

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL & GAS DOCKET NO. 08-0316941: COMPLAINT OF TYTEX PROPERTIES, LTD. REGARDING DIAMONDBACK E&P LLC'S (217012) HOLE IN THE ROCK 46-47 A LEASE, WELL NO. 1WA, (DRILLING PERMIT NO. 844404) HOEFS TK (WOLFCAMP) FIELD, PECOS COUNTY, TEXAS**

**Order of Dismissal**

On March 14, 2019, Diamondback E&P LLC filed a motion to dismiss the above-referenced complaint ("Motion"). To date, complainant has not filed a response to the Motion. The deadline for filing a response was March 25, 2019. 16 Tex. Admin. Code § 1.35.

After consideration of the Motion, the Motion is **GRANTED** and the above captioned and docketed case is **DISMISSED WITHOUT PREJUDICE**.

The prehearing conference scheduled for June 7, 2019 and the hearing scheduled for September 3, 2019, are both **CANCELED**.

This Order of Dismissal is issued under the authority of section 1.107 of the General Rules of Practice and Procedure of the Railroad Commission of Texas. 16 Tex. Admin. Code § 1.107(1), (2), (4), (5) and (6).

It is **ORDERED** by the Commission that this order shall not be final and effective until 25 days after the 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 parties are notified of this order in accordance with Tex. Gov't Code § 2001.144.

Signed on May 14, 2019.

  
Dana Avant Lewis, Director  
Hearings Division