

RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
OIL AND GAS SECTION

OIL & GAS DOCKET NO. 03-0225208

ENFORCEMENT ACTION AGAINST ERROL BRUCE GARY, D.B.A. GARY OIL & GAS (OPERATOR NO. 296665) FOR VIOLATIONS OF STATEWIDE RULES ON THE KATE WHITEHEAD "B" (21664) LEASE, WELL NOS. 4 AND 5, PIERCE JUNCTION FIELD, HARRIS COUNTY, TEXAS; ON THE STRIBLING, W. F. (02379) LEASE, WELL NO. 2, HUMBLE FIELD, HARRIS COUNTY, TEXAS; AND ON THE STRIBLING, W. F. 'A' (04846) LEASE, WELL NO. 1, HUMBLE FIELD, HARRIS COUNTY, TEXAS

FINAL ORDER

The Commission finds that after statutory notice the captioned enforcement proceeding was heard by the examiner who 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 30 days from the day immediately following the date this order becomes final:

1. Errol Bruce Gary, D.B.A. Gary Oil & Gas shall plug in compliance with Statewide Rule 14 [Tex. R.R. Comm'n, 16 TEX. ADMIN. CODE §3.14] the Kate Whitehead "B" (21664) Lease, Well Nos. 4 and 5, Pierce Junction Field, Harris County, Texas; the Stribling, W. F. (02379) Lease, Well No. 2, Humble Field, Harris County, Texas; and the Stribling, W. F. 'A' (04846) Lease, Well No. 1, Humble Field, Harris County, Texas;
2. Errol Bruce Gary, D. B. A. Gary Oil & Gas shall clean-up and place in compliance with Statewide Rule 8 [Tex. R.R. Comm'n, 16 TEX. ADMIN. CODE §3.8] the Kate Whitehead "B" (21664) Lease, Pierce Junction Field, Harris County, Texas; and
3. Errol Bruce Gary, D.B.A. Gary Oil & Gas shall remit to the Railroad Commission of Texas, for disposition as provided by law, an administrative penalty in the amount of **TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500.00)**.

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 three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party of 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 order is served on the parties.

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Final Order

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 20th day of December, 2002, in Austin, Texas.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN MICHAEL L. WILLIAMS

COMMISSIONER CHARLES R. MATTHEWS

ATTEST:

SECRETARY