

RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION

|                                       |   |  |
|---------------------------------------|---|--|
| Oil and Gas Docket No. OG-20-00003153 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, WALTON,          |
|                                       | § | J.B. "A" (51576) LEASE, FLARE PERMIT NO. 29724,    |
|                                       | § | KEYSTONE (DEV-MCKEE CONS) FIELD, WINKLER           |
|                                       | § | COUNTY, TEXAS; DISTRICT 08                         |
|                                       | § |  |
| Oil and Gas Docket No. OG-20-00003154 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, WALTON,          |
|                                       | § | J. B. -A- (03380) LEASE, WALTON, J. B. "A" (GAS ID |
|                                       | § | NO. 235271) LEASE, WELL NO. 4; AND THE WALTON,     |
|                                       | § | J.B. -A- (GAS ID NO. 271913) LEASE, WELL NO. 6,    |
|                                       | § | FLARE PERMIT NO. 29571, KEYSTONE                   |
|                                       | § | (ELLENBURGER) FIELD, WINKLER COUNTY, TEXAS;        |
|                                       | § | DISTRICT 08  |
|                                       | § |  |
| Oil and Gas Docket No. OG-20-00003155 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, WALTON,          |
|                                       | § | J. B. -F- (19871) LEASE, FLARE PERMIT NO. 29727,   |
|                                       | § | KEYSTONE (COLBY) FIELD, WINKLER COUNTY,            |
|                                       | § | TEXAS; DISTRICT 08                                 |
|                                       | § |  |
| Oil and Gas Docket No. OG-20-00003156 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, WALTON,          |
|                                       | § | J. B. (16084) LEASE, WALTON, J. B. (27284) LEASE,  |
|                                       | § | WALTON, J. B. (51895) LEASE, AND THE WALTON,       |
|                                       | § | J B (GAS ID NO. 200179) LEASE, WELL NO. 95,        |
|                                       | § | FLARE PERMIT NO. 29564, KEYSTONE (DEV-MCKEE        |
|                                       | § | CONS); KEYSTONE (COLBY); KEYSTONE, SW. (SAN        |
|                                       | § | ANDRES); AND KEYSTONE (YATES) FIELDS,              |
|                                       | § | WINKLER COUNTY, TEXAS; DISTRICT 08                 |
|                                       | § |  |
| Oil and Gas Docket No. OG-20-00003157 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, PURE-            |
|                                       | § | WALTON (GAS ID NO. 272542) LEASE, WELL NO. 2-E;    |
|                                       | § | PURE WALTON (GAS ID NO. 139703) LEASE, WELL        |
|                                       | § | NO. 6-E; PURE-WALTON (GAS ID NO. 275874)           |
|                                       | § | LEASE, WELL NO. 4EB; PURE-WALTON (272541)          |
|                                       | § | LEASE, WELL NO. 3E; PURE-WALTON (275968)           |
|                                       | § | LEASE, WELL NO. 5E, FLARE PERMIT NO. 29570,        |
|                                       | § | KEYSTONE (ELLENBURGER) FIELD, WINKLER              |
|                                       | § | COUNTY, TEXAS; DISTRICT 08                         |
|                                       | § |  |
| Oil and Gas Docket No. OG-20-00003158 | § | XTO ENERGY INC. (OPERATOR NO. 945936)              |
|                                       | § | PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS         |
|                                       | § | FOR THE WALTON TANK BATTERY AREA, WALTON,          |
|                                       | § | J. B. (03375) LEASE; WALTON, J. B. (GAS ID NO.     |
|                                       | § | 271532) LEASE, WELL NO. 25; AND THE WALTON, J.     |
|                                       | § | B. (GAS ID NO. 243278) LEASE, WELL NO. 24, FLARE   |
|                                       | § | PERMIT NO. 29725, KEYSTONE (ELLENBURGER)           |
|                                       | § | FIELD, WINKLER COUNTY, TEXAS; DISTRICT 08          |



Oil and Gas Docket No. OG-20-00003181 § XTO ENERGY INC. (OPERATOR NO. 945936)  
 § PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS  
 § FOR THE WINDHAM SOUTH TANK BATTERY;  
 § MCELROY RANCH B (18402) LEASE; WINDHAM, R.S.  
 § B (18738) LEASE, WINDHAM, R.S. (18917) LEASE;  
 § MCELROY RANCH G (19021) LEASE; WINDHAM, R.  
 § S. 118 (GAS ID NO. 226024) LEASE, WELL NO. 26H;  
 § WINDHAM, R.S. (GAS ID NO. 240773) LEASE, WELL  
 § NO. 27H; MCELROY RANCH CO. (GAS ID NO.  
 § 242352) LEASE, WELL NO. 15H; MCELROY RANCH  
 § CO. (GAS ID NO. 250817) LEASE, WELL NO. 60H ;  
 § COMMINGLING PERMIT NO. 7C-5632, FLARE  
 § PERMIT NO. 39189, SPRABERRY (TREND AREA)  
 § AND WILSHIRE (CONSOLIDATED) FIELDS, UPTON  
 May 21, 2020 § COUNTY, TEXAS; DISTRICT 7C

## **JOINT 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, June 5, 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-20-00003153** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, J.B. -A- (51576) Lease, Flare Permit No. 29724, Keystone (Dev-McKee Cons) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003154** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, J. B. -A- (03380) Lease, Walton J. B. "A" (Gas ID No. 235271) Lease, Well No. 4; and The Walton, J.B. -A- (Gas ID No. 271913) Lease, Well No. 6, Flare Permit No. 29571, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003155** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. -F- (19871) Lease, Flare Permit No. 29727, Keystone (Colby) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003156** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. (16084) Lease, Walton, J. B. (272784) Lease, Walton, J. B. (51895) Lease, and the Walton, J B (Gas ID No. 200179) Lease, Well No. 95, Flare Permit No. 29564, Keystone (Dev-McKee Cons); Keystone (Colby); Keystone, SW. (San Andres); and Keystone (Yates) Fields, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003157** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Pure-Walton (Gas ID No. 272542) Lease, Well No. 2-E; Pure Walton (Gas ID No. 139703) Lease, Well No. 6-E; Pure-Walton (Gas ID No. 275874) Lease, Well No. 4EB; Pure-Walton (272541) Lease, Well No. 3E; Pure-Walton (275968) Lease, Well No. 5E, Flare Permit No. 29570, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003158** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. (03375) Lease, Walton, J. B. (Gas ID No. 271532) Lease, Well No. 25; and the Walton, J. B. (Gas ID No. 243278) Lease, Well No. 24, Flare Permit No. 29725, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003159** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Pure-Walton (03361) Lease and the Pure-Walton (Gas ID No. 279343) Lease, Well No. 14E, Flare Permit No. 29567, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003160** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. -C- (15164) Lease, Flare Permit No. 29723, Keystone (San Andres) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003161** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. (Gas ID No. 234144) Lease, Well No. 10; Walton, J. B. (Gas ID No. 243280) Lease, Well No. 12; Walton, J. B. (Gas ID No. 155378) Lease, Well No. 15; Walton, J. B. (Gas ID No. 234145) Lease, Well No. 20; Walton, J. B. (Gas ID No. 272543) Lease, Well No. 21; Walton, J. B. (Gas ID No. 142748) Lease, Well No. 22; Walton, J. B. (Gas ID No. 155836) Lease, Well No. 30; Walton, J. B. (Gas ID No. 142752) Lease, Well No. 32; and the Walton, J. B. (Gas ID No. 283647) Lease, Well No. 23, Flare Permit No. 30057, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003162** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Walton, J. B. (Gas ID No. 153731) Lease, Well No. 42, and the Walton, J. B. (Gas ID No. 235268) Lease, Well No. 31, Flare Permit No. 30056, Keystone (Ellenburger) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003163** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Walton Tank Battery Area, Pure-Walton (03272) Lease, Flare Permit No. 30058, Keystone (Colby) Field, Winkler County, Texas; District 08

**Oil and Gas Docket No. OG-20-00003181** - This hearing is held to consider the application of XTO Energy Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Windham South Tank Battery; McElroy Ranch B (18402) Lease; Windham, R.S. B (18738) Lease; Windham, R.S. (18917) Lease; McElroy Ranch G (19021) Lease; Windham, R. S. 118 (Gas ID No. 226024) Lease, Well No. 26H; Windham, R.S. (Gas ID No. 240773) Lease, Well No. 27H; McElroy Ranch Co. (Gas ID No. 242352) Lease, Well No. 15H; McElroy Ranch Co. (Gas ID No. 250817) Lease, Well No. 60H; Commingling Permit No. 7C-5632, Flare Permit No. 39189, Spraberry (Trend Area) and Wilshire (Consolidated) Fields, Upton County, Texas; District 7C

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).

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

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

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 Nos. **OG-20-00003153 et al** 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:

XTO ENERGY INC.  
ATTN: PATTY URIAS  
6401 HOLIDAY HILL RD #5  
MIDLAND, TX 79707-2156

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

ARCO PERMIAN  
ATTN: AMY SPANG WL 4 RM 266  
200 WESTLAKE PARK BLVD  
HOUSTON, TX 77079

BLACKBEARD OPERATING, LLC  
1751 RIVER RUN SUITE 405  
FORT WORTH, TX 76107

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

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

BURLINGTON RESOURCES O & G CO LP  
ATTN CHARLENE WINSTON  
P O BOX 2197  
HOUSTON, TX 77252

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

COG OPERATING LLC  
600 W ILLINOIS AVE  
MIDLAND, TX 79701

DIXILYN CORP.  
BOX 14067  
HOUSTON, TX 77021

ENCANA OIL & GAS(USA) INC.  
370 17TH STREET STE 1700  
DENVER, CO 80202

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

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

EXXON CORP.  
P O BOX 4358  
HOUSTON, TX 77210-4358

EXXON CO., U.S.A.  
P O BOX 2180  
HOUSTON, TX 77252-2180

EXXONMOBIL  
OIL CORPORATION  
ATTN: THOMAS DEAN  
P O BOX 3311  
BEAUMONT, TX 77704

FULFER OIL AND CATTLE CO.  
ATTN: DEBBIE MCKELVEY  
PO BOX 1224  
JAL, NM 88252

GOLDEN, MARTY JOE  
3400 E HWY 158  
MIDLAND, TX 79706

GULF OIL CORP.  
P.O. BOX 2100  
HOUSTON, TX 77252

KAISER-FRANCIS  
OIL COMPANY  
ATTN: PROD DEPT  
PO BOX 21468  
TULSA, OK 74121-1468

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

PALADIN PETROLEUM III, L.L.C.  
3660 STONERIDGE RD BLDG A 101  
AUSTIN, TX 78746



REIN PUSHER OPERATING LLC  
PO BOX 604  
BRENHAM, TX 77834

SABRE OPERATING, INC.  
P O BOX 4848  
WICHITA FALLS, TX 76308-848

SHENANDOAH OIL, INC. (I)  
P O BOX 50982  
MIDLAND, TX 79710

SIMPSON & RIDLEY  
BOX 1142  
ODESSA, TX 79760

STOUT ENERGY INC.  
P O BOX 7434  
MIDLAND, TX 79708-7434

GROSS & NELSON ATTORNEYS  
ATTN: MR DAVID GROSS  
12400 HIGHWAY 71 WEST SUITE 350-230  
AUSTIN, TX 78738

SOUTHWEST ROYALTIES, INC.  
P O BOX 53570  
MIDLAND, TX 79701-3570

SUMMIT PETROLEUM LLC  
550 W TEXAS AVE STE 700  
MIDLAND, TX 79701

THOMPSON, J. CLEO  
325 N SAINT PAUL SUITE 4300  
DALLAS, TX 75201

WALSH & WATTS, INC.  
500 WEST 7TH ST STE 1007  
FORT WORTH, TX 76102

WILDHORSE OPERATING COMPANY  
P O BOX 1604  
ARDMORE, OK 73402

MILLER CONSULTING INC.  
ATTN: MR. DALE MILLER  
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***

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 **21st** day of **May**, 2020.

***Laura Bradley***

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: XTO ENERGY INC. (945936)  
CASE/DOCKET NO.: OG-20-00003153 et al  
STATUS NO.:

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

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

\_\_\_\_\_  
Signature Date  
Telephone: Area Code: (\_\_\_\_) \_\_\_\_\_

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

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

ADDRESS TO WHICH NOTICE WAS SENT:

\_\_\_\_\_ Is correct \_\_\_\_\_ Is incorrect and should be corrected to:

\_\_\_\_\_  
Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
Street City State Zip Code



# RAILROAD COMMISSION OF TEXAS

## HEARINGS DIVISION

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

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

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

#### **Completion of this form is optional**

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

[        ] E-mail at: \_\_\_\_\_

Authorized by:

\_\_\_\_\_ (signature)

\_\_\_\_\_ (print name)

\_\_\_\_\_ (firm)

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

RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION

|                                       |   |
|---------------------------------------|---|
| Oil and Gas Docket No. OG-20-00002777 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE BUNIN 4 (GAS ID NO. 285691) LEASE, WELL NO.<br>§ 2H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08      |
| Oil and Gas Docket No. OG-20-00002778 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE BUNIN 4 LEASE, COMMINGLING FLARE PERMIT<br>§ NO. 08-9149, PHANTOM (WOLFCAMP), SANDBAR<br>§ (BONE SPRING), AND TWO GEORGES (BONE<br>§ SPRING) FIELDS, WARD AND WINKLER COUNTIES,<br>§ TEXAS; DISTRICT 08 |
| Oil and Gas Docket No. OG-20-00002779 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE BUNIN 4 LEASE, COMMINGLING FLARE PERMIT<br>§ NO. 08-8954, PHANTOM (WOLFCAMP), SANDBAR<br>§ (BONE SPRING), AND TWO GEORGES (BONE<br>§ SPRING) FIELDS, WARD AND WINKLER COUNTIES,<br>§ TEXAS; DISTRICT 08 |
| Oil and Gas Docket No. OG-20-00002780 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 12 (GAS ID NO. 285720) LEASE, WELL NO.<br>§ 3H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08       |
| Oil and Gas Docket No. OG-20-00002781 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 12 (GAS ID NO. 285721) LEASE, WELL NO.<br>§ 4H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08       |
| Oil and Gas Docket No. OG-20-00002782 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 14 (GAS ID NO. 285722) LEASE, WELL NO.<br>§ 2H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08       |

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| Oil and Gas Docket No. OG-20-00002783 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 14 (GAS ID NO. 285858) LEASE, WELL NO.<br>§ 4H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08                       |
| Oil and Gas Docket No. OG-20-00002784 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 18 (GAS ID NO. 285706) LEASE, WELL NO.<br>§ 3H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08                       |
| Oil and Gas Docket No. OG-20-00002785 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 18 (GAS ID NO. 286690) LEASE, WELL NO.<br>§ 5H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08.                      |
| Oil and Gas Docket No. OG-20-00002786 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 22 (GAS ID NO. 277240) LEASE, WELL NO.<br>§ 2H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08                       |
| Oil and Gas Docket No. OG-20-00002787 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 22 (GAS ID NO. 278634) LEASE, WELL NO.<br>§ 3H, PHANTOM (WOLFCAMP), SANDBAR (BONE<br>§ SPRING), AND TWO GEORGES (BONE SPRING)<br>§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;<br>§ DISTRICT 08                       |
| Oil and Gas Docket No. OG-20-00002788 | § APPLICATION OF WPX ENERGY PERMIAN, LLC<br>§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE<br>§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR<br>§ THE CBR 22 CFP LEASE, WELL NO. 3H,<br>§ COMMINGLING FLARE PERMIT NO. 08-7832,<br>§ PHANTOM (WOLFCAMP), SANDBAR (BONE SPRING),<br>§ AND TWO GEORGES (BONE SPRING) FIELDS, WARD<br>§ AND WINKLER COUNTIES, TEXAS; DISTRICT 08 |

Oil and Gas Docket No. OG-20-00002789 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 22 CFP LEASE, COMMINGLE PERMIT NO.  
§ 08-7845, PHANTOM (WOLFCAMP), SANDBAR (BONE  
§ SPRING), AND TWO GEORGES (BONE SPRING)  
§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;  
DISTRICT 08

Oil and Gas Docket No. OG-20-00002790 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 22 (GAS ID NO. 285763) LEASE, WELL NO.  
§ 5H, PHANTOM (WOLFCAMP), SANDBAR (BONE  
§ SPRING), AND TWO GEORGES (BONE SPRING)  
§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;  
DISTRICT 08

Oil and Gas Docket No. OG-20-00002791 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 2 (GAS ID NO. 285724) LEASE, WELL NO. 2H,  
§ PHANTOM (WOLFCAMP), SANDBAR (BONE SPRING),  
§ AND TWO GEORGES (BONE SPRING) FIELDS, WARD  
AND WINKLER COUNTIES, TEXAS; DISTRICT 08

Oil and Gas Docket No. OG-20-00002792 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 2 (GAS ID NO. 285725) LEASE , WELL NO.  
§ 4H, PHANTOM (WOLFCAMP), SANDBAR (BONE  
§ SPRING), AND TWO GEORGES (BONE SPRING)  
§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;  
DISTRICT 08

Oil and Gas Docket No. OG-20-00002793 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 28 (GAS ID NO. 286282) LEASE , WELL NO.  
§ 3H, PHANTOM (WOLFCAMP), SANDBAR (BONE  
§ SPRING), AND TWO GEORGES (BONE SPRING)  
§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;  
DISTRICT 08.

Oil and Gas Docket No. OG-20-00002794 § APPLICATION OF WPX ENERGY PERMIAN, LLC  
§ (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
§ RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
§ THE CBR 28 (GAS ID NO. 285899) LEASE , WELL NO.  
§ 7H, PHANTOM (WOLFCAMP), SANDBAR (BONE  
§ SPRING), AND TWO GEORGES (BONE SPRING)  
§ FIELDS, WARD AND WINKLER COUNTIES, TEXAS;  
DISTRICT 08

Oil and Gas Docket No. OG-20-00002795    §    APPLICATION OF WPX ENERGY PERMIAN, LLC  
    §    (OPERATOR NO. 942623) PURSUANT TO STATEWIDE  
    §    RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR  
    §    THE CBR 32 CFP LEASE, COMMINGLING FLARE  
    §    PERMIT NO. 08-7926, PHANTOM (WOLFCAMP),  
    §    SANDBAR (BONE SPRING), AND TWO GEORGES  
    §    (BONE SPRING) FIELDS, WARD AND WINKLER  
 May 27, 2020     §    COUNTIES, 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, June 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**

**Oil and Gas Docket No. OG-20-00002777** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Bunin 4 (Gas ID No. 285691) Lease, Well No. 2H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002778** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Bunin 4 Lease, Commingling Flare Permit No. 08-9149, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002779** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Bunin 4 Lease, Commingling Flare Permit No. 08-8954, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002780** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 12 (Gas ID No. 285720) Lease, Well No. 3H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002781** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 12 (Gas ID No. 285721) Lease, Well No. 4H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002782** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 14 (Gas ID No. 285722) Lease, Well No. 2H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002783** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 14 (Gas ID No. 285858) Lease, Well No. 4H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002784** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 18 (Gas ID No. 285706) Lease, Well No. 3H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002785** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 18 (Gas ID No. 286690) Lease, Well No. 5H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002786** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 22 (Gas ID No. 277240) Lease, Well No. 2H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002787** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 22 (Gas ID No. 278634) Lease, Well No. 3H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002788** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 22 CFP Lease, Well No. 3H, Commingling Flare Permit No. 08-7832, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002789** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 22 CFP Lease, Well No. 3H, Commingling Flare Permit No. 08-7845, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002790** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 22 (Gas ID No. 285763) Lease, Well No. 5H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002791** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 2 (Gas ID No. 285724) Lease, Well No. 2H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002792** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 2 (Gas ID No. 285725) Lease, Well No. 4H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002793** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 28 (Gas ID No. 286282) Lease, Well No. 3H, Phantom (Wolfcamp),

Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002794** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 28 (Gas ID No. 285899) Lease, Well No. 7H, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08

**Oil and Gas Docket No. OG-20-00002795** - This hearing is held to consider the application of WPX Energy Permian, LLC for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the CBR 32 CFP Lease, Commingling Flare Permit No. 08-7926, Phantom (Wolfcamp), Sandbar (Bone Spring), and Two Georges (Bone Spring) Fields, Ward and Winkler Counties, Texas; District 08.

If you have questions regarding this Application, please contact the Applicant's representative, Bill Spencer, at (512) 918-1062. 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).

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

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

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 Nos. **OG-20-00002777 et al** 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:

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

ANADARKO E&P ONSHORE LLC  
ATTN: FRANK A. DAVIS  
P.O. BOX 1330  
HOUSTON, TX 77251

ANADARKO PETROLEUM CORP  
ATTN: FRANK A. DAVIS  
P.O. BOX 1330  
HOUSTON, TX 77251

ARCH OIL & GAS LLC  
16400 DALLAS PKWY, SUITE 305  
DALLAS, TX 75248

BETTIS BOYLE & STOVALL  
P. O. BOX 1240  
GRAHAM, TX 76450

BHP BILLITON PET (TXLA OP) CO  
1700 PLATTE STREET, SUITE 150  
DENVER, CO 80202

BPX OPERATING COMPANY  
1700 PLATTE ST  
DENVER, CO 80202

BRECK OPERATING CORP.  
P. O. BOX 911  
BRECKENRIDGE, TX 76424

BREITBURN OPERATING, LP  
ATTN: REGULATORY DEPT  
1111 BAGBY, STREET, SUITE 1600  
HOUSTON, TX 77002

BUSTAMANTE OIL COMPANY  
P. O. BOX 50923  
MIDLAND, TX 79710

BUSTAMANTE RESOURCES, LLC  
P. O. BOX 50923  
MIDLAND, TX 79710

CALLON PETROLEUM OPERATING CO  
2000 W SAM HOUSTON PARKWAY S  
SUITE 2000  
HOUSTON, TX 77042

CHAPPARAL OPERATING, CO.  
P. O. BOX 121788  
FORT WORTH, TX 76121

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

FELIX ENERGY HOLDINGS II, LLC  
3500 ONE WILLIAMS CENTER MD  
TULSA, OK 74172

FULFER OIL AND CATTLE CO.  
ATTN: DEBBIE MCKELVEY  
P. O. BOX 1224  
JAL, NM 88252

HOME PETROLEUM CORP.  
P. O. BOX 2982  
VICTORIA, TX 77902

LEGACY RESERVES OPERATING, LP  
P. O. BOX 10848  
MIDLAND, TX 77902

MEWBOURNE OIL COMPANY  
P. O. BOX 7698  
TYLER, TEXAS 75711

OLYMPIC OIL AND GAS CORPORATION  
12 E. GREENWAY PLAZA #920  
HOUSTON, TX 77046

OXY USA INC  
5 GREENWAY PLAZA, SUITE 110  
HOUSTON, TX 77046

OXY US WTP INC  
C/O KELLEY MONTGOMERY  
P. O. BOX 4294  
HOUSTON, TX 77210

PEARCE, ROY F. JR  
BOX 953  
MIDLAND, TX 79702

PETEX  
P. O. BOX 548  
BRECKENRIDGE, TX 76424

PUTNAM, PAUL OIL  
P. O. BOX 43  
ORLA, TX 79770

RANGER 40 PETROLEUM, LLC  
5150 TAMiami TRAIL N., SUITE 206  
NAPLES, FL 34103

SHELL WESTERN E&P  
P. O. BOX 576  
HOUSTON, TX 77001

STATELINE WATER, LLC  
3500 ONE WILLIAMS CENTER, MD 35  
TULSA, OK 74172

THREE-B OIL COMPANY, THE  
P. O. BOX 590  
MONAHANS, TX 79756

US ENERGY DEVELOPMENT CORP  
1521 N COOPER ST, SUITE 400  
ARLINGTON, TX 76011

BILL G. SPENCER  
BILL G. SPENCER CONSULTING, LP  
P. O. BOX 4188  
CEDAR PARK, TEXAS 78613

MR. JIM CLARK  
WELLINGTON CONSULTING  
1805 PALMWOOD DRIVE  
AUSTIN, TEXAS 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 27<sup>th</sup> day of May 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: WPX ENERGY PERMIAN, LLC (942623)  
CASE/DOCKET NO.: OG-20-00002777 et al  
STATUS NO.:

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

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

\_\_\_\_\_  
Signature Date  
Telephone: Area Code: (\_\_\_\_) \_\_\_\_\_

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

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

ADDRESS TO WHICH NOTICE WAS SENT:

\_\_\_\_\_ Is correct \_\_\_\_\_ Is incorrect and should be corrected to:

\_\_\_\_\_  
Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
Street City State Zip Code



# RAILROAD COMMISSION OF TEXAS

## HEARINGS DIVISION

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

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

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

#### **Completion of this form is optional**

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

[        ] E-mail at: \_\_\_\_\_

Authorized by:

\_\_\_\_\_ (signature)

\_\_\_\_\_ (print name)

\_\_\_\_\_ (firm)

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

RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION

Oil and Gas Docket No. 09-0325699

§ APPLICATION OF CARIBOU OPERATING, INC.  
§ (131827) FOR AN EXCEPTION TO STATEWIDE  
§ RULE 13 FOR A TUBINGLESS COMPLETION  
§ FOR THE BRISCOE LEASE, WELL NO. 5,  
§ ANTELOPE, S.E. (MARBLE FALLS) FIELD,  
§ JACK COUNTY, TEXAS

May 27, 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, June 19, 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 Caribou Operating, Inc. (131827). for an Exception to Statewide Rule 13 (16 Tex. Admin. Code § 3.13), relating to the tubing less completion, for the Briscoe Lease, Well No. 5, Antelope S.E. (Marble Falls) Field, Jack County, Texas.

If you have questions regarding this Application, please contact the Applicant's representative, Rob Hargrove, at (512) 476-3529. 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.

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

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

**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 Hearing in Oil and Gas Docket No. **09-0325699** 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:

CARIBOU OPERATING, INC.  
P. O. BOX 1941  
GRANBURY, TX 76048

ROB HARGROVE  
FOR CARIBOU OPERATING, INC.  
OSBORN, MARSLAND & HARGROVE  
515 CONGRESS AVENUE STE# 2450  
AUSTIN, TX 78701

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

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

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

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

On this the **27<sup>th</sup>** day of **May** 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: CARIBOU OPERATING, INC.  
CASE/DOCKET NO.: 09-0325699  
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.

|                                       |   |
|---------------------------------------|---|
| Oil and Gas Docket No. OG-20-00002543 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE ROBERT WALKER UNIT ZAV A (17819) LEASE, WELL NO. 7H, AND THE ROBERT WALKER UNIT ZAV B (17827) LEASE, WELL NO. 1H, PERMIT NO. 32587, BRISCOE RANCH (EAGLEFORD) FIELD, ZAVALA COUNTY, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002544 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE ROBERT WALKER UNIT ZAV B (17827) LEASE, WELL NOS. 2H AND 3H, FLARE PERMIT NO. 41182, BRISCOE RANCH (EAGLEFORD) FIELD, ZAVALA COUNTY, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002546 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NO. E 1H, AND THE TS-WINTERBOTHAM UNIT ZAV (19754) LEASE, WELL NO. 1H, PERMIT NO. 41351, BRISCOE RANCH (EAGLEFORD) FIELD, ZAVALA COUNTY, TEXAS; DISTRICT 01      |
| Oil and Gas Docket No. OG-20-00002548 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NO. E 1H, AND THE WINTERBOTHAM-COMMERCE UNIT (19616) LEASE, WELL NO. 1H, PERMIT NO. 40660, BRISCOE RANCH (EAGLEFORD) FIELD, ZAVALA COUNTY, TEXAS; DISTRICT 01     |
| Oil and Gas Docket No. OG-20-00002549 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744), WELL NO. E4H, AND THE WINTERBOTHAM COMMERCE UNIT (19616) LEASE, WELL NO. 2H, FLARE PERMIT NO. 40661, BRISCOE RANCH (EAGLEFORD) FIELD, ZAVALA COUNTY, TEXAS; DISTRICT 01      |
| Oil and Gas Docket No. OG-20-00002875 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE ALLEE UNIT A (15313) LEASE, WELL NO. 1H, FLARE PERMIT NO. 25667, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |

|                                       |  |
|---------------------------------------|--|
| Oil and Gas Docket No. OG-20-00002876 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BERDOLL DIM (16620) LEASE, WELL NO. A1H, FLARE PERMIT NO. 24782, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002877 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BERDOLL DIM (16620) LEASE, WELL NO. B1H, FLARE PERMIT NO. 24786, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002878 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE COLEMAN ZAV D (17448) LEASE, WELL NOS. D2H AND D3H, FLARE PERMIT NO. 32584, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00002879 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE COLEMAN ZAV B (17910) LEASE, WELL NO. 1H, AND THE COLEMAN UNIT ZAV A (17776), WELL NO. 5H, FLARE PERMIT NO. 32583, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01                                      |
| Oil and Gas Docket No. OG-20-00002880 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE KIM DIM (16447) LEASE, WELL NO. B1H, FLARE PERMIT NO. 24895, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002881 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE KM NORTH ZAV (15963) LEASE, WELL NOS. A1H AND A5H, FLARE PERMIT NO. 25665, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002882 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE KM SOUTH ZAV (17123) LEASE, FLARE PERMIT NO. 25656, WELL NOS. B3H AND B5H, AND THE BAUERLE UNIT ZAV (19189) LEASE, WELL NO. 1H, FLARE PERMIT NO. 33295, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |

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| Oil and Gas Docket No. OG-20-00002884 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE KM-MILLER UNIT ZAV (18398) LEASE, WELL NOS. 1H AND 2H, FLARE PERMIT NO. 32585, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002885 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE KM-MILLER UNIT ZAV (18398) LEASE, WELL NOS. 3H AND 4H, FLARE PERMIT NO. 32586, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002886 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE LLM ZAV (15624) LEASE, WELL NOS. E3H AND E6H, FLARE PERMIT NO. 24630, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01          |
| Oil and Gas Docket No. OG-20-00002887 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE OLD RIVER RANCH DIM (15560) LEASE, WELL NO. C1H, FLARE PERMIT NO. 32581, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01       |
| Oil and Gas Docket No. OG-20-00002888 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE PENA CREEK I (15375) LEASE, WELL NO. 1H, FLARE PERMIT NO. 25719, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01               |
| Oil and Gas Docket No. OG-20-00002889 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE PENA CREEK I (15375) LEASE, WELL NO. 4H, FLARE PERMIT NO. 25718, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01               |
| Oil and Gas Docket No. OG-20-00002890 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE PENA CREEK I (15375) LEASE, WELL NO. 5H, FLARE PERMIT NO. 24783, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01               |



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| Oil and Gas Docket No. OG-20-00002891 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE PENA CREEK I (15375) LEASE, WELL NO. 6H, FLARE PERMIT NO. 25720, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002892 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE SILVA UNIT DIM (16555) LEASE, WELL NO. 1H, FLARE PERMIT NO. 25660, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002893 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TIDWELL EAST ZAV (16636) LEASE, WELL NOS. A1H and A3H, FLARE PERMIT NO. 30131, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002894 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TIDWELL EAST ZAV (16636) LEASE, WELL NOS. D1H AND D3H, FLARE PERMIT NO. 30089, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002895 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NOS. A2H, A3H AND A4H, FLARE PERMIT NO. 30129, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002896 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NO. C1H, FLARE PERMIT NO. 32930, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002897 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NO. D1H, AND THE TRAYLOR UNIT ZAV L (18230) LEASE, WELL NO. 4H, FLARE PERMIT NO. 32588, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |

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| Oil and Gas Docket No. OG-20-00002898 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NOS. D2H, D3H AND D5H, FLARE PERMIT NO. 32589, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01         |
| Oil and Gas Docket No. OG-20-00002899 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NO. F3H, FLARE PERMIT NO. 32956, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01                       |
| Oil and Gas Docket No. OG-20-00002900 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR NORTH (15412) LEASE, WELL NOS. I1H, I3H, I4H AND I5H FLARE PERMIT NO. 32937, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01     |
| Oil and Gas Docket No. OG-20-00002901 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. A3H AND A4H, FLARE PERMIT NO. 32932, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01          |
| Oil and Gas Docket No. OG-20-00002902 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. B1H, B2H, B3H AND B4H FLARE PERMIT NO. 32933, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002903 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. C1H AND C2H, FLARE PERMIT NO. 32590, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01          |
| Oil and Gas Docket No. OG-20-00002904 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. C3H, C4H AND C5H, FLARE PERMIT NO. 32591, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01     |

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| Oil and Gas Docket No. OG-20-00002905 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NO. C6H AND THE TRAYLOR UNIT ZAV L (18230) LEASE, WELL NO. 1H, FLARE PERMIT NO. 32935, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002906 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. F1H, F2H AND F5H, FLARE PERMIT NO. 32592, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00002907 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. G1H AND G2H, FLARE PERMIT NO. 32593, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002908 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. G3H, G4H AND G5H, FLARE PERMIT NO. 32594, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00002909 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. H1H, H2H AND H3H, FLARE PERMIT NO. 30130, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00002910 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. H4H AND H5H, FLARE PERMIT NO. 30088, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002911 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NOS. I1H, I2H & I3H, FLARE PERMIT NO. 32595, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |

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| Oil and Gas Docket No. OG-20-00002912 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR SOUTH ZAV (15766) LEASE, WELL NO. J1H, FLARE PERMIT NO. 32934, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01             |
| Oil and Gas Docket No. OG-20-00002913 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR UNIT ZAV L (18230) LEASE, WELL NOS. 2H AND 3H, FLARE PERMIT NO. 32596, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01     |
| Oil and Gas Docket No. OG-20-00002914 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR UNIT ZAV M (17867) LEASE, WELL NO. 2H, FLARE PERMIT NO. 32597, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01             |
| Oil and Gas Docket No. OG-20-00002915 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR UNIT ZAV M (17867) LEASE, WELL NOS. 4H AND 6H, FLARE PERMIT NO. 32598, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01     |
| Oil and Gas Docket No. OG-20-00002916 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR UNIT ZAV N (17653) LEASE, WELL NOS. 1H, 2H AND 3H, FLARE PERMIT NO. 32936, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002917 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR UNIT ZAV N (17653) LEASE, WELL NOS. 4H, 5H AND 6H, FLARE PERMIT NO. 32599, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002918 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE TRAYLOR WEST ZAV (15993) LEASE, WELL NOS. C1H AND C4H, FLARE PERMIT NO. 25659, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01     |

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| Oil and Gas Docket No. OG-20-00002919 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE VOTAW UNIT A DIM (16642) LEASE, WELL NO. 1H, FLARE PERMIT NO. 25658, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01                     |
| Oil and Gas Docket No. OG-20-00002920 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. U1H AND U2H, FLARE PERMIT NO. 32940, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01           |
| Oil and Gas Docket No. OG-20-00002921 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. A1H, A2H. A3H AND A4H, FLARE PERMIT NO. 30086, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002922 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. B1H AND B2H, FLARE PERMIT NO. 30087, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01           |
| Oil and Gas Docket No. OG-20-00002923 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. B3H, B4H AND D1H, FLARE PERMIT NO. 32600, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 0       |
| Oil and Gas Docket No. OG-20-00002924 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. D2H, S1H AND S2H, FLARE PERMIT NO. 32939, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01      |
| Oil and Gas Docket No. OG-20-00002925 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. F1H AND F2H, FLARE PERMIT NO. 32938, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01           |

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| Oil and Gas Docket No. OG-20-00002926 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. G1H, G2H, V1H AND V2H, FLARE PERMIT NO. 32601, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002927 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. G3H AND N1H, FLARE PERMIT NO. 32602, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002928 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. H2H, H3H, AND I1H AND THE COMMERCE UNIT ZAV B (19916) LEASE, WELL NOS. 2H AND 3H, DRILLING PERMIT NOS. 859316 AND 859324, FLARE PERMIT NO. 32603, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002929 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. I2H AND I3H, AND THE COMMERCE UNIT ZAV B (19916) LEASE, WELL NO. 4H, FLARE PERMIT NO. 32604, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002930 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. J1H AND J2H, AND THE KM-COMMERCE UNIT ZAV (20010) LEASE, WELL NOS. 1H AND 2H, FLARE PERMIT NO. 32605, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00002931 | § EXCO OPERATING COMPANY, LP (OPERATOR NO. 256915) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE WINTERBOTHAM ZAV (15744) LEASE, WELL NOS. K1H AND J3H, AND THE KM SOUTH ZAV (17123) LEASE, WELL NOS. B1H AND B2H, FLARE PERMIT NO. 32941, BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA COUNTIES, TEXAS; DISTRICT 01   |



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| Oil and Gas Docket No. OG-20-00002932 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NOS.<br>§ K2H AND L1H, FLARE PERMIT NO. 32606, BRISCOE<br>§ RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA<br>§ COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002933 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NOS.<br>§ M1H, M2H, AND M5H, FLARE PERMIT NO. 25666 AND<br>§ THE MILLER UNIT ZAV (19231) LEASE, WELL NOS.<br>§ 1H AND 2H, FLARE PERMIT NO. 33294, BRISCOE<br>§ RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA<br>§ COUNTIES, TEXAS; DISTRICT 01 |
| Oil and Gas Docket No. OG-20-00002934 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NOS.<br>§ N2H AND N3H, FLARE PERMIT NO. 32607, BRISCOE<br>§ RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA<br>§ COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002935 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NOS.<br>§ O1H, O2H, O3H AND O5H, FLARE PERMIT NO. 32608,<br>§ BRISCOE RANCH (EAGLEFORD) FIELD, DIMMIT AND<br>§ ZAVALA COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002936 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NOS.<br>§ Q1H AND Q2H, FLARE PERMIT NO. 32609, BRISCOE<br>§ RANCH (EAGLEFORD) FIELD, DIMMIT AND ZAVALA<br>§ COUNTIES, TEXAS; DISTRICT 01  |
| Oil and Gas Docket No. OG-20-00002937 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 FOR<br>§ AN EXCEPTION TO FLARE GAS FOR THE<br>§ WINTERBOTHAM ZAV (15744) LEASE, WELL NO.<br>§ R1H, FLARE PERMIT NO. 32610, BRISCOE RANCH<br>§ (EAGLEFORD) FIELD, DIMMIT AND ZAVALA<br>§ COUNTIES, TEXAS; DISTRICT 01   |
| Oil and Gas Docket No. OG-20-00003311 | § EXCO OPERATING COMPANY, LP (OPERATOR NO.<br>§ 256915) PURSUANT TO STATEWIDE RULE 32 TO<br>§ FLARE GAS FOR THE WINTERBOTHAM ZAV (15744)<br>§ LEASE, WELL NO. P 1H, WINTERBOTHAM-TN UNIT<br>§ ZAV (19779) LEASE, WELL NO. 1H, FLARE PERMIT<br>§ NO. 42114, BRISCOE RANCH (EAGLEFORD)<br>§ (12018200) FIELD, ZAVALA COUNTY, TEXAS;<br>§ DISTRICT 01   |

Oil and Gas Docket No. OG-20-00003312 § EXCO OPERATING COMPANY, LP (OPERATOR NO.  
 § 256915) PURSUANT TO STATEWIDE RULE 32 FOR  
 § AN EXCEPTION TO 32 FLARE GAS FOR THE  
 § COLEMAN UNIT ZAV E (18314) LEASE, WELL NOS.  
 § 2H AND 4H, BRISCOE RANCH (EAGLEFORD) FIELD,  
 § ZAVALA COUNTY, TEXAS; DISTRICT 01  
 May 28, 2020 §

## **JOINT NOTICE OF PREHEARING CONFERENCE**

**Date, Location, and Place of Prehearing-** Notice is hereby given that a prehearing conference will be held at **1:30 p.m. on Thursday, June 11, 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

**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 the Hearing on the Merits-**

**Oil and Gas Docket No. OG-20-00002543** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Robert Walker Unit ZAV A (17819) Lease, Well No. 7H and the Robert Walker Unit ZAV B (17827) Lease, Well No. 1H, Permit No. 32587, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00002544** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Robert Walker Unit ZAV B (17827) Lease, Well Nos. 2H and 3H, Flare Permit No. 41182, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00002546** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well No. E 1H, and the TS-Winterbotham Unit ZAV (19754) Lease, Well No. 1H, Permit No. 41351, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00002548** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well No. E 1H, and the Winterbotham-Commerce Unit (19616) Lease, Well No. 1H, Permit No. 40660, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00002549** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744), Well No. E4H, and the Winterbotham Commerce Unit (19616) Lease, Well No. 2H, Flare Permit No. 40661, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00002875** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Allee Unit A (15313) Lease, Well No. 1H, Flare Permit No. 25667, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002876** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Berdoll Dim (16620) Lease, Well No. A1H, Flare Permit No. 24782, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002877** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Berdoll Dim (16620) Lease, Well No. B1H, Flare Permit No. 24786, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002878** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Coleman ZAV D (17448) Lease, Well Nos. D2H and D3H, Flare Permit No. 32584, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002879** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Coleman ZAV B (17910) Lease, Well No. 1H, and the Coleman Unit ZAV A (17776), Well No. 5H, Flare Permit No. 32583, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002880** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Kim Dim (16447) Lease, Well No. B1H, Flare Permit No. 24895, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002881** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the KM North ZAV (15963) Lease, Well Nos. A1H and A5H, Flare Permit No. 25665 Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002882** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the KM South ZAV (17123) Lease, Flare Permit No. 25656, Well Nos. B3H and B5H, and the Bauerle Unit ZAV (19189) Lease, Well No. 1H, Flare Permit No. 33295, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002884** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the KM-Miller Unit ZAV (18398) Lease, Well Nos. 1H and 2H, Flare Permit No. 32585, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002885** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the KM-Miller Unit ZAV (18398) Lease, Well Nos. 3H and 4H, Flare Permit No. 32586, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002886** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the LLM ZAV (15624) Lease, Well Nos. E3H and E6H, Flare Permit No. 24630, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002887** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Old River Ranch DIM (15560) Lease, Well No. C1H, Flare Permit No. 32581, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002888** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Pena Creek I (15375) Lease, Well No. 1H, Flare Permit No. 25719, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002889** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Pena Creek I (15375) Lease, Well No. 4H, Flare Permit No. 25718, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002890** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Pena Creek I (15375) Lease, Well No. 5H, Flare Permit No. 24783, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002891** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Pena Creek I (15375) Lease, Well No. 6H, Flare Permit No. 25720, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002892** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Silva Unit DIM (16555) Lease, Well No. 1H, Flare Permit No. 25660, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002893** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Tidwell East ZAV (16636) Lease, Well Nos. A1H and A3H, Flare Permit No. 30131, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002894** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Tidwell East ZAV (16636) Lease, Well Nos. D1H and D3H, Flare Permit No. 30089, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002895** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well Nos. A2H, A3H and A4H, Flare Permit No. 30129, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002896** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well No. C1H, Flare Permit No. 32930, Flare Permit No. 30129, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002897** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well No. D1H, and The Traylor Unit ZAV L (18230) Lease, Well No. 4H, Flare Permit No. 32588, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002898** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well Nos. D2H, D3H and D5H, Flare Permit No. 32589, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002899** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well No. F3H, Flare Permit No. 32956, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002900** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor North (15412) Lease, Well Nos. I1H, I3H, I4H and I5H, Flare Permit No. 32937, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002901** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. A3H and A4H, Flare Permit No. 32932, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002902** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. B1H, B2H, B3H and B4H, Flare Permit No. 32933, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002903** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. C1H and C2H, Flare Permit No. 32590, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002904** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. C3H, C4H and C5H, Flare Permit No. 32591, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002905** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well No. C6H, and the Traylor Unit ZAV L (18230) Lease, Well No. 1H, Flare Permit No. 32935, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002906** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating



to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. F1H, F2H and F5H, Flare Permit No. 32592, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002907** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. G1H and G2H, Flare Permit No. 32593, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002908** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. G3H, G4H and G5H, Flare Permit No. 32594, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002909** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. H1H, H2H and H3H, Flare Permit No. 30130, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002910** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. H4H and H5H, Flare Permit No. 30088, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002911** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well Nos. I1H, I2H and I3H, Flare Permit No. 32595, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002912** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor South ZAV (15766) Lease, Well No. J1H, Flare Permit no. 32934, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002913** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor Unit ZAV L (18230) Lease, Well Nos. 2H and 3H, Flare Permit No. 32596, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002914** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor Unit ZAV M (17867) Lease, Well No. 2H, Flare Permit No. 32597, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002915** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor Unit ZAV M (17867) Lease, Well Nos. 4H and 6H, Flare Permit No. 32598, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002916** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating

to the flaring of gas, for the Traylor Unit ZAV N (17653) Lease, Well Nos. 1H, 2H and 3H, Flare Permit No. 32936, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002917** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor Unit ZAV N (17653) Lease, Well Nos. 4H, 5H and 6H, Flare Permit No. 32599, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002918** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Traylor West ZAV (15993) Lease, Well Nos. C1H and C4H, Flare Permit No. 25659, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002919** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Votaw Unit A DIM (16642) Lease, Well No. 1H, Flare Permit No. 25658, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002920** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. U1H and U2H, Flare Permit No. 32940, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002921** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. A1H, A2H, A3H and A4H, Flare Permit No. 30086, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002922** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. B1H and B2H, Flare Permit No. 30087, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002923** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. B3H, B4H and D1H, Flare Permit No. 32600, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002924** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. D2H, S1H and S2H, Flare Permit No. 32939, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002925** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. F1H and F2H, Flare Permit No. 32938, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002926** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating

to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. G1H, G2H, V1H and V2H, Flare Permit No. 32601, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002927** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. G3H and N1H, Flare Permit No. 32602, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002928** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. H2H, H3H, and I1H, and the Commerce Unit ZAV B (19916) Lease, Well Nos. 2H and 3H, Drilling Permit Nos. 859316 and 859324, Flare Permit No. 32603, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002929** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. I2H and I3H, and the Commerce Unit ZAV B (19916) Lease, Well No. 4H, Flare Permit No. 32604, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002930** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. J1H and J2H, and the KM-Commerce Unit ZAV (20010) Lease, Well Nos. 1H and 2H, Flare Permit No. 32605, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002931** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. K1H and J3H, and the KM South ZAV (17123) Lease, Well Nos. B1H and B2H, Flare Permit No. 32941, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002932** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. K2H and L1H, Flare Permit No. 32606, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002933** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. M1H, M2H and M5H, Flare Permit No. 25666, and the Miller Unit ZAV (19231) Lease, Well Nos. 1H and 2H, Flare Permit No. 33294, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002934** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. N2H and N3H, Flare Permit No. 32607, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002935** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating



to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. O1H, O2H, O3H and O5H, Flare Permit No. 32608, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002936** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well Nos. Q1H and Q2H, Flare Permit No. 32609, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00002937** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well No. R1H, Flare Permit No. 32610, Briscoe Ranch (Eagleford) Field, Dimmit and Zavala Counties, Texas; District 01

**Oil and Gas Docket No. OG-20-00003311** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Winterbotham ZAV (15744) Lease, Well No. P 1H, Winterbotham-TN Unit ZAV (19779) Lease, Well No. 1H, Flare Permit no. 42114, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

**Oil and Gas Docket No. OG-20-00003312** - This hearing is held to consider the application of Exco Operating Company, LP for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Coleman Unit ZAV E (18314) Lease, Well Nos. 2H and 4H, Briscoe Ranch (Eagleford) Field, Zavala County, Texas; District 01

If you have questions regarding this Application, please contact the Applicant's representative, Dale E. 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).

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

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

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

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

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Notice of Hearing in Oil and Gas Docket No. **OG-20-00003306 et al** 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:

EXCO OPERATING COMPANY,  
LP  
ATTN: CARY CANNON  
12377 MERIT DRIVE, SUITE  
1700  
DALLAS TX 75251

EXCO RESOURCES  
COMPANY, LP  
ATTN: SHARON FIGUEROA  
SR. REG. SPECIALIST  
12377 MERIT DRIVE, SUITE  
1700 LB 82  
DALLAS, TX 75251

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

BUFFCO PRODUCTION INC.  
P O BOX 2243  
LONGVIEW, TX 75606

CHESAPEAKE OPERATING  
COMPANY INC  
PO BOX 18496  
OKLAHOMA CITY, OK 73154

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

CRIMSON EXPLORATION  
OPER., INC.  
717 TEXAS AVENUE, SUITE  
2900  
HOUSTON, TX 77002

FREEDOM PRODUCTION, INC  
5151 SAN FELIPE, SUITE 800  
HOUSTON, TX 77056

NEWFIELD EXPLORATION  
COMPANY  
4 WATERWAY SQUARE  
PLACE  
THE WOODLANDS, TX 77380

PRODUCTION RESOURCES,  
INC.  
PO BOX 1338  
CASTROVILLE, TX 78009

SN OPERATING, LLC  
1000 MAIN STREET, SUITE  
3000  
HOUSTON, TX 77002

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

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

WILLIAMS MLP OPERATING  
MOCKINGBIRD MIDSTREAM  
GAS SERVICES, LLC  
RICHARD A. HOWELL/JOHN  
HAYS  
JACKSON WALLER, LLP  
1401 MCKINNEY STREET,  
SUITE 1900  
HOUSTON, TX 77070

T GREGORY JACKSON  
AARON CHRISTIAN  
HEATHER SUMMERFIELD  
ARCADI JACKSON  
ATTORNEYS FOR EXCO  
OPERATING  
2911 TURTLE CREEK BLVD,  
SUITE 800  
DALLAS, TX 75219

DAVID NELSON  
GROSS & NELSON  
ATTORNEYS  
COUNSEL FOR EXCO  
OPERATING 12400 HIGHWAY  
71 WEST, SUITE 350-230  
AUSTIN, TX 78738

BRIAN R. SULLIVAN  
KELLI KENNEY  
PAUL TOUGH  
MCELROY, SULLIVAN, MILLER  
& WEBER, LLP  
COUNSEL FOR OOCG  
AMERICA, LLC  
PO BOX 12127  
AUSTIN, TX 78746

MILLER CONSULTING INC.  
ATTN: DALE MILLER  
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***

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 **28th** day of **May**, 2020.

***Laura Bradley***

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: EXCO OPERATING COMPANY, LP  
(256915)  
CASE/DOCKET NO.: OG-20-00002543 et al.  
STATUS NO.:

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

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

\_\_\_\_\_  
Signature Date  
Telephone: Area Code: (\_\_\_\_) \_\_\_\_\_

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

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

ADDRESS TO WHICH NOTICE WAS SENT:

\_\_\_\_\_ Is correct \_\_\_\_\_ Is incorrect and should be corrected to:

\_\_\_\_\_  
Street City State Zip Code

ADDITIONAL NOTICE SHOULD BE SENT TO THE REPRESENTATIVE SHOWN BELOW:

\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
Street City State Zip Code



# RAILROAD COMMISSION OF TEXAS

## HEARINGS DIVISION

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

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

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

#### **Completion of this form is optional**

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

[        ] E-mail at: \_\_\_\_\_

Authorized by:

\_\_\_\_\_ (signature)  
 \_\_\_\_\_ (print name)  
 \_\_\_\_\_ (firm)

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

RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION

|                                       |   |
|---------------------------------------|---|
| Oil and Gas Docket No. OG-20-00002357 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 TO FLARE GAS FOR THE YELLOW JACKET 1716 LEASE, WELL NO. A2H, AND THE STONEMAN STATE 3927 LEASE, WELL NO. A2H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08 |
| Oil and Gas Docket No. OG-20-00002539 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BUCKSKIN STATE 1003 1U LEASE, WELL NO. B1H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08                             |
| Oil and Gas Docket No. OG-20-00002540 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BUCKSKIN STATE 1003 2U LEASE, WELL NO. A2H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08                             |
| Oil and Gas Docket No. OG-20-00002541 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BUCKSKIN STATE 1003 3U LEASE, WELL NO. B3H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08                             |
| Oil and Gas Docket No. OG-20-00002542 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS FOR THE BUCKSKIN STATE 1003 4U LEASE, WELL NO. A4H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08                             |
| Oil and Gas Docket No. OG-20-00003265 | § APPLICATION PDC PERMIAN, INC. (OPERATOR NO. 646832) PURSUANT TO STATEWIDE RULE 32 FOR AN EXCEPTION TO FLARE GAS STONEMAN STATE 3927 (286927) LEASE, WELL NO. B1H, PHANTOM (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS; DISTRICT 08                               |
| May 29, 2020                          |   |

**CORRECTED JOINT NOTICE OF HEARING**

Corrected lease name in Appendix A

**Date, Location, and Place of Hearing-** Notice is hereby given that a public hearing will be held at **9:00 a.m. on Thursday, June 4, 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-20-00002357** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Yellow Jacket 1716 Lease, Well No. A2H, and the Stoneman State 3927, Well No. A2H, Phantom (Wolfcamp) Field, Reeves County, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002539** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Buckskin State 1003 1U Lease, Well No. B1H, Phantom (Wolfcamp) Field, Reeves County, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002540** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Buckskin State 1003 2U Lease, Well No. A2H, Phantom (Wolfcamp) Field, Reeves County, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002541** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Buckskin State 1003 3U Lease, Well No. B3H, Phantom (Wolfcamp) Field, Reeves County, Texas; District 08.

**Oil and Gas Docket No. OG-20-00002542** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Buckskin State 1003 4U Lease, Well No. A4H, Phantom (Wolfcamp) Field, Reeves County, Texas; District 08.

**Oil and Gas Docket No. OG-20-00003265** - This hearing is held to consider the application of PDC Permian, Inc. for an Exception to Statewide Rule 32 (16 Tex. Admin. Code § 3.32), relating to the flaring of gas, for the Stoneman State 3927 (286927) Lease, Well No. B1H, Phantom (Wolfcamp) Field, 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).

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

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



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 Nos. **OG-20-00002357 et al** 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:

PDC PERMIAN INC  
1775 SHERMAN STREET STE 3000  
DENVER CO 80203

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

APR OPERATING LLC  
400 WEST ILLINOIS STE 970  
MIDLAND, TX 79701

BHP BILLITON PET (TXLA OP) CO  
1700 PLATTE SUITE 150  
DENVER CO 80202

BPX OPERATING COMPANY  
1700 PLATTE ST  
DENVER CO 80202

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

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

HORTON OILFIELD SERVICES  
PO BOX 264  
BALLINGER, TX 76821

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

SONORAN ENERGY INC.  
15305 DALLAS PARKWAY SUITE 337  
ADDISON, TX 75001

WHITE'S INDUSTRIAL ENGINE'S  
C/O PETRO ENERGY GROUP  
12955 WILLOW PL WEST 691485  
HOUSTON, TX 77070

MCELROY SULLIVAN MILLER & WEBER LLP  
KELLI KENNEY  
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***

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 **29th** day of **May**, 2020.

***Laura Bradley***

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: PDC PERMIAN, INC. (646832)  
CASE/DOCKET NO.: OG-20-00002357 et al  
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.