

# RAILROAD COMMISSION OF TEXAS

## OFFICE OF GENERAL COUNSEL

### HEARINGS SECTION

OIL AND GAS DOCKET NO. 05-0228749

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**ENFORCEMENT ACTION AGAINST MAX D. ANDERSON DBA BLACK JACK OIL FOR VIOLATIONS OF STATEWIDE RULES ON THE POSEY (03756) LEASE, WELL NOS. P2 AND P5, (RRC PERMIT NOS. P489716 & P487644) HILL COUNTY, TEXAS.**

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### FINAL ORDER

The Commission finds that after statutory notice the captioned enforcement proceedings were heard by the examiner on January 22, 2004. The examiner has circulated a Proposal for Decision containing Findings of Fact and Conclusions of Law. Having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, those Findings of Fact and Conclusions of Law are hereby adopted and made a part hereof by reference.

It is accordingly **ORDERED** that, within 90 days from the day immediately following the date this order becomes final that Max D. Anderson dba Black Jack Oil shall dewater, backfill, and compact two reserve pit areas associated with drilling operations for Well Nos. P2 and P5 on the Posey (03756) Lease.

It is further **ORDERED** that, within 30 days from the day immediately following the date that order becomes final that Max D. Anderson dba Black Jack Oil shall pay an administrative penalty of **TWO THOUSAND DOLLARS (\$2,000.00)**.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order 3 days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest within such 20-day period after the party's presumed notice, this order shall not become final until such motion is overruled, or if rehearing is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE § 2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the order is served on the parties.

Each exception to the examiner's proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

Noncompliance with the provisions of this order is subject to enforcement by the Attorney General and subject to civil penalties of up to \$10,000.00 per day per violation.

Done this \_\_ day of March, 2004, in Austin, Texas.

**RAILROAD COMMISSION OF TEXAS**

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**CHAIRMAN VICTOR G. CARRILLO**

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**COMMISSIONER CHARLES R. MATTHEWS**

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**COMMISSIONER MICHAEL L. WILLIAMS**

**ATTEST:**

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**SECRETARY**