

NINETEENTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.

SECTION “ ”

TOWN OF ABITA SPRINGS

VERSUS

JAMES H. WELSH, IN HIS OFFICIAL CAPACITY AS  
COMMISSIONER OF CONSERVATION AND ASSISTANT SECRETARY OF THE  
LOUISIANA DEPARTMENT OF NATURAL RESOURCES

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

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**PETITION FOR JUDICIAL REVIEW**

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1. The Commissioner of Conservation, Assistant Secretary of the Louisiana Department of Natural Resources, violated the Louisiana Constitution in his decision and order issuing a Permit to Drill to Helis Oil & Gas Company, LLC, for the Eads Poiteviant et al. No. I Well. The Commissioner issued the order granting the permit without conducting any analysis of the numerous grave potential adverse environmental impacts of the project, nor did he discuss threats the Helis Oil project may present to the public safety. He ignored affirmative evidence of geologic faults located near Helis Oil’s proposed well site and did not analyze the risk of contamination to the sole source aquifer. Additionally, the Commissioner of Conservation’s action issuing the permit was arbitrary and capricious and manifestly erroneous, and his decision granting the permit must be vacated.

**PARTIES**

2. The Town of Abita Springs (“Abita Springs”) is a municipality in St. Tammany Parish tasked with promoting the health, safety, and welfare of its residents.

3. The Commissioner of Conservation, Assistant Secretary of the Department of Natural Resources (“Commissioner of Conservation”), took final action in issuing Order No. 1577-1 granting a Permit to Drill (“permit” or “order”) to Helis Oil & Gas Company, LLC (“Helis Oil”) and can be sued pursuant to the provisions of La. Rev. Stat. Ann. § 30:12(A)(1).

4. Abita Springs is an adversely affected and aggrieved party with a real and actual interest in the permit and order the Commissioner of Conservation issued allowing Helis Oil to drill an oil and gas well, through which Helis Oil proposes to conduct hydraulic fracturing (“fracking”) operations in St. Tammany Parish (“Helis Oil’s drilling project”).

5. As a recognized opponent and participant in the Commissioner of Conservation’s administrative proceedings on the Helis Oil application, Abita Springs has standing to challenge the order.

6. Abita Springs enjoys a unique connection to the Southern Hills Aquifer, as its identity is inextricably entwined with the cleanliness and purity of the Southern Hills Aquifer water.

7. Much of Abita Springs’s identity and value as a place to live, work, and recreate derives from its clean environment, peaceful setting, and lack of industrial activity.

8. Abita Springs and its residents are reasonably concerned about the health, safety, and welfare risks Helis Oil’s drilling project poses to the town and its residents.

9. Abita Springs is reasonably concerned that Helis Oil’s drilling project could cause contamination of the town’s groundwater source, the Southern Hills Aquifer.

10. The Southern Hills Aquifer is designated by the Environmental Protection Agency as a sole source aquifer, and is the sole source of drinking water for Abita Springs.

11. Remediation of a contaminated aquifer is difficult, if not impossible.

12. Residents of Abita Springs attend Lakeshore High School.

13. Upon information and belief, the entrance to Helis Oil’s proposed well site is approximately three hundred feet from the entrance to Lakeshore High School.

14. Upon information and belief, Lakeshore High School draws its water from the Southern Hills Aquifer.

15. Upon information and belief, trucks leaving the Helis Oil well site may transport wastewater from well operations, which contain toxic chemicals and radioactive material known as “NORM” (Naturally Occurring Radioactive Material).

16. Abita Springs has exhausted its administrative remedies and so may appeal the Commissioner of Conservation’s decision pursuant to La. Rev. Stat. Ann. § 30:12(A)(1).

## **JURISDICTION AND VENUE**

17. Jurisdiction and venue are proper in this Court, and Petitioners have a right to bring this judicial review action pursuant to La. Rev. Stat. Ann. § 30:12(A)(1) and (2).

## **STATEMENT OF LAW**

18. Louisiana's Constitution mandates that "the natural resources of the state, including air and water, and the healthful, scenic, historic, and esthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people." LA. CONST. Art. IX, § 1 (1974).

19. In 1984, the Louisiana Supreme Court interpreted that Constitutional mandate as "requir[ing] an agency or official, before granting approval of proposed action affecting the environment, to determine that adverse environmental impacts have been minimized or avoided as much as possible consistently with the public welfare." *Save Ourselves, Inc. v. Louisiana Env'tl. Control Comm'n*, 452 So. 2d 1152, 1157 (La. 1984). This decision is sometimes referred to as the "IT decision."

20. The Louisiana Court of Appeal, First Circuit, further detailed the five questions a public trustee, such as the Commissioner of Conservation, must address to comply with its Constitutional duty when deciding on a permit:

First, have the potential and real adverse environmental effects of the proposed facility been avoided to the maximum extent possible? Second, does a cost benefit analysis of the environmental impact costs balanced against the social and economic benefits of the proposed facility demonstrate that the latter outweighs the former? Third, are there alternative projects which would offer more protection to the environment than the proposed facility without unduly curtailing non-environmental benefits? Fourth, are there alternative sites which would offer more protection to the environment than the proposed facility site without unduly curtailing non-environmental benefits? Fifth, are there mitigating measures which would offer more protection to the environment than the facility as proposed without unduly curtailing non-environmental benefits?

*Blackett v. La. Dep't of Env'tl. Quality*, 506 So. 2d 749, 754 (La. App. 1 Cir. 1987).

21. The Louisiana Court of Appeal, First Circuit, subsequently ordered that, to comply with its constitutional mandate, an agency decision should contain—at the very least—the following elements: "1) a general recitation of the facts as presented by all sides; 2) a basic finding of facts as supported by the record; 3) a response to all reasonable public comments; 4) a

conclusion or conclusions on all issues raised which rationally support the [Agency's] decision; and 5) any and all other matters which rationally support the [Agency's] decision." *In re Rubicon, Inc.*, 95-0108, p. 12 (La. App. 1 Cir. 2/14/96); 670 So. 2d 475, 483.

22. The provision governing judicial review of orders granted by the Commissioner of Conservation provides:

The court may affirm the decision of the assistant secretary or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are: (a) In violation of constitutional or statutory provisions; (b) In excess of the statutory authority of the agency; (c) Made upon unlawful procedure; (d) Affected by other error of law; (e) Arbitrary or capricious, or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or (f) Manifestly erroneous in view of the reliable, probative, and, substantial evidence on the whole record. In the application of the rule, where the assistant secretary has the opportunity to judge the credibility of witnesses by first-hand observation of demeanor on the witness stand and the reviewing court does not, due regard shall be given to the assistant secretary's determination on credibility issues.

Louisiana Revised Statute § 30:12(B)(5).

#### BACKGROUND

23. On September 10, 2014, Helis Oil submitted an application to the Commissioner of Conservation for a Permit to Drill for the Eads Poitevent et al No. 1 well in St. Tammany Parish, Louisiana.

24. On September 15, 2014, Abita Springs and the Concerned Citizens of St. Tammany asked the Commissioner of Conservation for a public hearing on Helis Oil's application pursuant to La. R.S. § 30:6(F), which states: "Any interested person has the right to have the commissioner call a hearing for the purpose of taking action in respect to a matter within the jurisdiction of the commissioner by making a request therefor in writing. Upon receiving the request the commissioner shall promptly call a hearing."

25. Abita Springs paid a \$755 application fee for the hearing.

26. On September 30, 2014, the Commissioner of Conservation set the hearing for November 12, 2014.

27. The Commissioner of Conservation also set November 19, 2014, as the deadline by which to submit written comments on Helis Oil's application to drill.

28. The Commissioner of Conservation instructed that the applicant, Helis Oil, would present its bases in support of its application first at the hearing.

29. Over Abita Springs' objection, the Commissioner of Conservation refused to set a time limit for Helis Oil's presentation at the hearing.

30. Neither before nor during the hearing did the Commissioner of Conservation tell the parties that it would weigh oral testimony more heavily than written testimony.

31. The hearing took place on November 12, 2014, under Docket No. 14-0626 at Lakeshore High School in St. Tammany Parish.

32. The hearing was conducted before a hearing officer representing the Commissioner of Conservation.

33. Helis Oil presented three witnesses at the hearing: petroleum geologist Wilton (Bill) Dale, Jr.; petroleum geologist Dr. Adam (Ted) Bourgoyne; and environmental engineer John Connor. The witnesses introduced maps, diagrams, well schematics, and other details about the planned Helis Oil project during their testimony.

34. Helis Oil represented that it will conduct horizontal drilling and hydraulic fracturing at the well site if the vertical exploratory well proves viable.

35. Over the objection of Abita Springs, the hearing officer refused to allow the opponents, including Abita Springs, to cross-examine Helis Oil's witnesses immediately following their individual testimony. Instead, the hearing officer allowed Helis Oil's three witnesses to testify in succession before Abita Springs could conduct cross-examination.

36. At the hearing, Abita Springs and the Concerned Citizens of St. Tammany presented one witness, geologist Mark Quarles.

37. The hearing officer recognized the credentials of each witness who testified at the hearing.

38. After the hearing, Mr. Quarles also submitted written testimony in the form of an affidavit, in part to respond to the testimony from the Helis Oil witnesses. None of the technical information testified to by Helis Oil's witnesses had been made available to Mr. Quarles before the hearing.

39. In his affidavit, Mr. Quarles testified about his concerns about the well site given its proximity to a fault zone. He testified: "The Helis well location presents a significant risk to the Southern Hills Aquifer because of its location relative to known, suspected, and probable faults."

40. Mr. Quarles warned: "The vertical and horizontal wells associated with the Helis plan should not be drilled until a thorough subsurface investigation is completed to deny the presence of these faults."

41. Upon information and belief, neither Helis Oil nor the Commissioner of Conservation conducted a thorough subsurface investigation to assess the presence of faults.

42. These faults extend from the ground to below the Tuscaloosa Marine Shale formation.

43. These faults are documented and mapped by the U.S. Army Corps of Engineers, the U.S. Geological Survey, and Louisiana State University.

44. Mr. Quarles included maps of these documented faults in his affidavit.

45. Mr. Quarles testified that faults can act as conduits for contaminants, thereby allowing the contaminants to migrate long distances horizontally and vertically, increasing the risk that the Helis Oil project could contaminate the Southern Hills Aquifer.

46. Helis Oil did not address faults in its oral testimony at the hearing.

47. Helis Oil did not address faults in its written submissions to the Commissioner of Conservation.

48. The Commissioner of Conservation did not address the presence of faults near the Helis Oil well site in his reasons for decision.

49. The Commissioner of Conservation did not analyze how the presence of known or suspected faults in the Helis Oil project area could adversely affect the environment.

50. The Commissioner of Conservation did not analyze whether there are mitigative measures that could reduce the risks posed by the faults.

51. Uncontroverted testimony established that the Eads Poiteviant et al. No. 1 well site is located in wetlands.

52. Uncontroverted testimony established that the oil and gas drilling standards authored by the American Petroleum Institute recommend that oil and gas operations not be located in sensitive areas like wetlands.

53. Uncontroverted evidence established that the standards authored by the American Petroleum Institute recommend that oil and gas operations not be located in sensitive areas like active fault areas.

54. Uncontroverted testimony established that Helis Oil will use approximately 800,000 gallons of water to drill the vertical exploratory well.

55. Uncontroverted testimony established that each time a horizontal well is fracked it requires three to five million gallons of water.

56. Uncontroverted testimony established that horizontal wells can be fracked multiple times.

57. Other than saying it would draw water from "surface ponds," Helis Oil refused to disclose where it will obtain the water it will use to drill and frack the wells.

58. Mr. Quarles testified in his affidavit that the withdrawal of surface water to drill and frack could cause the withdrawal of groundwater because "[p]onds in areas of shallow water are in fact filled with groundwater."

59. The Commissioner of Conservation did not analyze the effect that withdrawal of the quantity of water required for Helis Oil's project could have on the surrounding environment.

60. The Commissioner of Conservation did not analyze the effect that withdrawal of the quantity of water required for Helis Oil's project could have on the aquifer.

61. Upon information and belief, the Commissioner of Conservation had no information about where Helis Oil will obtain the water required to drill and fracture the well before it granted the permit.

62. Dr. Bourgoyne testified that Helis Oil would use a closed-loop system to drill the vertical well (Phase I).

63. Dr. Bourgoyne did not address whether Helis Oil would use a closed-loop system to drill the horizontal well (Phase II).

64. Dr. Bourgoyne did not address whether Helis Oil would use a closed-loop system while fracking the horizontal well.

65. When a closed loop system is used, all waste mud and rock cuttings that are generated are removed as they are drilled and put into steel tanks.

66. The permit conditions require Helis Oil to use a closed-loop system to drill the vertical well.

67. The permit condition requiring Helis Oil to use a closed-loop system does not specify whether it applies only to the vertical well or whether it applies to the horizontal well and fracking operations (Phase II) too.

68. The permit conditions do not address how Helis Oil will dispose of wastewater from the fracking process. This wastewater includes produced water and flowback water.

69. Produced water is obtained by processing fluids brought to the surface in connection with the recovery of oil and gas.

70. Flowback liquid is the portion of fracking fluid that returns up the well after being injected into the oil and gas well to crack the formation.

71. Both produced water and flowback water may contain toxic chemicals and NORM.

72. A permit condition prohibits Helis Oil from using pits in connection with the closed loop solids control system.

73. The permit condition prohibiting Helis Oil from using pits in connection with the closed-loop system does not specify whether Helis Oil may use pits to store or dispose of produced or flowback water in connection with drilling or fracking the horizontal well (Phase II).

74. Upon information and belief, Helis Oil can install pits on the well site during the horizontal drilling and subsequent fracking process.

75. Mr. Quarles testified in his affidavit that pits used to store or dispose of drilling and production fluids pose a risk to the environment.

76. Unlined pits pose a higher risk to the environment because waste can seep through the pit and into the aquifer. Unlined pits pose a higher risk to the environment at the Helis Oil well site because it is located in wetlands.



77. Mr. Quarles testified that these pits could also be used to dispose of flowback water, which contains, among other things, toxic chemicals and NORM.

78. Mr. Quarles testified in his affidavit that these pits could remain on the site even after the well site is closed (no longer used).

79. The Commissioner of Conservation did not assess the risks posed to the environment by Helis Oil's possible use of on-site pits storing toxic and radioactive material.

80. Undisputed testimony established that some of the the chemicals that are commonly used to frack are toxic.

81. Mr. Quarles testified that some of the chemicals that are commonly used to frack are known carcinogens and even the low concentrations in fracking fluids can exceed EPA standards.

82. Mr. Quarles testified that Helis Oil should disclose which chemicals it will use to frack *before* it begins fracking so that users of the groundwater can test their wells for the presence of those chemicals *before* fracking begins. This allows users to determine the baseline levels of these chemicals before fracking starts and to compare the baseline levels to those present after fracking operations begin.

83. Helis Oil did not commit to reporting the chemical constituents in its fracking fluid *before* it fracks the well.

84. In his decision, the Commissioner of Conservation did not analyze the risk the chemicals that will be used to frack the well may pose to the aquifer.

85. The Commissioner of Conservation did not analyze in his written decision the risk the chemicals that will be used to frack the well may pose to the health of the people living near the well site.

86. The Commissioner of Conservation did not include in the decision document a discussion of whether there are mitigative measures beyond those proposed by Helis Oil that would offer more protection to the aquifer and the health of the people.

87. Uncontroverted testimony established that the well site is above a sole source aquifer and will require drilling through a sole source aquifer.

88. Uncontroverted testimony established that the aquifer is comprised of multiple layers and that those layers can mix.

89. Uncontroverted testimony established that the cement casing in the vertical well can fail.

90. Mr. Quarles testified that if the cement fails it could release toxic chemicals into the surrounding environment.

91. The Commissioner of Conservation did not analyze in writing the potential impacts that failure of the cement could cause, nor did he analyze in writing whether there are mitigative measures which would offer more protection to the environment from a cement failure than Helis Oil's proposed plan.

92. In his oral testimony, Mr. Quarles described multiple pathways by which fracking chemicals could escape and contaminate the aquifer.

93. Mr. Quarles testified that there are currently no treatment systems in place to remove any fracking fluids that may contaminate the aquifer.

94. The Commissioner of Conservation did not analyze in writing the potential impacts to the aquifer that the absence of treatment systems could cause were the aquifer to become contaminated.

95. The Commissioner of Conservation did not address requiring treatment systems as a mitigative measure.

96. Mr. Quarles testified that there are more than 4,700 wells for private homes within a 10-mile radius of the drill site and those wells range from 10 feet to 2,000 feet deep.

97. Helis Oil committed to, and is required by the permit, to install a three-well cluster monitoring program on the 3.21 acre well site.

98. Mr. Quarles testified that all layers of the aquifer should be monitored for contamination, not just three.

99. Mr. Quarles testified in his affidavit about the deficiencies in Helis Oil's groundwater monitoring program:

The 3-well cluster monitoring program at the 3.21 acre well site *provides no early warning* of contaminants that might reach the high school wells. The horizontal well that will be used to inject the fracturing chemicals into the oil and gas formation extends

almost 8,000 feet to the north and adjacent to the high school. No monitoring wells are proposed between the horizontal well and the high school well used for drinking water. As such, the two high school water wells are essentially the only 'monitoring' wells in that area and if they become contaminated, the water will have already been contaminated prior to knowledge that contamination ever existed.

100. The Commissioner of Conservation did not address Mr. Quarles' testimony about the deficiencies in Helis Oil's groundwater monitoring program.

101. Upon information and belief, representations that Helis Oil made during the hearing regarding protective measures it proposes to employ in its drilling project will not bind any future entities to whom Helis Oil may transfer the mineral lease or well.

102. On November 14, 2014, Abita Springs requested an extension of the Notice and Comment period to allow time to respond to the detailed material Helis Oil submitted for the first time at the November 12, 2014, hearing.

103. On November 14, 2014, Conservation denied the request for a comment period deadline extension.

104. On November 19, 2014, Abita Springs timely submitted written comments to the public record on the Helis Oil drilling permit application. These comments included an affidavit from Mr. Quarles and associated exhibits.

105. The comment period closed on November 19, 2014, at 5:00 PM.

106. The Commissioner of Conservation stated that the Helis Oil project will have a "potential impact" on the environment but did not discuss, define, or analyze any potential impacts.

107. The Commissioner of Conservation also stated that it had "considered the impacts of the environmental costs associated with potential environmental impacts that may or may not occur in the future, and *finds the social and economic benefits of the proposed facility outweigh not only the actual environmental costs but also the potential concerns raised by Abita Springs, [the Concerned Citizens for St. Tammany], and the general public.*" (emphasis added).

108. The Commissioner of Conservation did not discuss, define, or analyze any "social and economic benefits" of the Helis Oil drilling project.

## **ALLEGATIONS**

109. The Commissioner of Conservation did not analyze the impact that the presence of faults could have on the potential adverse impacts of the Helis Oil project.

110. The Commissioner of Conservation did not respond to the comments regarding the risk that the presence of an active fault zone poses to the aquifer.

111. The Commissioner of Conservation did not consider mitigative measures to address the presence of faults at the site.

112. The Commissioner of Conservation did not support his conclusion that the potential and actual environmental costs of the Helis Oil project are outweighed by potential social and economic benefits.

113. The Commissioner of Conservation did not consider alternative sites which do not require drilling through a sole source drinking water aquifer.

114. The Commissioner of Conservation did not consider alternative sites which are not in a residentially zoned area.

115. The Commissioner of Conservation did not consider alternative sites which are not near Scenic Streams or Outstanding Natural Resources Waters.

116. The Commissioner of Conservation did not consider alternative sites with an equal or better chance of containing hydrocarbon reserves.

117. The Commissioner of Conservation did not analyze whether the potential and real adverse impacts of the project have been avoided to the maximum extent possible.

118. The Commissioner of Conservation did not analyze the adverse impacts on the surrounding environment and the aquifer due to the fact that the Eads Poitevant et al. No. 1 well site is located in wetlands.

119. The Commissioner of Conservation did not respond to the testimony regarding the potential adverse impact that the sole source aquifer could become contaminated.

120. The Commissioner of Conservation did not respond to the testimony establishing that nearby streams could become contaminated, a potential adverse impact.

121. The Commissioner of Conservation did not address noise pollution, a potential adverse impact.

122. The Commissioner of Conservation did not address the risk that transporting fracking fluids from the site could pose to surrounding areas, such as Lakeshore High School.

123. The Commissioner of Conservation did not address drilling accidents, a potential adverse impact.

124. The Commissioner of Conservation did not address spills, a potential adverse impact.

125. The Commissioner of Conservation did not address uncontroverted testimony which established that cement casings do fail.

126. The Commissioner of Conservation did not reach a conclusion regarding the potential cumulative impact of future wells.

127. The Commissioner of Conservation did not consider the potential and adverse consequences of withdrawing millions of gallons of water from nearby ponds on the surrounding environment.

#### **ASSIGNMENT OF ERRORS**

128. The Commissioner of Conservation's permitting decision has prejudiced substantial rights of the Petitioners because the decision is "[i]n violation of constitutional or statutory provisions." La. Rev. Stat. § 30:12(5)(a).

129. The Commissioner of Conservation's permitting decision has prejudiced substantial rights of the Petitioners because Conservation's decision is "[m]ade upon unlawful procedure" or affected by other error of law. La. Rev. Stat. § 30:12(5)(c) & (d).

130. The Commissioner of Conservation's permitting decision has prejudiced substantial rights of the Petitioners because the decision is "[a]rbitrary or capricious, or characterized by abuse of discretion or clearly unwarranted exercise of discretion." La. Rev. Stat. § 30:12(5)(e).

131. The Commissioner of Conservation's permitting decision has prejudiced substantial rights of the Petitioners because Conservation's decision is "[m]anifestly erroneous in

view of the reliable, probative, and, substantial evidence on the whole of the record.” §  
30:12(5)(f).

**DESIGNATION OF RECORD FOR APPEAL**

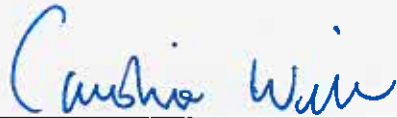
132. Petitioners designate as the record on appeal all documents in the possession of the Commissioner of Conservation regarding Helis Oil’s application for a Permit to Drill.

**PRAYER FOR RELIEF**

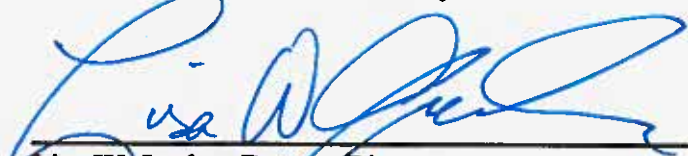
Upon consideration of the law and facts of this case, Petitioners respectfully request that this Court grant relief as follows:

1. Reverse, vacate and set aside the Commissioner of Conservation’s order issuing the Helis Oil Permit to Drill, Order No. 1577-1;
2. Award all other relief as this Court finds equitable.

Respectfully submitted on February 18, 2015,



Caroline Wick, Student Attorney



Lisa W. Jordan, Deputy Director  
LA Bar # 20451

As Counsel for Abita Springs and as Supervising Attorney for Ms. Wick’s representation of Abita Springs

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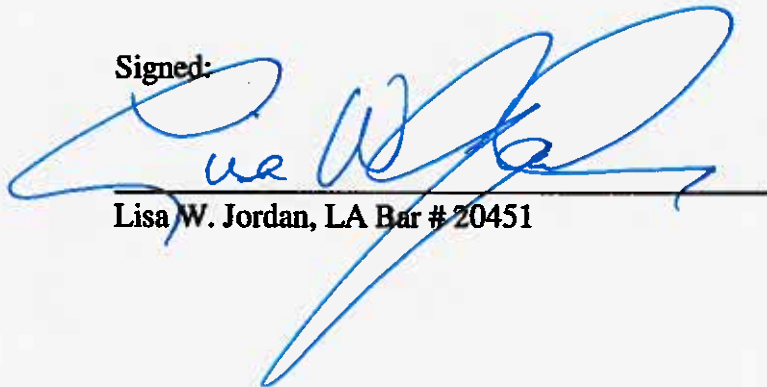
**Please Serve:**

James H. Welsh, Assistant Secretary  
Louisiana Department of Natural Resources  
617 N. Third Street – LaSalle Building  
Baton Rouge, Louisiana 70802

**SUPERVISING ATTORNEY'S INTRODUCTION  
OF CAROLINE WICK**

Undersigned counsel respectfully introduces student attorney Caroline Wick to this Court pursuant to Louisiana Supreme Court Rule XX. As Ms. Wick's supervising attorney, I approve of her appearance in this case on behalf of Abita Springs. I also attach the written consent to representation by student attorneys in this matter, signed by Greg Lemons, Mayor of Abita Springs.

Signed:

A handwritten signature in blue ink, appearing to read 'Lisa W. Jordan', is written over a horizontal line. The signature is stylized and cursive.

Lisa W. Jordan, LA Bar # 20451

**CLIENT'S WRITTEN CONSENT FOR STUDENT ATTORNEY APPEARANCE**

I hereby grant my consent for student attorneys from the Tulane Environmental Law Clinic to appear on my behalf in any matter in which the Tulane Environmental Law Clinic represents me, whether in Court or before an administrative tribunal.

Dated: 5/14/14

Town of Abita Springs

[signed:]  
[name:]

ML

Greg Lemons

[position:]

Mayor



**NINETEENTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA**

**DOCKET NO:**

**SECTION:**

**TOWN OF ABITA SPRINGS**

**VERSUS**

**JAMES H. WELSH, IN HIS OFFICIAL CAPACITY AS  
COMMISSIONER OF CONSERVATION AND ASSISTANT SECRETARY OF THE  
LOUISIANA DEPARTMENT OF NATURAL RESOURCES**

Filed: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

**ORDER**

The Petition for Judicial Review on behalf of the Town of Abita Springs appealing the Commissioner of Conservation, Assistant Secretary of the Louisiana Department of Natural Resources, Order granting Helis a permit to drill for the Eads Poiteviant et al. No. I Well has been received and filed with the Court on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

The record designated by the Town of Abita Springs shall be compiled and forwarded to the 19<sup>th</sup> Judicial District Court, and shall be returnable to \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

BATON ROUGE, LOUISIANA, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Judge