

RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION

OIL AND GAS DOCKET NO. 7B-0255078

COMMISSION CALLED HEARING TO SUPERCEDE THE FINAL ORDER ISSUED SEPTEMBER 12, 2002 IN OIL AND GAS DOCKET NO. 7B-0230550 REQUIRING PLUGGING OF WELL NO. 1, McWHORTER (27348) LEASE, WILDCAT FIELD, CALLAHAN COUNTY, AND TO RECOGNIZE WHITT OIL AND GAS, INC. AS THE OPERATOR OF RECORD OF THE WELL.

FINAL ORDER

The Commission finds that after statutory notice the above-captioned proceeding was heard by the examiner on March 28, 2008 who circulated a Proposal for Decision containing Findings of Fact and Conclusions of Law. Having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, those Findings of Fact and Conclusions of Law are hereby adopted and made a part hereof by reference.

Accordingly, it is **ORDERED** that the provision in the Final Order issued September 12, 2002 in Oil and Gas Docket No. 7B-0230550 requiring plugging of Well No. 1, McWhorter (27348) Lease, Wildcat Field, Callahan County, is hereby **SUPERCEDED** and of no further force and effect. All other provisions of the Final Order in Oil & Gas Docket No. 7B-0230550 shall remain in full force and effect.

It is further **ORDERED** that Whitt Oil and Gas, Inc. be recognized as the Operator of Record of Well No. 1, McWhorter (27348) Lease, Wildcat Field, Callahan County, Texas.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order 3 days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest within such 20-day period after the party's presumed notice, this order shall not become final until such motion is overruled, or if rehearing 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 the parties are notified of the order.

Each exception to the examiner's proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

Noncompliance with the provisions of this order is subject to enforcement by the Attorney General and subject to civil penalties of up to \$10,000.00 per day per violation.

Done this 24th day of April, 2008 in Austin, Texas.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed
by OGC Unprotected Master Order dated
April 24, 2008)**