

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
OIL AND GAS SECTION**

RULE 37 CASE NO. 0216936

**APPLICATION OF H. BRYAN POFF FOR
AN EXCEPTION TO STATEWIDE RULE 37
TO DRILL WELL NO. 1-H, STAMPER
LEASE, GIDDINGS (AUSTIN CHALK-3)
AND GIDDINGS (AUSTIN CHALK-GAS)
FIELDS, FAYETTE COUNTY, TEXAS**

FINAL ORDER

The Commission finds that after statutory notice the captioned enforcement proceeding was heard by the examiners who have made and circulated a Proposal for Decision containing Findings of Fact and Conclusions of Law and such 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 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 in the Proposal for Decision, and incorporates said Findings of Fact and Conclusions of Law as if fully set out and separately stated herein.

IT IS ACCORDINGLY ORDERED THAT the application of H. Bryan Poff for a spacing exception to the provisions of Statewide Rule 37 to drill Well No. 1-H on the Stamper Lease, containing 80.755 acres of land in the Giddings (Austin Chalk-3) and Giddings (Austin Chalk-Gas) Fields in Fayette County is hereby **DENIED**.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after it is actually mailed to the parties by the Commission; provided that if a motion for rehearing of the application is filed by any party at interest within such 20-day period, 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 order is served on the parties.

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.

Done this _____ day of _____, 1997.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN

COMMISSIONER

ATTEST:

SECRETARY

COMMISSIONER