

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**OIL & GAS DOCKET NO.
08-0301128**

**FINAL ORDER
GRANTING THE APPLICATION OF XTO ENERGY INC.
FOR EXCEPTIONS TO 16 TAC §3.32 TO FLARE GAS FROM THE THOMAS AE TB,
THOMAS, A. E. LEASE NO. 24191 IN THE TXL (SAN ANDRES) FIELD AND LEASE NO.
32734 IN THE TXL (TUBB) FIELD, ECTOR COUNTY, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket heard on September 29, 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 as follows:

1. For the Thomas, AE TB (Flare Permit No. 26800) XTO is authorized to flare up to 60 mcf gas per day from July 26, 2016 through July 25, 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 25th day of October, 2016.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Divisions' Unprotected Master Order
dated October 25, 2016)**