

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0279753

IN RE: P-5 ORGANIZATION REPORT OF MIDWESTERN ENERGY

FINAL ORDER

The Commission finds that after notice and an opportunity for hearing regarding the captioned matter, the Operator failed to request a hearing and pay the hearing fee as required by 16 TEX. ADMIN. CODE §3.15(g)(4) and TEX. NAT. RES. CODE §89.022(f). This matter having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. Midwestern Energy [Operator #566592] (the "Operator"), is the record operator or one or more inactive wells in the State of Texas and is required to file Organization Report (Form P-5) with the Commission. Operator's most recent P-5 was due on or before August 1, 2012.
2. After filing its most recent Organization Report (Form P-5) with the Commission, the Operator was notified they were deficient and had failed to comply with the requirements of 16 TEX. ADMIN. CODE § 3.15 (Surface Equipment Removal Requirements and Inactive Wells) and provided with a written statement of the reasons for the determination and allowed ninety (90) days from the date its P-5 was due to comply with the requirements of 16 TEX. ADMIN. CODE § 3.15 and TEX. NAT. RES. CODE §§89.021 - 89.030.
3. After the expiration of ninety (90) days and pursuant to 16 TEX. ADMIN. CODE §3.15(g)(4), an authorized Commission employee determined that the Operator's Organization Report still could not be renewed because the Operator continued to fail to comply with the requirements of 16 TEX. ADMIN. CODE §3.15 (Surface Equipment Removal Requirements and Inactive Wells).
4. The Commission sent the Operator a letter notifying the Operator of the determination of continued non-compliance, that the Operator had a right to request a hearing, and that the hearing request and non-refundable hearing fee had to be received by the Commission no later than 30 days after the date of the letter. The letter included a list, attached as Exhibit A to this order, of the wells that remained out of compliance with Statewide Rule 15 (16 TEX. ADMIN. CODE §3.15).
5. All notices and letters from the Commission to the Operator on this matter were addressed and mailed to the Operator's most recently reported address on the Form P-5 Organization Report.

6. The Operator did not timely request a hearing and pay the hearing fee on these issues as required under 16 TEX. ADMIN. CODE §3.15(g)(4) (Surface Equipment Removal Requirements and Inactive Wells).
7. Statewide Rule 15 (16 TEX. ADMIN. CODE §3.15) is a Commission rule that relates to safety or the prevention or control of pollution.

CONCLUSIONS OF LAW

1. The Operator received proper notice and an opportunity for hearing regarding compliance with 16 Tex. Admin. Code §3.15 and Tex. Nat. Res. Code §§89.021 - 89.030.
2. All things necessary to the Commission attaining jurisdiction over the subject matter and the parties in this matter have been performed or have occurred.
3. The Operator is in violation of Commission Statewide Rule 15 and did not timely request a hearing to contest the determination that it was in violation.
4. Denial of renewal of the Operator's P-5 Organization Report is authorized and required by 16 Tex. Admin. Code §3.15(g)(4) and Tex. Nat. Res. Code §§89.022(f).
5. The Operator's P-5 Organization Report cannot be renewed until the operator brings the inactive wells shown on the attached Exhibit A into compliance with the requirements of 16 Tex. Admin. Code §3.15 and Tex. Nat. Res. Code §§89.021 - 89.030.

IT IS ORDERED that renewal of Midwestern Energy's P-5 Organization Report is hereby **DENIED**.

It is further ORDERED that Midwestern Energy shall bring the wells on Exhibit A into compliance with Statewide Rule 15 (16 TEX. ADMIN. CODE §3.15) and that the Operator's P-5 Organization Report shall not be renewed until the wells on Exhibit A have been brought into compliance as required by this order.

It is further ORDERED that Midwestern Energy and each person who held a position of ownership or control in the Operator at the time the Operator's most-recent P-5 Organization Report was filed shall be subject to the terms of TEX. NAT. RES. CODE §91.114.

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 three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion 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 parties are notified of the order.

All requested Findings of Fact and Conclusions of Law which are not expressly adopted herein are **DENIED**. All pending motions and request for relief not previously granted or granted herein are **DENIED**.

RAILROAD COMMISSION OF TEXAS

(Signatures affixed by Rule 15 Inactive Well
Master Order dated January 29, 2013.)

API Number	District	ID Number	Lease Name	Well Number
009 01262 No approved W-3X on file	09	19901	RAY	1
009 33701 No approved W-3X on file	09	19452	AMINEX -A-	A 1
009 33906 No approved W-3X on file	09	19452	AMINEX -A-	A 2
009 33907 No approved W-3X on file	09	19452	AMINEX -A-	A 3
009 34109 No approved W-3X on file	09	19452	AMINEX -A-	1D
009 34435 No approved W-3X on file	09	19452	AMINEX -A-	8A
009 34971 No approved W-3X on file	09	19452	AMINEX -A-	4
009 35275 No approved W-3X on file	09	19452	AMINEX -A-	9
009 35959 No approved W-3X on file	09	19452	AMINEX -A-	10
009 36659 No approved W-3X on file	09	19452	AMINEX -A-	11
009 39622 No approved W-3X on file	09	26609	FARMER-RAY	1
009 40350 No approved W-3X on file	09	27872	EATON "A"	1
009 40505 No approved W-3X on file Must resolve UIC H-5 Test issue preventing 14(B)(2) approval	09	28128	EATON "B"	1
023 31140 No approved W-3X on file	09	25053	KOLACEK	1
275 00871 No approved W-3X on file	09	08400	HUNT, E. W.	1
275 01172 No approved W-3X on file	09	08664	CLOUD	1
275 02388 No approved W-3X on file	09	08664	CLOUD	2
275 02389 No approved W-3X on file Must resolve UIC H-5 Test issue preventing 14(B)(2) approval	09	08664	CLOUD	3

Docket No. 20-0279753

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
275 30628	09	09979	ZEISSEL	6
No approved W-3X on file				
275 30875	09	08400	HUNT, E. W.	9
No approved W-3X on file				
275 80030	09	08400	HUNT, E. W.	6
No approved W-3X on file				
275 80083	09	08400	HUNT, E. W.	C 1
No approved W-3X on file				
275 80312	09	09979	ZEISSEL	2
No approved W-3X on file				
353 00534	7B	25971	GROUP 4000 UNIT "A"	14
No approved W-3X on file				
353 32150	7B	25971	GROUP 4000 UNIT "A"	23A
No approved W-3X on file				
353 32157	7B	25971	GROUP 4000 UNIT "A"	16 A
No approved W-3X on file				
353 32170	7B	25971	GROUP 4000 UNIT "A"	9A
No approved W-3X on file				
353 32231	7B	25971	GROUP 4000 UNIT "A"	15 A
No approved W-3X on file				
353 80624	7B	10432	GROUP 4000 UNIT	39
No approved W-3X on file				
485 42578	09	05286	PRESTON	10
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 42579	09	05286	PRESTON	9
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 82767	09	05286	PRESTON	4
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 82768	09	05286	PRESTON	5
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 82769	09	05286	PRESTON	6
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				

API Number	District	ID Number	Lease Name	Well Number
485 82770	09	05286	PRESTON	7
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 84875	09	05563	PRESTON "A"	1
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 84876	09	05563	PRESTON "A"	2
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 84878	09	05565	PRESTON -B-	1
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 84879	09	05565	PRESTON -B-	2
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 84881	09	05565	PRESTON -B-	5
No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 86755	09	06069	STATE LEASE NO. 42585	G 1
No approved W-3X on file				
485 87151	09	06310	STATE LEASE NO. 42585	2
No approved W-3X on file				