



Ohio Department of Natural Resources

MIKE DEWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Richard J. Simmers, Chief

Division of Oil and Gas Resources Management
2045 Morse Rd, Building F-2
Columbus, Ohio 43229
Phone: (614) 265-6922; Fax: (614) 265-6910

ORDER BY THE CHIEF

November 4, 2019

ORDER NO. 2019-283

TO: XTO Energy Inc.
22777 Springwoods Village Parkway
Spring, TX 77389

RE: Chief's Order No. 2019-52 for Unit Operations of the Utica/Point Pleasant Formations for the **Cook Unit C**, Belmont County, Ohio

SUBJECT: Revocation of Chief's Order No. 2019-52

Pursuant to Ohio Revised Code Section 1509.28, the Chief of the Division of Oil and Gas Resources Management ("Chief" or "Division") makes the following Findings and issues the following Order:

BACKGROUND

- 1) On March 29, 2019, the Division issued to XTO Energy Inc. ("XTO") Chief's Order No. 2019-52, which created a plan for and authorized unit operations of a 277.9630 acre unit in Belmont County known as the "Cook Unit C."
- 2) Neither XTO nor any other person appealed Chief's Order No. 2019-52 pursuant to R.C. 1509.36.
- 3) Pursuant to R.C. 1509.28(B), no order issued under that section is effective "*** unless and until the plan for unit operations prescribed by the chief has been approved in writing by those owners who, under the chief's order, will be required to pay at least sixty-five per cent of the costs of the unit operation, and also by the royalty or, with respect to unleased acreage, fee owners of sixty-five percent of the acreage to be included in the unit." If the owners of the required percentage of interest do not approve the plan for unit operations *** within a period of six months from the date on which the order providing for unit operations is made, the order shall cease to be of force and shall be revoked by the chief."
- 4) XTO was required to provide to the Division by September 29, 2019, which is six months after the order was issued, written approval of the plan for unit operations contained in

Chief's Order No. 2019-52. As of the date of this Order, the Division has not received the approvals required by R.C. 1509.28(B).

FINDINGS

The Chief finds that XTO failed to submit all necessary approvals of the plan for unit operations contained in Chief's Order No. 2019-52 within six months of the date the order was made as required by R.C. 1509.28(B).

ORDER

IT IS HEREBY ORDERED:

Chief's Order No. 2019-52 is revoked.

November 4, 2019

Date

/s/ *Richard J. Simmers*

Richard J. Simmers, Chief
Division of Oil and Gas Resources Management

Addressee is hereby notified that this action is final and effective and may be appealed pursuant to Section 1509.36 of the Ohio Revised Code. If the Order is appealed to the Ohio Oil and Gas Commission, the appeal must be in writing and must set forth the Orders complained of and the grounds upon which the appeal is based. Such appeal must be filed with the Oil and Gas Commission, 2045 Morse Road, Building A-2, Columbus, Ohio 43229-6693, within thirty (30) days after receipt of this Order.

In addition, within three (3) days after the appeal is filed with the Oil and Gas Commission, notice of the filing must be submitted to Richard J. Simmers, Chief, Division of Oil and Gas Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building F, Columbus, Ohio 43229-6693.