

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL & GAS DOCKET NO. 20-0319156**

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**IN RE: P-5 ORGANIZATION REPORT OF TRIVISTA OPERATING LLC**

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**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. Trivista Operating LLC [Operator #871169] (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 Trivista Operating LLC's P-5 Organization Report is hereby **DENIED**.

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

**It is further ORDERED** that Trivista Operating 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 Trivista Operating 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 9, 2019.)

API Number	District	ID Number	Lease Name	Well Number
021 30525	03	19330	ACT RANCH -A-	1
No approved W-3X on file				
021 30939	03	19368	MEUTH, FRANK ET AL	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 30943	03	19330	ACT RANCH -A-	2
No approved W-3X on file				
021 30960	03	19491	CLONTZ-BELLE	1
No approved W-3X on file				
021 30967	03	19534	MINOTEX/COOK	1
No approved W-3X on file				
021 31003	03	19587	MENZEL	1
No approved W-3X on file				
021 31007	03	19632	FISCHER	1
No approved W-3X on file				
021 31010	03	19638	ACT RANCH "A"	1
No approved W-3X on file				
021 31015	03	19638	ACT RANCH "A"	2
No approved W-3X on file				
021 31023	03	19632	FISCHER	2
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 31027	03	19677	NITSCHKE, LAVERNE	1
No approved W-3X on file				
021 31031	03	19672	RAMSEL-FALKE	2
No approved W-3X on file				
021 31079	03	214837	LIBERTY, EDWIN P.	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 31083	03	127066	LIBERTY, EDWIN P.	2
No approved W-3X on file				
021 31084	03	128436	S&M ENERGY-DEAN STUESSY A	1
No approved W-3X on file				
021 31086	03	126727	MIKULEC -A-	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 31094	03	142138	S&M ENERGY-DEAN STUESSY B	2
No approved W-3X on file				

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**Exhibit A**

API Number	District	ID Number	Lease Name	Well Number
021 31103	03	19987	COOK, WALTER	1
No approved W-3X on file				
021 31105	03	127294	MATTINGLY	1
No approved W-3X on file				
021 31107	03	19899	URBAN #2	2
No approved W-3X on file				
021 31108	03	128498	HOFFMAN	1
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
021 31109	03	126970	MATTINGLY	2
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 31116	03	20159	COOK, W. S.	1
No approved W-3X on file				
021 31117	03	129025	MEUTH	1
No approved W-3X on file				
021 31134	03	126972	LIBERTY, EDWIN P.	3
No approved W-3X on file				
021 31137	03	126963	COOK, KATHERINE E.	1A
No approved W-3X on file				
021 31154	03	19632	FISCHER	3
No approved W-3X on file				
021 31161	03	128435	S&M ENERGY-HERBERT STUESSY	3
No approved W-3X on file				
021 31163	03	126971	ESCHBERGER -A-	1
No approved W-3X on file				
021 31183	03	20120	S&M ENERGY-DEAN STUESSY C	4
No approved W-3X on file				
021 31203	03	128324	HOFFMAN	2
No approved W-3X on file				
021 31211	03	149900	MEUTH	2
No approved W-3X on file				
021 31220	03	20236	ROITSCH "A"	1
No approved W-3X on file				
021 31224	03	20236	ROITSCH "A"	2
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
021 31226	03	128712	S&M ENERGY-DEAN STUESSY D	5
No approved W-3X on file				

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**Exhibit A**

API Number	District	ID Number	Lease Name	Well Number
021 31229 No approved W-3X on file	03	129843	SAVANAH RIDGE UNIT NO. 2	1
021 31231 No approved W-3X on file	03	20333	FRIEBE, ISABEL H.	1
021 31241 No approved W-3X on file Must resolve Field Operations H-15 failure preventing 14(B)(2) approval	03	20308	MEUTH, E. L.	1
021 31257 No approved W-3X on file	03	129396	MIKULEC-NINK -A-	1
021 31259 No approved W-3X on file	03	129619	S&M ENERGY-HERBERT STUESSY -A-	6
021 31263 No approved W-3X on file	03	130500	MIKULEC-NINK -B-	4
021 31265 No approved W-3X on file	03	129524	MIKULEC-NINK -B-	2
021 31266 No approved W-3X on file	03	129844	MIKULEC-NINK -B-	3
021 31301 No approved W-3X on file	03	131661	FRERICH, LOUIS JR.	1
021 31326 No approved W-3X on file	03	134502	STEINBACH G	B 2
021 31328 No approved W-3X on file	03	133777	PETRASH-HARRIS -A-	2
021 31358 No approved W-3X on file	03	225313	STUESSY	1
021 31388 No approved W-3X on file	03	21041	MEUTH, E.L.	1
021 31437 No approved W-3X on file	03	144812	STEINBACH I	1
021 31438 No approved W-3X on file	03	144813	STEINBACH H	1
021 31461 No approved W-3X on file	03	21811	ACT RANCH 'D'	4
021 31466 No approved W-3X on file	03	21947	KELLY "C"	3
021 31467 No approved W-3X on file	03	21971	ACT RANCH "E"	5

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**Exhibit A**

API Number	District	ID Number	Lease Name	Well Number
021 31505	03	216310	BEHRENS-GLOGER	2
No approved W-3X on file				
021 31528	03	23249	WYNN. GUY #2	2
No approved W-3X on file				
149 30359	03	12517	PETZOLD, BETTY	1
No approved W-3X on file				
149 32593	03	21682	LLOYD #1-H	1 H
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
149 32749	03	22161	JACKIE #3-H	3H
No approved W-3X on file				
149 32806	03	22322	WILCOX	4
No approved W-3X on file				
149 32851	03	22067	WILCOX 1A	1 A
No approved W-3X on file				
149 33027	03	23168	WILCOX 'B' #1	1
No approved W-3X on file				
287 31893	03	22450	BASS PETROLEUM-PETERS	2
No approved W-3X on file				
287 31906	03	19331	MOERBE, VICTOR #1	1
No approved W-3X on file				
287 31926	03	19308	KURIO UNIT	1
No approved W-3X on file				
287 31947	03	19332	SCOTT PETROLEUM-PETERS A	6
No approved W-3X on file				
287 31968	03	19412	S & M ENERGY-LORENZ	3
No approved W-3X on file				
287 31995	03	19547	PESCHKE, OLGA	1
No approved W-3X on file				
287 31996	03	19538	MOERBE, VICTOR	3
No approved W-3X on file				
287 32029	03	19564	KASPER	1
No approved W-3X on file				
287 32033	03	19613	MOORE, RANDELL	1
No approved W-3X on file				
287 32037	03	19602	SCHULZE	1
No approved W-3X on file				

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
287 32045	03	19679	CARLESTON	1
No approved W-3X on file				
287 32048	03	19701	KASPER "B"	2
No approved W-3X on file				
287 32079	03	19346	ARLDT, ERWIN E.	3
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
287 32134	03	19870	SCHUELER, E. UNIT "A"	1
No approved W-3X on file				
287 32152	03	19906	ECHO-WACHSMANN	1
No approved W-3X on file				
Must resolve Field Operations H-15 failure preventing 14(B)(2) approval				
287 32285	03	20807	COOK, BRADEN "B"	8
No approved W-3X on file				
287 32298	03	20920	KURIO	1
No approved W-3X on file				
287 32307	03	21024	HAMFF	1
No approved W-3X on file				
287 32312	03	21235	RICHTER	1
No approved W-3X on file				
287 32335	03	19333	DURRENBERGER, CLARENCE	2
No approved W-3X on file				
287 32390	03	19333	DURRENBERGER, CLARENCE	4
No approved W-3X on file				
287 32411	03	22388	MOERBE	5
No approved W-3X on file				
287 32427	03	22467	PETERS "C"	9
No approved W-3X on file				
287 32451	03	19333	DURRENBERGER, CLARENCE	6
No approved W-3X on file				
287 32458	03	19333	DURRENBERGER, CLARENCE	7
Electricity must be disconnected (certify on Form W-3C)				
No approved W-3X on file				
287 32479	03	22888	KURIO 'B'	1 B
No approved W-3X on file				
287 32485	03	23153	DOLORES	1
No approved W-3X on file				
493 31179	01	08809	RICHTER UNIT	1
No approved W-3X on file				
Must resolve Field Operations H-15 delinquency preventing 14B2 approval				

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Exhibit A