

RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION

Oil and Gas Docket No. 08-0322549	§	APPLICATION OF PRIMEXX OPERATING CORPORATION
	§	(677852) FOR AN EXCEPTION TO STATEWIDE RULE 32
	§	FOR VARIOUS LEASES, VARIOUS WELLS, WOLFBONE
	§	(TREND AREA) AND HOEFS T-K (WOLFCAMP) FIELDS,
	§	REEVES COUNTY, TEXAS
	§	
Oil and Gas Docket No. 08-0322579	§	APPLICATION OF PRIMEXX OPERATING CORPORATION
	§	(677852) FOR AN EXCEPTION TO STATEWIDE RULE 32
	§	FOR THE BLANCO UNIT 224-223W LEASE, WELL NO. 1H,
	§	AND THE MEATLOAF 50 LEASE, WELL NO. 1H, HOEFS T-
December 31, 2019	§	K (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS

**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 Monday, January 13, 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](mailto: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. 08-0322549-** This hearing is held to consider the application of Primexx Operating Corporation for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the following leases and wells, Wolfbone (Trend Area) Field and Hoefs T-K (Wolfcamp) Field, in Reeves County, Texas.

### **Well Name and Administrative Permit Number**

Angelina Unit 302-303W #2H	49778
Angelina Unit 302-303E #9H	Pending
Angelina Unit 302-303E #10H	Pending
Armadrilla State Unit 20-21E #10H	51245
Bell Unit 213 A #5H and #9H	40970
Campbell 802H and 803H	50775
Neches Unit 178-179W #1H	49736
Pedernales 293 #1H	49848
Vass Unit 13-14 #1H and #10H	49652
Zacate Unit 151-152W #1H	49582

**Oil and Gas Docket No. 08-0322579-** This hearing is held to consider the application of Primexx Operating Corporation for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Blanco Unit 224-223W Lease, Well No. 1H, and the Meatloaf 50 Lease, Well No. 1H, Hoefs T-K (Wolfcamp) Field, Reeves County, Texas.

If you have questions regarding this Application, please contact the Applicant's representative, Olga Kobzar, at (512) 495-6300. 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](http://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. **08-00322549 & 08-0322579** 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:

PRIMEXX OPERATING  
CORPORATION  
4849 GRENVILLE AVE STE 1600  
DALLAS TX 75206

BP AMERICA PRODUCTION  
COMPANY  
ATTN JEANINE HALLER-  
PISKURICH  
15377 MEMORIAL DRIVE  
HOUSTON TX 77079

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

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

COLGATE OPERATING, LLC  
303 W WALL STREET SUITE 700  
MIDLAND TX 79701

CONOCOPHILLIPS COMPANY  
ATTN CHARLENE WINSTON  
PO BOX 2197  
HOUSTON TX 77252

EAGLE OIL & GAS CO.  
5950 BERKSHIRE LANE STE 1100  
DALLAS TX 75225

FLAT CREEK RESOURCES, LLC  
777 MAIN STREET STE 3600  
FORT WORTH TX 76102

INDIAN WELLS OIL COMPANY  
PO BOX 11365  
MIDLAND TX 79702

NEWPORT PETROLEUMS INC  
4625 GRENVILLE AVE STE202  
DALLAS TX 75206

RAND ENERGY COMPANY  
2500 TANGLEWILDE SUITE 106  
HOUSTON TX 77063

SARAGOSA FIELD SERVICES,  
LLC  
4849 GRENVILLE AVE STE 1600  
DALLAS TX 75206

TALL CITY OPERATIONS III LLC  
PO BOX 10729  
MIDLAND TX 79702

TEJAS PERMIAN OPERATING,  
LLC  
PO BOX 10912  
MIDLAND TX 79702

TEXACO E & P INC.  
11111 S WILCREST  
HOUSTON TX 77099

TEXACO INC.  
P.O.BOX 3109  
MIDLAND TX 79702

WAGNER & BROWN LTD  
PO BOX 1714  
MIDLAND TX 79702

WILLIAMS, CLAYTON ENERGY,  
INC.  
1001 NOBLE ENERGY INC  
HOUSTON TX 77070

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

OLGA KOBZAR  
FOR PRIMEXX OPERATING  
COMPANY  
303 COLORADO ST STE 2400  
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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: PRIMEXX OPERATING CORPORATION (677852)  
CASE/DOCKET NO.: 08-0322549 & 08-0322579  
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. 08-0321340

§ APPLICATION OF FELIX ENERGY HOLDINGS  
§ II, LLC (265322) FOR AN EXCEPTION TO  
§ STATEWIDE RULE 32 FOR THE CLOVERDALE  
§ 9696-F FACILITY, PHANTOM (WOLFCAMP)  
§ FIELD, WARD COUNTY, TEXAS

December 31, 2019

**NOTICE OF HEARING**

**Date, Location, and Place of Hearing-** Notice is hereby given that a public hearing will be held at **9:00 a.m. on Thursday, January 16, 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](mailto: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 Felix Energy Holdings II, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Cloverdale 9696-F Facility, Phantom (Wolfcamp) Field, in Ward County, Texas.

If you have questions regarding this Application, please contact the Applicant's representative, Davin McGinnis, at (512) 495-6300. 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](http://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. **08-0321340** 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:

KRISTINA BULLARD  
PO BOX 26  
KERMIT TX 79745

JOHN Q AND KATHERINE ERSKINE  
PO BOX 146  
WINK TX 79789-0146

DAVIN MCGINNIS  
FOR FELIX ENERGY HOLDINGS II LLC  
303 COLORADO ST STE 2400  
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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: FELIX ENERGY HOLDINGS II, LLC (265322)  
CASE/DOCKET NO.: 08-0321340  
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. 08-0323474	§ COMMISSION CALLED HEARING AT THE REQUEST OF § OXY USA INC. (630591) TO SHOW CAUSE WHY THE P-4 § CERTIFICATE OF SERVICE SHOULD NOT BE CANCELLED § AND THE PIPELINE OR OTHER CARRIER CONNECTION § SEVERED FOR THE BLOCK 31 UNIT (51135) LEASE, December 31, 2019 § BLOCK 31 (PENN. 7620) FIELD, CRANE COUNTY, TEXAS
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**NOTICE OF HEARING**

**Date, Location, and Place of Hearing-** Notice is hereby given that a public hearing will be held at **9:00 a.m. on Thursday, January 16, 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](mailto: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 at the request of OXY USA Inc., to contest the Notice of Intent to Cancel P-4 Certificate of Compliance and to Sever Pipeline or other Carrier Connection for the Block 31 Unit (51135) Lease, Block 31 (Penn. 7620) Field, Crane County, Texas.

If you have questions regarding this Application, please contact the Applicant's representative, Doug Dashiell, at (512) 495-6300. 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](http://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. **08-0323474** 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:

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

DOUG J. DASHIELL  
SCOTT DOUGLASS & MCCONNICO LLP  
FOR OXY USA INC.  
303 COLORADO ST., SUITE 2400  
AUSTIN, TEXAS 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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: OXY USA INC. (630591)  
CASE/DOCKET NO.: 08-0323474  
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-19-00001326	§ APPLICATION OF GORDY OIL COMPANY (317150)
	§ FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR
	§ THE CASA DRAGONES-STATE LEASE, WELL NO. 1H,
	§ AND THE LUCHA-STATE LEASE, WELL NO. 1H,
	§ (COMMINGLING PERMIT NO. 9078) WOLFBONE
	§ (TREND AREA) FIELD, PECOS COUNTY, TEXAS;
	§ DISTRICT 08
	§
Oil and Gas Docket No. OG-19-00001327	§ APPLICATION OF GORDY OIL COMPANY (317150)
	§ FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR
	§ THE ROCKER LEASE, WELL NO. 1H, AND THE LOW
	§ RIDER LEASE, WELL NO. 1H, (COMMINGLING PERMIT
	§ NO. 8840), WOLFBONE (TREND AREA) FIELD, PECOS
December 31, 2019	§ COUNTY, TEXAS; DISTRICT 08

**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, January 16, 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](mailto: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-19-00001326-** This hearing is held to consider the application of Gordy Oil Company for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Casa Dragones-State Lease, Well No. 1H, and the Lucha-State Lease, Well No. 1H, Commingling Permit No. 9078, Wolfbone (Trend Area) Field, Pecos County, Texas; District 08.

**Oil and Gas Docket No. OG-19-00001327-** This hearing is held to consider the application of Gordy Oil Company for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Rocker Lease, Well No. 1H, and the Low Rider Lease, Well No. 1H, Commingling Permit No. 8840, Wolfbone (Trend Area) Field, Pecos County, Texas; District 08.

If you have questions regarding this Application, please contact the Applicant's representative, Dale Miller, at (512) 478-3456. 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](http://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-19-00001326 & OG-19-00001327** 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:

GORDY OIL COMPANY  
ATTN: BERNICE LARY  
100 WAUGH DRIVE, SUITE 400  
HOUSTON TX 77007

MILLER CONSULTING INC.  
ATTN: DALE E. MILLER  
FOR GORDY OIL COMPANY  
1000 WEST AVE  
AUSTIN TX 78701-2019

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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: GORDY OIL COMPANY (317150)  
CASE/DOCKET NO.: OG-19-00001326 & OG-19-00001327  
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-19-00001297

§ APPLICATION OF MAXIMUS OPERATING,  
§ LTD. (534465) FOR A MER ALLOWABLE FOR  
§ THE BRADIE O. HOPPER LEASE, WELL NO. 2,  
§ LORETTA ROSE (PALUXY) FIELD, SMITH  
§ COUNTY, TEXAS; DISTRICT 06

December 31, 2019

**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 Tuesday, January 14, 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](mailto: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 Maximus Operating, Ltd. for a MER allowable for the Bradie O. Hopper Lease, Well No. 2, Loretta Rose (Paluxy) Field, Smith County, Texas; District 06.

Applicant also requests that the balance of accumulated overproduction for the subject lease be cancelled as of the first of the month after the issuance of the Final Order.

If you have questions regarding this Application, please contact the Applicant's representative, George Neale, at (512) 477-1976. 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](http://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-19-00001297** 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:

MAXIMUS OPERATING, LTD.  
PO BOX 1706  
LONGVIEW TX 75606

MR. CHARLES ORR  
PO BOX 1706  
LONGVIEW TX 75606

GEORGE C. NEALE  
FOR MAXIMUS OPERATING, LTD.  
PO BOX 1945  
AUSTIN TX 78767

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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: MAXIMUS OPERATING, LTD. (534465)  
CASE/DOCKET NO.: OG-19-00001297  
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-19-00001869

December 31, 2019

§ APPLICATION OF SEA EAGLE FORD, LLC  
§ (760785) FOR AN EXCEPTION TO STATEWIDE  
§ RULE 32 FOR THE JUSTIN TOM 01 (15749)  
§ LEASE, EAGLEVILLE (EAGLE FORD-1) FIELD,  
§ ATASCOSA COUNTY, TEXAS; DISTRICT 01  
§

**NOTICE OF HEARING**

**Date, Location, and Place of Hearing-** Notice is hereby given that a public hearing will be held at **9:00 a.m. on Wednesday, January 15, 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](mailto: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 Sea Eagle Ford, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Justin Tom 01 (15749) Lease, Eagleville (Eagle Ford-1) Field, Atascosa County, Texas; District 01.

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](http://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-19-00001869** 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:

SEA EAGLE FORD, LLC  
1050 17TH ST STE 700  
DENVER, CO 80265

TEAL OPERATING, LLC  
8235 DOUGLAS AVE., STE 1100  
DALLAS, TX 75225

MARATHON OIL EF LLC  
5555 SAN FELIPE ST, RM 3510  
HOUSTON, TX 77056

MURPHY EXPL. & PROD. CO. – USA  
9805 KATY FREEWAY, STE. G200  
HOUSTON, TX 77024

PIONEER NATURAL RES. USA, INC.  
5205 N. O'CONNOR BLVD, STE 200  
IRVING, TX 75039

FRANK MUSER  
PGH ENGINEERS & CONSULTANTS  
FOR SEA EAGLE FORD, LLC  
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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: SEA EAGLE FORD, LLC (760785)  
CASE/DOCKET NO.: OG-19-00001869  
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-19-00001324	§ APPLICATION OF GORDY OIL COMPANY (317150)
	§ FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR
	§ THE CAZADORES-STATE LEASE, WELL NO. 1H, AND
	§ THE MILAGRO-STATE LEASE, WELL NO. 1H,
	§ (COMMINGLING PERMIT NO. 9079), WOLFBONE
	§ (TREND AREA) FIELD, PECOS COUNTY, TEXAS;
	§ DISTRICT 08
	§
Oil and Gas Docket No. OG-19-00001325	§ APPLICATION OF GORDY OIL COMPANY (317150)
	§ FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR
	§ THE FAMILY RESERVE-STATE LEASE, WELL NO. 1H,
	§ WOLFBONE (TREND AREA) FIELD, PECOS COUNTY,
December 31, 2019	§ TEXAS; DISTRICT 08

**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, January 15, 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](mailto: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-19-00001324-** This hearing is held to consider the application of Gordy Oil Company for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Cazadores-State Lease, Well No. 1H, and the Milagro-State Lease, Well No. 1H, Commingling Permit No. 9079, Wolfbone (Trend Area) Field, Pecos County, Texas; District 08.

**Oil and Gas Docket No. OG-19-00001325-** This hearing is held to consider the application of Gordy Oil Company for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Family Reserve-State Lease, Well No. 1H, Wolfbone (Trend Area) Field, Pecos County, Texas; District 08.

If you have questions regarding this Application, please contact the Applicant's representative, Dale Miller, at (512) 478-3456. 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](http://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-19-00001324 & OG-19-00001325** 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:

GORDY OIL COMPANY  
ATTN: BERNICE LARY  
100 WAUGH DRIVE, SUITE 400  
HOUSTON TX 77007

MILLER CONSULTING INC.  
ATTN: DALE E. MILLER  
FOR GORDY OIL COMPANY  
1000 WEST AVE  
AUSTIN TX 78701-2019

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***

DAVID RANDLE  
ENGINEER  
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 **31st** day of **December**, 2019.

***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: GORDY OIL COMPANY (317150)  
CASE/DOCKET NO.: OG-19-00001324 & OG-19-00001325  
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-19-00001875	§	APPLICATION OF DACO OPERATING LLC (196936)
Tracking No. 50408	§	PURSUANT TO STATEWIDE RULE 46 FOR A
	§	COMMERCIAL PERMIT TO INJECT FLUID INTO A
	§	RESERVOIR PRODUCTIVE OF OIL OR GAS FOR THE
	§	WEST PECOS LEASE, WELL NO. 2, REEVES-BLOCK 4
	§	(DEL. 4430) FIELD, REEVES COUNTY, TEXAS;
	§	DISTRICT 08
	§	
Oil and Gas Docket No. OG-19-00001876	§	APPLICATION OF DACO OPERATING LLC (196936)
Tracking No. 50407	§	PURSUANT TO STATEWIDE RULE 46 FOR A
	§	COMMERCIAL PERMIT TO INJECT FLUID INTO A
	§	RESERVOIR PRODUCTIVE OF OIL OR GAS FOR THE
	§	WEST PECOS LEASE, WELL NO. 1, REEVES-BLOCK 4
	§	(DEL. 4430) FIELD, REEVES COUNTY, TEXAS;
January 2, 2020	§	DISTRICT 08

**JOINT 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 Thursday, January 16, 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](mailto: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.**

## APPENDIX B

### **Purpose of Hearing on the Merits-**

**Oil and Gas Docket No. OG-19-00001875-** The purpose of this hearing is to consider the application of Daco Operating LLC for a commercial permit to dispose of oil and gas waste by injection for the West Pecos Lease, Well No. 2, Reeves-Block 4 (Del. 4430) Field, Reeves County, Texas, pursuant to 16 Tex. Admin. Code § 3.46. If granted, the permit will allow injection into a porous formation productive of oil or gas. The proposed location is approximately 6.1 miles southwest of Pecos, Texas. The application seeks authority to inject a maximum volume of 30,000 barrels per day of saltwater, and other non-hazardous oil and gas waste into the subsurface depth interval from 4,300 to 7,850 feet within the Delaware formation.

One or more seismic events have been recorded within the Area of Investigation (AOI), a circular area 100 square miles around this well.

**Oil and Gas Docket No. OG-19-00001876-** The purpose of this hearing is to consider the application of Daco Operating LLC for a commercial permit to dispose of oil and gas waste by injection for the West Pecos Lease, Well No. 1, Reeves-Block 4 (Del. 4430) Field, Reeves County, Texas, pursuant to 16 Tex. Admin. Code § 3.46. If granted, the permit will allow injection into a porous formation productive of oil or gas. The proposed location is approximately 6.9 miles southwest of Pecos, Texas. The application seeks authority to inject a maximum volume of 30,000 barrels per day of saltwater, and other non-hazardous oil and gas waste into the subsurface depth interval from 4,300 to 7,850 feet within the Delaware formation.

One or more seismic events have been recorded within the Area of Investigation (AOI), a circular area 100 square miles around this well.

If you have questions regarding this Application, please contact the Applicant's representative, Dale Miller, at (512) 478-3456. 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](http://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. **OG-19-00001875 & OG-19-00001876** 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:

DACO OPERATING, LLC  
PO BOX 64442  
LUBBOCK TX 79464

AVA GERKE  
PO BOX 44  
PECOS, TX 79772

PDC PERMIAN INC  
ATTN: SYDNEY SMITH  
1775 N SHERMAN ST. STE 3000  
DENVER CO 80203

MCELROY SULLIVAN MILLER &  
WEBER LLP  
KELLI KENNEY  
FOR PDC PERMIAN  
PO BOX 12127  
AUSTIN TX 78711

CENTENNIAL RESOURCE PROD  
1001 17TH ST STE 1800  
DENVER CO 80202

LUXE ENERGY  
6500 RIVER PLACE BLVD. BLDG 5  
STE 150  
AUSTIN TX 78730

PECOS RAIL TERMINAL LLC  
3207 S SAM HOUSTON PKWY E.  
STE 100  
HOUSTON TX 77047

PETROHAWK PROPERTIES LP  
1360 POST OAK BLVD STE 150  
HOUSTON TX 77056

LAYNE CHRISTENSEN COMPANY  
1800 HUGHES LANDING BLVD  
STE 800  
THE WOODLANDS TX 77380

ARRIS DELAWARE BASIN LLC  
950 17TH ST STE 1050  
DENVER CO 80202

GHMR OPERATIONS LLC  
4413 CAREY ST  
FT WORTH TX 76119

MICHAEL E GERKE  
7009 KING RANCH RD  
ODESSA TX 79765

REEVES COUNTY CLERK  
DIANNE O. FLOREZ  
P. O. BOX 867  
100 E. 4TH STREET, ROOM 101  
PECOS, TEXAS 79772

DALE MILLER  
FOR DACO OPERATING LLC  
1000 WEST AVE  
AUSTIN TX 78701-2019

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***

DAVID RANDLE  
ENGINEER  
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 **2nd** day of **January**, 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: DACO OPERATING LLC (196936)  
CASE/DOCKET NO.: OG-19-00001875 & OG-19-00001876  
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. OG-19-00001228

§ APPLICATION OF NOBLE ENERGY INC. (611665)  
§ FOR AN INCREASED NET GOR AND TO CANCEL  
§ OVERPRODUCTION FOR THE TIGGER 39-40 A  
§ LEASE AND THE TIGGER 39-40 A-1 LEASE,  
§ WOLFBONE (TREND AREA) FIELD, REEVES  
§ COUNTY, TEXAS; DISTRICT 08

January 3, 2020

**NOTICE OF HEARING**

**Date, Location, and Place of Hearing-** Notice is hereby given that a public hearing will be held at **9:00 a.m.** on **Friday, January 17, 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](mailto: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 Noble Energy Inc. for an increased Net GOR and to cancel overproduction for the Tigger 39-40 A Lease and the Tigger 39-40 A-1 Lease, Wolfbone 9Trend Area) Field, in Reeves County, Texas; District 08.

If you have questions regarding this Application, please contact the Applicant's representative, Kelli Kenney, at (512) 327-8111. 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](http://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-19-00001228** 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:

NOBLE ENERGY INC  
1001 NOBLE ENERGY WAY  
HOUSTON, TX 77070

COG OPERATING LLC  
600 W ILLINOIS AVE  
MIDLAND, TX 79701

JAGGED PEAK ENERGY LLC  
1401 LAWRENCE ST STE 1800  
DENVER, CO 80202

ARABELLA OPERATING, LLC  
509 PECAN ST STE 200  
FORT WORTH, TX 76102-4070

COLGATE OPERATING, LLC  
303 W WALL STREET STE 700  
MIDLAND, TX 79701

KEM ENERGY, INC.  
515 SOUTH FRY ROAD NO. 406  
KATY, TX 77450

BLUE DARTER ENERGY, LLC  
325 OVERDALE CT  
SUNNYVALE, TX 75182

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

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

BLUESTONE NATURAL RES. II,  
LLC  
2 WEST 2ND STREET STE 1700  
TULSA, OK 74103

DISCOVERY OPERATING, INC.  
2600 MOCKINGBIRD LANE  
MIDLAND, TX 79705

MDC TEXAS OPERATOR LLC  
24 SMITH RD SUITE 501A  
MIDLAND, TX 79705

BPX OPERATING COMPANY  
1700 PLATTE ST  
DENVER, CO 80202

ELK RIVER RESOURCES, LLC  
PO BOX 52070  
MIDLAND, TX 79710

OXY USA WTP LP  
KELLEY MONTGOMERY  
PO BOX 4294  
HOUSTON, TX 77210

CAIRD OPERATING, LLC  
P O BOX 100038  
FORT WORTH, TX 76185

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

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

CAMBRIAN MANAGEMENT, LTD.  
PO BOX 272  
MIDLAND, TX 79702

ENERGY TRANSFER COMPANY  
ATTN KIMBERLY FITZHENRY  
1300 MAIN STREET  
HOUSTON, TX 77002

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

CAPROCK FIELD SERVICES LLC  
PO BOX 5889  
MIDLAND, TX 79704

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

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

CARRIZO (PERMIAN) LLC  
ATTN REGULATORY  
DEPARTMENT  
500 DALLAS ST SUITE 2300  
HOUSTON, TX 77002

FLAT CREEK RESOURCES, LLC  
777 MAIN STREET SUITE 3600  
FORT WORTH, TX 76102

PERISCOPE OPERATING LLC  
115 E VIRGINIA ST SUITE 201  
MCKINNEY, TX 75069

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

GARY PERMIAN, LLC  
1515 WYNKOOP ST SUITE 700  
DENVER, CO 80202

PETROPLEX ENERGY INC.  
P O BOX 3082  
MIDLAND, TX 79702

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

GORDY OIL COMPANY  
100 WAUGH DRIVE SUITE 400  
HOUSTON, TX 77007

PRI OPERATING, LLC  
110 WEST LOUISIANA STE 500  
MIDLAND, TX 79701

HALCON OPERATING CO., INC.  
1801 CALIFORNIA ST STE 3500  
DENVER, CO 80202

PRIMEXX OPERATING  
CORPORATION  
4849 GREENVILLE AVE STE 1600  
DALLAS, TX 75206

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

SARAGOSA FIELD SERVICES,  
LLC  
4849 GREENVILLE AVE SUITE  
1600  
DALLAS, TX 75206

TALL CITY BRINE LLC  
203 W WALL STREET SUITE 700  
MIDLAND, TX 79701

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

TEAKWOOD OPERATING LLC  
P O BOX 50272  
MIDLAND, TX 79710

THRONE DELAWARE  
RESOURCES, LLC  
2530 ELDORADO PARKWAY STE  
200  
MCKINNEY, TX 75072

TRINITY ENVIRO SWD I, L.L.C.  
BLDG 2 SUITE 210 6300  
BRIDGEPOINT PKWY  
AUSTIN, TX 78730

VAQUERO OPERATING  
P O BOX 519  
FT STOCKTON, TX 79735

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

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

KELLI TIEKEN KENNEY  
MCELROY, SULLIVAN, MILLER &  
WEBER L.L.P.  
FOR NOBLE ENERGY INC.  
1201 SPYGLASS DR. STE 200  
AUSTIN, TX 78746

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***

DAVID RANDLE  
ENGINEER  
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 3rd day of January, 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: NOBLE ENERGY INC. (611665)  
CASE/DOCKET NO.: OG-19-00001228  
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-19-00001052	§	APPLICATION OF CCI EAST TEXAS UPSTREAM LLC
	§	(120023) PURSUANT TO STATEWIDE RULE 46 FOR A
Tracking No. 50938	§	PERMIT TO INJECT FLUID INTO A RESERVOIR
	§	PRODUCTIVE OF OIL OR GAS FOR THE
January 3, 2020	§	WOOLWORTH SWD LEASE, WELL NO. 1, CARTHAGE
	§	(PETTIT, LOWER GAS) FIELD, PANOLA COUNTY, TEXAS; DISTRICT 06

**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, January 17, 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](mailto: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.**

## APPENDIX B

**Purpose of Hearing on the Merits**- The purpose of this hearing is to consider the application of CCI East Texas Upstream LLC for a permit to dispose of oil and gas waste by injection for the Woolworth SWD Lease, Well No. 1, Carthage (Pettit, Lower Gas) Field, Panola County, Texas, pursuant to 16 Tex. Admin. Code § 3.9. If granted, the permit will allow injection into a porous formation not productive of oil or gas. The proposed location is approximately 6.6 miles southeast of Carthage, Texas. The application seeks authority to inject a maximum volume of 12,000 barrels per day of salt water, and other non-hazardous oil and gas waste into the subsurface depth interval from 5700 to 5950 feet within the Pettit formation.

If you have questions regarding this Application, please contact the Applicant's representative, Mickey Olmstead, at (512) 327-8111. 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](http://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. **OG-19-00001052** 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:

CCI EAST TEXAS UPSTREAM LLC  
ATTN CHRISSY SCHAFFNER  
811 MAIN STREET SUITE 1500  
HOUSTON TX 77002

SHERIDAN PRODUCTION COMPANY  
ATTN: JUSTIN MAYHALL  
1360 POST OAK BLVD STE 2500  
HOUSTON TX 77056

JOHN HICKS  
FOR SHERIDAN PRODUCTION COMPANY  
303 COLORADO ST STE 2400  
AUSTIN TX 78701

PANOLA COUNTY CLERK  
110 S. SYCAMORE, ROOM 201  
CARTHAGE, TX 75633

MICKEY OLMSTEAD  
FOR CCI EAST TEXAS UPSTREAM LLC  
PO BOX 12127  
AUSTIN TX 78711

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***

DAVID RANDLE  
ENGINEER  
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 **3rd** day of **January**, 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: CCI EAST TEXAS UPSTREAM LLC (120023)  
CASE/DOCKET NO.: OG-19-00001052  
STATUS NO.: 50938

\_\_\_\_\_, 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. OG-19-00001872	§ APPLICATION OF WATERBRIDGE TEXAS
Tracking No. 51530	§ OPERATING LLC (900329) PURSUANT TO
	§ STATEWIDE RULE 9 FOR A COMMERCIAL PERMIT
	§ TO INJECT FLUID INTO A POROUS FORMATION NOT
January 3, 2020	§ PRODUCTIVE OF OIL OR GAS FOR THE RUSK SWD
	§ LEASE, WELL NO. 1, WOLFBONE (TREND AREA)
	§ FIELD, REEVES COUNTY, TEXAS; DISTRICT 08

**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 **1:30 p.m. on Friday, January 17, 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](mailto: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.**

## APPENDIX B

**Purpose of Hearing on the Merits**- The purpose of this hearing is to consider the application of Waterbridge Texas Operating LLC for a commercial permit to dispose of oil and gas waste by injection for the Rusk SWD Lease, Well No. 1, Wolfbone (Trend Area) Field, Reeves County, Texas, pursuant to 16 Tex. Admin. Code § 3.9. If granted, the permit will allow injection into a porous formation not productive of oil or gas. The proposed location is approximately 15.3 miles northwest of Toyah, Texas. The application seeks authority to inject a maximum volume of 20,000 barrels per day of salt water, and other non-hazardous oil and gas waste into the subsurface depth interval from 2850 to 5850 feet within the Delaware formation.

One or more seismic events have been recorded within the Area of Investigation (AOI), a circular area 100 square miles around this well.

If you have questions regarding this Application, please contact the Applicant's representative, John Soule, at (512) 495-6300. 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](http://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. **OG-19-00001872** 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:

WATERBRIDGE TEXAS OPERATING LLC  
840 GESSNER  
SUITE 100  
HOUSTON TX 77024

APACHE CORPORATION  
ATTN: ROGER MOTLEY, RPL  
17802 IH-10 WEST, SUITE 300  
SAN ANTONIO, TX 78257

RANDY EARLEY  
FOR APACHE CORPORATION  
17802 IH 10 WEST  
SAN ANTONIO TX 78257

ED ARMSTRONG RANCHES LP  
PO BOX 51510  
MIDLAND TX 79710

DALTEX MUNN ASSOCIATES  
PO BOX 51510  
MIDLAND TX 79710

BRAD M BENNETT  
PO BOX 51510  
MIDLAND TX 79710

TEXAS PACIFIC LAND TRUST  
1700 PACIFIC AVE STE 2770  
DALLAS TX 75201

REEVES COUNTY CLERK  
DIANNE O. FLOREZ  
P. O. BOX 867  
100 E. 4TH STREET, ROOM 101  
PECOS, TEXAS 79772

JOHN SOULE  
FOR WATERBRIDGE TEXAS OPERATING LLC  
303 COLORADO ST STE 240  
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***

DAVID RANDLE  
ENGINEER  
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 **3rd** day of **January**, 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: WATERBRIDGE TEXAS OPERATING LLC (900329)  
CASE/DOCKET NO.: OG-19-00001872  
STATUS NO.: 51530

\_\_\_\_\_, 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. OG-19-00001771	§	APPLICATION OF FED OPERATING LLC (264211)
	§	PURSUANT TO STATEWIDE RULE 9 FOR A
Tracking No. 51573	§	COMMERCIAL PERMIT TO DISPOSE OF OIL AND GAS
	§	WASTE BY INJECTION INTO A POROUS FORMATION
	§	NOT PRODUCTIVE OF OIL OR GAS FOR THE
January 3, 2020	§	NEANDER SWD LEASE, WELL NO. 1, SPRABERRY
	§	(TREND AREA) FIELD, MARTIN COUNTY, TEXAS;
	§	DISTRICT 08

**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 **1:30 p.m.** on **Thursday, January 16, 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](mailto: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.**

## APPENDIX B

**Purpose of Hearing on the Merits**- The purpose of this hearing is to consider the application of FED Operating LLC for a commercial permit to dispose of oil and gas waste by injection for the Neander SWD Lease, Well No. 1, Spraberry (Trend Area) Field, in Martin County, Texas, pursuant to 16 Tex. Admin. Code § 3.9. If granted, the permit will allow injection into a porous formation not productive of oil or gas. The proposed location is approximately 6 miles southwest of Knott, Texas. The application seeks authority to inject a maximum volume of 35,000 barrels per of saltwater into the subsurface depth interval from 11,500 to 13,000 feet within the Ellenburger formation.

If you have questions regarding this Application, please contact the Applicant's representative, Paul Cockerham, at (432) 400-2913. 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](http://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. **OG-19-00001771** 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:

FED OPERATING LLC  
1208 W WALL ST  
MIDLAND TX 79701

MARTIN COUNTY CLERK  
P.O. BOX 906  
STANTON, TX 79782

JAN SOUTH  
FOR ENDEAVOR ENERGY RESOURCES  
110 N MARIENFELD ST STE 200  
MIDLAND TX 79701

PAUL COCKERHAM  
FOR FED OPERATING LLC  
1208 W WALL ST  
MIDLAND TX 79701

STEPHANIE POTTER  
FOR PERRY PRODUCING COMPANY INC  
NAMAN HOWELL SMITH & LEE  
8310 N. CAPITAL OF TX HWY STE 490  
AUSTIN TX 78731

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

CROWNQUEST OPERATING LLC  
PO BOX 53310  
MIDLAND TX 79710

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

JOYE BETH HOWARD  
PO BOX 1205  
LAMESA TX 79331

DAVID RANDLE  
ENGINEER  
FIELD OPERATIONS  
RRC - AUSTIN  
***Via Intra-Agency Email***

CALVIN HUGHES  
114605 N US HWY 87  
ACKERLY TX 79713

LARRY & VIETIA ROMINE  
4149 CR A 3300  
BIG SPRING TX 79720

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

On this the **3rd** day of **January**, 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: FED OPERATING LLC (264211)  
CASE/DOCKET NO.: OG-19-00001771  
STATUS NO.: 51573

\_\_\_\_\_, 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. OG-19-00001291

§ APPLICATION OF PIONEER NATURAL  
§ RESOURCES USA, INC. (665748) FOR AN  
§ EXCEPTION TO STATEWIDE RULE 32 FOR THE  
§ STIMSON 20 BATTERY AND THE GLASS 7  
§ BATTERY, SPRABERRY (TREND AREA) FIELD,  
§ MARTIN COUNTY, TEXAS; DISTRICT 08

January 3, 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 Tuesday, January 15, 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](mailto: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 Pioneer Natural Resources USA, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Stimson 20 Battery and the Glass 7 Battery, Spraberry (Trend Area) Field, Martin County, Texas; District 08.

If you have questions regarding this Application, please contact the Applicant's representative, Kelli Kenney, at (512) 327-8111. 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](http://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-19-00001291** 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:

PIONEER NATURAL RESOURCES USA, INC.  
ATTN WELDON PIERSON  
5205 N. O'CONNOR BLVD SUITE 200  
IRVING, TX 75039-3746

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

DE3 OPERATING LLC  
3724 HULEN STREET  
FORT WORTH, TX 76107

CITATION OIL & GAS CORP.  
P O BOX 690688  
HOUSTON, TX 77269

ARKLAND PRODUCING CO., INC.  
600 N MARIENFELD SUITE 903  
MIDLAND, TX 79701

DISCOVERY OPERATING, INC.  
2600 MOCKINGBIRD LANE  
MIDLAND, TX 79705

PRIME OPERATING COMPANY  
9821 KATY FRWY STE 1050  
HOUSTON, TX 77024

COG OPERATING LLC  
600 W ILLINOIS AVE  
MIDLAND, TX 79701

RELIANCE ENERGY, INC.  
300 N MARIENFELD SUITE 1100  
MIDLAND, TX 79701

MERIT ENERGY COMPANY  
13727 NOEL ROAD SUITE 1200  
DALLAS, TX 75240

PARKER & PARSLEY DEVELOPMENT CO.  
P O BOX 3178  
MIDLAND, TX 79702

KELLI T. KENNEY  
MCELROY SULLIVAN MILLER & WEBER  
FOR PIONEER NATURAL RESOURCES USA, INC.  
PO BOX 12127  
AUSTIN, TX 78711

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***

DAVID RANDLE  
ENGINEER  
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 **3rd** day of **January**, 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: PIONEER NATURAL RESOURCES USA, INC. (665748)  
CASE/DOCKET NO.: OG-19-00001291  
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.