

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

OIL & GAS DOCKET NO. 04-0246646

**APPLICATION OF BETTY EYHORN TO CONSIDER APPROVAL OF A QUALIFIED
SUBDIVISION PURSUANT TO STATEWIDE RULE 76 FOR THE EYHORN
SUBDIVISION NO. 2, HIDALGO COUNTY, TEXAS**

FINAL ORDER

The Commission finds that, after statutory notice in the above-numbered docket, heard on October 11-12, 2006, January 21 and February 22, 2007, and January 11, 2008, the examiners have made and filed a report and amended proposal for decision containing findings of fact and conclusions of law, which was served on all parties of record, 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 amended proposal for decision and the findings of fact and conclusions of law contained therein, and any exceptions and replies thereto, hereby adopts as its own, as to Eyhorn Subdivision No. 2, Findings of Fact Nos. 1 through 7, 9, 10, 12 through 15, 15a, 15d, 15e, 15f, 15g, 15h, 16, 16c, and 16d and Conclusions of Law Nos. 1 through 4 contained therein, and incorporates said findings of fact and conclusions of law as if fully set out and separately stated herein. Finding of Fact No. 15c in the amended proposal for decision is hereby amended to correct clerical errors in the finding. The Commission adopts the following amended Finding of Fact No. 15c:

- 15c. As to Subdivision No. 2, the 300' wide band of operations sites extends around the entire perimeter of the subdivision, except for a portion of the southern boundary in Lots 6 and 8 in the southeast corner of the subdivision. This band of operations sites is expanded in the northeast corner of the subdivision to an area of about 950' x 870' to accommodate the BTLT Lease Well No. 52 and its gathering lines. The band of operations sites is also expanded to an operations site of about 9.6 acres in Lot 7 on the east side of the subdivision to accommodate the BTLT Lease Well No. 56.

IT IS THEREFORE ORDERED that the application of Betty Eyhorn for approval of a qualified subdivision named Eyhorn Subdivision No. 2 containing 640 acres of land located in all of Section 32 out of the Los Gauges and Los Maguelles Grant Subdivision in Hidalgo County, Texas, with operations sites and road and pipeline easements, all more particularly described in the legal description attached as Appendix 1 and the plat attached as Appendix 2, incorporated herein for all purposes, is hereby **APPROVED**.

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

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective 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 parties are notified of the order.

Done this 26th day of February, 2008.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN MICHAEL L. WILLIAMS

COMMISSIONER VICTOR G. CARRILLO

COMMISSIONER ELIZABETH A. JONES

ATTEST:

SECRETARY