

25-052-DCCV-00098

CAUSE NO. _____

**BILLY WAYNE MEISTER JR.,
INDIVIDUALLY AND AS
TRUSTEE OF THE BILLY
WAYNE MEISTER JR. TRUST**

Plaintiff,

v.

**BLACKBEARD OPERATING,
LLC; CITATION OIL AND GAS
CORP.; CONOCO, INC.;
FORMENTERA OPERATIONS,
LLC; GOODNIGHT
MIDSTREAM PERMIAN, LLC;
MILWEE, INC.; PETEX
CORPORATION; WALSH &
WATTS, INC.**

Defendants.

§ IN THE DISTRICT COURT OF

CRANE COUNTY, TEXAS

109TH JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY
RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF**

TO THE HONORABLE JUDGE OF THIS COURT:

Billy Wayne Meister Jr., Individually and as Trustee of the Billy Wayne Meister Jr. Trust (collectively, “Plaintiff”), in the above-styled cause files this Original Petition, Application for Declaratory Relief, and Request for Injunctive Relief against Defendants Blackbeard Operating, LLC (“Blackbeard”), Citation Oil & Gas Corporation (“Citation”), Conoco, Inc. (“Conoco”), Formentera Operations, LLC (“Formentera”), Goodnight Midstream Permian, LLC (“Goodnight”), Milwee, Inc. (“Milwee”), Petex Corporation (“Petex”), and Walsh & Watts, Inc. (“Walsh & Watts”) (collectively “Defendants”), and in support thereof, respectfully shows the Court as follows:

INTRODUCTION

1. Plaintiff Billy Wayne Meister Jr., as Trustee of the Billy Wayne Meister Jr. Trust, (“Mr. Meister”) is the surface owner of approximately 6,120 acres of land in Crane County, Texas, known as the “Meister Ranch - West Division” or “Meister West Ranch”¹. The Meister West Ranch has been in the Meister family for generations, having been purchased by Billy Wayne Meister’s grandfather, W.H. Meister. Billy Wayne Meister Jr.’s grandmother placed the property into the Billy Wayne Meister Jr. Trust. Plaintiff Billy Wayne Meister Jr. is the Trustee of the Billy Wayne Meister Jr. Trust.

2. Plaintiff brings this lawsuit to address catastrophic impacts to the Meister West Ranch caused by Defendants’ failures to properly operate and maintain oil, gas, disposal, injection, and other wells and other associated equipment that are the responsibilities of Defendants, and by Defendants’ failures to address the effects of Defendants’ imprudent and negligent operations on the Meister West Ranch.

3. Dozens of wells drilled by various oil and gas operators exist on the Meister West Ranch, including, but not limited to, reportedly plugged and abandoned wells, core test wells, “dry holes”, water supply wells, injection wells, inactive wells, and wells currently in production; along with wellheads, pipelines, flowlines, tank batteries and other surface equipment associated with such active, inactive and plugged wells. Current ownership and/or current operators of wells on the Meister West Ranch include but are not limited to the Defendants named in this lawsuit.

¹ The Meister West Ranch is located in the following surveys: Sections 1, 9, 10 and 12, Block 4, H&TC Survey; Sections 14 and 20, Block 3, H&TC Survey; Sections 26, 27, and 30 in Block B27, H&TC Survey; Section 24, Block 1, Flood Survey, all in Crane County, Texas.

4. A number of injection wells exist on and/or surround the Meister West Ranch, which wells operate for the purposes of disposing of large volumes of produced saltwater by injection into subsurface formations. These injection wells, including wells operated by Defendants, have injected millions of barrels of saltwater into subsurface formations, creating an over-pressurized zone or zones of produced saltwater in, under, and adjacent to the Meister West Ranch.

5. Numerous wells on the Meister West Ranch have compromised wellbore integrity and are actively leak brine, hydrocarbons, and/or other contaminants or exhibit signs of imminent failure. Numerous improperly maintained or plugged wells, including oil and gas wells and water supply wells, are actively flowing saltwater at surface, acting as conduits for the flow of saltwater from subsurface zones into groundwater and onto the surface.

6. Defendants Blackbeard, Citation, Formentera, Milwee, and Walsh & Watts currently operate active, inactive and allegedly plugged and abandoned wells on the Meister West Ranch, along with associated surface equipment. Plaintiff states that the allegedly plugged and abandoned wells were either improperly plugged or have become unplugged.

7. Defendant Conoco, as successor to Texas Oil & Gas Corp. and Marathon Oil Corporation, is the responsible operator for certain allegedly plugged and abandoned wells on the Meister West Ranch, including the Reed Butler No. 1 (API # 10330894).

8. Defendants Blackbeard, Formentera and Walsh & Watts operate and/or have operated one or more injection/disposal wells on or adjacent to the Meister West Ranch for purposes of injecting/disposing produced water into subsurface formations.

PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF

9. Defendant Goodnight operates a cluster of injection/disposal wells to the northwest of the Meister West Ranch, which injection/disposal wells have been identified in a 2024 Southern Methodist University study as being a likely source of excess pressure and surface deformation on the Meister Ranch.²

10. In January 2022, a well on the Meister West Ranch, at or near the reported location of the Gulf Oil Corp. CT-112 Well, blew out at surface. The well emitted a geyser of uncontrolled heavy brine water³ some 200 feet into the air for over a week. Chevron U.S.A., Inc. (“Chevron”), successor to Gulf Oil Corp., along with the Railroad Commission of Texas (“RRC”), responded to the incident. Over the following months, Chevron personnel and contractors diverted the flow of saltwater, brought the well under control, and by June 2023, plugged the well. Chevron assured Meister that the blowout was an isolated incident and that the well had been properly plugged and abandoned.

11. In December 2023, an unknown well blew out at surface on the neighboring Wight family ranch, exhibiting uncontrolled flow of pressurized brine water through the well itself and

² Karanam, V., Lu, Z. & Kim J.W. (2024). Investigation of oil well blowouts triggered by wastewater injection in the Permian Basin, USA. (Southern Methodist University, Dallas, TX). Geophysical Research Letters, 5, e2024GL109435. The study refers to the January 2022 event, described above, as the “Tubbs Corner blowout”.

³ “Brine water”, “saltwater” or “produced water” as used in this petition (and in the oil and gas industry) refers to subsurface water that has been saturated with salt by exposure to a subsurface geological formation to form a saline solution. Brine can also have other constituent parts, including radionuclides, depending on the specific subsurface geology. The water spewing onto the Meister West Ranch was tested and showed chloride levels at 174,000 ppm. For reference, public drinking water is generally less than 250 ppm. Results also showed sodium levels at 100,000 ppm, roughly three times as salty as the ocean. Same is considered to be “oil and gas wastes” under the Texas Natural Resources Code and Railroad Commission of Texas Statewide Rules. *See, e.g.*, 16 Tex. Admin. Code § 4.110(65).

fissures in the ground over a large area surrounding the site. The RRC responded to the incident and, after several weeks of effort, brought the well under control.

12. On December 25, 2023, Mr. Meister took the Christmas holiday to make a regular tour of Meister West Ranch and observed saltwater flowing to surface through what appeared to be a new fissure in the ground, approximately one-half mile from the border of the adjacent Wight family ranch. Mr. Meister reported the incident to the RRC. The RRC responded in early January 2024, inspected the site and took water samples. Testing conducted by the RRC confirmed the fluid flowing at surface to be saltwater. The flow of saltwater and other oil and gas wastes at this site continued for weeks and flooded the surrounding area. During a site visit conducted by the RRC, its personnel found saltwater and wastes flowing to surface through an unknown well at yet another previously unobserved location.

13. Through the following months, Mr. Meister began investigating other active and abandoned oil and gas sites on Meister West Ranch operated by Defendants, including by excavation of allegedly plugged and abandoned wellheads, and found visibly compromised wells leaking saltwater, hydrocarbons and other waste contaminants to surface. Mr. Meister also observed pipelines, flowlines and other surface equipment which Defendants have failed to properly maintain, remove or remediate.

14. In April 2024, at another distinct location on Meister West Ranch, more new fissures in the ground opened up, flowed saltwater, and flooded a road.

15. Additionally, other anomalies including high pressure readings at various wells on Meister West Ranch have been observed and documented. As of the date of this Petition, the pressures at such wells are increasing.

PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF

16. Plaintiff brings this lawsuit for the impacts of Defendants' operations on the surface and groundwater at Meister West Ranch. Plaintiff seeks a declaratory judgment regarding liability for the pollution or contamination, monetary damages, and all other relief to which Plaintiff is entitled under the law, including site investigation costs and attorneys' fees.

17. Plaintiff also seeks a injunctive relief requiring a cessation of the flow of oil and gas wastes, saltwater and other contaminants onto the Meister West Ranch, proper plugging of any abandoned or inactive wells, site investigation resulting in full vertical and horizontal delineation of impacted groundwater and soils, cleanup and restoration of the property that results, at a minimum, in the complete removal of chemical constituents released, no impact to surface or groundwater, and the land returned to the condition prior to any pollution or contamination.

DISCOVERY CONTROL PLAN

18. Plaintiff intends to conduct discovery under Level 3 of Rule 190.4 of the Texas Rules of Civil Procedure tailored to the circumstances of this case. This suit is not governed by Texas Rule of Civil Procedure 169.

RELIEF SOUGHT

19. Plaintiff seeks non-monetary relief and monetary relief over \$1,000,000. Tex. R. Civ. P. 47(c)(5). The damages sought herein are within the jurisdictional limits of this Court.

PARTIES

20. Plaintiff Billy Wayne Meister Jr. is an individual residing in the State of Texas. Mr. Meister brings this case Individually, and as Trustee of the Billy Wayne Meister Jr Trust.

PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF

21. Defendant Blackbeard Operating Company, LLC, is a Texas limited liability company, licensed to do business in the State of Texas, who may be served through its agent for service of process, Cogency Global Inc., 1601 Elm St., Suite 4360, Dallas, TX 75201 USA (referred to herein as “Blackbeard”).

22. Defendant Citation Oil & Gas Corporation is a Texas corporation, licensed to do business in the State of Texas, who may be served through its agent for service of process, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA (referred to herein as “Citation”).

23. Defendant Conoco, Inc. is a foreign for-profit corporation, licensed to do business and operate oil and gas wells in the State of Texas, who may be served through its agent or service of process, Corporation Service Company dba CSC - Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA (referred to herein as “Conoco”).

24. Defendant Formentera Operations, LLC, is a Texas limited liability company, licensed to do business in the State of Texas, who may be served through its agent or service of process, CT Corporation System, 1999 Bryan St. Suite 900, Dallas, TX 75201 USA (referred to herein as “Formentera”).

25. Defendant Goodnight Midstream Permian, LLC is Texas limited liability Company, licensed to do business in the State of Texas, who may served through its registered agent for service of process, Patrick Walker, 5910 North Central Expressway, Suite 630, Dallas, TX 75206 USA (referred to herein as “Goodnight”).

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26. Defendant Milwee Oil, Inc. is a Texas corporation, licensed to do business in the State of Texas, who may be served through its agent for service of process, Sandra B. Jordan, 2009 Neely Avenue, Midland, TX 79705 USA (referred to herein as “Milwee”).

27. Defendant Petex Corporation, is a Texas corporation, licensed to do business in the State of Texas, who may be served through its agent for service of process, Kathleen Hodges, 6208 Preston Road, Dallas, TX 75205 USA (referred to herein as “Petex”).

28. Defendant Walsh and Watts, Inc., is a Texas corporation, licensed to do business in the State of Texas, who may be served through its agent for service of process, CT Corporation System, 1999 Bryan St. Suite 900, Dallas, TX 75201 USA (referred to herein as “Walsh & Watts”).

JURISDICTION AND VENUE

29. The Court has subject matter jurisdiction over this matter because the amount in controversy is within the jurisdictional limits of the Court. Venue is proper in this Court pursuant to Texas Rule of Civil Procedure 15.011 because this suit involves real property located in Crane County, Texas.

FACTUAL BACKGROUND

30. Plaintiff Billy Wayne Meister Jr., as Trustee of the Billy Wayne Meister Jr. Trust, is the surface owner of the Meister West Ranch. The Meister West Ranch has been in the Meister family for generations, having been purchased by Billy Wayne Meister’s grandfather, W.H. Meister. Billy Wayne Meister Jr.’s grandmother placed the property into the Billy Wayne Meister Jr. Trust. Plaintiff Billy Wayne Meister Jr. is the Trustee of the Billy Wayne Meister Jr. Trust.

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31. The Meister family has historically used the property for their ranching business.

Shallow groundwater wells are the sole source of water on the Meister West Ranch.

32. The mineral estate underlying the Meister West Ranch has long been claimed by oil and gas operators to be subject to various mineral leases, including but not limited to the following:

a. "Barnsley Leases"

- i. Oil and Gas Lease dated August 18, 1955, from Margaret L. Barnsley et al, as lessor, to The Texas Company, as lessee, recorded at Volume 96 Page 354 of the Deed Records of Crane County, Texas, covering 1169.3 acres of land, more or less, described therein.
- ii. Oil and Gas Lease dated January 27, 1956, from Margaret L. Barnsley et al, as lessor, to The Texas Company, as lessee, recorded at Volume 102 Page 174 of the Deed Records of Crane County, Texas, covering 1169.3 acres of land, more or less, described therein.
- iii. Oil and Gas Lease dated July 5, 1934, from Margaret L. Barnsley et al, as lessor, to John I. Moore, as lessee, recorded at Volume 25 Page 258 of the Deed Records of Crane County, Texas, covering 922.4 acres of land, more or less, described therein.
- iv. Oil and Gas Lease dated July 5, 1934, from Margaret L. Barnsley et al, as lessor, to John I. Moore, as lessee, recorded at Volume 25 Page 301 of the Deed Records of Crane County, Texas, covering 922.4 acres of land, more or less, described therein.
- v. Oil and Gas Lease dated August 10, 1925, from T.C. Barnsley et al, as lessor, to T. B. Cranfill, as lessee, recorded at Volume 10 Page 558 of the Deed Records of Crane County, Texas, covering 10,038 acres of land, more or less, described therein.

b. "Waddell Leases"

- i. Oil and Gas Lease dated described therein and W.N. Waddell et al, as lessor, to Gulf Production Company, as lessee, recorded at Volume 10 Page 397 of the Deed Records of Crane County, Texas, covering 45,771 acres of land more or less.

c. "M.D. Self Lease"

- i. Oil and Gas Lease dated February 27, 1949 from M.D. Self et ux, Individually and as agent for the State of Texas as lessor, to W.H. Gilmore,

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as Lessee recorded at Volume 52 Page 331 of the Deed Records of Crane County, Texas, covering 640 acres more or less.

d. "Reed Leases"

- i. Oil and Gas Lease dated May 9, 1970, from J.M. Butler, et.al as lessor, to Jack C. Tunstill, as Lessee recorded at Volume 219 Page 324 of the Deed Records of Crane County, Texas, covering 320 acres more or less.
- ii. Oil and Gas Lease dated April 11, 1964, from Raymond W. Reed as lessor, to Thomas G. Mann, as Lessee recorded at Volume 171 Page 426 of the Deed Records of Crane County, Texas, covering 160 acres more or less.
- iii. Oil and Gas Lease dated April 10, 1961, from Raymond W. Reed as lessor, to Charles B. Renaud and Jack C. Tunstill, as Lessees recorded at Volume 148 Page 371 of the Deed Records of Crane County, Texas, covering 160 acres more or less.
- iv. Oil and Gas Lease dated May 14, 1952, from Raymond W. Reed et al as lessor, to Zephyr Drilling Corporation, as Lessee recorded at Volume 74 Page 209 of the Deed Records of Crane County, Texas, covering 320 acres more or less.
- v. Oil and Gas Lease dated September 28, 1950, from Lillie Reed et al as lessor, to Cities Service Oil Company, as Lessee recorded at Volume 66 Page 229 of the Deed Records of Crane County, Texas, covering 320 acres more or less.
- vi. Oil and Gas Lease dated November 12, 1954, from Cities Service Company as lessor, to John J. Moran, as Lessee recorded at Volume 66 Page 229 of the Deed Records of Crane County, Texas, covering 320 acres more or less.
- vii. Oil and Gas Lease dated October 12, 1925, from Y.B. Reed as lessor, to Sun Oil Company, as Lessee recorded at Volume 11 Page 72 of the Deed Records of Crane County, Texas, covering 640 acres more or less.

e. "Flood Lease"

- i. Oil and Gas Lease dated October 10, 1925, from Mrs. Lydia Flood, to L.C. Harrison, as Lessee recorded at Volume 10 Page 638 of the Deed Records of Crane County, Texas, covering 600 acres more or less.

f. "Reynolds Leases"

- i. Oil and Gas Lease dated May 22, 1973, from R. Elizabeth Reynolds to Charles B. Renaud and Jack C. Tunstill, as Lessee recorded at Volume 237 Page 007 of the Deed Records of Crane County, Texas, covering 280 acres more or less.
- ii. Oil and Gas Lease dated December 6, 1926, from Thomas Reynolds, et al to Western Oil Company, as Lessee recorded at Volume 14 Page 1 of the Deed Records of Crane County, Texas, covering 640 acres more or less.

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- iii. Oil and Gas Lease dated February 6, 1980, from R. Elizabeth Reynolds to Costa Resources Inc., as Lessee recorded at Volume 262 Page 71 of the Deed Records of Crane County, Texas, covering 285.5 acres more or less.
- iv. Oil and Gas Lease dated April 6, 1954, from Hattie Reynolds et al to White Eagle Oil Company, as Lessee recorded at Volume 84 Page 382 of the Deed Records of Crane County, Texas, covering 325.5 acres more or less.

33. On information and belief, Plaintiff states that the above-listed oil and gas leases (the “Leases”) cover portions of the Meister West Ranch, and that Defendants have claimed or continue to claim the right to operate oil and gas wells pursuant to assignments of interests in one or more of these leases. Plaintiff does not currently possess sufficient information to take a position on the validity of any such Leases, nor whether any such Leases remain in effect.

34. Over the years, various interests in the Leases and Wells and other equipment located thereon have been assigned to or acquired by Defendants.

35. Dozens of oil and gas wells were drilled by various oil and gas operators on the Meister West Ranch, pursuant to the Leases, including reportedly plugged and abandoned wells, core test wells, “dry holes”, injection wells, inactive wells, and wells currently in production; along with wellheads, pipelines, flowlines, tank batteries and other surface equipment associated with such active, inactive and plugged wells. In addition to oil and gas wells, operators have drilled numerous water wells on the Meister West Ranch for purposes of supplying oil and gas operations, pursuant to the rights granted by the Leases. Current ownership and/or current operators of wells on the Meister West Ranch include but are not limited to the Defendants named in this lawsuit.⁴

⁴ For purposes of this Petition, “well” shall refer to any well drilled pursuant to rights granted by any oil and gas lease including any of the following: (1) oil well, gas well, core test well or other

36. A number of injection/disposal wells exist on and/or surround the Meister West Ranch, which wells operate for the purposes of disposing of large volumes of produced saltwater by injection into subsurface formations. These injection wells, including wells operated by Defendants, have injected millions of barrels of saltwater into subsurface formations, creating an over-pressurized plume of produced saltwater in and under the Meister West Ranch. The numerous aging active, inactive and reportedly abandoned wells on the Meister West Ranch penetrate these injection zones and/or other zones into which injected oil and gas waste fluids have migrated, creating a recipe for disaster.

37. In January 2022, a well on the Meister West Ranch, at or near the reported location of the Gulf Oil Corp. CT-112 Well, blew out at surface. The well emitted a geyser of uncontrolled heavy brine water some 200 feet into the air for over a week. Chevron, successor to Gulf Oil Corp., along with the RRC, responded to the incident. Over the following months, Chevron personnel and contractors diverted the flow of saltwater, brought the well under control, and by June of 2023, plugged the well. Chevron assured Mr. Meister that the blowout was an isolated incident and that the well had been plugged.

38. In December of 2023, an unknown well blew out at surface on the neighboring Wight family ranch, exhibiting uncontrolled flow of pressurized brine water through the well itself and fissures in the ground over large area surrounding the site. The RRC responded to the incident and, after several weeks of effort, brought the well under control.

well drilled for purposes of exploring for or producing hydrocarbons or other minerals, (2) any water well, and/or (3) any injection, disposal, or waterflood well.

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39. On December 25, 2023, Mr. Meister took the Christmas holiday to make a regular tour of his property, and observed saltwater flowing to surface through what appeared to be a newly opened fissure in the ground, approximately one-half mile from the border of the Meister West Ranch with the adjacent Wight family ranch. Mr. Meister reported the incident to the RRC. The RRC responded in early January 2024, inspected the site and took water samples. Testing conducted by the RRC confirmed the fluid flowing at surface to be saltwater. The flow of saltwater at this site continued for weeks and flooded the surrounding area. During a site visit conducted by the RRC, its personnel found water flowing to surface through a newly observed unknown well at yet another location.

40. Through the following months, Mr. Meister began investigating other abandoned oil and gas sites on the property operated by Defendants, including by excavation of plugged and abandoned wellheads, and found visibly compromised wells leaking saltwater, hydrocarbons and other contaminants to surface. Mr. Meister also observed pipelines, flowlines and other surface equipment which Defendants have failed to properly maintain, remove or remediate.

41. In April 2024, at another location on the Meister West Ranch, more new fissures in the ground opened up, flowed saltwater, and flooded a road. No naturally occurring phenomena or native pressure could explain this event, or similar ones.

42. Additionally, other anomalies including high pressure readings at various wells on the Meister West Ranch have been observed and documented. As of the date of this Petition, the pressures observed at these Wells are increasing, and Plaintiff's investigation of these anomalies is continuing.

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43. Defendants Blackbeard, Citation, Formentera, Milwee, and Walsh & Watts currently operate active, inactive and allegedly plugged and abandoned wells on the Meister West Ranch, along with associated surface equipment. None of the active operators on the Meister West Ranch properly operate or maintain their wells, facilities or equipment, resulting in idle equipment littering the property, inactive wells which require plugging, numerous spills and other releases.

44. Defendant Conoco, as successor to Texas Oil and Gas Corporation and Marathon Oil Corporation, is the responsible operator for certain allegedly plugged and abandoned wells on the Meister West Ranch, including the Reed Butler No. 1 (API # 10330894). The reportedly plugged well is not plugged as has actively leaked oil, gas and saltwater to surface.

45. In addition to its poorly maintained active and inactive wells and associated surface equipment, Defendant Citation has reportedly plugged at least one well on the Meister West Ranch, the Barnsley No. 4 (API # 10310091). The well was excavated by Plaintiff's representatives and was revealed to be actively leaking contaminants oil, gas, and produced water. Rather than addressing the issue by properly plugging the well and remediating any contaminants, Citation personnel covered the leaking well up with dirt, and otherwise took no action.

46. At least two of the wells reportedly plugged by Defendant Formentera have failed. The Southern Unit No. 141 (API # 10303785) has been observed by Plaintiff to be leaking hydrocarbons at surface, and pressure measurements show 80 psi on surface casing, indicative of a failed plugging attempt. Similarly, Formentera attempted to plug the Southern Unit No. 143 (API # 10303787), which plugging attempt failed within months. Formentera then attempted to re-plug the well. On information and belief, the second plugging attempt on that well has also failed.

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47. At three sites on the Meister Ranch, unknown wells are flowing water to surface at pressure. Testing performed by Plaintiff indicates the water is produced saltwater. No known fresh or brine water formations in the area flow artesian to surface. On information and belief, the unknown wells are water supply wells, drilled pursuant to the Leases, and owned by one or more Defendants.

48. Defendant Goodnight operates a cluster of injection wells to the northwest of the Meister West Ranch, including the Koehn No. 1 (API # 47537479); Koehn No. 2 (API # 47537498); Koehn No. 8 (API # 47537710); Lawrence No. 2 (API # 475367391); Lawrence No. 3 (API # 47536828); Lawrence No. 6 (API # 47536965); and Lawrence No. 10 (API # 47537003). Goodnight has injected millions of barrels of produced saltwater into these wells, at an increasing rate and volume. A 2024 study conducted by Southern Methodist University analyzed surface deformation on the Meister West Ranch using satellite imagery. The study found that the surface of the earth had been uplifted up by more than a foot in the period leading up to the breakouts⁵ on the property, linking the phenomena to subsurface pressure caused by increased injection at a cluster of injection wells to the northwest of the property.⁶

49. Defendants Formentera, Blackbeard and Walsh & Watts likewise operate injection wells on and/or near the Meister West Ranch, including on adjacent properties, which on

⁵ “Breakout”, as used herein, refers to any event where fluids flow to surface, whether through a wellbore or some other pathway.

⁶ Karanam, V., Lu, Z. & Kim J.W. (2024). Investigation of oil well blowouts triggered by wastewater injection in the Permian Basin, USA. (Southern Methodist University, Dallas, TX). Geophysical Research Letters, 5, e2024GL109435.

information and belief, contribute to the over-pressurized saltwater plume flowing through Defendants' failing wellbores.

50. Based upon the numerous breakouts at surface, leaking plugged wells, and poor condition of active and inactive wells on the Meister West Ranch, Plaintiff has reason to believe that all wells on his property are compromised, lack mechanical integrity, and have leaked or are actively leaking brine, hydrocarbons, and other contaminants, or exhibit indications of imminent failure. These include active and inactive wells for which Defendants are the responsible operators and allegedly plugged wells for which Defendants are responsible pursuant to RRC Statewide Rule 14. These failed wellbores act as conduits for the flow of saltwater and other contaminants into the groundwater, and onto the surface of the Meister West Ranch, driven by the pressure created by Defendants' injection wells. Importantly, Plaintiff's investigation efforts continue and, at the time of the filing of this Petition, dozens of failing wells have been observed.

CONDITIONS PRECEDENT

51. All conditions precedent to Plaintiff's claims for relief have been fulfilled or performed.

TEXAS RULE OF CIVIL PROCEDURE 193

52. Notice is hereby provided to Defendant parties that production of a document in response to written discovery authenticates the document for use in any pretrial proceeding or at trial.

CAUSES OF ACTION

52. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF

Claim One: Negligence (As to all Defendants)

53. Defendants owe a legal duty to Plaintiff to exercise reasonable care to prevent injury to Plaintiff and the Meister West Ranch. Defendants owe Plaintiff a duty to act as a reasonable and prudent operator and/or not to negligently injure the surface estate.

54. Defendants were aware, or should have been aware, of the compromised conditions of the wells, pipelines, tank batteries, and/or other equipment, which they own and/or for which they are responsible, and the resulting leaks which have resulted in pollution or contamination to the Meister West Ranch. This includes every well located on the Meister West Ranch.

55. Defendants were aware, or should have been aware, of the migration of injected fluids and/or pressure into the Meister West Ranch from the injection wells operated by Defendants, and the resulting breakouts, pollution and/or contamination of the property.

56. Defendants created a dangerous condition that damaged the Meister West Ranch by failing to exercise reasonable care in installing, operating, monitoring, maintaining, plugging, re-plugging, and/or repairing their wells and/or associated equipment. Once Defendants became aware of the compromised wells and resulting leaks, Defendants failed to take reasonable affirmative action to mitigate, control, and/or avoid increasing the danger to the Meister West Ranch. In particular, Defendants deliberate inaction allowed the pollution or contamination to migrate onto and through the Meister West Ranch.

57. To date, Defendants have failed to take any proper action to contain or ameliorate the contamination or to prevent continued contamination to the Meister West Ranch.

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58. Defendants' failures to take any proper action to contain or ameliorate the contamination or to prevent continued contamination to the Meister West Ranch substantially interfered with, and continue to substantially interfere with, Plaintiff's interests in the use and enjoyment of the Meister West Ranch.

59. Defendants' substantial interference with Plaintiff's interest in the use and enjoyment of the property has caused Plaintiff damages and loss of value, as described herein.

60. Defendants' negligence proximately caused injury, including that of a nuisance, to Plaintiff which resulted in damages described more fully below.

61. In addition, to remedy Defendants' continuing interference with Plaintiff's interests in the Meister West Ranch, Plaintiff requests a mandatory injunction requiring the immediate cessation of the conditions caused by Defendants' negligence, including, but not limited to, re-entering and re-plugging the failing wells, site investigation, ongoing monitoring of plugged wells for mechanical integrity failures, and providing an alternate water source, as described more fully below.

Claim Two: Trespass to Real Property (As to all Defendants)

62. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

63. Plaintiff owns and/or has a lawful right to possess the Meister West Ranch.

64. Defendants entered and/or continue to enter the Meister West Ranch without Meister's consent or authorization by permitting oil and gas wastes, contaminants, including hydrocarbons and saltwater, to migrate from their wells, associated surface equipment, and/or other operations into the Meister West Ranch's surface, subsurface pore space, groundwater, and soil.

PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR DECLARATORY RELIEF, AND REQUEST FOR INJUNCTIVE RELIEF

65. To the extent any Defendants hold any rights under the Leases, Defendants have and continue to exceed the scope of the implied easement granted by the Leases and held by Defendants, to reasonably access the surface of the Meister West Ranch for purposes of mineral development, by unreasonably and unlawfully releasing contaminants onto the Meister West Ranch, and by failing to properly maintain their wells and other surface equipment.

66. Defendants' entry was physical, intentional, and voluntary, and caused injury to Meister's right of possession and/or right of exclusion.

67. Defendants' trespass is continuing because oil and gas wastes and other contaminants continue to flow into Meister's surface and subsurface and migrate through the Meister West Ranch, from Defendants' wells and associated surface equipment, and Defendants have not undertaken any remediation of the impacts to the Meister West Ranch caused by their operations.

68. By trespassing, Defendants intentionally and unreasonably interfered with Plaintiff's property interests by knowingly and intentionally allowing the compromised wells and associated surface equipment to remain on the Meister West Ranch, and by knowingly and intentionally allowing oil and gas wastes to migrate into the property, despite knowledge that contamination was substantially certain to occur. Defendants took no action and have taken no action to ensure that the oil and gas wastes and other contaminants would not migrate or continue to migrate, unauthorized, onto Plaintiff's property. Defendants' failure to take action to prevent the contaminants from migrating or continuing to migrate on to Plaintiff's property was and is grossly negligent or done with malice and deliberate and willful and caused Plaintiffs' injuries.

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69. Defendants' unauthorized entry onto the Meister West Ranch constituted substantial interference with Plaintiff's interest in the Meister West Ranch, and has proximately caused injury, including that of a nuisance, to Plaintiff, including substantial and unreasonable discomfort, annoyance, inconvenience, and loss of value as described more fully below.

70. In addition, to remedy Defendants' past and continuing unauthorized entry to the Meister West Ranch, Plaintiff requests a mandatory injunction requiring the immediate cessation of the continuing trespass of oil and gas wastes, pollution and/or contamination, including re-entering and re-plugging the failing wells, site investigation, ongoing monitoring of wellbores for mechanical integrity failures, and providing an alternate water source, as described below.

Claim Three – Private Nuisance (As to all Defendants)

71. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

72. Plaintiff owns and/or has a lawful right to possess the Meister West Ranch.

73. Defendants substantially interfered with, and continue to substantially interfere with, Meister's interests in the use and enjoyment of the Meister West Ranch by:

a. Failing to ensure their operating wells maintain mechanical integrity to adequately isolate and protect usable quality groundwater; and/or

b. Failing to ensure plugged and abandoned wells remain properly plugged, thereby allowing the release of pollution or contamination onto the Meister West Ranch, including through the soil, groundwater, or subsurface; and/or

c. Failing to maintain pipelines, tank batteries, and/or other equipment, thereby allowing the release of pollution or contamination onto the Meister West Ranch; and/or

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- d. Failing to maintain and/or properly plug water supply wells that are the property and responsibility of Defendants; and/or
- e. Failing to ensure that fluids injected through Defendants' wells remain in the injection interval; and/or
- f. Taking no action to ensure that oil and gas wastes and other contaminants would not migrate or continue to migrate onto or throughout the Meister West Ranch.

74. Defendants' substantial interference with Plaintiff's interest in the Meister West Ranch has caused Plaintiff to incur significant costs, substantial unreasonable discomfort, annoyance, inconvenience, and loss of value as described below.

75. Defendants negligently interfered with Plaintiff's interests. Defendants owed a legal duty to Plaintiff to exercise reasonable care to prevent injury to Plaintiff and Plaintiff's property. Defendants were aware or should have been aware of the compromised wells for which they are responsible and the resulting leaks which have caused pollution or contamination on the Meister West Ranch. Defendants were aware or should have been aware of the effects of Defendants negligent operation of Defendants' injection wells, and the resulting migration of oil and gas wastes onto Plaintiff's property. Defendants created a dangerous condition by failing to exercise reasonable care in operating Defendants' wells. Further, once Defendants became aware of the failing wells, Defendants failed to take affirmative action to control or avoid increasing the danger to Plaintiff.

76. Defendants intentionally and unreasonably interfered with Meister's interests by knowingly and intentionally allowing the compromised wells, associated surface equipment and oil and gas wastes to remain on the Meister West Ranch despite knowledge that contamination

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onto the Meister West Ranch was substantially certain to occur. To date, Defendants have intentionally failed to take any action to contain or ameliorate the contamination to prevent continued pollution or contamination to the Meister West Ranch. Rather, Defendants continue to maintain the conditions wherein contaminants are migrating onto the Meister West Ranch.

77. Defendants' interference with Meister's interests caused injury to Meister, including that of a nuisance, which resulted in damages described more fully below.

78. In addition, to remedy Defendants' continuing interference with Meister's interests in the use and enjoyment of the Meister West Ranch, Meister requests a mandatory injunction requiring the immediate abatement of the nuisance, including re-entering and re-plugging the failing wells, site investigation, ongoing monitoring of wellbores for mechanical integrity failures, and providing an alternate water source, as described below.

Claim Four – Negligence Per Se (As to all Defendants)

79. Meister incorporates the foregoing paragraphs as though fully set forth herein.

80. Defendants' actions violated and continue to violate numerous requirements of at least RRC Statewide Rules 8, 9,14, 15, 46; 16 Tex. Admin Code §§ 4.101 *et seq.*; and Section 89.011 of the Texas Natural Resource Code, including the core and fundamental concepts that "(1) [w]ells shall be plugged to insure that all formations bearing usable quality water, oil, gas, or geothermal resources are protected" and "(2) [c]ement plugs shall be set to isolate each productive horizon and usable quality water strata." 16 Tex. Admin. Code § 3.14(d)(1)–(2); Tex. Nat. Res. Code § 89.011(a) ("If useable quality water zones are present, the operator shall verify the placement of the plug at the base of the deepest fresh water zone required to be protected."). Defendants have failed to properly plug wells on Meister West Ranch. Numerous wells allegedly

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plugged by Defendants are not properly plugged to isolate usable quality groundwater from formations containing oil, gas, saltwater and other contaminants and thus do not protect the usable groundwater—as evidenced by these numerous wells currently leaking and exhibiting pressure at surface. Such failures to properly plug wells and protect usable quality water constitute ongoing and unremedied violations of RRC Statewide Rule 14.

81. Defendants' actions have also violated RRC Statewide Rule 14 because Defendants failed to "empty all tanks, vessels, related piping and flowlines that will not be actively used in the continuing operation of the lease within 120 days after plugging work is completed." 16 Tex. Admin. Code § 3.14(d)(12). Plaintiff has observed numerous flowlines, pipelines, and other vessels that Defendants failed to empty after allegedly plugging wells. Such failures to remove and remediate abandoned flowlines and other equipment constitute ongoing and unremedied violations of RRC Statewide Rule 14.

82. As pleaded in the foregoing paragraphs, Defendants violated RRC Statewide Rule 14 and Section 89.011 of the Texas Natural Resource Code when allegedly plugging and/or re-plugging their wells on the Meister West Ranch on numerous occasions, resulting in another breach of Section 89.011. Tex. Nat. Res. Code § 89.011(a) ("The operator of a well shall properly plug the well when required and in accordance with the commission's rules that are in effect at the time of the plugging.").⁷

⁷ Under the Texas Natural Resources Code, "'Plugging' includes replugging." Tex. Nat. Res. Code § 29.002(8).

83. Defendants have also violated RRC Statewide Rule 15 by failing to properly plug inactive wells and remove inactive surface equipment owned and/ or operated by Defendants. 16 Tex. Admin. Code § 3.15. Such failures to remove and remediate abandoned flowlines and other equipment constitute an ongoing and unremedied violations of RRC Statewide Rule 15.

84. Defendants' actions violate also RRC Statewide Rule 8, which provides that, "No person conducting activities subject to regulation by the [RRC] may cause or allow pollution of surface or subsurface water in the state." 16 Tex. Admin. Code § 3.8(b). Rule 8 also provides that:

No person may dispose of any oil and gas wastes by any method without obtaining a permit to dispose of such wastes. The disposal methods prohibited by this paragraph include, but are not limited to, the unpermitted discharge of oil field brines, geothermal resource waters, or any other mineralized waters, or drilling fluids into any watercourse or drainageway, including any drainage ditch, dry creek, flowing creek, river, or any other body of surface water.

85. Defendants' releases of crude oil and failure to cleanup and remediate such releases violate RRC Statewide Rule 91. 16 Tex. Admin. Code § 3.91.

86. Defendants' operation of Defendants' injection wells violate the requirements of RRC Statewide Rule 9, providing that injection wells shall not be operated in a manner that is likely to result in pollution of freshwater or escape of injected fluids from the injection zone. 16 Tex. Admin. Code § 3.9.

87. Additionally, Defendants failures to maintain any water supply well that is the responsibility of Defendants violate the requirements of Chapter 76 of the Texas Administrative Code, addressing the duties of the owners of water wells, which provides that "[a] deteriorated well must be plugged." 16 Tex. Admin. Code § 76.72.

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88. Plaintiff is included in the class of persons that the above cited provisions of the Texas Administrative Code and Texas Natural Resources Code are designed to protect, and Plaintiff's injury is of the type the statutes were designed to prevent. Defendants' violations of these statutes is without legal excuse.

89. Defendants' violations of the Texas Administrative Code and Texas Natural Resources Code proximately caused injury, including that of a nuisance, to Plaintiff, that includes substantial and unreasonable discomfort, annoyance, inconvenience, and loss of value as described more fully herein.

90. In addition, to remedy Defendants' negligence per se, Plaintiff requests injunctive relief requiring immediate cessation of the discharge of pollution and/or contamination onto the Meister West Ranch and its subsurface, including securing the Defendants' property by re-entering and re-plugging the failing wells, site investigation, ongoing monitoring of wellbores for mechanical integrity failures, and providing an alternate water source, as described below.

Claim Five – Texas Natural Resource Code Section 85.321 (As to all Defendants)

91. A landowner harmed by a violation of Chapter 85 of the Texas Natural Resources Code or "another law of this state prohibiting waste or a valid rule or order of the [RRC] may sue for and recover damages and have any other relief to which he may be entitled at law or equity." Tex. Nat. Res. Code § 85.321.

92. Plaintiff is a landowner under Chapter 85 of the Texas Natural Resources Code.

93. The Meister West Ranch was damaged by Defendants' violations of RRC Statewide Rules 8, 9, 14, 15 and 91.

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94. Defendants' violations of RRC Statewide Rules 8, 9, 14, 15, 46, and 91 proximately caused injury, including that of a nuisance, to Plaintiff, and loss of value as described more fully below.

95. To remedy Defendants' violations of Chapter 85, the Texas Natural Resource Code, and the RRC Rules described herein, Plaintiff request injunctive relief, requiring immediate cessation of the discharge of pollution and/or contamination onto the Meister West Ranch and its subsurface, including re-entering and re-plugging the failing wells, site investigation, ongoing monitoring of wellbores for mechanical integrity failures, and providing an alternate water source, as described below. Plaintiff seeks all other relief at law and in equity, pursuant to Texas Natural Resources Code Section 85.321.

RELIEF SOUGHT

96. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein, and hereby provides a more fulsome description of the relief sought under the claims enumerated above.

Application For Injunctive Relief

97. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

98. Defendants' negligence, trespasses, and/or interferences with Plaintiff's interest in the Meister West Ranch amount to wrongful acts warranting the issuance of a mandatory injunction.

99. Defendants have committed wrongful acts by:

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- a. Failing to plug and/or properly re-plug wells on the Meister West Ranch; and/or
- b. Failing to ensure plugged and abandoned wells remain properly plugged; and/or
- c. Failing to maintain pipelines, tank batteries, and/or other equipment; and/or
- d. Failing to maintain and/or properly plug water supply wells that are the property and responsibility of Defendants; and/or
 - a. Failing to ensure that fluids injected through Defendants' wells remain in the injection interval; and/or
 - e. Taking no action to prevent migration of oil and gas wastes and other contaminants onto or throughout the Meister West Ranch; and/or
 - f. Taking action to prevent Meister's discovery of the extent of wellbore degradation, the presence of injected fluids under the Meister West Ranch, and resulting contamination.

100. Defendants' failures have allowed the release of pollution or contamination onto both the surface of the Meister West Ranch, as well as into and through the soil, groundwater, and subsurface strata. Defendants' actions have already caused—and will continue to result in—releases of pollution or contamination onto both the surface of the Meister West Ranch, as well as into and through the soil, groundwater, and subsurface strata. Defendants' actions have not only currently impacted the Meister West Ranch, but they also threaten further imminent and irreparable harm to the Meister West Ranch requiring injunctive relief as both a curative and preventative measure.

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101. Pursuant to Texas common law as well as Chapter 65 of the Texas Civil Practice and Remedies Code, Defendants' imprudent operations and/or wrongful acts have caused, and/or threaten to cause further, imminent harm and irreparable injury to Plaintiff (irrespective of any remedy at law).

102. Plaintiff seeks a mandatory injunction requiring the immediate and permanent cessation of the flow of oil and gas wastes, pollution and/or contamination from Defendants wells and any associated surface equipment onto Meister's surface and subsurface; a site investigation resulting in full horizontal and vertical delineation of chemical constituents related to the leaks from the compromised wells on the Meister West Ranch; cleanup of the pollution or contamination, and restoration of the property that results, at a minimum, in the complete removal of all chemical constituents released and a return of the land to the condition prior to any pollution or contamination by Defendants; and affirmative measures and protections put in place to prevent further impact to the surface, groundwater, or other subsurface or substrata of the Meister West Ranch.

103. Further, Plaintiff seeks injunctive relief requiring Defendants to plug or re-plug any well which is the responsibility of Defendants to plug, in order to ensure the protection of groundwater resources, and in a manner which achieves such legal requirements.

104. Plaintiff also seeks injunctive relief requiring Defendants to provide the Meister West Ranch with an alternate source of water as a result of the pollution or contamination since the groundwater on which the Meister West Ranch relies for all purposes can no longer be used, and Plaintiff is without a reliable, clean source of water due to Defendants' activities.

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105. Further, Plaintiff seeks all such injunctive relief without regard to the cost to Defendants even if such cost exceeds the value of the Meister West Ranch when put to its highest and best use and/or any other measure of damages.

Request for Damages

106. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

107. In addition to the declaratory and injunctive relief set forth above, Plaintiff seeks the following damages for the injuries caused by Defendants' actions (and inactions).

For Temporary Injury to Real Property

108. To the extent that the Court finds Defendants' negligence, trespasses, and/or interferences with Plaintiff's interest in the Meister West Ranch are temporary, Plaintiff seeks to recover:

- a. the fair rental value of the property as to which Plaintiff was temporarily deprived of its use or enjoyment; and
- b. the cost to repair and remediate (as well as the cost to delineate the area requiring repair or remediation) the property as to which Plaintiff was temporarily deprived of its use or enjoyment, including the cost to develop, implement, and/or procure a replacement water source.

For Permanent Injury to Real Property

109. To the extent that the Court Defendants' negligence, trespasses and/or interference with Meister's interest in the Meister West Ranch are permanent, Meister seeks to recover:

- a. Loss of market value;
- b. Loss of use and enjoyment of the property; and

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c. Diminution in market value damages after repair, including diminution in value due to environmental risk.

For Exemplary Damages

110. Upon proof that the acts and omissions of Defendants discussed herein were done (and/or continued to be done) knowingly, willfully, intentionally, with actual awareness, and/or with gross negligence, Plaintiff will seek to recover exemplary damages as allowed by Texas law.

111. Alternatively, because Defendants have taken no action to ensure that the contaminants from their respective wells, equipment and operations would not migrate or continue to migrate, unauthorized, onto the Meister West Ranch, or to take action to prevent the contaminants from migrating or continuing to migrate on to Plaintiff's property in the future, Plaintiff contends such actions were and are grossly negligent or done with malice and willful and caused Plaintiff's injuries and Plaintiff will seek to recover exemplary damages as allowed by Texas law.

DISCOVERY RULE & FRAUDULENT CONCEALMENT

112. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

113. Should any of Plaintiff's claims enumerated herein have occurred prior to the applicable statute of limitations, the discovery rule defers the accrual of Plaintiff's claims until Meister knew, or should have known through reasonable diligence, of the facts giving rise to the suit.

114. Likewise, the doctrine of fraudulent concealment defers Plaintiff's claims enumerated herein. Fraudulent concealment defers an action's accrual period until Plaintiff

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discovers or should have discovered the deceitful conduct/facts giving rise to the causes of action. Fraudulent concealment focuses on the active suppression of the truth. Concealment is demonstrated by proof that a party made a misrepresentation or remained silent when under a duty to speak. Fraudulent concealment defers a cause of action's accrual because a party cannot be allowed to avoid liability for its actions by deceitfully concealing wrongdoing until the running of the limitations period.

115. Defendants actively concealed the conditions of their respective wellbores and the injuries their operations were (and still are) inflicting upon the Meister West Ranch.

116. Plaintiff pleads fraudulent concealment and the discovery rule in response to any claim that the above causes of action are time-barred by statute of limitations or otherwise.

ATTORNEY'S FEES, EXPENSES, AND COSTS

117. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

118. As a result of Defendants' actions and the need to protect his interests, Plaintiff retained the undersigned counsel to represent him. Plaintiff agreed to pay the undersigned counsel's fees for their services.

119. Texas Civil Practice and Remedies Codes, Chapters 37 and 38, and other authorities discussed above, provide for an award to Plaintiff for costs, expenses, and fees, including attorney's fees, incurred in the successful prosecution of some claims in this action. All conditions precedent to recover such fees, including presentment, have been satisfied. Plaintiff therefore requests an award of all costs, expenses, and fees (including attorney's fees) to which he is entitled by claim, proof, and judgment in this case.

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APPLICATION FOR DECLARATORY RELIEF

120. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein.

121. Pursuant to Tex. Civ. Prac. & Rem. Code § 37.003, Plaintiff seeks a finding and determination that Defendants, and not Plaintiff, are liable for all response costs or damages resulting from Defendants' acts as described herein.

122. An owner of contaminated property may be a potentially responsible party for response costs or damages under certain authorities. The Texas Commission for Environmental Quality (TCEQ), however, "may not name a person as a responsible party for an enforcement action or require a person to reimburse remediation costs for a site owned or operated by the person" if the contaminants that are the subject of the investigation "appear to originate from an up-gradient, offsite source that is not owned or operated by the person," reflecting an intention by the state to protect innocent landowners from liability for pollution or contamination. Tex. Health & Safety Code § 361.1875.

123. Additionally, Plaintiff seeks the Court to construe the applicable oil and gas Leases, along with applicable statutes including 16 Tex. Admin. Code §76.72, and determine that the water supply wells drilled by Defendants and or their predecessors in interest pursuant to the Leases are not the property or responsibility of Plaintiff.

124. Plaintiff also seeks costs and reasonable and necessary attorneys' fees, as are equitable and just, pursuant to Tex. Civ. Prac. & Rem. Code § 37.009.

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JURY DEMAND

125. Plaintiff requests a jury trial on all issues for which a jury trial is permissible.

PRAYER

For these reasons, Plaintiff asks that, following trial or summary adjudication or some combination of both, Plaintiff be awarded a judgment against Defendants for the remedies set forth above including:

- a. Actual, special, and consequential damages;
- b. Mandatory injunctive relief;
- c. Declaratory relief as provided herein;
- d. Exemplary damages;
- e. Prejudgment and post judgment interest;
- f. Court costs;
- g. Attorney's fees;
- h. Any other relief to which Plaintiff is entitled.

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Date: December 22, 2025.

Respectfully submitted,

By: /s/ M. Aldo Dyer

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