

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL AND GAS DOCKET NO. 09-0295134

COMPLAINT OF MAXEY'S BROKEN STIRRUP PROPERTIES, LLC THAT BLACK STRATA LLC (OPERATOR NO. 072748) DOES NOT HAVE A GOOD FAITH CLAIM TO OPERATE THE MAXEY-MEI LEASE (LEASE NO. 33203), WELL NO. 2, NEWARK, EAST (BARNETT SHALE) FIELD, JACK COUNTY, TEXAS

FINAL ORDER

The Commission finds that after statutory notice in the above-docketed case, heard on March 28, 2017, the presiding Administrative Law Judge and Technical Examiner have made and filed a Proposal for Decision containing findings of fact and conclusions of law, which was served on all parties of record, and that this proceeding was duly submitted to the Railroad Commission of Texas at a conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the Proposal for Decision and the findings of fact and conclusions of law contained therein, and any exceptions and replies thereto, hereby adopts as its own the findings of fact and conclusions of law contained therein, and incorporates those findings of fact and conclusions of law as if fully set out and separately stated herein.

IT IS ORDERED that Maxey's Broken Stirrup Properties, LLC complaint requesting that the above-referenced well be plugged is **DENIED**. At the hearing in this matter, Black Strata LLC provided sufficient evidence that it has a good faith claim to operate the above-referenced well. No basis for plugging the well was established.

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 § 1.149(c), 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 Commission Order is signed.

Each exception to the 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.

ENTERED in Austin, Texas on this 19th day of September, 2017.

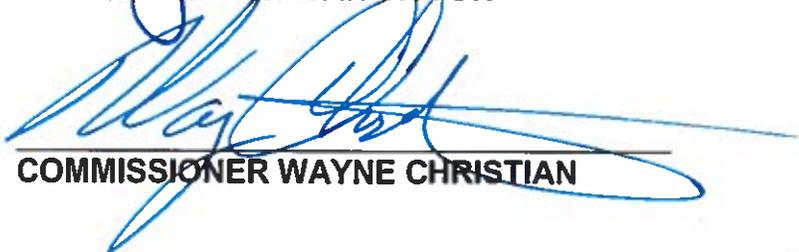
RAILROAD COMMISSION OF TEXAS



CHAIRMAN CHRISTI CRADDICK

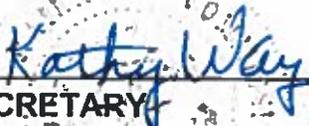


COMMISSIONER RYAN SITTON



COMMISSIONER WAYNE CHRISTIAN

ATTEST

SECRETARY