

The Administrative Law Judge ("ALJ") filed his Report of the Administrative Law Judge on the 17th day of September, 2014, to which Exceptions were timely filed and proper notice given of the setting of the Exceptions.

The Appellate argument concerning the Oral Exceptions was referred to **Patricia D. MacGuigan**, Oil and Gas Appellate Referee ("Referee"), on the 24th day of October, 2014. After considering the arguments of counsel and the record contained within these Causes, the Referee finds as follows:

STATEMENT OF THE CASE

BRISCOE") TAKES EXCEPTION to the ALJ's recommendations to grant the application of Stephens in CD 201401364 seeking a horizontal drilling and spacing unit in Section 34, T19N, R1W, Payne County, Oklahoma on a 640-acre basis for the Mississippi, Woodford and Misener-Hunton common sources of supply and the application of Stephens in CD 201403416 for a horizontal well location exception in Section 34, T19N, R1W, Payne County.

In CD 201401364 Stephens requests that the Commission enter an order: (A) amending the provisions of Order No. 81104, which order established 40-acre horizontal drilling and spacing units for the production of hydrocarbons from the Mississippi Lime common source of supply, to delete said common source of supply underlying said Section 34; and (B) extending the provisions of Order No. 605840, which order established 640-acre horizontal drilling and spacing units for the production of hydrocarbons from the Mississippian, Woodford and Misener-Hunton common sources of supply to cover and include said Section 34, T19N, R1W, Payne County, Oklahoma.

In CD 201403416 Stephens requests that the Commission enter an order amending order to issue in Cause CD No. 201401364 for the Mississippian and Woodford common sources of supply, to permit a well for such common sources of supply at the following location:

SURFACE LOCATION: Will be specified in the order to issue in this cause, but will be situated in the SW/4 of Section 34.

LOCATION OF WELLBORE AT COMPLETION INTERVAL: The proposed location of the end points of the completion interval will be no closer than 150 feet FSL and no closer than 660 feet FWL and no closer than 150 feet FNL and no closer than 660 feet FWL of

the unit comprising said Section 34, T19N, R1W,
Payne County, Oklahoma.

Same to be a well for the unit consisting of said Section 34, a 640-acre horizontal unit by said order which will require the well to be located as follows:

- 8.1 Not closer than 660 feet from the unit boundary as to the Mississippian common source of supply; and
- 8.2 Not closer than 330 feet from the unit boundary as to the Woodford common source of supply.

The legal descriptions of the land sections adjacent to the area within which the location exception lies are Sections 26, 27, 28, 33 and 35, T19N, R1W, and Sections 2, 3 and 4, T18N, R1W, Payne County, Oklahoma.

Briscoe, objects to 640-acre spacing and requests two stand-up 320-acre spacing units. Each side presented technical testimony in support of their applications.

BRISCOE TAKES THE POSITION:

- 1) The Report of the Administrative Law Judge ("ALJ") is contrary to the law, the facts and the evidence presented in this case, and fails to achieve the goals of the State of Oklahoma and the Commission for the prevention of waste and the protection of correlative rights.
- 2) In paragraph 9 of the ALJ's rationale, the ALJ specifically states that parties may receive proceeds from wells that do not drain the land they own and parties may find themselves sharing proceeds with owners whose minerals do not contribute to production from the well. This is a violation of the correlative rights of the owners and those rights can be better protected by the establishment of 320-acre drilling and spacing units.
- 3) The ALJ reasons that although the establishment of 640-acre units may violate correlative rights, the protection of waste is more important and the correlative rights of the parties must yield to the prevention of waste. However, a sacrifice of correlative rights for the prevention of waste can only be considered when it is shown that waste will occur if correlative rights are protected. In this instance, there was no showing that waste will occur by the establishment of 320-acre units.
- 4) As described in paragraph 9 of the Rationale portion of the Report of the ALJ, the ALJ's decision to sacrifice correlative rights for the prevention of waste is based upon an assumption that the drilling unit is to be thoroughly explored

and available hydrocarbons are to be extracted. The record is devoid of evidence that Stephens will drill more than one well in Section 34. Unless numerous wells are drilled in Section 34, the creation of 640-acre horizontal well drilling and spacing units will cause waste, not prevent waste, thereby sacrificing the correlative rights of the owners in Section 34.

5) Briscoe respectfully requests the recommendation of the ALJ be reversed and that the recommendation of Briscoe for the creation of stand-up 320-acre horizontal well drilling and spacing units be adopted by the Commission.

THE ALJ FOUND:

1) Briscoe owns the right to drill in Section 34 and has standing to apply for spacing. Stephens has given proper notice and the Commission has jurisdiction over this matter. There is sufficient change in circumstances for underlying spacing in Section 34 to be amended. Horizontal drilling and spacing units covering the Mississippian, Woodford and Misener-Hunton are necessary to effectively drain hydrocarbons from those common sources of supply. The requested 640-acre spacing units are more likely than the proposed 320-acre spacing units to protect against waste. The proposed 320-acre spacing units are more likely than the requested 640-acre spacing units to protect correlative rights.

2) Stephens requests the Commission issue an order amending existing 40-acre drilling and spacing units for the production of hydrocarbons from the Mississippi Lime underlying Section 34 by deleting the Mississippi Lime underlying that Section and extend the provisions of Order No. 605840 establishing 640-acre horizontal drilling and spacing units for the production of hydrocarbons from the Mississippian, Woodford and Misener-Hunton common sources of supply to include Section 34.

3) The parties agree that said common sources of supply should be spaced for horizontal development, but the parties differ as to the size and shape of said unit or units. Stephens requests the Commission establish one 640-acre unit while Briscoe requests the Commission establish two stand-up 320-acre units.

4) The Commission is tasked with establishing spacing that "prevent(s) or assist(s) in preventing the various types of waste of oil or gas prohibited by statute, or any wastes, or to protect or assist in protecting the correlative rights of interested parties." 52 O.S. Section 87.1(a).

5) Stephens requests the Commission establish a 640-acre spacing unit and prevent the potential waste that would occur if, after drilling the initial well, a well at or near the center line of the section would be necessary to effectively drain all hydrocarbons in the area. If the Commission establishes a

640-acre spacing unit, the operator would have the leeway to place a well near or at the center of the section. If the Commission establishes a 320-acre spacing unit, the operator will be forced to either drill offsetting wells near the center of the section or chose not to drill near the center line and fail to produce those hydrocarbons all together.

6) Briscoe requests the Commission protect the correlative rights of all parties in the Section by limiting the size of the spacing units. This would limit the possibility that a party participates in a well, or benefits from a well as a lessor/royalty owner, when that well does not drain hydrocarbons underlying property they own. Smaller spacing units might also allow certain owners to lease multiple times.

7) All witnesses agreed that a single Mississippian well in this area will not effectively drain either a 640-acre spacing unit or a 320-acre spacing unit. The operator of a unit or units will be required to drill multiple wells to effectively drain the section whether the Commission establish 640-acre units or 320-acre units.

8) At its core, this matter is an instance when the duties of the Commission are at odds with one another. Should Stephens prevail, correlative rights may not be protected to the extent they might be otherwise. Should Briscoe prevail, the operator or operators in the 320-acre units might be forced to drill unnecessary offsetting wells near the center line of the unit.

9) The ALJ was guided by the Oklahoma Supreme Court in *Denver Producing and Refining Company v. State*, 184 P.2d 961 (Okla. 1947), "In striking a balance between conservation of natural resources and protection of correlative rights, the latter is secondary and must yield to a reasonable exercise of the former."

10) Whenever parties own differing interests within a spacing unit and multiple wells are necessary to extract hydrocarbons from that unit, parties within the unit will benefit differently from each well. In some instances, parties may receive proceeds from a well that does not drain the land they own. When another well is drilled, those same parties may find themselves sharing proceeds with other owners whose minerals do not contribute to production in the new well. So long as a drilling unit is thoroughly explored and available hydrocarbons area extracted, the owners within a unit will have the opportunity to benefit from production, and the risk to their correlative rights will be mitigated.

11) On the other hand, if 320-acre spacing units are established and two wells are required to extract hydrocarbons that would otherwise be extracted by one well, the spacing will result in economic waste. The ALJ recognizes that

such an outcome is not guaranteed, but believes it is sufficiently likely to consider the potential for waste.

12) The ALJ also notes that the surrounding eight sections are spaced 640. This fact tends to support Stephen's argument, but the ALJ does not find it ultimately dispositive. While the Commission is tasked with establishing spacing "of specified and approximately uniform size and shape" (52 O.S. Section 87.1), should the facts support the establishment of 320-acre units, such spacing would not be so unusual as to run afoul of statute.

13) The attorneys of the parties graciously directed the court's attention to recent causes they believed mirrored the dispute at hand, specifically Order No. 593985 and the ALJ's recommendation in dueling applications CD 201102236, brought by Payne Exploration Company, and CD 201102570, brought by Husky Ventures, Inc. As with all Commission orders and recommendations, those actions carry persuasive weight. While this ALJ carefully reviewed the filings in the above described causes, the ALJ did not rely on them to come to a conclusion in this matter.

14) Based on the precedent handed down by the Oklahoma Supreme Court and because the risk to correlative rights are more easily addressed through thorough development, the ALJ would recommend the Commission establish 640-acre spacing units as requested by Stephens.

POSITIONS OF THE PARTIES

BRISCOE

1) **Karl F. Hirsch**, attorney, appearing for Briscoe, argues that spacing units of Section 34, T19N, R1W, Payne County, Oklahoma, be changed from 640-acre units to 320-acre units. The ALJ erred by including the Misener-Hunton formation in the spacing when only the Mississippi and Woodford formations are being targeted. Furthermore, the ALJ misinterpreted the protection of waste versus the protection of correlative rights.

2) The application at issue is seeking the establishment of 640-acre horizontal well drilling and spacing units for the Mississippi, Woodford and Misener-Hunton common sources of supply. However, the Misener-Hunton is not present in the area, and only holds a possibility that a pocket may exist below the other two formations. There is no threat of reaching the Misener-Hunton formation because it is highly unlikely that horizontal drilling targeting the above formations would stray into a possible pocket further below.

3) The ALJ determined that the possibility of waste was more of a concern than protecting correlative rights despite no evidence showing that there would be waste with a 320-acre unit, only a possibility. On the other hand, direct evidence was presented that indicated correlative rights would be infringed with 640-acre spacing. The ALJ cited *Denver Producing and Refining Company v. State*, 184 P.2d 961 (Okl. 1947), "In striking a balance between conservation of natural resources or protection of correlative rights, the latter is secondary and must yield to reasonable exercise of the former." However, that is only true when waste and correlative rights are in balance, the facts have to support that both, correlative rights and waste, are at issue before waste is given primary consideration, as set forth by *Grison Oil Corp. v. Corporation Com'n*, 99 P.2d 134 (Okl. 1940). There is no evidence that waste will occur, only speculative testimony, but there is direct evidence that correlative rights will be adversely affected by the granting of 640-acre units.

4) There is supportive precedent from the Commission for the protection of correlative rights from Husky Ventures Inc. and Payne Exploration Co., CD 201102236 and CD 201102570. These causes found that because multiple wells were necessary to drain the reservoir smaller spacing was needed to protect correlative rights.

STEPHENS

1) **Gregory L. Mahaffey**, attorney, appearing for Stephens, contends that the ALJ's decision be affirmed because it is consistent with Commission precedent and function.

2) Whether you have 640-acre or 320-acre spacing, or how many wells will be needed to drain the reservoir cannot be determined until after the initial well is drilled. There is no evidence that smaller spacing will protect correlative rights more than 640-acre spacing.

3) The spacing around Section 34 within the same source of supply is 640-acre spacing and both the Commission and the Supreme Court have held, consistent with 52 O.S. Section 87.1, that drilling and spacing units in the same common source of supply should be approximately the same size. If islands of 320-acre spacing were allowed among 640-acre units the parties with the smaller units would receive an unfair advantage by having more wells.

4) In previous cases regarding the Mississippi and Woodford formations, Causes CD 201306995 and CD 201400721, the Commission denied 320-acre spacing because 640-acre units would result in more efficient development and prevent waste. The larger spacing also allowed for more flexibility for locating

wells, which would avoid over drilling waste. The same rationale applies in this case regarding the same formations. The 640-acre spacing is appropriate for efficiency, flexibility, and avoiding waste.

5) The Commission's primary function is to prevent waste of both the state's valuable and depleting natural resources and prevent economic waste. Both of these functions would be achieved with 640-acre spacing.

6) The Misener-Hunton is properly included in the spacing because it is the Commission's duty to space any formation that has properly come under its jurisdiction which might be present in the area. Although the Misener-Hunton is not the primary target, there is evidence that at least a portion of it underlies the subject lands. If a well were to penetrate to the Misener-Hunton the parties would have to wait, come back and do allocations for the formation and there is the possibility that the frac of a targeted zone perforates the Misener-Hunton formation.

RESPONSE OF BRISCOE

1) Stephen's argument failed to take into consideration that this is a request for horizontal drilling and spacing, therefore any formation to be spaced needs to be a prospective formation. There is no evidence that the Misener-Hunton is a prospective formation for the proposed horizontal wells. The Misener-Hunton should only be included in the spacing for standard vertical wells.

2) The ALJ does not find the fact that the surrounding spacing of 640-acre units to be dispositive from allowing 320-acre units. If the facts supported establishment of 320-acre spacing it would not be unusual or run afoul of the statute.

3) With 320-acre vertical spacing units there would be no advantage because the same boundary lines would apply, 660 feet or 330 feet for the Woodford formation. Therefore, the smaller drilling and spacing unit sizes do not create an advantage to the location. Stephen was correct in stating that 160-acre units would give a location advantage over 640-acre units, but that particular spacing size does not exist here.

CONCLUSIONS

The Referee finds the Report of the Administrative Law Judge should be affirmed and reversed in part.

1) The Referee finds that the ALJ's recommendation that Stephens application in CD 201401364 seeking 640-acre drilling and spacing authority for a horizontal unit in Section 34 for the Mississippi and Woodford common sources of supply should be granted, is supported by the weight of the evidence, by law and free of reversible error. The Referee also finds that the recommendation of the ALJ that Stephens application in CD 201403416 requesting the Commission enter an order granting Stephens a location exception for a well in Section 34 is supported by the weight of the evidence, by law and free of reversible error. The ALJ found that prevention of waste is paramount in the Commission's duties and should override the protection of correlative rights when in conflict.

2) In Commission hearings, Stephens seeking relief has two burdens: the burden of persuasion (that if the evidence is evenly balanced, the party that bears the burden of persuasion must lose); and the burden of production (a party's obligation to come forth with evidence to support its claim). *Director, Office of Workers' Compensation Program, Department of Labor v. Maher Terminals, Inc.*, 512 U.S. 267, 272, 275 (U.S. 1994).

3) In order to modify spacing Order No. 81104 for 40-acre drilling and spacing for the Mississippi Lime common source of supply in Section 34 and to respace Section 34 on a 640-acre horizontal drilling and spacing basis for the production of hydrocarbons from the Mississippian and Woodford common sources of supply, it was incumbent upon Stephens to establish a substantial change of conditions or change in knowledge of conditions since the issuance of the prior order on July 14, 1970. *Corporation Commission v. Phillips Petroleum*, 536 P.2d 1284 (Okl. 1975); *Marlin Oil Corporation v. Corporation Commission*, 569 P.2d 961 (Okl. 1977).

4) In *Mustang Production Company v. Corporation Commission*, 771 P.2d 201, 203 (Okl. 1989), the Oklahoma Supreme Court held:

The standard to be applied by the Corporation Commission when hearing an application to modify or vacate a prior, valid order is well known in Oklahoma. A prior, valid order may only be modified or vacated upon a showing by an applicant that there has been a change in conditions or change in knowledge of conditions. *Phillips Petroleum Company v. Corporation Commission*, Okl., 461 P.2d 597, 599 (1969). The applicant must make this showing by substantial

evidence. *Phillips, supra; Anderson-Prichard Oil Corporation v. Corporation Commission*, 205 Okl. 672, 241 P.2d 363 (1951); Okla. Const. Art. IX § 20. Without this showing, any attempt to vacate or modify a prior, valid order constitutes a prohibited collateral attack on that earlier order. *Application of Bennett*, Okl., 353 P.2d 114, 120 (1960).

5) The author Harris, in *Modification of Corporation Commission Orders Pertaining to a Common Source of Supply*, 11 OKLA. L. Rev. 125 (1958), states that the requirements of change of conditions or change in knowledge of conditions are as follows:

What constitutes a change of condition sufficient to satisfy the requirement? As a logical proposition, three kinds of change of condition are theoretically possible. The first may be designated as an internal change of condition. It is characterized by an actual change in the physical behavior of the reservoir occasioned by development and depletion. Such a change may or may not be predictable in the early states of development....The second kind may be called an external change of condition. In this instance, the physical behavior of the reservoir remains constant, but the information gained through development or depletion experience demonstrates that the conclusions reached originally were incorrect....The third possible kind of change of condition defies tagging with an appropriate label. It can only be described. In this case no actual change in the physical behavior of the reservoir is experienced, and subsequent development and depletion of the reservoir confirm the original predictions so that no external mistake exists. Nevertheless, new scientific knowledge and technology may add new dimensions to the basic legal concepts of waste and correlative rights, or the statutes may be superseded by others which re-define these terms.

In *Phillips Petroleum Company v. Corporation Commission*, 482 P.2d 607 (Okl. 1971) the Court stated:

...The phrase "change in knowledge of conditions" (as would warrant a change by order) does not encompass a mere change of interpretation on the part of the Commission. Rather, it encompasses an acquisition of

additional or new data or the discovery of new scientific or technical knowledge since the date of the original order was entered which requires a reevaluation of the geological opinion concerning the reservoir...

6) If Stephens was successful in establishing a substantial change of conditions or change in knowledge of conditions, then Stephens is required to prove that its particular method of modifying the spacing order will proceed with orderly development of this area and would either prevent waste or protect correlative rights. 52 O.S. Section 87.1(d); *Corporation Commission v. Union Oil Company of California*, 591 P.2d 711 (Okl. 1979); *Kuykendall v. Corporation Commission*, 634 P.2d 711 (Okl. 1981); *Union Texas Petroleum, a Division of Allied Chemical Corporation v. Corporation Commission of State of Oklahoma*, 651 P.2d 652 (Okl. 1982).

7) As stated by the court in *Winter v. Corporation Com'n of State of Oklahoma*, 660 P.2d 145 (Ok.Civ.App. 1983):

...Both Withrow, et al. and Winter, et al. sought to modify this spacing order and were required to prove initially that there had been a substantial change of conditions or substantial change in knowledge of conditions in the area since the prior order had been issued. If they were successful in establishing a substantial change of conditions or knowledge then they were required to prove that their particular method of modifying the spacing order would either prevent waste or protect correlative rights.

8) Further, the Supreme Court in *Denver Producing & Refining Company v. State*, 184 P.2d 961 (Okl. 1947) held:

In most instances it is impossible to use a formula which will apply equally to all persons producing from a common source. In striking a balance between conservation of natural resources and protection of correlative rights, the latter is secondary and must yield to a reasonable exercise of the former.

9) It is the Referee's opinion the facts of the instant case require the granting of Stephens' request for a 640-acre horizontal drilling and spacing unit as Stephens' request conforms to the principles of preventing waste, including economic waste. The evidence reflected that creating two 320-acre spacing units as opposed to a 640-acre spacing unit would require significantly more costs to access the same reserves and would double the risk of developing

the same reserves. All witnesses agreed that a single Mississippian well in this area will not effectively drain either a 640-acre spacing unit or a 320-acre spacing unit. The operator of the unit or units will be required to drill multiple wells to effectively drain the section, whether the Commission established 640-acre units or 320-acre units. If the 320-acre horizontal standup units were established it would be difficult to place the wells as it would prevent one from drilling a well down the middle of Section 34 and it would be difficult to drill an odd number of wells. A 640-acre horizontal spacing for the Mississippian and the Woodford would give more flexibility to locating wells and to develop the reserves.

10) It should also be noted that the surrounding eight sections are spaced on 640-acre basis. See 52 O.S. Section 87.1. The evidence reflected that the experts for both Stephens and Briscoe agreed that until they have production from horizontal wells in Section 34, no one knows exactly how many wells will be necessary to develop those reserves available in Section 34, nor will they know where to best locate such wells. The 640-acre horizontal spacing for the Mississippian and Woodford would give more flexibility to locating wells to develop the reserves the evidence reflected. The Referee agrees with Stephens that the 320-acre horizontal units could cause overdevelopment if one 320-acre unit has three wells, then the owners in the offset 320-acre horizontal unit would probably want to match that and it would lead to overdrilling and waste. The 640-acre horizontal spacing would yield more flexibility for locating wells and thereby avoid overdrilling and waste.

11) The Commission must follow the procedure set forth in *Haymaker v. Oklahoma Corporation Commission*, 731 P.2d 1008 (Okl.Civ.App. 1986) wherein the Court stated:

...Proper appraisal of the expert testimony requires observance of the following benchmark principle approved in *Downs v. Longfellow Corp.*, 351 P.2d 999 (Okl. 1960):

The reasons given in support of the opinions [of an expert witness] rather than the abstract opinions are of importance, and the opinion is of no greater value than the reasons given in its support. If no rational basis for the opinion appears, or if the facts from which the opinion was derived do not justify it, the opinion is of no probative force, and it does not constitute evidence sufficient to...sustain a finding or verdict.

The Referee believes that the ALJ followed that principle in weighing the expert opinions espoused before him. The ALJ had the opportunity to observe the demeanor of the various expert witnesses while they were testifying. Deference is given to the ALJ's opportunity to view the witnesses firsthand. See *Williams v. Volkswagenwerk Aktiengesellschaft, et al.*, 180 Cal.App. 3rd 1244, 226 Cal.Rpt. 306 (Cal.App. 2nd Dist. 1986). The Referee agrees with the ALJ that there is substantial evidence to uphold the ALJ's decision and the totality of the evidence induces conviction in a reasonable man that the granting of Stephens' application is proper. *El Paso Natural Gas Company v. Corporation Commission of Oklahoma*, 640 P.2d 1336 (Okl. 1981); *Kuykendall v. Corporation Commission of the State of Oklahoma*, 634 P.2d 711 (Okl. 1981); and *Landowners Oil, Gas and Royalty Owners v. Corporation Commission*, 415 P.2d 942 (Okl. 1966). The Referee agrees with the conclusions of the ALJ that the development of both the Mississippian and Woodford common sources of supply previously indicate that greater recovery will occur through horizontal development and that 640-acre horizontal spacing would lead to the drilling of longer laterals, more efficient development of the Mississippian and the Woodford and prevent waste.

12) However, the Referee finds the Report of the ALJ should be reversed insofar as he included the Misener-Hunton common source of supply as part of the horizontal 640-acre drilling and spacing unit for Section 34. Stephens' evidence clearly established that the Misener-Hunton is not a prospective common source of supply. The evidence reflected that there is a very slim possibility that Devon may run an incorrect frac job and therefore might accidentally frac into the Misener. Stephens' geologist testified that the Mississippian was a fairly thick formation with an approximate drill depth of 4,925 feet with the Woodford common source of supply being at approximately the drill depth of 5,075 feet. The testimony by Stephens' geologist also was that there was not sufficient evidence to believe that the Misener-Hunton would be found throughout Section 34 but that it was possible that pockets of the Misener-Hunton might be encountered during drilling and the Misener-Hunton would be found at a depth of approximately 5,140 feet. Thus, the Misener-Hunton is not an appropriate target for horizontal drilling and with the lateral being at the top of the Mississippian, there will be approximately 150 feet of separation from the lateral to the Misener-Hunton common source of supply. The evidence also reflected that Stephens has no intention to drill a Misener-Hunton well and Stephens has not attempted to space the Misener-Hunton for drilling but only because the Misener-Hunton sets directly beneath the Woodford. Thus, the Referee would recommend that the Misener-Hunton common source of supply should not be included in the 640-acre horizontal spacing for Section 34 as there is not substantial evidence that the Misener-Hunton formation will be impacted or affected by Stephens drilling a lateral in the Mississippian and the testimony was clear that Stephens does not have any plans to drill a Misener-Hunton well and develop the Misener-Hunton formation. See *Central Oklahoma Freight Lines Inc. v. Corporation Commission*,

484 P.2d 877 (Okl. 1971); *Application of Choctaw Express Co.*, 253 P.2d 822 (Okl. 1953).

13) The Referee agrees with Stephens that their evidence demonstrated that 640-acre horizontal spacing is more economical and better suited to full recovery of hydrocarbons and a better protection against waste. The Referee would therefore affirm the recommendation of the ALJ to grant Stephens proposed Section 34 640-acre horizontal spacing for the Mississippian and Woodford common sources of supply and to grant the applications of Stephens seeking a location exception for a well in Section 34.

RESPECTFULLY SUBMITTED THIS 26TH day of November, 2014.


Patricia D. MacGuigan
OIL & GAS APPELLATE REFEREE

PM:ac

xc: Commissioner Anthony
Commissioner Douglas
Commissioner Murphy
ALJ Niles Stuck
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