

RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION

OIL AND GAS DOCKET NO. 05-0251069

APPLICATION OF WORTHAM OIL & GAS TO SUPERCEDE THE PROVISIONS OF THE FINAL ORDER IN OIL & GAS DOCKET NO. 05-0211978 ISSUED APRIL 15, 1998 REQUIRING PLUGGING OF THE GARDNER LEASE, WELL NO. 1, RED OAK, SOUTH (SUBCLARKSVILLE) FIELD, LEON COUNTY, TEXAS.

FINAL ORDER

The Commission finds that after statutory notice the above-captioned proceeding was heard by the examiner on April 20, 2007 who circulated a Proposal for Decision containing Findings of Fact and Conclusions of Law. Having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, those Findings of Fact and Conclusions of Law are hereby adopted and made a part hereof by reference.

Wortham Oil & Gas has not established that a Final Order should be entered superceding the provision of the Final Order entered in Oil & Gas Docket No. 05-0211978 requiring plugging of Well No. 1 on the Gardner (03207) Lease, Leon County, Texas. Accordingly, the application of Wortham Oil & Gas for a superceding order in this docket is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order 3 days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest within such 20-day period after the party's presumed notice, this order shall not become final until such motion is overruled, or if rehearing 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 90 days from the date the order is served on the parties.

Each exception to the examiners' proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

Noncompliance with the provisions of this order is subject to enforcement by the Attorney General and subject to civil penalties of up to \$10,000.00 per day per violation.

Done this 6th day of November, 2007, in Austin, Texas.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN MICHAEL L. WILLIAMS

COMMISSIONER VICTOR G. CARRILLO

COMMISSIONER ELIZABETH A. JONES

ATTEST:

SECRETARY