

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL AND GAS DOCKET NO. 08-0321174**

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**APPLICATION OF RAPTOR PETROLEUM DEVELOPMENT, LLC (685814) FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR THE COWDEN LEASE, WELL NO. 9-1H, COWDEN, SOUTH FIELD, ECTOR 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 August 28, 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. Raptor Petroleum Development, LLC ("Raptor" or "Applicant") seeks a two-year exception to Statewide Rule 32 ("Statewide Rule 32") for authority to flare a maximum of 75 thousand cubic feet per day ("Mcf") of casinghead gas from July 1, 2019 to June 30, 2021, from a flare point for the Cowden (49462) Lease, Well No. 9-1H, Cowden, South Field, Ector County, Texas.
2. Raptor submitted a request for hearing for the Statewide Rule 32 exception on June 18, 2019.
3. Raptor was previously granted an administrative exception to Statewide Rule 32 to flare a maximum casinghead gas volume of 75 Mcfd from the Lease for a 180-day period. This administrative flaring authority (Permit No. 37554) expired on July 1, 2019.
4. On July 24, 2019 the Hearings Division of the Commission sent a Notice of Hearing ("Notice") to the Applicant and offsetting operators in the field setting a hearing date of August 28, 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 August 28, 2019, as noticed. Applicant appeared and participated at the hearing. No protest was received.
5. A gas pipeline to take the Lease casinghead gas is unavailable at this time. The nearest sales connection to the well is approximately 5.5 miles from the Lease.

6. Raptor conducted an economic analysis and production forecast for a proposed pipeline route from the Lease to its nearest sales connection. Raptor determined that the low volumes of casinghead produced from the well and the costs to connect to the sales line and treat the gas for elevated concentrations of hydrogen sulfide (Form H-9 No. 097241) make it uneconomical to construct the 5.5-mile long pipeline at this time.
7. Based on production rates, the estimated volume of casinghead gas to be flared would be a maximum of 75 Mcfd from July 1, 2019 to June 30, 2021.
8. The requested Statewide Rule 32 exception to flare a maximum of 75 Mcfd of casinghead gas is necessary for Raptor to produce the recoverable oil from the Lease.
9. At the hearing, Raptor 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. 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. Raptor has met the requirements in Statewide Rule 32 to flare a maximum of 75 Mcfd 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 Raptor (685814) is granted a two-year exception to Statewide Rule 32. Raptor's request for authority to flare a maximum of 75 Mcfd of casinghead gas from the Lease from July 1, 2019 to June 30, 2021, as reflected in Attachment A is **APPROVED**.

This authority is granted, provided all production is reported on the appropriate Commission forms. Raptor 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 Leases. 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 October 22, 2019**

**RAILROAD COMMISSION OF TEXAS**

**(Order approved and signatures affixed by  
Hearings Division's Unprotested Master Order  
dated October 22, 2019)**

**ATTACHMENT A – FLARE EXCEPTION AUTHORITY**

<b>Permit No.</b>	<b>Commingle Permit No. or Lease No. (If Applicable)</b>	<b>Lease Name, Individual Flare Stacks</b>	<b>Permit Start Date (1)</b>	<b>Permit End Date</b>	<b>Maximum Flare Volume (Mcf/d)</b>	<b>Casinghead Gas or Gas Well Gas</b>
37554	49462	Cowden Lease, Well No. 9-1H, Cowden, South Field, Ector County, Texas	July 1, 2019	June 30, 2021	75 Mcfd	Casinghead Gas

**Note:** Mcfd = Thousand Cubic Feet Per Day