

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. 08-0325026

§ APPLICATION OF ELEVATION RESOURCES
§ LLC FOR FIELD TRANSFER OF CERTAIN
§ WELLS FROM THE EMMA (MISSISSIPPIAN)
§ FIELD, ANDREWS COUNTY, TEXAS TO THE
§ EMMA (BARNETT SHALE) FIELD, ANDREWS
§ COUNTY, TEXAS

April 6, 2020

NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Thursday, April 23, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Hearing- The purpose of the hearing is to allow the parties to present evidence and consider all issues of fact and law raised in or relevant to the Application. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. A statement of the matters asserted, and the nature of the Applicant's hearing request is in the attached Appendix A.
2. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this case.

Failure to Appear- **All parties, protestants or persons intending to participate at the hearing must attend the hearing.** Failure to appear at any prehearing conference or the hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., Tex. Gov't Code § 2001.056, 16 Tex. Admin. Code § 1.107.

Appearance at Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing must complete and file with Docket Services the enclosed Notice of Intent to Appear at Hearing Protest form at least **five business days** prior to the hearing date in this Notice of Hearing. **This form is required even if a prior written response was submitted to the previously issued "Notice of Application."** A copy of the form should be served on the Applicant and any other parties of record.

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to Tex. Nat. Res. Code title 3, subtitles A, B and C, Tex. Water Code chapters 26, 27 and 29, and Tex. Gov't Code chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- Tex. Nat. Res. Code, title 3, subtitles A, B and C;
- Commission rules in 16 Tex. Admin. Code chapters 1 and 3;
- Tex. Water Code chapters 26, 27 and 29; and
- Statutes and rules referenced in Appendix A, if any, of this Notice of Hearing.

Continuance of Hearing- Any request for continuance of this hearing must be filed in Docket Services **no later than five business days prior to the hearing date**. Copies of such request must be served to all parties shown on the service list. 16 Tex. Admin. Code § 1.45(a)(1).

Ex parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. Tex. Gov't Code § 2001.061, 16 Tex. Admin. Code § 1.7.

Written Transcript of the Hearing- If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing. Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Hearing Exhibits- All exhibits must be clearly marked and submitted in duplicate. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Audio/Visual Computer Presentations- All requests for setting up a presentation need to be made in writing no less than three business days prior to the hearing date. Please contact Docket Services to complete a Presentation Setup Help Desk Questionnaire Form.

Service List- The Applicant shall review this Notice of Hearing and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

This hearing is held to consider the application of Elevation Resources LLC for Field Transfer of certain wells, attached as Exhibit A, in the Emma (Mississippian) Field, Andrews County, Texas to the Emma (Barnett Shale) Field, Andrews County, Texas.

If you have questions regarding this Application, please contact the Applicant's representative, Frank Muser at (512) 617-3097. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the hearing process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the hearing to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Hearing in Oil and Gas Docket No. **08-0325026** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

ELEVATION RESOURCES LLC
200 N. LORAIN STE 1010
MIDLAND, TX 79701

FASKEN OIL AND RANCH, LTD
6101 HOLIDAY HILL ROAD
MIDLAND, TX 79707

XTO ENERGY INC.
ATT LAND MANAGER-LOC. 115
22777 SPRINGWOODS VILLAGE PKWY
SPRING, TX 77389

LIME ROCK RESOURCES IV-A, L.P.
1111 BAGBY STREET SUITE 4600
HOUSTON, TX 77002

ZARVONA ENERGY LLC
1001 MCKINNEY ST. SUITE 1800
HOUSTON, TX 77002-6334

FRANK MUSER
PGH ENGINEERS AND CONSULTANTS
REPRESENTATIVE FOR ELEVATION RESOURCES
8556 W HWY 290
AUSTIN TX 78736

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

On this the **6th** day of **April** 2020.

Joseph Menefe

Paralegal, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

A Copy of this Notice of Intent to Appear at Hearing must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be received by Docket Services at least five business days in advance of the hearing date.

APPLICANT: ELEVATION RESOURCES LLC (247759)
CASE/DOCKET NO.: 08-0325026
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Hearing as (Check one of the referenced party status):
___ **Applicant** ___ **Protestant** ___ **Observer** or ___ **In Support of Application** and states he/she
or his/her representative will appear and participate at the hearing.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear at Hearing form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation at the hearing): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)

_____ (print name)

_____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elect to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.

Exhibit A

PI No.	RRC Identifier	Well Name	Well Number
Zarvona Energy			
003-48110	DP# 854147	UNIVERSITY 1-31	2H
003-48078	DP# 852360	UNIVERSITY 1-30	4H
003-47937	DP# 846975	BIG MAX 13	1H
003-47876	DP# 843330	UNIVERSITY 1-3	7H
003-47875	DP# 843329	UNIVERSITY 1-3	5H
003-47874	DP# 843328	UNIVERSITY 1-3	3H
003-47873	DP# 843327	UNIVERSITY 1-3	1H
003-47812	Lse# 51652	UNIVERSITY 1 30	8H
003-47810	Lse# 51652	UNIVERSITY 1 30	6H
003-47809	DP# 839640	UNIVERSITY 1 37	3H
003-47808	DP# 839638	UNIVERSITY 1-37	1H
003-47729	Lse #51002	BIG MAX 1-1 UNIT	1H
003-47682	Lse #51472	UNIVERSITY 1-37 UNIT	4H
003-47580	Lse #51424	UNIVERSITY 1-37 UNIT A	6H
003-47571	Lse #48617	UNIVERSITY 1-36 UNIT	1H
003-47573	Lse #48617	UNIVERSITY 1-36 UNIT	3H
003-47431	Lse #48617	UNIVERSITY 1-36 UNIT	4H
003-47420	Lse #48617	UNIVERSITY 1-36 UNIT	6H
003-47340	Lse #48035	UNIVERSITY 1-30 UNIT	1H
003-47512	Lse #48617	UNIVERSITY 1-36 UNIT	2H
003-47574	Lse #48617	UNIVERSITY 1-36 UNIT	5H

API No.	RRC Identifier	Well Name	Well Number
Elevation Resources			
003-47760	Lse #51038	UL G 1-28 UNIT	2H
003-48080	DP# 852452	UL G 1-33 UNIT	3H
003-48084	DP# 852528	UL 1-33 UNIT	4H
003-48085	DP# 852958	UL G 1-33 UNIT	1H
003-48088	DP# 853533	UL G 1-27 A	1H
003-48089	DP# 853545	UL G 1-27B	2H
003-48172	DP# 856965	UL G 1-18 A	1H
003-48173	DP# 856975	UL G 1-18 B	2H
003-47935	DP #846871	UL G 1-15 S	5H
003-47936	DP #846873	UL G 1-15 S	6H
003-47978	DP #848648	UL G 10-25	1H
003-47624	DP #829956	UL G 9-35 UNIT	3H

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. 20-0325503

§ APPLICATION OF ATM ENERGY GROUP, LLC
§ (036608) FOR UNRESTRICTED RENEWAL OF
§ THE P-5 AND TO CONTEST THE STAFF
§ DETERMINATION THAT THE P-5 CANNOT BE
§ RENEWED DUE TO NON-COMPLIANCE WITH
§ THE INACTIVE WELL REQUIREMENTS OF
§ STATEWIDE RULE 15

April 6, 2020

NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Friday, May 8, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Hearing- The purpose of the hearing is to allow the parties to present evidence and consider all issues of fact and law raised in or relevant to the Application. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. A statement of the matters asserted and the nature of the Applicant's hearing request is in the attached Appendix A.
2. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this case.

Failure to Appear- All parties, protestants or persons intending to participate at the hearing must attend the hearing. Failure to appear at any prehearing conference or the hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., TEX. GOV'T CODE § 2001.056, 16 TEX. ADMIN. CODE § 1.107.

Appearance at Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing must complete and file with Docket Services the enclosed Notice of Intent to Appear at Hearing Protest form at least **five business days** prior to the hearing date in this Notice of Hearing. **This form is required even if a prior written response was submitted to the previously issued "Notice of Application."** A copy of the form should be served on the Applicant and any other parties of record.

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to TEX. NAT. RES. CODE title 3, subtitles A, B and C, TEX. WATER CODE chapters 26, 27 and 29, and TEX. GOV'T CODE chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- TEX. NAT. RES. CODE, title 3, subtitles A, B and C;
- Commission rules in 16 TEX. ADMIN. CODE chapters 1 and 3;
- TEX. WATER CODE chapters 26, 27 and 29; and
- Statutes and rules referenced in Appendix A, if any, of this Notice of Hearing.

Continuance of Hearing- Any request for continuance of this hearing must be filed in Docket Services **no later than five business days prior to the hearing date**. Copies of such request must be served to all parties shown on the service list. 16 TEX. ADMIN. CODE § 1.45(a)(1).

Ex parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. TEX. GOV'T CODE § 2001.061, 16 TEX. ADMIN. CODE § 1.7.

Written Transcript of the Hearing- **If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing.** Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Hearing Exhibits- All exhibits must be clearly marked and submitted in duplicate. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Service List- The Applicant shall review this Notice of Hearing and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

This hearing will be held to consider the application of ATM ENERGY GROUP, LLC or unrestricted renewal of its P-5 Organization Report and to contest the Staff determination that the P-5 renewal application of ATM ENERGY GROUP, LLC cannot be renewed due to failure to comply with the requirements of Statewide Rule 15 [16 Tex. Admin. Code §3.15].

Pursuant to 16 Texas Administrative Code § 1.111, the Commission requests that an official transcript of this proceeding be prepared by a Certified Shorthand Reporter, the cost of which is hereby assigned to ATM Energy Group, LLC, the Applicant. IT IS ATM ENERGY GROUP, LLC's RESPONSIBILITY TO ARRANGE FOR THE APPEARANCE OF THE CERTIFIED COURT REPORTER AND TO TIMELY PAY THE COST FOR PREPARATION OF THE TRANSCRIPT. Failure to do so may result in dismissal of the application for failure to prosecute in the interest of justice pursuant to 16 Tex. Admin. Code § 1.107. Please contact - Dave Howard, Court Reporter, of Dave Howard and Associates, at (512) 282-0313 or dave@howardreporters.com.

If you have questions regarding this Application, please contact the Applicant's representative, Robert Matzig, at (972) 467-0466. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the hearing process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the hearing to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Hearing in Oil and Gas Docket No. **20-0325503** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

ATM ENERGY GROUP, LLC
ROBERT MATZIG OR GEORGE MCGUIRT
STE 122 259
4020 N. MACARTHUR BLVD
IRVING, TX 75038

VAUGHAN RANCH PARTNERS
ATTN: ROSS L. VAUGHAN
906 TARRINGTON COURT
HOUSTON, TX 7724-3112

ATM ENERGY GROUP, LLC
ROBERT MATZIG, MANAGING MEMBER
100 N. FREEWAY STE 102-A
CONROE, TX 77301

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

TIM POE
LEGAL ENFORCEMENT SECTION
OFFICE OF GENERAL COUNSEL
RRC - AUSTIN
Via Intra-Agency Email

JENNIFER GILMORE
MANAGER
P-5 FINANCIAL ASSURANCE UNIT
RRC - AUSTIN
Via Intra-Agency Email

On this the **6th** day of April 2020.

Joseph Menefe

Paralegal, Hearings Division
Railroad Commission of Texas



HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

A Copy of this Notice of Intent to Appear at Hearing must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be received by Docket Services at least five business days in advance of the hearing date.

APPLICANT: ATM ENERGY GROUP, LLC. (036608)
CASE/DOCKET NO.: 20-0325503
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Hearing as (Check one of the referenced party status):
_____ **Applicant** _____ **Protestant** _____ **Observer** or _____ **In Support of Application** and states
he/she or his/her representative will appear and participate at the hearing.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear at Hearing form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation at the hearing): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)
 _____ (print name)
 _____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elects to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. OG-20-00002355	§ APPLICATION OF SN OPERATING, LLC § (797110) FOR AN EXCEPTION TO STATEWIDE § RULE 32 FOR THE HAUSSE J PAD (I, J, K, L) § LEASE, BRISCOE RANCH (EAGLEFORD) § FIELD, FRIO COUNTY, TEXAS, DISTRICT 01
Oil and Gas Docket No. OG-20-00002356	§ APPLICATION OF SN OPERATING, LLC § (797110) FOR AN EXCEPTION TO STATEWIDE § RULE 32 FOR THE HAUSSE LEASE, WELL § NOS. D1H, D2H, D3H, D4H, E2H, F3H, AND F4H, § BRISCOE RANCH (EAGLEFORD) FIELD, FRIO § COUNTY, TEXAS, DISTRICT 01
April 7, 2020	

JOINT NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Thursday, May 7, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Hearing- The purpose of the hearing is to allow the parties to present evidence and consider all issues of fact and law raised in or relevant to the Application. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. A statement of the matters asserted and the nature of the Applicant's hearing request is in the attached Appendix A.
2. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this case.

Failure to Appear- **All parties, protestants or persons intending to participate at the hearing must attend the hearing.** Failure to appear at any prehearing conference or the hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., Tex. Gov't Code § 2001.056, 16 Tex. Admin. Code § 1.107.

Appearance at Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing must complete and file with Docket Services the enclosed Notice of Intent to Appear at Hearing Protest form at least **five business days** prior to the hearing date in this

Notice of Hearing. **This form is required even if a prior written response was submitted to the previously issued "Notice of Application."** A copy of the form should be served on the Applicant and any other parties of record.

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to Tex. Nat. Res. Code title 3, subtitles A, B and C, Tex. Water Code chapters 26, 27 and 29, and Tex. Gov't Code chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- Tex. Nat. Res. Code, title 3, subtitles A, B and C;
- Commission rules in 16 Tex. Admin. Code chapters 1 and 3;
- Tex. Water Code chapters 26, 27 and 29; and
- Statutes and rules referenced in Appendix A, if any, of this Notice of Hearing.

Continuance of Hearing- Any request for continuance of this hearing must be filed in Docket Services **no later than five business days prior to the hearing date.** Copies of such request must be served to all parties shown on the service list. 16 Tex. Admin. Code § 1.45(a)(1).

Ex parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. Tex. Gov't Code § 2001.061, 16 Tex. Admin. Code § 1.7.

Written Transcript of the Hearing- **If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing.** Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Hearing Exhibits- All exhibits must be clearly marked and submitted in duplicate. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Audio/Visual Computer Presentations- All requests for setting up a presentation need to be made in writing no less than three business days prior to the hearing date. Please contact Docket Services to complete a Presentation Setup Help Desk Questionnaire Form.

Service List- The Applicant shall review this Notice of Hearing and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

Oil and Gas Docket No. OG-20-00002355- This hearing is held to consider the application of SN Operating, LLC (797110) for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Hausser J Pad (I,J,K,L) Lease, Briscoe Ranch (Eagleford) Field, Frio County, Texas; District 1.

Oil and Gas Docket No. OG-20-00002356- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Hausser (17183) Lease, Well Nos. D1H, D2H, D3H, E2H, F3H, and F4H, Briscoe Ranch (Eagle Ford) Field, Frio County, Texas; District 01.

If you have questions regarding this Application, please contact the Applicant's representative, Timothy George, at (512) 495-6047. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the hearing process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the hearing to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Joint Notice of Hearing in Oil and Gas Docket No. **OG-20-00002355 & OG-20-00002356** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

VIRTEX OPERATING COMPANY, INC.
SUITE 525 WF 168 615 N UPPER BROADWAY
CORPUS CHRISTI, TX 78401

US ENERGY DEVELOPMENT CORPORATION
1521 N. COOPER STREET, SUITE 400
ARLINGTON, TX 76011

EXCO OPERATING COMPANY, LP
12377 MERIT DRIVE SUITE 1700
DALLAS, TX 75251

AGERON ENERGY, LLC
1250 NE LOOP 410 SUITE 500
SAN ANTONIO, TX 78209

SN OPERATING LLC
ATTN: NIKI HECKER
1000 MAIN STREET, SUITE 3000
HOUSTON TX 77002

W. TIMOTHY GEORGE
MCGINNIS LOCHRIDGE
600 CONGRESS, SUITE 2100
AUSTIN TX 78701

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

On this the 7th day of **April** 2020.

Joseph Menefe

Docket Services, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

A Copy of this Notice of Intent to Appear at Hearing must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be received by Docket Services at least five business days in advance of the hearing date.

APPLICANT: SN OPERATING, LLC (797110)
CASE/DOCKET NO.: OG-20-00002355 & 2356
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Hearing as **(Check one of the referenced party status):**
____ ***Applicant*** ____ ***Protestant*** ____ ***Observer*** or ____ ***In Support of Application*** and states he/she
or his/her representative will appear and participate at the hearing.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear at Hearing form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation at the hearing): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)

_____ (print name)

_____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elect to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. OG-20-00002503	§ APPLICATION OF CUSTER & WRIGHT OPERATING, § INC. (195651) FOR AN EXCEPTION TO STATEWIDE § RULE 32 FOR THE BEN (70856) LEASE, PLATANG § (SAN ANDRES) FIELD, YOAKUM COUNTY, TEXAS; § DISTRICT 8A §
Oil and Gas Docket No. OG-20-00002504	§ APPLICATION OF CUSTER & WRIGHT OPERATING, § INC. (195651) FOR AN EXCEPTION TO STATEWIDE § RULE 32 FOR THE SIEBER (70557) LEASE, PLATANG § (SAN ANDRES) FIELD, YOAKUM COUNTY, TEXAS; § DISTRICT 8A

April 8, 2020

JOINT NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Wednesday, April 22, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Hearing- The purpose of the hearing is to allow the parties to present evidence and consider all issues of fact and law raised in or relevant to the Application. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. A statement of the matters asserted and the nature of the Applicant's hearing request is in the attached Appendix A.
2. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this case.

Failure to Appear- **All parties, protestants or persons intending to participate at the hearing must attend the hearing.** Failure to appear at any prehearing conference or the hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., Tex. Gov't Code § 2001.056, 16 Tex. Admin. Code § 1.107.

Appearance at Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing must complete and file with Docket Services the enclosed Notice of Intent to Appear at Hearing Protest form at least **five business days** prior to the hearing date in this Notice of Hearing. **This form is required even if a prior written response was submitted to the**

previously issued "Notice of Application." A copy of the form should be served on the Applicant and any other parties of record.

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to Tex. Nat. Res. Code title 3, subtitles A, B and C, Tex. Water Code chapters 26, 27 and 29, and Tex. Gov't Code chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- Tex. Nat. Res. Code, title 3, subtitles A, B and C;
- Commission rules in 16 Tex. Admin. Code chapters 1 and 3;
- Tex. Water Code chapters 26, 27 and 29; and
- Statutes and rules referenced in Appendix A, if any, of this Notice of Hearing.

Continuance of Hearing- Any request for continuance of this hearing must be filed in Docket Services **no later than five business days prior to the hearing date**. Copies of such request must be served to all parties shown on the service list. 16 Tex. Admin. Code § 1.45(a)(1).

Ex parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. Tex. Gov't Code § 2001.061, 16 Tex. Admin. Code § 1.7.

Written Transcript of the Hearing- If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing. Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Hearing Exhibits- All exhibits must be clearly marked and submitted in duplicate. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Audio/Visual Computer Presentations- All requests for setting up a presentation need to be made in writing no less than three business days prior to the hearing date. Please contact Docket Services to complete a Presentation Setup Help Desk Questionnaire Form.

Service List- The Applicant shall review this Notice of Hearing and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

Oil and Gas Docket No. OG-20-00002503- This hearing is held to consider the application of Custer & Wright Operating, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Ben (70856) Lease, Platang (San Andres) Field, in Yoakum County, Texas; District 8A.

Oil and Gas Docket No. OG-20-00002504- This hearing is held to consider the application of Custer & Wright Operating, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Sieber (70557) Lease, Platang (San Andres) Field, in Yoakum County, Texas; District 8A.

If you have questions regarding this Application, please contact the Applicant's representative, Rick Johnston, at (512) 380-0800. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the hearing process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the hearing to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Hearing in Oil and Gas Docket No. **OG-20-00002503 & OG-20-00002504** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

CUSTER & WRIGHT OPERATING, INC.
ATTN DUSTIN PETRAITIS
PO BOX 2334
MIDLAND TX 79702

RICK JOHNSTON
FOR CUSTER & WRIGHT OPERATING, INC.
940 EAST 51ST ST #103
AUSTIN TX 78751

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

On this the **8th** day of **April**, 2020.

Melissa Stovall

Docket Services, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

A Copy of this Notice of Intent to Appear at Hearing must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be received by Docket Services at least five business days in advance of the hearing date.

APPLICANT: CUSTER & WRIGHT OPERATING, INC. (195651)
CASE/DOCKET NO.: OG-20-00002503 & OG-20-00002504
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Hearing as **(Check one of the referenced party status):**
____ ***Applicant*** ____ ***Protestant*** ____ ***Observer*** or ____ ***In Support of Application*** and states he/she
or his/her representative will appear and participate at the hearing.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear at Hearing form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation at the hearing): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)

_____ (print name)

_____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elects to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. 02-0325701	§ APPLICATION OF EAGLE FORD RECLAMATION § COMPANY, LLC (238312) PURSUANT TO STATEWIDE § RULE 8 FOR A COMMERCIAL PERMIT TO OPERATE AN § OIL AND GAS WASTE STATIONARY TREATMENT AND § DISPOSAL FACILITY FOR THE EAGLE FORD § RECLAMATION COMPANY, LLC FACILITY, LIVE OAK § COUNTY, TEXAS
April 9, 2020	

NOTICE OF PREHEARING CONFERENCE

Date, Location, and Place of Hearing and Prehearing Conference- Notice is hereby given that a public prehearing conference will be held at **9:00 a.m. on Friday, May 1, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the prehearing conference is not concluded on the day it commences, it will be continued from day to day until concluded. **Notice is hereby given that a public hearing on the merits, if necessary, will be held at a time and date to be confirmed at the prehearing conference.**

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Prehearing Conference- The purpose of the prehearing conference is to allow the parties to present evidence and to consider all issues of fact and law referenced in attached Appendix A.

Purpose of Hearing on the Merits- The purpose of the hearing on the merits is to allow the parties to present evidence and to consider all issues of fact and law referenced in attached Appendix B.

Failure to Appear- All parties, protestants or persons intending to participate at the hearing must attend the prehearing conference and hearing. Failure to appear at a prehearing conference and a hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., Tex. Gov't Code § 2001.056, 16 Tex. Admin. Code § 1.107.

Appearance at Prehearing Conference and Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing or prehearing conference **must** complete and file with Docket Services the enclosed Notice of Intent to Appear form at least **five business days** prior to the hearing date and at least **five business days** prior to the prehearing conference date. **This form is required even if a prior written response was submitted to the previously issued "Notice of Application."** A copy of the Notice of Intent to Appear form should be served on the Applicant and any other parties of record. 16 TEX. ADMIN. CODE § 1.45(a)(1).

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to Tex. Nat. Res. Code title 3, subtitles A, B and C, Tex. Water Code chapters 26, 27 and 29, and Tex. Gov't Code chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- Tex. Nat. Res. Code, title 3, subtitles A, B and C;
- Tex. Water Code, chapters 26, 27 and 29;
- Commission rules in 16 Tex. Admin. Code chapters 1 and 3; and
- Statutes and rules referenced in Appendix A and B, if any.

Continuance of Prehearing Conference- Any request for continuance of the hearing or prehearing conference must be filed in Docket Services **no later than five business days prior to the hearing or prehearing conference date.** 16 Tex. Admin. Code § 1.105(a)(2). Copies of such request must be served to all parties shown on the service list.

Ex Parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. Tex. Gov't Code § 2001.061, 16 Tex. Admin. Code § 1.7.

Written Transcript of the Hearing- If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing. Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Exhibits- All exhibits must be clearly marked and submitted in duplicate to the examiners. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the prehearing conference or hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Audio/Visual Computer Presentations- Requests for setting up a presentation need to be made in writing **no less than three business days prior to the hearing or prehearing conference date.** Please contact Docket Services to complete a Presentation Setup Help Desk Questionnaire Form.

Service List- The Applicant shall review this Notice of Prehearing Conference and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

Purpose of Prehearing Conference-The purpose of the prehearing conference is to address matters preliminary to the hearing on the merits, including hearing any outstanding motions, establishing a hearing date and procedural schedule, and addressing other preliminary matters as determined by the examiners. Non-exclusive examples of motions that might be considered include motions to dismiss, motions regarding jurisdiction, motions regarding a party's standing and/or motions related to discovery. **All motions to be considered must be filed and served on all parties at least ten days before the prehearing conference.**

Pursuant to the Amended COVID-19 Emergency Response Order issued by the Director of the Hearings Division on March 23, 2020, the assigned Administrative Law Judge MAY ORDER THAT THE MATTER NOTICED HEREIN BE CONDUCTED REMOTELY BY TELEPHONE OR VIDEO CONFERENCE. Such order will be transmitted to the parties within a reasonable time prior to the matter noticed herein and will specify procedures for the pre-filing of evidence and participation in the hearing. If the persons noticed herein know of any reason or reasons why this matter must be held in person, please submit a written response to the Hearings Division within 10 days of the date of this notice.

Additionally, it is required that the enclosed Notice of Intent to Appear (or a copy thereof) be filed by each party for this case not later than five days prior to the matter noticed herein. Failure to do so by the applicant or complainant may lead to the hearing being canceled. In protested matters, failure by a protestant to timely file a Notice of Intent to Appear may result in dismissal of the protest.

APPENDIX B

Purpose of Hearing on the Merits- The purpose of this hearing is to consider the renewal and amendment application of Eagle Ford Reclamation Company, LLC (238312) for authority pursuant to 16 Tex. Admin. Code Chapter 3, §§ 3.8 and 3.78, and Chapter 4, subchapter B, to operate the Eagle Ford Reclamation Stationary Treatment Facility (STF), a commercial oil and gas waste management facility in Live Oak County, Texas, that will include facilities for receiving, storing, handling, treating, disposing, and recycling certain non-hazardous oil and gas wastes. Such facilities include collecting/receiving pits, a collecting/stockpile pit, a collecting/contact stormwater pit, disposal pits, and associated tanks, equipment, and operations (Permit Nos. STF-053, P011844, P011845, P011846, P011847, P012028, P012755, P012248, P012190, and P012845). The facility is situated on approximately 190 acres of land located southwest of U.S. Highway 281-A (Festus Doyle Survey No. 4, Abstract No. 6, Live Bee Land Subdivision No. 4, Block 16, Live Oak County) (Lat. 28.585687°, Long. -98.226812°) approximately nine miles north of Three Rivers, Texas. A draft permit, which includes a narrative description of the processes proposed to be conducted at the facility, is attached to this notice.

If you have questions regarding this Application, please contact the Applicant's representative, John Vay, at (512) 669-5069. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the prehearing conference process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the prehearing conference to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Prehearing Conference in Oil and Gas Docket No. **02-0325701** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

EAGLE FORD RECLAMATION CO LLC
3 WATERWAY SQUARE PL, STE 110
SPRING, TX 77380

R360 ENVIRON SOLUTIONS OF TX LLC
3 WATERWAY SQUARE PL, STE 550
SPRING, TX 77380

MR. JERRY L. HOUSE
P.O. BOX 452
COTULLA, TX 78014-0452

JOHN VAY
FOR EAGLE FORD RECLAMATION COMPANY, LLC
PO BOX 4711
LAGO VISTA TX 78645

MR. RODRIGO LOPEZ
179 N. HIGHWAY 281-A
THREE RIVERS, TX 78071

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

BERRY GP, INC.
1414 CORN PRODUCT RD
CORPUS CHRISTI, TX 78409-3020

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

MARTHA S. SHERFESEE PROP CO LTD
2402 HAMPSTEAD LN
WICHITA FALLS, TX 76308-1941

DOBIE RANCH
172 N. HIGHWAY 281-A
THREE RIVERS, TX 78071-2654

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

KWANITA RANCH LLC
33600 SMITHSON VALLEY ROAD
CEDAR PARK, TX 78613

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

HUEGLER FANNIE MAE ESTATE
C/O MARLENE HUEGLER
P.O. BOX 1403
THREE RIVERS, TX 78071-1403

On this the **9th** day of **April**, 2020.

Melissa Stovall

Docket Services, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR

A Copy of this Notice of Intent to Appear must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be *received* by Docket Services at least five business days in advance of the prehearing conference date and hearing date.

APPLICANT: EAGLE FORD RECLAMATION COMPANY, LLC (238312)
CASE/DOCKET NO.: 02-0325701
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Prehearing Conference as **(Check one of the referenced party status):** _____ *Applicant* _____ *Protestant* _____ *Observer* or _____ *In Support of Application*
and states he/she or his/her representative will appear and participate at the prehearing conference.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)

_____ (print name)

_____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elects to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. 08-0325944

§ APPLICATION OF MDC TEXAS OPERATOR
§ LLC (556511) FOR PERMANENT GAS WELL
§ CLASSIFICATION EFFECTIVE DATE OF
§ INITIAL COMPLETION FOR CERTAIN WELLS
§ IN THE PHANTOM (WOLFCAMP) FIELD,
§ REEVES COUNTY, TEXAS

April 9, 2020

NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Monday, April 27, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

Purpose of Hearing- The purpose of the hearing is to allow the parties to present evidence and consider all issues of fact and law raised in or relevant to the Application. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. A statement of the matters asserted and the nature of the Applicant's hearing request is in the attached Appendix A.
2. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this case.

Failure to Appear- **All parties, protestants or persons intending to participate at the hearing must attend the hearing.** Failure to appear at any prehearing conference or the hearing in this case may result in **dismissal of that party's claim or protest**, or default against that party/protestant and claims. See, e.g., Tex. Gov't Code § 2001.056, 16 Tex. Admin. Code § 1.107.

Appearance at Hearing- All persons or parties supporting, opposing or protesting this Application and intending to participate in the hearing must complete and file with Docket Services the enclosed Notice of Intent to Appear at Hearing Protest form at least **five business days** prior to the hearing date in this Notice of Hearing. **This form is required even if a prior written response was submitted to the previously issued "Notice of Application."** A copy of the form should be served on the Applicant and any other parties of record.

Legal Authority and Jurisdiction- The Commission has jurisdiction over Applicant and over the matters at issue in this proceeding pursuant to Tex. Nat. Res. Code title 3, subtitles A, B and C, Tex. Water Code chapters 26, 27 and 29, and Tex. Gov't Code chapter 2001.

Particular Statutes and Rules Involved- The statutes and rules applicable to this proceeding include but are not limited to the following:

- Tex. Nat. Res. Code, title 3, subtitles A, B and C;
- Commission rules in 16 Tex. Admin. Code chapters 1 and 3;
- Tex. Water Code chapters 26, 27 and 29; and
- Statutes and rules referenced in Appendix A, if any, of this Notice of Hearing.

Continuance of Hearing- Any request for continuance of this hearing must be filed in Docket Services **no later than five business days prior to the hearing date**. Copies of such request must be served to all parties shown on the service list. 16 Tex. Admin. Code § 1.45(a)(1).

Ex parte Communications Prohibited- Ex parte communications (e.g. phone calls and emails) with the examiners and Commissioners are prohibited. Tex. Gov't Code § 2001.061, 16 Tex. Admin. Code § 1.7.

Written Transcript of the Hearing- If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing. Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

Hearing Exhibits- All exhibits must be clearly marked and submitted in duplicate. If a party wants to offer an exhibit admitted in a prior proceeding, the party must provide a properly identified copy as an exhibit for the record in this proceeding. Additionally, if a court reporter is used, a copy of all exhibits must be given to the court reporter at the time of the hearing.

Auxiliary Aids or Services for Persons with a Disability- Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Commission's Docket Services by mail at P. O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6848 or TDD No. (800) 735-2989.

Audio/Visual Computer Presentations- All requests for setting up a presentation need to be made in writing no less than three business days prior to the hearing date. Please contact Docket Services to complete a Presentation Setup Help Desk Questionnaire Form.

Service List- The Applicant shall review this Notice of Hearing and the attached Certificate of Service for accuracy and completeness and shall immediately notify Docket Services of any discrepancy or omission.

APPENDIX A

This hearing is held to consider the application of MDC Texas Operator LLC for Permanent Gas Well Classification, effective date of initial Completion, for the following wells in the Phantom (Wolfcamp) Field, Reeves County, Texas.

API	RRC District Number	Lease No.	Lease Name	Well No.	Field No.	Field Name
38937636	08	46211	Copperhead 23	2H	71052900	PHANTOM (WOLFCAMP)
38937635	08	46211	Copperhead 23	4H	71052900	PHANTOM (WOLFCAMP)
38935724	08	47777	American Pharoah	2H	71052900	PHANTOM (WOLFCAMP)
38937403	08	49761	Affirmed 6	5H	71052900	PHANTOM (WOLFCAMP)
38937426	08	50326	War Admiral 24	5H	71052900	PHANTOM (WOLFCAMP)
38937186	08	50442	Smarty Jones 26	5H	71052900	PHANTOM (WOLFCAMP)
38937190	08	50442	Smarty Jones 26	6H	71052900	PHANTOM (WOLFCAMP)
38937191	08	50442	Smarty Jones 26	7H	71052900	PHANTOM (WOLFCAMP)
38937314	08	50447	Pickpocket 21	4H	71052900	PHANTOM (WOLFCAMP)
38936496	08	51170	Special Effort 18	1H	71052900	PHANTOM (WOLFCAMP)
38937239	08	51540	Sir Barton 24	1H	71052900	PHANTOM (WOLFCAMP)
38937164	08	51555	A Classic Dash 18	1H	71052900	PHANTOM (WOLFCAMP)
38937216	08	51607	Whirlaway 24	4H	71052900	PHANTOM (WOLFCAMP)
38937445	08	51836	State California Chrome 27	3H	71052900	PHANTOM (WOLFCAMP)
38937299	08	51836	State California Chrome 27	8HM	71052900	PHANTOM (WOLFCAMP)
38937300	08	51836	State California Chrome 27	9H	71052900	PHANTOM (WOLFCAMP)
38937577	08	52123	Runaway Ghost 23	2H	71052900	PHANTOM (WOLFCAMP)
38937584	08	52173	Repent 23	1HM	71052900	PHANTOM (WOLFCAMP)
38936459	08	52617	Big Brown 15	1H	71052900	PHANTOM (WOLFCAMP)

38937442	08	50674	California Chrome 27	4H	71052900	PHANTOM (WOLFCAMP)
38937443	08	50674	California Chrome 27	5H	71052900	PHANTOM (WOLFCAMP)
38937444	08	50674	California Chrome 27	6H	71052900	PHANTOM (WOLFCAMP)
38937709	08	50674	California Chrome 27	10H	71052900	PHANTOM (WOLFCAMP)
38937710	08	50674	California Chrome 27	12H	71052900	PHANTOM (WOLFCAMP)

If you have questions regarding this Application, please contact the Applicant's representative, James M. Clark, at (512) 415-4191. If you have any questions regarding the hearing procedure, please contact Docket Services at (512) 463-6848 or at Room 12-123. Additional information about the hearing process can be found at www.rrc.texas.gov/hearings.

To access the Commission's Statewide Rules, start from the Commission's Home Page, click on "General Counsel" (upper right side of page) and follow the path: Rules, Current Rules, T.A.C. Chapter 3, Rule Number.

Check the Weekly Hearing Schedule on the Commission website at: <http://www.rrc.texas.gov/hearings/hearing-schedules/> the day prior to the hearing to confirm that it will go forward as scheduled.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Hearing in Oil and Gas Docket No. **08-0325944** was served on each of the persons named below by depositing same in the United States Mail, Inter-Agency Mail, or Inter-Agency E-Mail, as follows:

ABRAXAS PETROLEUM
CORPORATION
18803 MEISNER DR
SAN ANTONIO, TX 78258

ADVANCE ENERGY PARTNERS,
LLC
11490 WESTHEIMER RD STE 950
HOUSTON, TX 77077

ALCON H2OIL LLC
1809 S PARK
PECOS, TX 79772

AMTEX ENERGY, INC.
P O BOX 3418
MIDLAND, TX 79702

ANADARKO E&P ONSHORE LLC
ATTN KELLEY MONTGOMERY
5 GREENWAY PLAZA SUITE 110
HOUSTON, TX 77046

APACHE CORPORATION
2000 POST OAK BLVD NO 100
HOUSTON, TX 77056

APC WATER HOLDINGS 1, LLC
ATTN BERTHA NEFE
P O BOX 1330
HOUSTON, TX 77251-1330

BOYD, D. K. OIL AND GAS CO.,
INC.
3317 ANDREWS HWY
MIDLAND, TX 79703

BPX OPERATING COMPANY
1700 PLATTE ST
DENVER, CO 80202

BREITBURN OPERATING L.P.
ATTN REGULATORY DEPT
1111 BAGBY STREET STE 1600
HOUSTON, TX 77002

BTA OIL PRODUCERS, LLC
104 S PECOS
MIDLAND, TX 79701

CALLON (PERMIAN) LLC
2000 W SAM HOUSTON
PARKWAY S STE 2000
HOUSTON, TX 77042

CALLON PETROLEUM
OPERATING CO
2000 W SAM HOUSTON PKWY S
STE 2000
HOUSTON, TX 77042

CAPROCK FIELD SERVICES LLC
PO BOX 5889
MIDLAND, TX 79704

CARRIZO (PERMIAN) LLC
2000 W SAM HOUSTON
PARKWAY SUITE 2000
HOUSTON, TX 77042

CENTENNIAL RESOURCE PROD,
LLC
1001 17TH STREET SUITE 1800
DENVER, CO 80202

CHEVRON MIDCONTINENT, L.P.
6301 DEAUVILLE BLVD
MIDLAND, TX 79706

CHEVRON U. S. A. INC.
6301 DEAUVILLE BLVD
MIDLAND, TX 79706

CIMAREX ENERGY CO.
ATTN GENE HOLLOWAY
202 S CHEYENNE AVE STE 1000
TULSA, OK 74103

COG OPERATING LLC
600 W ILLINOIS AVE
MIDLAND, TX 79701

COLGATE OPERATING, LLC
300 N MARIENFELD ST STE 1000
MIDLAND, TX 79701

CONOCOPHILLIPS COMPANY
ATTN CHARLENE WINSTON
PO BOX 2197
HOUSTON, TX 77252

CONTANGO RESOURCES, INC.
717 TEXAS AVE SUITE 2900
HOUSTON, TX 77002

DBM WATER SERVICES, LLC
ATTN BERTHA NEFE
P O BOX 1330
HOUSTON, TX 77251-1330

DIAMONDBACK E&P LLC
500 W TEXAS AVE STE 1200
MIDLAND, TX 79701-4203

ENCORE PERMIAN OPERATING,
LLC
P.O. BOX 1113
MIDLAND, TX 79702

ENDEAVOR ENERGY
RESOURCES L.P.
110 N MARIENFELD ST STE 200
MIDLAND, TX 79701

EOG RESOURCES, INC.
ATTN TIM VOGLER
PO BOX 4362
HOUSTON, TX 77210-4362

FELIX ENERGY HOLDINGS II,
LLC
FELIX ENERGY
1530 16TH ST SUITE 500
DENVER, CO 80202

HALCON OPERATING CO., INC.
1000 LOUISIANA ST SUITE 6600
HOUSTON, TX 77002

HEADINGTON ENERGY
PARTNERS, LLC
1700 N REDBUD BLVD STE 400
MCKINNEY, TX 75069

HEXP OPERATING, LLC
113 CORPORATE DRIVE
MIDLAND, TX 79705

IMPETRO OPERATING LLC
201 MAIN STREET STE 700
FORT WORTH, TX 76102

INDEPENDENCE RESOURCES
MGMT, LLC
11450 COMPAQ CENTER W DR
STE 470
HOUSTON, TX 77070-1445

JAGGED PEAK ENERGY LLC
303 COLORADO ST STE 3000
AUSTIN, TX 78701

LUXE OPERATING LLC
BLDG 5 SUITE 150
6500 RIVER PLACE BLVD
AUSTIN, TX 78730

M.A.C. RESOURCES INC.
PO BOX 19
BARSTOW, TX 79719

MANTI TARKA PERMIAN OP, LLC
TWO RIVERWAY STE 1100
HOUSTON, TX 77056

MATADOR PRODUCTION
COMPANY
ONE LINCOLN CENTRE
5400 LBJ FREEWAY STE 1500
DALLAS, TX 75240

MECO IV, LLC
1200 17TH STREET SUITE 975
DENVER, CO 80202

MEWBOURNE OIL COMPANY
BOX 7698
TYLER, TX 75711

MUSTANG SWD OPERATING,
LLC
SUITE 270
5910 N CENTRAL EXPRESSWAY
DALLAS, TX 75206

NGL WATER SOLUTIONS
PERMIAN, LLC
901 TRADEWINDS BLVD STE A &
B
MIDLAND, TX 79706

NOBLE ENERGY INC
1001 NOBLE ENERGY WAY
HOUSTON, TX 77070

OASIS PETROLEUM PERMIAN
LLC
1001 FANNIN STREET STE 1500
HOUSTON, TX 77002

OCCIDENTAL PERMIAN LTD.
ATTN KELLEY MONTGOMERY
PO BOX 4294
HOUSTON, TX 77210

OXY USA INC.
ATTN KELLEY MONTGOMERY
5 GREENWAY PLAZA SUITE 110
HOUSTON, TX 77046

PARSLEY ENERGY
OPERATIONS, LLC
303 COLORADO STE 3000
AUSTIN, TX 78701

PCORE EXPLORATION & PROD II
LLC
602 PARK POINT DR STE 200
GOLDEN, CO 80401

PDC PERMIAN, INC.
1775 SHERMAN ST STE 3000
DENVER, CO 80203

PEARL RESOURCES
OPERATING CO.LLC
118 PAUL REVERE DR
HOUSTON, TX 77024

POINT ENERGY PARTNERS
PETRO, LLC
300 THROCKMORTON ST STE
620
FORT WORTH, TX 76102

PROREX ENERGY, LLC
PO BOX 921
KILGORE, TX 75663

REPUBLIC EES, LLC
SUITE 300
10613 WEST SAM HOUSTON
PKWY N
HOUSTON, TX 77064

RESOLUTE NATURAL RES. CO.,
LLC
ATTN GENE HOLLOWAY
202 S CHEYENNE AVE STE 1000
TULSA, OK 74103

RIO OIL AND GAS (PERMIAN) II,
LLC
3 WATERWAY SQUARE PLACE
SUITE 500
THE WOODLANDS, TX 77380

ROBERTSON RESOURCES, INC.
P O BOX 9415
MIDLAND, TX 79708

ROSEHILL OPERATING
COMPANY, LLC
ATTN ALEX BOLANOS
REGULATORY
16200 PARK ROW STE 300
HOUSTON, TX 77084

SHELL WESTERN E&P
PO BOX 576
HOUSTON, TX 77001

SHERIDAN PRODUCTION
COMPANY, LLC
1360 POST OAK BLVD, STE 2500
HOUSTON, TX 77056-3030

SIMATA ENERGY, LLC
PO BOX 8303
MIDLAND, TX 79708

TALL CITY OPERATIONS III LLC
PO BOX 10729
MIDLAND, TX 79702

U.S. ENERGY DEVELOPMENT
CORP
1521 N. COOPER ST SUITE 400
ARLINGTON, TX 76011

UPCURVE ENERGY, LLC
9811 KATY FREEWAY SUITE 975
HOUSTON, TX 77024

VELOCITY WATER SOLUTIONS,
LP
100 CONGRESS AVE STE 2000
AUSTIN, TX 78701

WATERBRIDGE TEXAS
OPERATING LLC
840 GESSNER SUITE 100
HOUSTON, TX 77024

WOLF ENERGY, INC.
1304 N BIG SPRINGS
MIDLAND, TX 79701

WPX ENERGY PERMIAN, LLC
3500 ONE WILLIAMS CENTER
MD-35
TULSA, OK 74172

WYCO OIL & GAS LLC
PO BOX 12367
ODESSA, TX 79768-2367

XTO ENERGY INC.
ATTN LAND MANAGER-LOC. 115
22777 SPRINGWOODS VILLAGE
PKWY
SPRING, TX 77389

T-POST PRODUCTION, LLC
PO BOX 351
WINK, TX 78789

TITUS OIL & GAS PRODUCTION,
LLC
420 THROCKMORTON ST., STE
1150
FORT WORTH, TX 76102

MDC TEXAS OPERATOR LLC
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MIDLAND, TX 79705

JAMES M. CLARK, P.E.
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1805 PALMWOOD COVE
AUSTIN, TX 78757

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN
Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN
Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL
PERMITTING
RRC - AUSTIN
Via Intra-Agency Email

On this the **9th** day of **April**, 2020.

Melissa Stovall

Docket Services, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

A Copy of this Notice of Intent to Appear at Hearing must be mailed to the Applicant and to Docket Services, P.O. Drawer 12967, Austin, TX 78711-2967. It must be received by Docket Services at least five business days in advance of the hearing date.

APPLICANT: MDC TEXAS OPERATOR LLC (556511)
CASE/DOCKET NO.: 08-0325944
STATUS NO.:

_____, representing _____,
(Print Name) (Print Name)
hereby enters this Notice of Intent to Appear at Hearing as **(Check one of the referenced party status):**
____ ***Applicant*** ____ ***Protestant*** ____ ***Observer*** or ____ ***In Support of Application*** and states he/she
or his/her representative will appear and participate at the hearing.

I further certify that, as of today's date, I have mailed or delivered a copy of this Notice of Intent to Appear at Hearing form to the Applicant at the address shown in the Certificate of Service.

Signature Date
Telephone: Area Code: (____) _____

Email Address: _____
(OPTIONAL - If provided, e-mail address will become part of this public record; See TEX. GOV'T CODE § 552.137)

TIME ESTIMATE (total required for your presentation at the hearing): _____

ADDRESS TO WHICH NOTICE WAS SENT:

_____ Is correct _____ Is incorrect and should be corrected to:

Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

(Print Name)

Street City State Zip Code



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

CONSENT TO ELECTRONIC SERVICE AND NOTIFICATION OF DOCUMENTS, RULINGS, DECISIONS, AND ORDERS

Effective September 1, 2015, Section 2001.142 (Notification of Decisions and Orders) of the Texas Government Code was amended to allow a state agency to notify each party to a contested case of any decision or order of the agency, if agreed to by the party to be notified, by electronic means sent to the current e-mail address of the party's attorney of record or of the party if the party is not represented by counsel. Tex. Gov't Code § 2001.142(a)(2).

Current rules of the Railroad Commission of Texas ("Commission") require the Commission to serve "a pleading or document" by "hand-delivering a copy to the person to be served, or by first class, certified, or registered mail, commercial delivery service, fax, email, or by such other manner as the Commission may require." Commission Practice and Procedure rules, §1.45(e)(2) and §1.45(b). According to §1.45(b)(1)(D), "Service by email may be used if the person to be served consents to be served by email pursuant to §1.27 or §1.32 of this title (relating to Parties and Authorized representatives, and Form and Content of Pleadings, respectively). If the person consents to be served by email, the person affirmatively consents to the release and disclosure of the email address. Email service is complete on the date of the email transmission. An email received after 5 p.m. local time of the recipient shall be deemed served on the following business day."

Completion of this form is optional

In lieu of service and notification by mail, _____ (party name or attorney) on behalf of _____ hereby agrees and consents to electronic service and notification of all documents, rulings, decisions, and orders from the Railroad Commission of Texas in Docket No. _____ by the following electronic means:

[] E-mail at: _____

Authorized by:

_____ (signature)

_____ (print name)

_____ (firm)

By requesting electronic service, all orders, proposals for decision, and other documents and communications to me in this docket will be provided to me by e-mail at the address set forth above. I will no longer receive paper copies of any documents in this docket. I also understand and agree that it is my responsibility to inform Docket Services and other parties of any changes to my e-mail address. By accepting the terms of this service my e-mail address will be shown on the service list of this docket and available to the Commission, other parties and will become part of this public record; See Tex Gov't Code §552.137. I am responsible for ensuring that my e-mail filters and settings allow the delivery of e-mails from the RRC and all other parties to this case. **If the pleading contains 10 or fewer pages including exhibits, it may be filed by fax, email, or other approved electronic transmission with the Docket Services Section.** If a party or authorized representative elects to file a pleading by email, the party or authorized representative agrees to be served by email and affirmatively consents to the release and disclosure of the email address.