

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**OIL & GAS DOCKET NO.
08-0300498**

**IN THE ANDREWS, SOUTH
(WOLFCAMP) AND THE BLOCK 9
(DEVONIAN) FIELDS, ANDREWS
COUNTY, TEXAS**

**FINAL ORDER
GRANTING THE APPLICATION OF XTO ENERGY, INC.
FOR AN EXCEPTION TO 16 TAC §3.32
FOR THE STATE OF TEXAS CR/DD BATTERY
IN THE ANDREWS, SOUTH (WOLFCAMP) AND THE BLOCK 9 (DEVONIAN)
FIELDS, ANDREWS COUNTY, TEXAS.**

The Commission finds that after statutory notice in the above-numbered docket heard on July 6, 2016, the presiding Examiners have made and filed a report and recommendation containing findings of fact and conclusions of law, for which service was not required; 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 recommendation, the findings of fact and conclusions of law contained therein, 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 XTO Energy, Inc. is hereby granted an exception to Statewide Rule 32 for its State of Texas CR/DD Battery in the Andrews, South (Wolfcamp) Field and the Block 9 (Devonian) Field, Andrews County, Texas. XTO Energy, Inc. is hereby authorized (Permit No. 26093) to flare up to 1,000 thousand cubic feet (mcf) of gas per day from the State of Texas CR/DD Battery from May 11, 2016 to May 10, 2018.

The authority is granted, provided all production is reported on the appropriate Commission forms. The operator shall file the Statewide Rule 32 Exception Data Sheet and, shall file at the same time, the appropriate Commission required administrative Statewide Rule 32 Exception gas flaring fee for the facility.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 25 days after the Commission's order is signed, unless the time for filing a motion for rehearing has been extended under Tex. Gov't Code §2001.142, by agreement under Tex. Gov't Code §2001.147, or by written Commission Order issued pursuant to Tex. Gov't Code §2001.146(e). If a timely motion for rehearing of an

application 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 Commission Order is signed.

Done this 24th day of August, 2016.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Divisions' Unprotested Master
Order dated August 24, 2016)**