

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

OIL AND GAS DOCKET NO. 04-0228511

OIL AND GAS DOCKET NO.; COMPLAINT OF EL RIO OIL & GAS CO. REGARDING THE LUTZ (08281) LEASE, HIDALGO COUNTY, TEXAS ALLEGING THAT J. PAUL JONES OFS & SUP INC. AND/OR SOUTHWEST OIL & LAND, INC. EXCERCISED PHYSICAL OPERATION AND CONTROL OF THE WELL IN SUCH A WAY THAT THEY ACQUIRED RESPONSIBILITY FOR PLUGGING THE WELL.

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, Southwest Oil & Land, Inc. shall plug the Lutz, Max (08281) Lease, Well No. 1, Hidalgo County, Texas in accordance Statewide Rule 14 [Tex. R.R. Comm'n, 16 TEX. ADMIN. CODE § 3.14] and place the lease in compliance with Statewide Rule 3(a) [Tex. R.R. Comm'n, 16 TEX. ADMIN. CODE § 3.3(a)].

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.

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.

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 8th day of April, 2003, in Austin, Texas.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN MICHAEL L. WILLIAMS

COMMISSIONER CHARLES R. MATTHEWS

COMMISSIONER VICTOR G. CARRILLO

ATTEST:

SECRETARY