

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION**

**OIL AND GAS DOCKET
NO. 08-0242525**

**FINAL ORDER
APPROVING THE APPLICATION OF
WAHA STORAGE AND TRANSPORTATION LP PURSUANT TO
STATEWIDE RULE 97 FOR A PERMIT TO CREATE, OPERATE AND MAINTAIN
AN UNDERGROUND GAS STORAGE FACILITY ON THE WAHA/FROST LEASE
REEVES COUNTY, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket heard on April 22, 2005, the presiding examiners have made and filed a report and proposal for decision containing findings of fact and conclusions of law, which was served on all parties of record; that the proposed application is in compliance with all statutory requirements; and that this proceeding was duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the examiners' report and proposal for decision, the findings of fact and conclusions of law contained therein, and any exceptions and replies thereto, hereby adopts as its own the findings of fact and conclusions of law contained therein, and incorporates said findings of fact and conclusions of law as if fully set out and separately stated herein.

Therefore, it is ordered by the Railroad Commission of Texas that the application of WAHA Storage & Transportation LP to create, operate and maintain a facility to store natural gas and then retrieve it from solution-mined caverns on the WAHA/Frost Lease in Reeves County is hereby approved subject to the special condition that water from the Cenozoic Pecos Alluvium reservoir shall not be used as the raw water supply for the proposed solution mining of the storage caverns. The Commission's Environmental Services, Underground Injection and Storage Section is directed to issue the appropriate permit with the usual conditions, restrictions and limitations as required by the Commission. WAHA Storage & Transportation LP shall comply with all applicable rules and safety standards adopted by the Commission pursuant to Statewide Rule 97.

Each exception to the examiners' proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

This order will not be final and effective until 20 days after it is served to the parties by the

Commission; provided that if a motion for rehearing is filed by any party within such 20 day period, this order shall not become final until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE §2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the order is served on the parties.

Done this _____ day of _____, 2005.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN VICTOR G. CARRILLO

COMMISSIONER MICHAEL L. WILLIAMS

COMMISSIONER ELIZABETH A. JONES

ATTEST:

Secretary