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10/30/2026

Rules Coordinator, Office of General Counsel
Railroad Commission of Texas
P.O. Box 12967
Austin, Texas 78711-2967
By email: rulescoordinator@rrc.texas.gov

cc: RRC District 06 Office (Kilgore District), 100 Bane Blvd., Henderson, TX 75652, kilgore@rrc.texas.gov

Re: Public comment on proposed amendments to 16 TAC §3.15 and §3.58 implementing Senate Bill 1150 (89th Leg., R.S., 2025), published in the Texas Register October 23, 2026 (TRD-202604256), with a request for review of inactive well Unit B #54, API 42-499-30816, Wood County

Dear Rules Coordinator and District 06 staff:

I own the surface of the property at 1374 County Road 4165, Quitman, Texas, in Wood County [describe your ownership, e.g., surface owner since [year], deed reference [Vol./Pg. or instrument no.]]. An inactive oil well sits on my land. I submit this letter as a formal public comment on the Commission's proposed rules implementing Senate Bill 1150. I use this well as an example of the wells these rules will govern, and I ask the Commission to review it.

Well facts (from Commission online records, reviewed October 30, 2026)

- Well: Unit B #54, API 42-499-30816, Forest Hill (Harris Sand) Field, District 06, Wood County.
- Lease: 06-15473 "UNIT B" (previously lease 06-15014 "Tract 16" and the Forest Hill (Harris Sand) Unit, lease 06-04778).
- Operator: Gaither Petroleum Corporation, operator no. 292850.
- Drilling permit approved June 3, 1980; completed August 25, 1980; about 4,950 feet deep.
- Status: shut in on the November 2026 oil proration schedule, with a potential of 0.0 barrels per day. The inactive well report shows a shut-in date of 11/2016 and an approved plugging extension ("14(B)(2) EXT 01/26"). The well is not plugged. The Commission's estimated plugging cost is $57,371.
- From my own firsthand knowledge, the well was shut down in November 2014, two years earlier than the date in the Commission's records. The well's own production on the single-well Tract 16 lease dropped sharply after October 2014, which is consistent with that date. By my count the well has been idle for about 12 years.
- From my own knowledge, this well was scheduled to be plugged by the State in 2012. After the Forest Hill (Harris Sand) Unit stopped producing in September 2006 (see Reeder v. Wood County Energy, 320 S.W.3d 433 (Tex. App.–Tyler 2010)), the unit's wells sat idle. The current operator took new leases

around 2010, the Commission dissolved the unit by order in Docket No. 06-0269210 (May 9, 2011), and this well was never plugged. The Commission's online records do not currently show this well on a state plugging list or flag it as orphaned.

- A letter I received from the Texas Orphaned Wells coalition (texasorphanedwells.org) lists, for my property, 0 orphaned wells, 1 inactive well, and 1 submarginal producing well (under 1 barrel of oil equivalent per day). It estimates the state's cost to plug them, if that becomes necessary, at $344,800. That figure is the coalition's own and differs from the Commission's $57,371 estimate for #54 alone; I do not know which is more accurate. I have not identified which well the coalition counts as submarginal; it may be a nearby Unit B well such as #53.
- On the same lease, 14 of the 16 wells are listed as shut in. Several have shut-in dates of January 1998, and only wells #53 and #96 are listed as producing.

Comments on the proposed rules

1. I support the 15-year limit. Under Natural Resources Code §89.023(b), as amended by SB 1150 (effective September 1, 2027), an operator may not obtain a plugging extension for a well that has been inactive more than 15 years and was completed more than 25 years before the extension request (a "15/25 well"), except as allowed under §89.023(c). Well #54 was completed in 1980. Under my account it will reach 15 years of inactivity in November 2029; under the Commission's records, not until November 2031. The rules should apply the limit as written and should not let exceptions become loopholes.

2. Before granting any extension, the Commission should weigh the well's age, how long it has been inactive, its safety and environmental risk, and any information from the surface owner.

3. Exceptions for "financial hardship" under §89.023(c)(1)(B) should be narrow. They should require the CPA-certified financial statement the statute calls for, should run for a short, defined period, and should come with bonding or a firm plugging plan. An operator that cannot afford to plug its wells should not be able to leave that cost to landowners or the State.

4. Compliance plans under §89.023(c)(2) may run to September 1, 2042. The Commission should require interim milestones and periodic proof of progress. A well idle since 2014 could otherwise sit unplugged on private land for almost 30 years.

5. Shut-in dates in Commission records should reflect when a well actually stopped producing. When a well moves to a new or consolidated lease, its inactivity clock should not restart. The rules should let a surface owner submit evidence of the actual shut-in date.

6. The rules should require that the surface owner receive notice of any extension request, compliance plan, inactive-well transfer, or inspection involving a well on the owner's land, with an opportunity to comment.

7. A well that was already slated for state plugging and then returned to private operation should not be allowed to sit idle for years again under successive extensions. The rules should treat a well's prior orphan or state-plugging status as a risk factor when deciding extensions, and should count the well's total idle time, including earlier idle periods.

Requests regarding Unit B #54

1. Review the current plugging extension for this well and the shut-in date in the Commission's records. Please consider my information that the well was shut down in November 2014.

3. Have District 06 inspect the well site for leaks, pressure, surface contamination, and condition of equipment. [Describe any conditions you have seen, e.g., oil or saltwater leaks, stained soil, odors, rusted tanks or equipment, open lines, fencing, and dates. Delete this item if none.]

4. Send me written notice, as surface owner, of any extension, compliance plan, transfer, plugging, or enforcement action involving this well.

5. Check the Commission's own State Managed Plugging records for 2006 through 2013 to confirm whether this well, or other wells on lease 06-04778, was scheduled for state plugging in 2012.

Thank you for your attention to this matter.

You may contact me at 903-360-8224 byron@rowlandfirearms.com.

Respectfully,



Byron Rowland
Surface owner, 1374 County Road 4165, Quitman, TX 75783