

RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION

OIL AND GAS DOCKET NO. 08-0309600

APPLICATION OF PROBITY SWD, LLC (679304) PURSUANT TO STATEWIDE RULE 9 FOR A COMMERCIAL PERMIT TO DISPOSE OF OIL AND GAS BY WASTE INJECTION INTO A POROUS FORMATION NOT PRODUCTIVE OF OIL OR GAS FOR THE HOSS 846 SWD LEASE, WELL NO. 1, LUTHER SE. (SILURIAN-DEVONIAN) FIELD, HOWARD COUNTY, TEXAS

**ORDER DENYING MOTION NUNC PRO TUNC AND
GRANTING MOTION FOR REHEARING**

Notice of an open meeting to consider this order was duly posted pursuant to Chapter 551 (Open Meetings) of the Texas Government Code.

On April 29, 2019, Probity filed a Motion for Order Nunc Pro Tunc. On May 3, 2019, Wagner Oil Company filed a reply.

On May 3, 2019, Wagner Oil Company timely filed a motion for rehearing. On May 16, 2019, Probity SWD, LLC filed a reply to the motion.

The Commission finds the Motion Nunc Pro Tunc should be denied. The Commission finds the motion for rehearing should be granted and remands the application for the purpose of taking testimony and hearing evidence regarding the sufficiency of the proposed special conditions and whether there are sufficient safeguards put in place to ensure 2 million bbls of oil are not place in jeopardy.

It is **ORDERED** by the Railroad Commission of Texas that the Motion Nunc Pro Tunc is **DENIED**.

IT IS FURTHER ORDERED that Wagner Oil Company's Motion for Rehearing is **GRANTED** for the sufficiency of the proposed special conditions.

Signed on June 4, 2019.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN CHRISTI CRADDICK


COMMISSIONER RYAN SITTON


COMMISSIONER WAYNE CHRISTIAN

ATTEST:



SECRETARY