

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0284192

IN RE: P-5 ORGANIZATION REPORT OF BENCHMARK OIL & GAS COMPANY

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. Benchmark Oil & Gas Company [Operator #064101] (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 April 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 Benchmark Oil & Gas Company's P-5 Organization Report is hereby **DENIED**.

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

It is further ORDERED that Benchmark Oil & Gas Company 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 Benchmark Oil & Gas Company 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 September 10, 2013.)

API Number	District	ID Number	Lease Name	Well Number
361 00588 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	6
361 00591 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	11
361 00592 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	9
361 00599 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	17
361 00600 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	15
361 00602 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	18
361 00651 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	14
361 00652 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	27
361 00656 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	28
361 00713 No approved W-3X on file	03	03263	FIRST NATIONAL BANK	3
361 00721 No approved W-3X on file	03	03238	MICHEL HEIRS	1
361 00779 No approved W-3X on file	03	05744	COW BAYOU STATE	3
361 00786 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	12
361 00793 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	29
361 00822 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	26
361 00889 No approved W-3X on file	03	11047	MICHEL -B-	2
361 00891 No approved W-3X on file	03	03272	BURTON FEE	1
361 00892 No approved W-3X on file	03	03228	GULF FEE	1
361 00959 No approved W-3X on file	03	03303	MICHEL-BERWICK	1

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
361 00963 No approved W-3X on file	03	03303	MICHEL-BERWICK	3
361 01029 No approved W-3X on file	03	03299	GALLIER-GRANGER UNIT	1
361 01042 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	7
361 01050 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	5
361 01080 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	2
361 01089 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	11
361 01091 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	9
361 01092 No approved W-3X on file	03	03230	PEVETO, F.T. "B"	10
361 01101 No approved W-3X on file	03	03227	GRANGER, M. HEIRS	10
361 01102 No approved W-3X on file	03	03227	GRANGER, M. HEIRS	6
361 01111 No approved W-3X on file	03	03232	SUN OIL COMPANY, ETAL	9
361 01116 No approved W-3X on file	03	03294	PEVETO, F. T.	3
361 01117 No approved W-3X on file	03	03294	PEVETO, F. T.	4
361 01121 No approved W-3X on file	03	03231	PEVETO, F. T. -A-	4A
361 01124 No approved W-3X on file	03	03231	PEVETO, F. T. -A-	2A
361 01125 No approved W-3X on file	03	03231	PEVETO, F. T. -A-	1A
361 01126 No approved W-3X on file	03	03231	PEVETO, F. T. -A-	3A
361 01127 No approved W-3X on file	03	03259	GRANGER, CORA ETAL	7
361 01128 No approved W-3X on file	03	03259	GRANGER, CORA ETAL	9

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API Number	District	ID Number	Lease Name	Well Number
361 01173 No approved W-3X on file	03	03291	HARMON, J. M.	8
361 01182 No approved W-3X on file	03	03222	HARMON, L. H. - GULF FEE	2
361 01185 No approved W-3X on file	03	03222	HARMON, L. H. - GULF FEE	1
361 01191 No approved W-3X on file	03	03290	HARMON, JESSIE -B-	1
361 01194 No approved W-3X on file	03	06232	CORMIER, ROBERT FEE	A 1
361 01204 No approved W-3X on file	03	03263	FIRST NATIONAL BANK	4
361 01456 No approved W-3X on file	03	08398	HARMON, JESSIE M., -A-	1C
361 30021 No approved W-3X on file	03	03294	PEVETO, F. T.	2
361 30049 No approved W-3X on file	03	03228	GULF FEE	5
361 30061 No approved W-3X on file	03	03227	GRANGER, M. HEIRS	14
361 30064 No approved W-3X on file	03	03299	GALLIER-GRANGER UNIT	1 A
361 30095 No approved W-3X on file	03	03261	HAGER, GULF LEE FEE	32
361 30098 No approved W-3X on file	03	03226	GRANGER, FRANK	3
361 30101 No approved W-3X on file	03	03227	GRANGER, M. HEIRS	19
361 30104 No approved W-3X on file	03	03228	GULF FEE	6
361 30139 No approved W-3X on file	03	11454	SMITH, NANIE	1
361 30140 No approved W-3X on file	03	03228	GULF FEE	8
361 30300 No approved W-3X on file	03	08398	HARMON, JESSIE M., -A-	10
361 30315 No approved W-3X on file	03	12299	BOISE, ET AL	1

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
361 30316	03	03226	GRANGER, FRANK	5
No approved W-3X on file				
361 30332	03	03228	GULF FEE	10
No approved W-3X on file				
361 30388	03	03228	GULF FEE	12
No approved W-3X on file				
361 30394	03	03299	GALLIER-GRANGER UNIT	3 A
No approved W-3X on file				
361 30415	03	03228	GULF FEE	13
No approved W-3X on file				
361 30439	03	03228	GULF FEE	14
No approved W-3X on file				
361 30443	03	12172	LEON	4
No approved W-3X on file				
361 30444	03	10329	MOORE UNIT	4A
No approved W-3X on file				
361 30466	03	03228	GULF FEE	15
No approved W-3X on file				
361 30486	03	03260	GULF WM. WINFREE FEE	7
No approved W-3X on file				
361 30492	03	08398	HARMON, JESSIE M., -A-	11
No approved W-3X on file				
361 30496	03	03299	GALLIER-GRANGER UNIT	4
No approved W-3X on file				
361 30507	03	08398	HARMON, JESSIE M., -A-	12
No approved W-3X on file				
361 30532	03	121887	CHANDLER "B"	1
No approved W-3X on file				
361 30601	03	03227	GRANGER, M. HEIRS	21
No approved W-3X on file				
361 30603	03	20609	CORMIER, PAUL J. ET AL.	1R
No approved W-3X on file				
361 30625	03	03232	SUN OIL COMPANY, ETAL	14
No approved W-3X on file				
361 30832	03	213682	CHANDLER-COW BAYOU UNIT 1	1
No approved W-3X on file				
361 30850	03	03259	GRANGER, CORA ETAL	B 1
No approved W-3X on file				

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
361 30856	03	03226	GRANGER, FRANK	B 1
No approved W-3X on file				
361 80047	03	03232	SUN OIL COMPANY, ETAL	1
No approved W-3X on file				
361 80049	03	03232	SUN OIL COMPANY, ETAL	3
No approved W-3X on file				
361 80050	03	03232	SUN OIL COMPANY, ETAL	4
No approved W-3X on file				
361 80054	03	03238	MICHEL HEIRS	7
No approved W-3X on file				
361 80161	03	06232	CORMIER, ROBERT FEE	2
No approved W-3X on file				
361 80169	03	08398	HARMON, JESSIE M., -A-	3
No approved W-3X on file				
361 80196	03	11454	SMITH, NANIE	3
No approved W-3X on file				
361 80198	03	12563	CORBETT	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
361 80204	03	14130	MINOR	2
No approved W-3X on file				
361 80247	03	08398	HARMON, JESSIE M., -A-	1
No approved W-3X on file				

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