

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL & GAS DOCKET NO. 03-0316075**

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**SINGLE SIGNATURE P-4 FILING OF NABORS DRILLING TECH USA, INC. (598880) FOR THE TESCO TEST (25184) LEASE, WELL NO. 1, SATSUMA FIELD, HARRIS COUNTY, TEXAS, TO CHANGE THE OPERATOR FROM TESCO CORPORATION (US) (844077) TO NABORS DRILLING TECH USA, INC.**

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**FINAL ORDER**

The Railroad Commission of Texas (“Commission” or “RRC”) finds that after statutory notice and an opportunity for hearing regarding the captioned proceeding, Tesco Corporation (US) failed to request a hearing and did not otherwise respond such that this case can proceed as a default. This proceeding having been duly submitted to the Commission at a conference held in its offices in Austin, Texas, the Commission makes the following findings of fact and conclusions of law.

**Findings of Fact**

1. On or about October 29, 2018, Nabors Drilling Tech USA, Inc. (“Nabors”), RRC Operator No. 598880, filed a single-signature Form P-4 *Certificate of Compliance and Transportation Authority* (“Form P-4”) requesting that it be designated the Commission operator of record for the Tesco Test Lease, Lease No. 25184, Well No. 1 (“Well”). The Form P-4 did not contain the signature of the current Commission operator of record for the Well.
2. Tesco Corporation (US) (“Tesco”), RRC Operator No. 844077, is the current Commission operator of record for the Well.
3. In a letter dated November 16, 2018, a Commission Administrative Law Judge (“ALJ”) requested in writing that Tesco 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 December 17, 2018. This letter expressly notified Tesco that failure to timely request a hearing would constitute waiver of the opportunity to request a hearing for this proceeding. The letter was sent via first-class mail to Tesco’s address of record at the Commission as identified in Tesco’s most recent filing of Form P-5 *Organization Report* (“Form P-5”).
4. 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.” 16 Tex. Admin. Code § 3.15(a)(5).

5. Tesco failed to provide evidence that it holds a good faith claim to a continuing right to operate the Well, failed to respond to the ALJ’s November 16, 2018 letter and failed to request a hearing.
6. At least ten days’ notice of an opportunity for hearing was given to Nabors and Tesco.
7. To demonstrate its good faith claim to operate the Well, Nabors presented documentation indicating that Tesco had merged into Nabors such that Nabors has the right to operate the Well.
8. Nabors has a current Form P-5 with a \$4,000 bond as its financial assurance. Nabors is currently the record operator of zero wells. Nabors’ status at the Commission is active.
9. Tesco does not have a good faith claim to operate the Well.
10. Pursuant to Tex. Gov’t Code §§ 2001.056 and 2001.062(e), Tesco was provided an opportunity to request a hearing and failed to do so.
11. Nabors has demonstrated a good faith claim to a continuing right to operate the Well.
12. The Well should be transferred to Nabors as operator of record.

### **Conclusions of Law**

1. Proper notice of hearing was timely issued to appropriate persons entitled to notice. See, e.g., Tex. Gov’t Code § 2001.051; 16 Tex. Admin. Code §§ 1.42, 1.45.
2. The Commission has jurisdiction in this case. See, e.g., Tex. Nat. Res. Code § 81.051.
3. Tesco does not have a good faith claim, as that term is defined in Statewide Rule 15(a)(5), to continue operating the Well. 16 Tex. Admin. Code § 3.15(a)(5).
4. Nabors does have a good faith claim to operate the Well.

### **Ordering Provisions**

**IT IS THEREFORE ORDERED** that the application of Nabors to change the RRC operator of record for the Well is **APPROVED** and Nabors’ submitted Form P-4 *Certificate of Compliance and Transportation Authority* reflecting itself as the current operator for the

Well 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, Nabors has not met the requirements of the listed provisions, this Final Order shall be **VOID** and the subject Form P-4 shall be marked as *Unable to Process* and archived.

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 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 of an application 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) and 16 Tex. Admin. Code § 1.128(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.

Done this 23<sup>rd</sup> day of January 2019, in Austin, Texas.

**RAILROAD COMMISSION OF TEXAS**

(Order approved and signatures affixed by HD  
Unprotested Master Order dated January 23,  
2019)

JNC/mls