

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL & GAS DOCKET NO. 02-0312784**

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**SINGLE SIGNATURE P-4 FILING OF ACOCK/ANAQUA OPERATING CO., LP (OPERATOR NO. 003599) FOR THE SHELTON-WEST UNIT I (05833) LEASE, WELL NO. 1, PALO ALTO (6350) FIELD, VICTORIA COUNTY, TEXAS, TO CHANGE THE OPERATOR FROM CREST PETROLEUM, LLC (OPERATOR NO. 189894) TO ACOCK/ANAQUA OPERATING CO., LP**

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**FINAL ORDER**

The Commission finds that after notice and opportunity for hearing, the operator of the captioned lease did not respond, and the docket proceeded as a default. The proceeding 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 Facts and Conclusions of Law.

**FINDING OF FACT**

1. At least twenty days' notice was given to Crest Petroleum, LLC (Operator No. 189894), ("Crest Petroleum"), and Acock/Anaqua Operating Co., LP (Operator No. 003599), ("Acock/Anaqua").
2. Crest Petroleum is the operator of record for the Shelton-West Unit I (05833) Lease, Well No. 1, Palo Alto (6350) Field, Victoria County, Texas.
3. On or about July 5, 2018, Acock/Anaqua submitted to the Commission a Form P-4 *Certificate of Compliance and Transportation Authority* requesting transfer of the Shelton-West Unit I (05833) Lease, Well No. 1, Palo Alto (6350) Field, Victoria County, Texas, from Crest Petroleum to Acock/Anaqua, as operator of record.
4. All Commission correspondence to Crest Petroleum was sent via United States Postal Service first-class mail to Crest Petroleum's address of record, as set forth on Crest Petroleum's most recent Form P-5 *Organization Report*.
5. All Commission correspondence to Acock/Anaqua was sent via United States Postal Service first-class mail to Acock/Anaqua's address of record, as set forth on Acock/Anaqua's most recent Form P-5 *Organization Report*.
6. On or about July 17, 2018, the Administrative Law Judge requested in writing that Crest Petroleum either (1) provide evidence that it holds a good faith claim to a continuing right to operate the referenced property or (2) request a hearing on the matter on or before August 18, 2018. This writing expressly notified the operator that failure to timely request a hearing would constitute waiver of the opportunity to request a hearing on the matter.

7. Crest Petroleum's Form P-5 is delinquent. Crest Petroleum had a \$230,000.00 letter of credit as its financial assurance at the time of the last Form P-5 annual renewal submission.
8. Acock/Anaqua's Form P-5 is active-ext. Acock/Anaqua has a \$250,000.00 bond as its financial assurance.
9. A "good faith claim" is defined in Commission Statewide Rule (15)(a)(5) as "a factually supported claim based on a recognized legal theory to a continuing possessory right in the mineral estate, such as evidence of a currently valid oil and gas lease or a recorded deed conveying a fee interest in the mineral estate."
10. No production has been reported on the subject lease since January 1993.
11. Crest Petroleum failed to reply to the Administrative Law Judge's letter dated July 17, 2018, with any documents that it holds a "good faith claim" to a continuing right to operate the subject lease and failed to timely request a hearing.
12. Crest Petroleum does not have a "good faith claim" to operate the subject lease.
13. Pursuant to TEX. GOV'T CODE §§ 2001.056 and 2001.062(e), Crest Petroleum and Acock/Anaqua have waived the opportunity to request a hearing on the matter.
14. Acock/Anaqua now asserts a "good faith claim" to a continuous right to operate the subject lease.
15. The Shelton-West Unit I (05833) Lease, Well No. 1, Palo Alto (6350) Field, Victoria County, Texas, should be transferred to Acock/Anaqua as operator of record.

#### **CONCLUSIONS OF LAW**

1. Proper notice of hearing was timely issued to appropriate persons entitled to notice.
2. All things necessary to the Commission attaining jurisdiction has occurred.
3. Resolution of this docket is a matter committed to the jurisdiction of the Commission. TEX. GOV'T CODE §§ 81.051.
4. Crest Petroleum does not have a "good faith claim" to continue to operate the Shelton-West Unit I (05833) Lease, Well No. 1, Palo Alto (6350) Field, Victoria County, Texas.
5. Acock/Anaqua does have a "good faith claim" to continue to operate the Shelton-West Unit I (05833) Lease, Well No. 1, Palo Alto (6350) Field, Victoria County, Texas.

**IT IS THEREFORE ORDERED** that the application of Acock/Anaqua Operating Co., LP for transfer of the Form P-4 "Certificate of Compliance and Transportation Authority" is hereby **APPROVED**, subject to the provisions of TEX. NAT. RES. CODE §§ 91.1041,

91.1042, 91.107, 91.114, 91.142 and TEX. ADMIN. CODE § 3.15, 3.58, and 3.78. If after 90 days after the order becomes final, Acock/Anaqua Operating Co., LP has not met the requirements of the listed provisions, this Order shall be **VOID** and the subject Form P-4 shall be marked as *Unable to Process* and archived.

It is further **ORDERED** by the Commission that this order shall be effective on October 16, 2018, when the Master Order relating to this Final Order is signed.

All pending motions and requests for relief not previously or herein granted are denied.

Done this 16<sup>th</sup> day of October 2018, Austin, Texas.

**Railroad Commission of Texas (Order approved  
and signatures affixed by Hearings Division  
Unprotested Master Order dated October 16, 2018)**