

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0304700

IN RE: P-5 ORGANIZATION REPORT OF NBI SERVICES, 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. NBI Services, Inc. [Operator #601352] (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, 2016.
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 NBI Services, Inc.'s P-5 Organization Report is hereby **DENIED**.

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

It is further ORDERED that NBI Services, 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 NBI Services, 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 25 days after the Commission's Order is signed, unless the time for filing a motion for rehearing has been extended under Tex. Gov't Code §2001.142, by agreement under Tex. Gov't Code §2001.147, or by written Commission Order issued pursuant to Tex. Gov't Code §2001.146(e). 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 Commission Order is signed.

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 May 10, 2017.)

API Number	District	ID Number	Lease Name	Well Number
223 00084 No approved	05 W-3X	01763 on file	DAVIS, BERT	4
223 00096 No approved	05 W-3X	01089 on file	WORSHAM, JEFF M.	1
223 00098 No approved	05 W-3X	01089 on file	WORSHAM, JEFF M.	3
223 00099 No approved	05 W-3X	01089 on file	WORSHAM, JEFF M.	4
223 00100 No approved	05 W-3X	01088 on file	ROONEY, LONG	1
223 00102 No approved	05 W-3X	01088 on file	ROONEY, LONG	2X
223 00118 No approved	05 W-3X	01091 on file	WORSHAM, J. E. -A-	2
223 00123 No approved	05 W-3X	01090 on file	WORSHAM, J. E.	7
223 00126 No approved	05 W-3X	01090 on file	WORSHAM, J. E.	10
223 00131 No approved	05 W-3X	01763 on file	DAVIS, BERT	2
223 20006 No approved	05 W-3X	01091 on file	WORSHAM, J. E. -A-	6
223 30004 No approved	05 W-3X	01090 on file	WORSHAM, J. E.	11
223 30081 No approved	05 W-3X	01763 on file	DAVIS, BERT	8
223 30479 No approved	05 W-3X	01090 on file	WORSHAM, J. E.	12
223 30481 No approved	05 W-3X	01086 on file	REYNOLDS, J. G.	8
449 00678 No approved	06 W-3X	03115 on file	TIMMONS, MARGARET B.	12
449 00691 No approved	06 W-3X	14982 on file	GARBADE, ADELE	10 U
449 00726 No approved	06 W-3X	14982 on file	GARBADE, ADELE	6
449 00779 No approved	06 W-3X	05843 on file	HOFFMAN-BANKHEAD UNIT	210

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
449 00780 No approved W-3X on file	06	05843	HOFFMAN-BANKHEAD UNIT	211 U
449 00780 No approved W-3X on file	06	05844	HOFFMAN-BANKHEAD UNIT	211
449 30048 No approved W-3X on file	06	03115	TIMMONS, MARGARET B.	13
449 30211 No approved W-3X on file	06	05844	HOFFMAN-BANKHEAD UNIT	114
449 30401 No approved W-3X on file	06	03115	TIMMONS, MARGARET B.	18
449 30434 No approved W-3X on file	06	14982	GARBADE, ADELE	12
449 30543 No approved W-3X on file	06	03115	TIMMONS, MARGARET B.	21
449 30545 No approved W-3X on file	06	03115	TIMMONS, MARGARET B.	23
449 30547 No approved W-3X on file	06	03115	TIMMONS, MARGARET B.	29
449 30572 No approved W-3X on file	06	05844	HOFFMAN-BANKHEAD UNIT	231
449 80256 No approved W-3X on file	06	05844	HOFFMAN-BANKHEAD UNIT	208

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Exhibit A