

**RAILROAD COMMISSION OF TEXAS**  
**OFFICE OF GENERAL COUNSEL**  
**HEARINGS SECTION**

**OIL AND GAS DOCKET NO. 08-0247268**

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**COMMISSION CALLED HEARING TO SUPERCEDE THE FINAL ORDERS ISSUED IN DOCKET NO. 08-0230847 REQUIRING PLUGGING OF WELL NO. 1 ON THE ANTHA RUSSELL (25290) LEASE, AND WELL NO. 1 ON THE RUSSELL (25965) LEASE, GERALDINE (FORD) FIELD, AND IN DOCKET NO. 08-0231676 REQUIRING PLUGGING OF WELL NO. 1 ON THE HALEY-PREWITT (22663) LEASE, EITHERWAY (DELAWARE) FIELD, CULBERSON COUNTY, TEXAS, AND TO ENABLE HARLAN HOPPER TO BECOME THE OPERATOR OF RECORD**

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**FINAL ORDER**

The Commission finds that after statutory notice the above-captioned proceeding was heard by the examiners on July 7, 2006 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.

The request of Harlan Hopper to supercede the provision in the Final Order issued in Oil and Gas Docket No. 08-0230847 requiring plugging of Well No. 1 on the Antha Russell (25290) Lease, and Well No. 1 on the Russell (25965) Lease, Geraldine (Ford) Field, and the provision in the Final Order issued in Oil and Gas Docket No. 08-0231676 requiring plugging of Well No. 1 on the Haley-Prewitt (22663) Lease, Eitherway (Delaware) Field, Culberson County, Texas, and request to be recognized as the operator of record is **DENIED**.

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 order is served on the parties.

Each exception to the examiners' 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 5th day of December 2006, in Austin, Texas.

**RAILROAD COMMISSION OF TEXAS**

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**CHAIRMAN ELIZABETH A. JONES**

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**COMMISSIONER MICHAEL L. WILLIAMS**

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**COMMISSIONER VICTOR G. CARRILLO**

**ATTEST:**

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**SECRETARY**