

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

Oil and Gas Docket No. OG-19-00001952	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR THE TBK UNIT (10828) LEASE,
	§	EAGLEVILLE (EAGLE FORD-2) FIELD, KARNES
	§	COUNTY, TEXAS; DISTRICT 02
	§	
Oil and Gas Docket No. OG-19-00001953	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR SILVERCHAIR UNIT (11697) LEASE,
	§	EAGLEVILLE (EAGLE FORD-2) FIELD, KARNES
	§	COUNTY, TEXAS; DISTRICT 02
	§	
Oil and Gas Docket No. OG-19-00001954	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR SHINEDOWN UNIT (11698 & 10098)
	§	LEASES, SUGARKANE (AUSTIN CHALK) FIELD AND
	§	EAGLEVILLE (EAGLE FORD-2) FIELDS, KARNES
	§	COUNTY, TEXAS; DISTRICT 02
	§	
Oil and Gas Docket No. OG-19-00001955	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR CROWDER UNIT (11681) & (11683)
	§	LEASE, EAGLEVILLE (EAGLE FORD-2) FIELD &
	§	SUGARKANE (AUSTIN CHALK) FIELD KARNES
	§	COUNTY, TEXAS; DISTRICT 02
	§	
Oil and Gas Docket No. OG-19-00001956	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR KRUCIAK-YANTA UNIT (10859) LEASE,
	§	EAGLEVILLE (EAGLE FORD-2) FIELD, KARNES
	§	COUNTY, TEXAS; DISTRICT 02
	§	
Oil and Gas Docket No. OG-19-00002050	§	APPLICATION OF MAGNOLIA OIL & GAS OPERATING
	§	LLC (521544) FOR AN EXCEPTION TO STATEWIDE
	§	RULE 32 FOR LAY WEST UNIT (19180) LEASE,
	§	EAGLEVILLE (EAGLE FORD-1) FIELD, ATASCOSA
April 2, 2020	§	COUNTY, TEXAS; DISTRICT 01

JOINT NOTICE OF HEARING

Date, Location, and Place of Hearing- Notice is hereby given that a public hearing will be held at **1:30 p.m. on Wednesday, April 29, 2020**, at the offices of the Railroad Commission of Texas (Commission) located in the William B. Travis State Office Building, at 1701 N. Congress Avenue, Austin, Texas, in a room number to be posted on the bulletin board in the first-floor lobby. If the hearing is not concluded on the day it commences, it will be continued from day to day until concluded.

If you are planning to attend the hearing, please be aware of changes to traffic patterns and the availability of metered parking in the area due to the Capitol Complex Construction project. There is limited metered parking in the capitol complex area. You may find paid parking at the Bob Bullock Museum across the street from the William B. Travis State Office Building or there is also a Capitol Visitors Parking Garage at 1201 San Jacinto Blvd. For access to the building, you can enter through the ground level from Brazos St. You may want to consider the additional time for

parking and entering the building. Map and additional information is available on the RRC website at <https://www.rrc.texas.gov/about-us/organization-activities/visiting-the-railroad-commission-in-the-william-b-travis-state-office-building/>.

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

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

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

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

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

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

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

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

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

Written Transcript of the Hearing- If a case is protested or becomes protested, the party requesting commission action in this case will need to obtain a court reporter no later than 21 days before the hearing. Typically, this would include the applicant, complainant, and similarly situated parties in other types of cases. See 16 Tex. Admin. Code § 1.111. If an examiner or party requests a written transcript, the Commission may assess the cost to one or more parties. This includes paying the court reporter's fees for the preparation of the original transcript for the Commission's official records and

one copy for use by the examiners in preparing their written recommendation. To obtain a court reporter, contact Dave Howard & Associates Court Reporters at 512-282-0313 or dave@howardreporters.com.

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

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

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

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

APPENDIX A

Oil and Gas Docket No. OG-19-00001952- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the TBK Unit (10828) Lease, Eagleville (Eagle Ford-2) Field, Karnes County, Texas; District 02.

Oil and Gas Docket No. OG-19-00001953- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Silverchair (11697) Lease, Eagleville (Eagle Ford-2) Field, Karnes County, Texas; District 02.

Oil and Gas Docket No. OG-19-00001954- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Shinedown Unit (11698) & (10098) Leases, Sugarkane (Austin Chalk) and Eagleville (Eagle Ford-2) Fields, Karnes County, Texas; District 02.

Oil and Gas Docket No. OG-19-00001955- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Crowder Unit (11681) & (11683) Leases, Eagleville (Eagle Ford-2) Field and Sugarkane (Austin Chalk) Fields, Karnes County, Texas; District 02.

Oil and Gas Docket No. OG-19-00001956- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Kruciak-Yanta Unit (10859) & (11335) Leases, Eagleville (Eagle Ford-2) and Sugarkane (Austin Chalk) Fields, Karnes County, Texas; District 02.

Oil and Gas Docket No. OG-19-00002050- This hearing is held to consider the application of Magnolia Oil & Gas Operating LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Lay West (19180) Lease, Eagleville (Eagle Ford-1) Field, Atascosa County, Texas; District 01.

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

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

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

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Joint Notice of Hearing in Oil and Gas Docket No. **OG-19-00001952 - 1956, & 2050** 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:

MAGNOLIA OIL & GAS OPERATING LLC
ATTN REGULATORY COMPLIANCE
NINE GREENWAY PLAZA SUITE 1300
HOUSTON, TX 77046

1776 ENERGY OPERATORS, LLC
20445 STATE HIGHWAY 249 NO 450
HOUSTON, TX 77070

MURPHY EXPL. & PROD. CO.-USA
ATTN: BRENT SONNIER
9805 KATY FREEWAY STE G200
HOUSTON, TX 77024

BPX OPERATING COMPANY
1700 PLATTE ST
DENVER, CO 80202

EOG RESOURCES, INC.
ATTN: TIM VOGLER
P.O. BOX 4362
HOUSTON, TX 77210-4362

INPEX EAGLE FORD, LLC
601 NORTHWEST LOOP 410 STE 325
SAN ANTONIO, TX 78216

OVINTIV USA INC.
SUITE 1700
370 17TH STREET
DENVER, CO 80202

SANTA ROSA OPERATING, LLC
802 N CARANCAHUA ST STE 2250
CORPUS CHRISTI, TX 78401

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

LORENZO GARZA
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN

Via Intra-Agency Email

JOE STASULLI
ASSISTANT DEPUTY DIRECTOR
ADMINISTRATIVE COMPLIANCE
RRC - AUSTIN

Via Intra-Agency Email

OLIN MACNAMARA
GEOLOGIST
FIELD OPERATIONS
RRC - AUSTIN

Via Intra-Agency Email

PAUL DUBOIS
ASSISTANT DIRECTOR
O&G DIVISION TECHNICAL PERMITTING
RRC - AUSTIN

Via Intra-Agency Email

On this the **2nd** day of **April** 2020.

Joseph Menefe

Paralegal, Hearings Division
Railroad Commission of Texas

HEARINGS DIVISION
PO Drawer 12967
Austin, TX 78711-2967

NOTICE OF INTENT TO APPEAR AT HEARING

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

APPLICANT: MAGNOLIA OIL & GAS OPERATING LLC (521544)
CASE/DOCKET NO.: OG-19-00001952 - 1956, & 2050
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.