

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL AND GAS DOCKET NO. 08-0318781**

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**APPLICATION OF NOBLE ENERGY INC (611665) FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR THE BILLY MINER CENTRAL GATHERING FACILITY, WOLFBONE (TREND AREA) FIELD, REEVES COUNTY, TEXAS**

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**FINAL ORDER**

The Railroad Commission of Texas ("Commission") finds that after notice in the above-docketed case was provided to all parties entitled to notice, a hearing was heard on June 26, 2019 by a Commission Technical Examiner and Administrative Law Judge. This proceeding was duly submitted to the Commission at a conference held in its offices in Austin, Texas. After considering this matter, the Commission adopts the following findings of fact and conclusions of law.

**Findings of Fact**

1. Noble Energy Inc. ("Noble") seeks a two-year exception to Statewide Rule 32 ("Statewide Rule 32") for authority to flare a maximum of 5,000 thousand cubic feet per day ("Mcf/d"), limited to 150,000 thousand cubic feet per month ("Mcfm"), of casinghead gas from April 16, 2019, to April 16, 2021, from the flare stack located on the Billy Miner Central Gathering Facility (Commingling Permit No. 08-8622), in the Wolfbone (Trend Area) Field, Reeves County, Texas
2. Noble submitted a request for hearing on the Statewide Rule 32 exception flaring authority on March 8, 2019.
3. Noble was previously granted an administrative exception to Statewide Rule 32 to flare a maximum casinghead gas volume of 2,500 thousand cubic feet per day ("Mcf/d"), or 75,000 Mcfm, from the commingled Leases ("Leases") under Flare Permit No. 37578, expiring April 15, 2019.
4. On May 15, 2019 the Hearings Division of the Commission sent a Notice of Hearing ("Notice") to Applicant and all offsetting operators in the field setting a hearing date of June 26, 2019. Consequently, the parties received more than 10 days' notice. The Notice contains (1) a statement of the time, place, and nature of the hearing; (2) a statement of the legal authority and jurisdiction under which the hearing is to be held; (3) a reference to the particular sections of the statutes and rules involved; and (4) a short and plain statement of the matters asserted. The hearing was held on June 26, 2019, as noticed. Applicant appeared and participated at the hearing. No one appeared in protest.

5. The gas from the Leases is gathered and purchased by ETC/Regency Intrastate Gas LP ("Regency").
6. Restrictions in capacity and intermittent interruptions result in Regency's pipeline not being able to take 100% of the Leases' gas production.
7. Based on a table of historic Leases gas disposition, the estimated volume of casinghead gas to be flared would be a maximum of 5,000 Mcfd, limited to 150,000 Mcfm.
8. The requested Statewide Rule 32 exception to flare a maximum of 5,000 Mcfd, limited to 150,000 Mcfm, of casinghead gas is necessary for Noble to produce the recoverable hydrocarbon liquids from the Leases.
9. At the hearing, Noble agreed on the record that the Final Order in this docketed case is to be final and effective when a Master Order relating to this Final Order is signed.

#### **Conclusions of Law**

1. Proper notice was issued to persons entitled to notice. *See, e.g.,* Tex. Gov't Code § 2001.051; 16 Tex. Admin. Code §§ 1.42, 1.45.
2. The Commission has jurisdiction in this case. *See, e.g.,* Tex. Nat. Res. Code § 81.051.
3. Statewide Rule 32 requires gas to be utilized for purposes and uses authorized by law unless authorized. 16 Tex. Admin. Code § 3.32(b).
4. Statewide Rule 32 provides exceptions allowing the flaring of gas if certain requirements are met and the flaring is necessary. *See, e.g.,* 16 Tex. Admin. Code § 3.32(f), (h).
5. Noble has met the requirements in Statewide Rule 32 to flare a maximum of 5,000 Mcfd, limited to 150,000 Mcfm, of casinghead gas and the flaring of such gas is necessary.
6. Pursuant to the provisions of Texas Government Code §2001.144(a)(4)(A), this Final Order can be final and effective on the date a Master Order relating to this Final Order is signed.

### Ordering Provisions

It is **ORDERED** that Noble Energy Inc. (611665) is granted a two-year exception to Statewide Rule 32. Its request for authority to flare a maximum of 5,000 Mcfd, limited to 150,000 Mcfm, of casinghead gas from the flare stack located on the Billy Miner Central Gathering Facility (Commingling Permit No. 08-8622) from April 16, 2019 to April 16, 2021, as reflected in attached Attachment A is **APPROVED**.

This authority is granted, provided all production is reported on the appropriate Commission forms. Noble shall file the Statewide Rule 32 Exception Data Sheet and, shall file at the same time, the required fee for a Statewide Rule 32 exception for each individual flare point on the Billy Miner Central Gathering Facility (Commingling Permit No. 08-8622). See 16 Tex. Admin. Code § 3.32(h)(1).

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

**Signed on Aug 6, 2019**

**RAILROAD COMMISSION OF TEXAS**

**(Order approved and signatures affixed by  
Hearings Division's Unprotested Master  
Order dated Aug 6, 2019)**

**ATTACHMENT A – FLARE EXCEPTION AUTHORITY**

<b>Permit No.</b>	<b>Commingled Permit No. (If Applicable)</b>	<b>Lease Name, Individual Flare Stacks</b>	<b>Permit Start Date</b>	<b>Permit End Date</b>	<b>Maximum Flare Volume (Mcf/d &amp; Mcf/m)</b>	<b>Casinghead Gas or Gas Well Gas</b>
37578	08-8622	Billy Miner CGF	April 16, 2019	April 16, 2021	5,000 Mcfd  150,000 Mcfm	Casinghead Gas

**Note:**

**Mcf/d = Thousand Cubic Feet per Day**

**Mcf/m = Thousand Cubic Feet Per Month**