

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL AND GAS DOCKET NO. 08-0321777

APPLICATION OF ENDEAVOR ENERGY RESOURCES L.P. (251726) FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR THE FC D&E 42-43 WSL LEASE, SPRABERRY (TREND AREA) FIELD, MIDLAND COUNTY, TEXAS

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 October 25, 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. Endeavor Energy Resources L.P. ("EER" or "Applicant") seeks a 157-day exception to Statewide Rule 32 ("Statewide Rule 32") for authority to flare a maximum of 1,445 thousand cubic feet per day ("Mcf") of casinghead gas from July 28, 2019 to December 31, 2019, from a flare point for the FC D&E 42-43 WSL Leases ("Leases"), Spraberry (Trend Area) Field, Midland County, Texas.
2. EER submitted a request for hearing for the Statewide Rule 32 exception on July 16, 2019.
3. EER was previously granted an administrative exception to Statewide Rule 32 under Flare Permit No. 37305 to flare a maximum casinghead gas volume of 2,140 Mcfd increasing to 4,800 Mcfd from the Lease, expiring on July 27, 2019.
4. On October 4, 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 October 25, 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 October 25, 2019, as noticed. Applicant appeared and participated at the hearing. No protest was received.
5. Gas from the wells connected to this flare point is being taken by Navitas Midstream Partners LLC. In December 2018, the sales line service was interrupted because of a fire and then the gas was curtailed because of elevated

concentrations of H₂S and high pipeline pressures. Repairs and curtailment are scheduled to be resolved in in November 2019, with gas sales being stabilized by the end of December 2019.

6. After July 27, 2019, flared gas volumes have averaged 93 Mcfd, which is 2 percent of produced gas volumes, and maximum flared gas volume was 1,445 Mcfd.
7. Based on historical flaring rates, the estimated volume of casinghead gas to be flared would be a maximum of approximately 1,445 Mcfd, limited to 10,000 Mcfm from July 28, 2019 through December 31, 2019.
8. The requested Statewide Rule 32 exception to flare a maximum of 1,445 Mcfd of casinghead gas is necessary for EER, because of the unavailability of the pipeline until repairs are performed.
9. At the hearing, EER 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. EER has met the requirements in Statewide Rule 32 to flare casinghead gas as reflected on Attachment A, 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 Endeavor Energy Resources L.P. (251726) is granted a 157-day exception to Statewide Rule 32. EER's request for authority to flare a maximum of 1,445 Mcfd of casinghead gas, limited to 10,000 Mcfm from July 28, 2019 to December 31, 2019 from the FC D&E 42-43 WSL Lease, as reflected in attached Attachment A is **APPROVED**.

This authority is granted, provided all production is reported on the appropriate Commission forms. EER 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 Lease. 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 February 11, 2020

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Division's Unprotected Master
Order dated February 11, 2020)**

ATTACHMENT A – FLARE EXCEPTION AUTHORITY

Exception No.	Commingle Permit No. or Lease No. (If Applicable)	Lease Name, Individual Flare Stacks	Exception Start Date	Exception End Date	Maximum Flare Volume (Mcf)	Casinghead Gas or Gas Well Gas
37305	50638	FC D&E 42-43 WSL	July 28, 2019	December 31, 2019	1,445 Mcfd 10,000 Mcfm	Casinghead Gas

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

Mcfm = Thousand Cubic Feet Per Month