

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

**RULE 37 CASE NO. 0220851
DISTRICT 7C**

**APPLICATION OF PROSPECTIVE
INVESTMENT & TRADING CO., LTD.
FOR AN EXCEPTION TO STATEWIDE
RULE 37 TO DRILL WELL NO. 5 ON
THE HALFF ESTATE LEASE TO THE
AMACKER-TIPPETT (WOLFCAMP),
A M A C K E R - T I P P E T T S W
(WOLFCAMP), AMACKER-TIPPETT
(STRAWN), AMACKER-TIPPETT
(DEVONIAN) AND WILDCAT FIELDS,
UPTON COUNTY, TEXAS.**

FINAL ORDER

The Commission finds that, after statutory notice in the above-numbered docket, heard on July 12 and 13, 1999, the examiners have made and filed a report, a proposal for decision and an 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 to the initial proposal for decision and amended proposal for decision, hereby adopts as its own the findings of fact and conclusions of law contained in the amended proposal for decision, 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 Prospective Investment & Trading Co., Ltd. ("Pitco") for an exception to the provisions of Statewide Rule 37 to drill Well No. 5 on the Halff Estate Lease, H. Earnest/G.C. & S.F. RR Co. Survey, Abstract A-641, in the Amacker-Tippett (Wolfcamp), Amacker-Tippett SW (Wolfcamp), Amacker-Tippett (Strawn), Amacker-Tippett (Devonian) and Wildcat Fields, Upton County, 12 miles in a northwest direction from Rankin, Texas, as shown by a plat submitted by the applicant be and is hereby **DENIED**.

Each exception to the examiners' proposal for decision and amended 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 it is actually mailed to the parties by the Commission. A party is presumed to have been notified of the Commission's order 3 days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest within such 20-day period after the party's presumed notice, 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.

Done this 10th day of March, 2000.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN MICHAEL L. WILLIAMS

COMMISSIONER CHARLES R. MATTHEWS

COMMISSIONER TONY GARZA

ATTEST:

SECRETARY