

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0310187

IN RE: P-5 ORGANIZATION REPORT OF RBE WICHITA, LLC

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. RBE Wichita, LLC [Operator #685834] (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 October 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 RBE Wichita, LLC's P-5 Organization Report is hereby **DENIED**.

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

It is further ORDERED that RBE Wichita, LLC 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 RBE Wichita, LLC 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 100 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 April 10, 2018.)

API Number	District	ID Number	Lease Name	Well Number
485 14461	09	14850	BURNETT	37
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 15200	09	14850	BURNETT	30W
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 15216	09	14850	BURNETT	B 13
Production fluids must be purged (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 15218	09	14850	BURNETT	16W
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 30132	09	14200	BURNETT -D-	16
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 30141	09	14200	BURNETT -D-	17
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 30624	09	13837	BURNETT -C-	4
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file				
485 32739	09	14200	BURNETT -D-	8
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 32740	09	14200	BURNETT -D-	7
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 32741	09	14200	BURNETT -D-	6
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 33240	09	14200	BURNETT -D-	14
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				

Docket No. 20-0310187

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
485 33242	09	14850	BURNETT	35
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 33244	09	14200	BURNETT -D-	4
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 33740	09	14850	BURNETT	38
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 33741	09	14200	BURNETT -D-	18
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 34405	09	14850	BURNETT	39
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 34408	09	14850	BURNETT	41
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 34430	09	14850	BURNETT	42
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 34633	09	14200	BURNETT -D-	22
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 34634	09	13837	BURNETT -C-	8
No approved W-3X on file Must resolve UIC H-5 Test issue preventing 14(B)(2) approval				
485 34635	09	13837	BURNETT -C-	7
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file				
485 36060	09	14850	BURNETT	44
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 36063	09	14850	BURNETT	40
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 36271	09	14850	BURNETT	45
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				

Docket No. 20-0310187

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
485 36389	09	13837	BURNETT -C- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file	9
485 36390	09	14850	BURNETT Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file	48
485 36804	09	14850	BURNETT Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file	47
485 37916	09	14850	BURNETT Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	51
485 37917	09	14850	BURNETT Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	49
485 90239	09	13837	BURNETT -C- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file	2
485 90240	09	13837	BURNETT -C- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file	3
485 90405	09	14200	BURNETT -D- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	2
485 90407	09	14200	BURNETT -D- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	5
485 90408	09	14200	BURNETT -D- Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file	9
485 90409	09	14200	BURNETT -D- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	10
485 90410	09	14200	BURNETT -D- Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval	11

Docket No. 20-0310187

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
485 90411	09	14200	BURNETT -D-	12
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90412	09	14200	BURNETT -D-	13
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90413	09	14200	BURNETT -D-	15
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90686	09	14850	BURNETT	3W
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90690	09	14850	BURNETT	13
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 90692	09	14850	BURNETT	14
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 90698	09	14850	BURNETT	17
Electricity must be disconnected (certify on Form W-3C) No approved W-3X on file				
485 90699	09	14850	BURNETT	18
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve UIC H-5 Test issue preventing 14(B)(2) approval Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90700	09	14850	BURNETT	19
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90701	09	14850	BURNETT	20
Surface equipment must be removed (certify on Form W-3C) No approved W-3X on file Must resolve District Office field rule violation issue preventing 14(B)(2) approval				

Docket No. 20-0310187

Exhibit A

API Number	District	ID Number	Lease Name	Well Number
485 90705	09	14850	BURNETT	23
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
485 90706	09	14850	BURNETT	24
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
485 90707	09	14850	BURNETT	25
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
Must resolve UIC H-5 Test issue preventing 14(B)(2) approval				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90708	09	14850	BURNETT	26
Surface equipment must be removed (certify on Form W-3C)				
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90709	09	14850	BURNETT	27
Production fluids must be purged (certify on Form W-3C)				
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90711	09	14850	BURNETT	29
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
485 90714	09	14850	BURNETT	31
Production fluids must be purged (certify on Form W-3C)				
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90715	09	14850	BURNETT	32
Surface equipment must be removed (certify on Form W-3C)				
No approved W-3X on file				
Must resolve District Office field rule violation issue preventing 14(B)(2) approval				
485 90719	09	14850	BURNETT	B 3
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
485 90720	09	14850	BURNETT	B 6
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
Must resolve UIC H-5 Test issue preventing 14(B)(2) approval				

Docket No. 20-0310187

Exhibit A