

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0288575

IN RE: P-5 ORGANIZATION REPORT OF WHITT OIL & GAS, INC.

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. Whitt Oil & Gas, Inc. [Operator #921150] (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 December 1, 2013.
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 by certified mail giving notice to the Operator of the determination of continued non-compliance regarding specified inactive wells, attached as Exhibit A to this order, and advising the Operator of the right to request a hearing to show compliance. The letter notified the Operator that the hearing request must be received in docket services no later than 30 days after the date of the letter. The letter also notified the Operator that a final order denying renewal of the Operator's Organization Report (Form P-5) would result in the cancellation of all P-4 Certificates of Compliance and the severance of all pipeline or other carrier connections.

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. The Operator's P-5 Organization Report should not be renewed and all of the Operator's P-4 Certificates of Compliance should be cancelled, with all related pipeline or other carrier connections severed. 16 Tex. Admin. Code §3.15 (g)(4) and Tex. Nat. Res. Code §§89.022(f), 91.704 - 91.706.
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 Whitt Oil & Gas, Inc.'s P-5 Organization Report is hereby **DENIED**.

It is further ORDERED that all P-4 Certificates of Compliance issued to Whitt Oil & Gas, Inc. as operator of record are hereby **CANCELLED** and all related pipeline or other carrier connections are hereby **SEVERED**.

It is further ORDERED that Whitt Oil & Gas, Inc. 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 Whitt Oil & Gas, Inc. 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 June 17, 2014.)

API Number	District	ID Number	Lease Name	Well Number
059 04611 No approved W-3X on file	7B	00757	JACKSON, ELMA	9
059 31190 No approved W-3X on file	7B	13243	LOVING, P.B.	1
059 31228 No approved W-3X on file	7B	13243	LOVING, P.B.	2
059 31825 No approved W-3X on file	7B	13243	LOVING, P.B.	4
059 31972 No approved W-3X on file	7B	13243	LOVING, P.B.	5
059 32057 No approved W-3X on file	7B	13243	LOVING, P.B.	6
059 35818 No approved W-3X on file	7B	13243	LOVING, P.B.	7
059 36230 No approved W-3X on file	7B	26519	YOUNG	1
059 36338 No approved W-3X on file	7B	27348	MCWHORTER	1
253 34213 No approved W-3X on file	7B	27420	GODFREY UNIT	1
253 34298 No approved W-3X on file	7B	27759	GODFREY	3
253 34368 No approved W-3X on file	7B	28015	BEST	1
417 01298 No approved W-3X on file	7B	132094	CARTER ESTATE	4
417 07573 No approved W-3X on file	7B	108925	LEDBETTER, MORRIS E.	1
417 08563 No approved W-3X on file	7B	03441	REYNOLDS, G. E.	9
417 10128 No approved W-3X on file	7B	03441	REYNOLDS, G. E.	1
417 30553 No approved W-3X on file	7B	27840	ELLIOTT "A"	1
417 31276 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	1 A
417 31932 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	5A

Docket No. 20-0288575

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
417 31933 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	4A
417 31934 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	3A
417 32844 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	6A
417 33187 No approved W-3X on file	7B	15934	DENNIS COMMUNITY	1
417 33288 No approved W-3X on file	7B	25904	CARTER (SEC. 70)	2
417 33356 No approved W-3X on file	7B	25904	CARTER (SEC. 70)	3
417 33456 No approved W-3X on file	7B	16452	CARTER ESTATE	2
417 33457 No approved W-3X on file	7B	28130	CARTER ESTATE	1
417 34102 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	7 A
417 34720 No approved W-3X on file	7B	23383	HOLSTEIN HEIRS "B"	1
417 34856 No approved W-3X on file	7B	16452	CARTER ESTATE	3
417 35246 No approved W-3X on file	7B	20260	LEDBETTER	1
417 36362 No approved W-3X on file	7B	03441	REYNOLDS, G. E.	10
417 36725 No approved W-3X on file	7B	23382	HOLSTEIN HEIRS "A"	1
417 36903 No approved W-3X on file	7B	23382	HOLSTEIN HEIRS "A"	7
417 37460 No approved W-3X on file	7B	26184	ELLIOTT	1
417 37579 No approved W-3X on file	7B	26539	LEDBETTER	1 A
417 80830 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	2
417 80831 No approved W-3X on file	7B	03346	MORRIS, J. P. ESTATE -C-	8

Docket No. 20-0288575

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
417 80832	7B	03346	MORRIS, J. P. ESTATE -C-	12
No approved W-3X on file				
441 31824	7B	17463	VINSON, J.W.	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
441 32269	7B	19073	LANDERS, FRED	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				

Docket No. 20-0288575

Exhibit A