



**Texas  
Independent  
Producers and  
Royalty Owners  
Association**

## NEW GOVERNMENT REPORT FROM THE U.S. ENERGY DEPARTMENT FOCUSES ON BENEFITS OF DOMESTIC FOSSIL FUEL

The U.S. Department of Energy's Office of Fossil Energy released a new comprehensive report in the first week of October reinforcing the benefits provided from domestic development of oil and natural gas. The Trump Administration prepared the report in an effort to recognize the critical role of energy output

and advancing technology innovation in maintaining U.S. economic success and providing a sustainable domestic energy supply for the future, as well as highlight other key facts regarding domestic oil and gas production. "Oil and natural gas provide more than two-thirds of the energy Americans consume daily. In addition to meeting our energy needs, these fossil fuel resources are integral to our standard of living," Deputy Secretary of Energy Mark W. Menezes commented last week. "This report delves into the importance of these resources, the five key technologies that have supported the industry's advancement, the opportunities for future domestic energy growth, and more."

"While the United States was once heavily reliant on oil and natural gas imports, we are now a major supplier in international energy markets," added U.S. Assistant Secretary for Fossil Energy Steven Winberg. "We will continue to foster relationships with industry, academia, state agencies, the private sector, and non-governmental organizations to drive innovation forward, to underpin U.S. economic growth and energy security."

As emphasized in the new report, Americans will continue to rely on oil and natural gas to meet their energy needs, power the economy, and sustain the high quality of life for the foreseeable future. Ongoing technological innovations will support domestic supplies of oil and gas, as well as further improve the energy industry's environmental footprint, topics also addressed in the government analysis.

"We applaud the Department of Energy for releasing this important report outlining the tremendous impact of oil and natural gas production and capturing how ongoing innovation from the industry has transitioned the United States away from dependence on energy imports and alleviated concerns about energy resource scarcity," said Ed Longanecker, president of the Texas Independent Producers & Royalty Owners Association (TIPRO). "As explained by officials and leading experts from the Energy Department, all Americans directly benefit from increased domestic oil and gas development. The reliable production of fossil fuels like oil and natural gas remains essential to supporting the quality of life and modern lifestyles in America, providing fuel for our cars, generating electricity for our homes, and supplying key materials for the consumer products we as Americans use every day."

The new report also highlights TIPRO's research showing the significant economic impact of oil and gas production on revenue streams for state and local governments. As articulated by TIPRO in this year's iteration of the association's *'State of Energy'* report, the tax revenue generated from oil and gas drilling supports all aspects of the state economy, including infrastructure investment, water conservation programs, schools and education, and first responders. In 2019, the U.S. oil and natural gas industry as a whole purchased \$538 billion in domestic goods and services from virtually every business sector in the country, according to TIPRO's analysis.

"As a leading producer of oil and natural gas, Texas continues to significantly contribute to high paying energy jobs, our country's geopolitical strength, and the innovations that have led to record levels of domestic production and declining emissions in the United States," Longanecker continued. "TIPRO looks forward to supporting collaborative efforts with the public and private sector to address the challenges and opportunities facing the U.S. oil and natural gas industry for the benefit of all Americans."

Other key takeaways highlighted in the October report by the U.S. Department of Energy include:

- Last year, the United States exported petroleum to about 190 countries, with total petroleum exports from the U.S. averaging 8.5 MMb/d.
- The United States in 2019 exported 4.66 trillion cubic feet (Tcf) of natural gas to nearly 40 countries - the highest volume on record.
- Oil, natural gas and natural gas liquids are projected to account for the majority - nearly 70 percent - of domestic energy consumption two decades from now.
- Oil and gas production provides important streams of revenue to state and local governments through taxes and other industry fees. In 2019, taxes and mineral royalties paid by the oil and gas industry to the state of Texas hit a record \$16.3 billion. During the past ten years, these revenues totaled \$116 billion.
- New technologies and innovative advancements are helping to further minimize the industry's environmental impact, while at the same time supporting an increase in production and growing output of oil and gas.
- Continued production of affordable energy supplies will remain imperative to America's economic recovery following disruptions from the COVID-19 pandemic.

TIPRO members interested in learning more may download a copy of the complete report at: [www.bit.ly/DOE\\_Oil\\_NaturalGas\\_2020Report](http://www.bit.ly/DOE_Oil_NaturalGas_2020Report).

## CHAIRMAN'S MESSAGE

TIPRO Members,

We find ourselves in the most interesting of times, to put it lightly. A virus has changed the face of the world, our economic markets have been severely rattled, and the energy industry like other business sectors has been forced to evolve once more this year. Despite the global pandemic and all we have endured in 2020, it remains clear as ever that oil and natural gas development to this day is critically essential for our state and our nation. In addition to meeting our daily energy consumption needs, providing enhanced energy security and delivering revenue for our government coffers, we know that oil and gas will also be fundamental to powering our economy through a recovery from this year's events.

In a continuation of the organization's ongoing advocacy efforts, TIPRO is working hard to educate policymakers and the masses on the multitude of benefits derived from one of the most energy dense fuels on the planet. Expanding production of oil and gas has done so much for American consumers, the labor market, the economy and even our state and local governments, which is why we need our family, friends, neighbors and all Texans to understand how significant domestic energy development truly is. In the coming months, TIPRO plans to host a series of luncheon seminars that will provide more insights and information on the realities and fallacies of the energy supply, the impacts this energy has on the world and, more importantly, the impact hydrocarbons and the energy industry has on Texas.

TIPRO represents nearly 3,000 producers and royalty owners in the state of Texas and because of that, combined with the association's leadership of the industry, we are able to get the ear of the politicians in Austin and Washington D.C. that have a direct impact on our livelihood. Obviously that is gravely important as we are being attacked from all sides and will need the support of those who understand the importance of our business.

In addition to goals geared towards informing officeholders, the public and other key stakeholders, we recognize that spreading awareness amongst our own audience will also serve to support our cause. Our industry has a lot of young professionals that also should know the full story of Texas oil and gas, if they don't already, so they have the tools to defend their choice of occupation. Accordingly, TIPRO will keep engaging with the next generation of oil and gas professionals. They should be proud of the work they do and the industry they work in like I have been for the last 40 years.

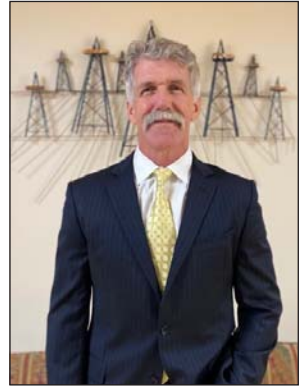
No less important, we also want the officials and the public to realize not only our economic impact but also our leadership on environmental priorities. The oil and gas industry continues to demonstrate our commitment to environmental stewardship and is working diligently to advance solutions that will further minimize and address any environmental impacts from exploration and production activities. We've shown real progress on the mitigation of emissions, but our work is not done. The climate is changing, with the world's 7.8 billion human population bearing the impact, but the debate as to the specific cause of climate change has gone from scientific to ideological and political.

Nonetheless, it is still paramount that the industry continue to succeed in protecting the environment and allow our nation to achieve cleaner air. We have to police ourselves, use procedures and technologies that minimize environmental impacts, immediately remediate any issues that arise, and plug the wells and clean up the locations that are no longer commercially viable. If the industry takes care of its business properly, legislators and regulators will not have to step in. As I believe Henry Ford said, "Do the right thing even when no one is watching."

As your new chairman, it is an honor to help lead this organization and I certainly appreciate your support.

Kind regards,

Brent Hopkins



**Brent Hopkins**

## SPECIAL ELECTION DATE SET FOR RACE TO FILL OPEN SENATE DISTRICT 30 SEAT

The governor of Texas has issued a proclamation officially setting Saturday, December 19, as the date for a special runoff election to fill the seat being vacated in the legislature by former state Senator Pat Fallon. Republicans Shelley Luther and state Representative Drew Springer (R-Muenster) are competing in the runoff to serve out the remainder of Fallon's unexpired term representing Senate District 30, which covers Archer, Clay, Cooke, Erath, Grayson, Jack, Montague, Palo Pinto, Parker, Wichita, Wise and Young counties, and also includes parts of Collin and Denton counties.

The early voting period for this runoff election will begin Wednesday, December 9, 2020.

### TIPRO Calendar of Events

#### OCTOBER 27, 2020

VIRTUAL EVENT — TIPRO roundtable discussion with RRC Chairman Christi Craddick. For information, please email [rpaylor@tipro.org](mailto:rpaylor@tipro.org).

#### JANUARY 27, 2021

VIRTUAL EVENT — Hart Energy's Executive Oil Conference. For information, please call (713) 260-6400.

#### FEBRUARY 8-12, 2021

HOUSTON — Annual NAPE Summit and Trade Show, George R. Brown Convention Center. For information, please email [info@napeexpo.com](mailto:info@napeexpo.com).

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## TEXANS START TO HEAD TO THE POLLS FOR EARLY VOTING

Early voting began in Texas on Tuesday. Voters will have until Friday, October 30, to cast ballots early for the November 3<sup>rd</sup> General Election, which this year includes nearly an entire extra week for constituents to take advantage of an expanded early voting period and get out to the polls. Per a proclamation issued by Governor Abbott in July, Texans this year are being offered greater flexibility to cast their ballots during the early voting window given the coronavirus (COVID-10) health crisis and needs to practice social distancing as well as implement other health protocols to protect voters and poll workers.

Learn more about what's on this year's election ballot and find your closest polling location by visiting [www.VoteTexas.gov](http://www.VoteTexas.gov).

## RRC EXTENDS CERTAIN ADMINISTRATIVE WAIVERS

The Railroad Commission of Texas has approved an extension of certain administrative deadlines and filing requirements, giving producers in Texas continued regulatory flexibility in wake of this year's difficult economic and operating environment.

In the Springtime, after the governor of Texas first declared a state of disaster in Texas due to the coronavirus (COVID-19) pandemic, the agency first agreed to provide an extension for deadlines relating to certain expirations and filing requirements effective through September 30, 2020. The commission is now extending the grace period for such deadlines and filing requirements, as applicable, to the end of the calendar year, ending December 31, 2020.

As reinforced by the commission, this regulatory extension does not apply to violations identified as a result of inspections, complaints, tests, or incidents that may cause health, safety, waste, or environmental concerns. Operators must resolve these violations in a timely manner as required by the Notice of Violation and/or applicable rule or regulation.

For more details on regulatory relief applied by state regulators, please reference the commission's original Notice to Oil & Gas Operators, viewable at: [https://rrc.texas.gov/media/57088/notice-to-operators\\_nov-resolution\\_4-3-2020.pdf](https://rrc.texas.gov/media/57088/notice-to-operators_nov-resolution_4-3-2020.pdf).

## RAILROAD COMMISSION EXCEEDS PERFORMANCE GOALS FOR SAFETY AND ENVIRONMENTAL INSPECTIONS

In early October, the Railroad Commission of Texas shared that in the last Fiscal Year, which ended on August 31, the agency outperformed on metrics and performance goals set by the Texas legislature to ensure the protection of public safety and the environment. According to the commission, the agency completed 347,617 inspections of oil and gas wells and facilities in Fiscal Year 2020, which was more than 150,000 above the legislative target for the fiscal year. Similarly, pipeline safety inspectors from the commission also exceeded both the annual performance targets for standard and specialized (including accidents) inspections by conducting a total of 5,575 inspections this past fiscal year, though the legislature had established a target of 4,113 inspections for the time period.

"Inspections are the primary tool to ensure compliance with commission rules. These numbers show how seriously our inspectors take the agency's commitment to protecting natural resources and communities across Texas," said Railroad Commission Executive Director Wei Wang. "Their performance is even more impressive given the fact that staff had to quickly adapt to the upheaval of the COVID-19 pandemic as they continued their work. The Railroad Commission is only as good as its people, and I am very fortunate to work with such a highly skilled and dedicated staff."

Stakeholders are reminded that inspection information and enforcement histories of oil and gas wells are publicly accessible any time through the Railroad Commission's Online Inspection Lookup portal, called RRC OIL. This searchable database is available on the agency's website at <http://webapps2.rrc.state.tx.us/PDA/ice/pdaIceHome.xhtml>.

## TCEQ WEIGHS PROPOSAL TO REVISE COMMISSION'S PENALTY POLICIES

Now through October 30, the Texas Commission on Environmental Quality (TCEQ) is accepting public comments on a proposal to update the agency's penalty policies. The commission's penalty policies have not been revised in over six years, prompting state regulators to seek to adopt statutory changes that reflect more recent legislative actions and incorporate other regulatory measures within the authority of the TCEQ to hold violators accountable. According to the TCEQ, additional proposed changes to the commission's penalty policy seek to promote deterrence to future noncompliance by using new tools impacting the assessment of administrative penalties.

Specifically, TIPRO members are advised that the commission's executive director has proposed changes to the following policy items: updating the applicability language; updating the Statutory Authorizations section; updating and re-organizing the Statutorily Authorized Penalties table; revising the Petroleum Storage Tank major and minor source threshold; increasing the percentages in the Environmental/Property and Human Health Matrix and the Programmatic Penalty Matrix; additional flexibility in determining the number of violation events; an upward adjustment for air emission events in counties with a population of 75,000 or greater; and removing the 20 percent deferral provided for expedited enforcement for matters that have two or more prior administrative penalty orders as set out in Texas Water Code (TWC) Section 7.105. In addition, TCEQ's executive director has identified minor changes that would help improve consistency and clarity in the use of this document.

The TCEQ has posted an interoffice memorandum summarizing in detail the proposed changes and offering a look at the draft of the proposed revised penalty policies, which may be viewed at: <https://bit.ly/3nLFpPX>.

Please note that TIPRO members interested in providing comments to the TCEQ concerning its intended policy revisions may email feedback to [penalty\\_policy@tceq.texas.gov](mailto:penalty_policy@tceq.texas.gov). After the October deadline has passed, received comments will be presented to the TCEQ commissioners for their consideration at a future commission work session or commission agenda.

## WITH MODEST IMPROVEMENTS TO OIL PRICES, COMPTROLLER LESSENS TAX CREDIT FOR MARGINAL OIL LEASES

For the reporting month of September, the Texas Comptroller of Public Account Glenn Hegar has authorized a 25 percent credit to offset crude oil severance taxes for qualifying low-producing oil leases. In his latest assessment of pricing conditions, Comptroller Hegar certified that the three-month average of oil totaled \$26.13 per barrel of oil last month, allowing for operators in Texas to continue to apply for a 25 percent credit extended on state taxes.

Whenever the certified three-month average price of oil falls between \$25/barrel and \$30/barrel, then a 25 percent deduction from severance taxes is granted for eligible low-producing oil leases. In order to qualify for the tax credit, an oil lease must, over a 90-day time period, hold average production less than 15 barrels of oil per day per well or have no more than 5 percent recoverable oil per barrel of produced water.

Beginning in May of this year, tax credits for low-producing oil leases have been approved by the state comptroller, ranging as high as the 100 percent threshold, due to the severe drop in commodity prices after the market collapse this spring and economic downturn prompted by the coronavirus outbreak. This measure has provided tax relief to producers of marginal oil and gas wells while oil prices have remained critically low.

Moreover, operators of low-producing natural gas wells will also continue to be able to avail themselves with a 100 percent tax exclusion from severance taxes. While natural gas price indices have experienced a marginal increase from the summer months, the comptroller recently determined the three-month average price of gas as \$0.83 per thousand cubic feet (Mcf), well within the established range of \$2.50 or less per Mcf unit to allow a full 100 percent credit from the state's natural gas tax.

## FEDERAL JUDGE TOSSES 2016 BLM RULE LIMITING METHANE EMISSIONS FROM OIL AND GAS OPERATIONS

A federal judge in October issued a final ruling against an industry regulation promulgated by the U.S. Bureau of Land Management (BLM) in 2016 that sought to limit methane air emissions from oil and gas operations and curb venting and flaring activities on federal and tribal lands. Ruling that the BLM exceeded its statutory authority in implementing the methane rule four years ago, Chief Judge Scott Skavdahl of the U.S. District Court for the District of Wyoming on Thursday, October 8, dismissed the rationale presented by the federal government for crafting the regulatory standards. In his review, the judge found that the 2016 Waste Management rule was being used by the bureau to essentially regulate air emissions and air quality, matters which fall beyond the jurisdiction of the BLM.

In his ruling, Judge Skavdahl also cited how the rule's original cost-benefit analysis only showed the rule to be beneficial "if the ancillary benefits to global climate change are factored in." The judge wrote that "without these 'indirect' benefits, the costs of the rule likely more than double the benefits every year."

Ever since the rule was announced by the prior administration, it has faced many legal challenges and lengthy delays. The Trump Administration in 2018 even reversed the 2016 policy, though this effort to roll-back the rule was vacated this past summer when a federal judge from the U.S. District Court for the Northern District of California called the BLM's rescission "wholly inadequate."

Given the administration and judicial interventions pertaining to the BLM's methane rule, for the time-being, regulations and compliance obligations governing methane leaks seemingly divert back to the original regulatory state adopted decades ago.

A spokesperson from the Interior Department signaled that the administration was accepting of the judge's most recent decision, calling it a "win for the American people, the rule of law, and our country's economic future."

## PRESIDENT ESTABLISHES NEW WATER SUBCABINET TO ENHANCE NATION'S WATER MANAGEMENT

President Donald Trump announced in mid-October the establishment of a new interagency Water Subcabinet, part of the administration's executive branch, that will work to streamline and modernize the federal government's approach to managing America's water resources and associated infrastructure. The Water Subcabinet will be co-chaired by U.S. Department of the Interior Secretary David Bernhardt and U.S. Environmental Protection Agency Administrator Andrew Wheeler, and will include senior officials from the U.S. Department of Agriculture, the Department of Commerce, the Department of Energy, and the Department of the Army. The Water Subcabinet will also work in close coordination with top officials from the White House Council on Environmental Quality, the Office of Management and Budget and the Office of Science and Technology Policy, in addition to other federal agencies as appropriate.

"The Trump Administration has made it a priority to ensure communities across the nation receive safe, reliable water," said Interior Secretary Bernhardt. "[This] action by President Trump furthers our incredible efforts over the past three and a half years to cut bureaucratic red tape and improve water infrastructure."

"The Water Subcabinet will enhance collaboration among the Federal agencies responsible for our nation's water management, allowing for a more effective and efficient environmental and economic balance of our nation's water resources for all users," described R.D. James, Assistant Secretary of the Army for Civil Works. "This administration's focus on streamlining and reducing duplication between Federal agencies will benefit the American people by the coordinated modernization of our Nation's water infrastructure and water resource management."

Amongst other goals and priorities, the president has tasked the group specifically with developing a national water strategy that examines innovation and modernization of water systems in the United States and ensures reliability of water supplies and quality. The Water Subcabinet will provide recommendations to promote better coordination and planning for federal investments in water infrastructure as well as look at ways to consolidate activities of the hundreds of existing water-related federal task forces, working groups, and initiatives.

## STAKEHOLDERS INVITED TO PARTICIPATE IN FREE RRC WEBINAR EXPLAINING ITS ONLINE CASES PORTAL

The Texas Railroad Commission next month will host a free webinar to inform and train the energy industry and public on its new Case Administration Service Electronic System (referred to as RRC CASES). The public portal was launched earlier this year by the commission to offer increased access to documents related to commission hearings and enforcement cases. For the first time, using RRC CASES, Texans can search online to view information on hearings dockets anytime they want, from anywhere they want.

To help energy professionals and the public become familiar with the portal system, the commission is planning to host an explanatory webinar covering the RRC CASES system the first week of November, on Wednesday, November 4, at 2 p.m. According to the commission, the webinar will cover a variety of topics, including how:

- users can search and view cases in the online portal;
- people requesting documents through the open records process can now view the information in RRC CASES;
- parties to a docket or their representatives can upload filings and download a file-stamped copy from their offices without having to use regular mail or make a trip to the agency;
- the Railroad Commission coordinates oil and gas, gas utilities, surface mining and enforcement cases within the commission's jurisdiction using the online portal; and lastly,
- to pay penalties assessed for enforcement violations using the online portal.

More information on the commission's upcoming webinar is available online at: <https://rrc.texas.gov/hearings/rrc-cases-webinar/>.

Just last month the commission announced enhanced features and other system-wide updates for its RRC CASES portal that have further improved online regulatory services managed by the Railroad Commission. In addition to expanding the case types from different divisions of the commission, the RRC CASES portal has further enhanced the transparency of administrative functions, decreased reliance on paper records, and streamlined agency processes such as open records requests. In this time of uncertainty after the coronavirus (COVID-19) pandemic, the agency notes that the RRC CASES system has been particularly essential in allowing administrative law judges and technical examiners to access dockets and case materials without having to retrieve a hard copy file.

"The CASES online portal is part of an ongoing effort to modernize operations at the Railroad Commission," said Railroad Commission Executive Director Wei Wang. "RRC CASES not only makes our hearings documents available for anyone to view, but it also makes it easier for operators to submit case files electronically. As public servants, we strive to serve the public better, and RRC CASES is a digital tool that helps us do just that."

TIPRO members interested in accessing the RRC CASES system to search and view case information may visit: <https://rrc.texas.gov/hearings/rrc-cases/>.

## APACHE VP AND TIPRO MEMBER CASTLEN KENNEDY RECOGNIZED AS ONE OF INDUSTRY'S 'MOST POWERFUL WOMEN'

TIPRO congratulates association member Castlen Kennedy for being honored recently as a 'Top 50 Most Powerful Women in the Oil & Gas Industry' by the National Diversity Council. Kennedy was named vice president of corporate communications and public affairs for Apache Corporation in July 2015 after serving as a company director since 2014. Kennedy joined Apache's Government Affairs department in 2006 and served as manager of government affairs from 2006 to 2011 advocating on behalf of the company before state and federal officials. She joined the Investor Relations department as manager in 2011 and later as director in 2014 interacting and communicating with Apache shareholders. Earlier in her career, Kennedy also was a senior policy advisor at the U.S. Department of Energy, a business analyst at S&B Infrastructure and worked as a financial analyst on the commodities desks at RWE Americas and Enron Corporation.

## DEVON UNVEILS PLANS TO MERGE WITH SHALE PRODUCER WPX ENERGY

TIPRO member company Devon Energy announced recently it will combine with shale producer WPX Energy, Inc., as part of an effort to help the two energy companies overcome challenges presented this year from the coronavirus outbreak, an unprecedented market slump and the economic downturn. The merger of Devon and WPX Energy will create a leading unconventional oil producer in the U.S., with an asset base underpinned by a premium acreage position in the economic core of the Delaware Basin in West Texas, said the companies. The company's portfolio will be further diversified across high-margin, high-return resource plays located in the Anadarko Basin, Williston Basin, Eagle Ford Shale and Powder River Basin. The combined company will be recognized as Devon Energy, and will be headquartered in Oklahoma City.

"This merger is a transformational event for Devon and WPX as we unite our complementary assets, operating capabilities and proven management teams to maximize our business in today's environment, while positioning our combined company to create value for years to come," remarked Dave Hager, Devon's president and CEO. "Bringing together our asset bases will drive immediate synergies and enable the combined company to accelerate free cash flow growth and return of capital to shareholders. In addition to highly complementary assets, Devon and WPX have similar values, and a disciplined returns-oriented focus, reinforcing our belief that this is an ideal business combination."

After Devon revealed its plans to absorb WPX Energy, in early October it finalized the sale of its natural gas assets in the Barnett Shale to Denver-based Banpu Kalnin Ventures ("BKV"). The completion of this divestiture will allow Devon to focus on drilling in other oil rich U.S. basin, including the Delaware and Permian Basin.



# CAST YOUR VOTE IN THIS YEAR'S ELECTION!

**Make your voice heard in the 2020 General Election.  
Vote to elect candidates that understand and  
support the Texas oil and natural gas industry  
and will promote economic security.**



**EARLY VOTING LASTS UNTIL OCTOBER 30<sup>TH</sup>!**

## THE TIPRO TARGET



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With nearly 3,000 members, TIPRO is the nation's largest statewide association representing both independent producers and royalty owners. Our members include small family-owned companies, the largest publicly traded independents and large and small mineral estates and trusts.

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