

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL & GAS DOCKET NO. 08-0309365**

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**THE COMPLAINT OF BHP BILLITON PETROLEUM (TXLA OPERATING) COMPANY REGARDING RIO OIL AND GAS (PERMIAN) II, LLC'S DRILLING PERMIT FOR THE BROWN STATE 44-2 LEASE, WELL NO. 1H, FORD, WEST (WOLFCAMP) FIELD, REEVES COUNTY, TEXAS**

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**FINAL ORDER**

The Commission finds that after statutory notice in the above-referenced and docketed case heard on March 28, 2018, the presiding Administrative Law Judge and Technical Examiner (collectively, "Examiners") have made and filed a proposal for decision containing findings of facts and conclusions of law, which was reviewed and approved by all parties of record; 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' proposal for decision, the findings of facts and conclusions of law contained therein, hereby adopts as its own the findings of facts and conclusions of law as if fully set out and separately stated herein.

Therefore, it is **ORDERED** that the Rio Oil and Gas (Permian) II, LLC, Brown State 44-2 Lease Well No. 1H (API No. 42-389-36756) ("Rio Well") is hereby transferred from the Ford, West (Wolfcamp) Field into the Phantom (Wolfcamp) Field. Further, the well is **GRANTED** an exception to Statewide Rule 40 (16 TAC 3.40) to produce from the Phantom (Wolfcamp) Field, Reeves County, Texas.

It is further **ORDERED** by the Railroad Commission of Texas that BHP Billiton Petroleum (TXLA Operating) Company's ("BHP's") complaint in this case is **DISMISSED** without prejudice until Rio confirms to BHP that the Rio Well has been landed in its B1 target bench, at which time the dismissal becomes with prejudice.

Rio's B1 target bench of the Wolfcamp formation is defined by Rio, and herein shall mean: the correlative depth below 11,000' in the Anadarko Petroleum, Wahoo 56-3-3 Well No. 1(API No. 42-389-32436).

Pursuant to § 2001.144(a)(4)(A), of the Texas Government Code, and by agreement of the parties on the record, the parties have waived the right to file a motion for rehearing and the Final Order in this case can be final and effective on the date the Final Order is signed.

Done this 24th day of April, 2018

RAILROAD COMMISSION OF TEXAS

*Christi Craddick*  
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CHAIRMAN CHRISTI CRADDICK

*Ryan Sitton*  
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COMMISSIONER RYAN SITTON

*Wayne Christian*  
\_\_\_\_\_  
COMMISSIONER WAYNE CHRISTIAN

ATTEST:

*Kathy Way*  
\_\_\_\_\_  
SECRETARY

