Thomas Tools has not been paid. The principal indebtedness in connection with the unpaid amounts due and owing on the Debtor’s trade account with Thomas Tools is not less than \$996,857.91 after application of all credits; exclusive of contractual interest, attorneys’ fees and costs. Most of Thomas Tools’ claim is secured by the statutory mineral liens described below. Thomas Tools also has an unsecured claim for goods and services provided to Debtor. *See*

Thomas Tools' proof of claim for copies of invoices and other documents supporting its secured and unsecured claims.

2. Louisiana Lien Claims: Thomas Tools timely filed lien statements (the "Louisiana Liens") under §43 U.S.C.S. §1331 *et seq.* and La. R.S. 9:4861 *et seq.*, against the below-listed oil and gas wells and associated oil and gas leases, leasehold interests, property, equipment, oil and gas produced and proceeds thereof:

<b>County or Parish</b>	<b>Lease/Well *</b>	<b>Lien Amount</b>	<b>Date Lien Recorded</b>	<b>Recording Information</b>
St. Mary	Eugene Island 118 2	\$122,251.00	2/22/17	File No. 338672, Book 1501, Pg. 555
Cameron	West Cameron 580 A 5	\$151,832.85	2/22/17	File No. 340632 MB

The Louisiana Liens attach to and encumber the following interests:

- (i) The operating interest under which the operations giving rise to the claimant's privilege are conducted together with the interest of the lessee of such interest in the following:
  - a. Well, building, tank, leasehold pipeline, and other construction or facility on the well site.
  - b. Movable on a well site that is used in operations, other than a movable that is only transiently on the well site for repair, testing, or other temporary use.
  - c. Tract of land, servitude, and lease described in R.S. 9:4861(12)(c) covering the well site of the operating interest.
- (ii) The drilling or other rig (drilling platform) located at the well site of the operating interest if the rig is owned by the operator or by a contractor from whom the activities giving rise to the privilege emanate.
- (iii) The interest of the operator and participating lessee(s) in hydrocarbons produced from the operating interest and the interest of non-participating lessee(s) in hydrocarbons produced from that part of the operating interest subject to the privilege.

(iv) The proceeds received by, and the obligations owed to, a lessee from the disposition of hydrocarbons subject to the privilege.

(v) And upon any other property provided for in La. R.S. 9:4863.

See La R.S. 9:4861 *et seq.*

3. Texas Lien Claims: Thomas Tools timely filed lien statements (the “Texas Liens”) against the below-listed oil and gas wells and associated oil and gas leases, leasehold interests, property, equipment, oil and gas produced and proceeds thereof (the “Subject Property”):

<b>County or Parish</b>	<b>Lease/Well *</b>	<b>Lien Amount</b>	<b>Date Lien Recorded</b>	<b>Recording Information</b>
Brazoria	Galveston 343 A001	\$100,787.59	3/15/17	2017012564 MML
Galveston	Galveston 424C C1 & C5	\$615,220.77	2/22/17	2017011478

The Texas M&M Liens attach to and encumber (i) the subject well; (ii) the whole of such land or leasehold or lease for oil and gas purposes; (iii) the material, machinery and supplies furnished by the lien claimant; (iv) all other material, machinery and supplies used for mineral activities; (v) all personal property; (vi) all buildings; (vii) all appurtenances; (viii) all other oil, gas and water wells and pipelines located on the subject leases; (ix) the oil and gas produced from the subject leases; and (x) the proceeds from the sale thereof (collectively the “Texas Property”). See Tex. Prop. Code § 56.003; *Abella v. Knight Oil Tools*, 945 S.W.2d 847 (Tex. App.–Houston [1st Dist.] 1997, no writ). Further, to the extent Thomas Tools perfected its claim as a mineral subcontractor in accordance with the provisions of Chapter 56 of the Texas Property Code, the Texas Liens serve to trap, encumber and establish superior title to the funds which may otherwise be payable to the Debtor by a working interest owner (up to the amount of the lien claim) with

respect to the Subject Property. The Texas Liens extend to funds so trapped. A copy of the Texas Liens will be attached to Thomas Tools' Proof of Claim.

4. Real Property Interests Encumbered. The Texas Liens attach to and encumber 100% of the working interests (up to the amount of trapped funds) in the above-described Subject Property as well as (i) the interest of any working interest owners who recorded an assignment after the applicable mineral lien inception date; and (ii) the working interest of any owners without recorded assignments as of the applicable mineral lien inception date.

5. Notice. Thomas Tools may be required under applicable state law to file suit or take other actions to (i) perfect, maintain or continue perfection of its mineral liens or (ii) to foreclose its mineral liens. **Thomas Tools hereby gives notice in lieu of commencement of such actions to perfect, maintain or continue perfection of Thomas Tools' interest in the Subject Property pursuant to 11 U.S.C. § 546(b), including but not limited to the filing of a lawsuit to enforce and/or foreclose the Subject Lien. By virtue of this notice and applicable law, Thomas Tools demands adequate protection of its interests in the Subject Property.**

6. Further Information Available Upon Request. Any party in interest may obtain a copy of the Subject Lien by contacting:

Thomas Energy Services, LLC d/b/a Thomas Tools, LLC  
c/o Holly C. Hamm  
Snow Spence Green LLP  
2929 Allen Parkway Suite 2800  
Houston, TX 77019  
713-335-4808

7. Reservation of Rights. Thomas Tools reserves the right to supplement and/or amend this Notice. Thomas Tools further reserves all rights under applicable law.

Respectfully submitted,

By: /s/ Holly C. Hamm  
Holly C. Hamm  
State Bar No. 24036713  
2929 Allen Parkway, Suite 2800  
Houston, TX 77019  
(713) 335-4800  
(713) 335-4848 (Fax)  
ATTORNEYS FOR THOMAS ENERGY  
SERVICES, LLC D/B/A THOMAS  
TOOLS, LLC

**OF COUNSEL:**

**SNOW SPENCE GREEN LLP**  
2929 Allen Parkway, Suite 2800  
Houston, TX 77019  
(713) 335-4800  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 11, 2017 a true and correct copy of the foregoing pleading was served via CM/ECF to all parties authorized to receive electronic notice in this case.

By: /s/ Holly C. Hamm  
Holly C. Hamm