

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

**OIL AND GAS DOCKET  
NO. 06-0267941**

**COMMISSION CALLED HEARING ON  
THE COMPLAINT OF T. LYNN  
WARTHAN AGAINST OPTIMAL  
UTILITIES, THAT THE DUNCAN (14819)  
LEASE, WELL NO. 1, TOPAZ  
(CLARKSVILLE) FIELD, RED RIVER  
COUNTY, TEXAS IS IN VIOLATION OF  
STATEWIDE RULE 37.**

**FINAL ORDER**

The Commission finds that after statutory notice in the above-numbered docket heard on March 29, 2011, the presiding examiner has made and filed a report and proposal for decision containing findings of fact and conclusions of law and that this proceeding was duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the examiners' report and proposal for decision, the findings of fact and conclusions of law contained therein, and any exceptions and replies filed thereto, hereby adopts as its own the Findings of Fact and Conclusions of Law contained therein, and incorporates said Findings of Fact and Conclusions of Law as if fully set out and separately stated herein.

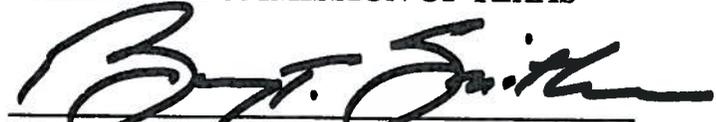
Therefore, it is **ORDERED** by the Railroad Commission of Texas that Well No. 1 on the Duncan (14819) Lease, Topaz (Clarksville) Field, Red River County, Texas be **SHUT-IN**.

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**.

This order will 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 three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion 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.

Done this 20<sup>th</sup> day of March, 2012.

RAILROAD COMMISSION OF TEXAS

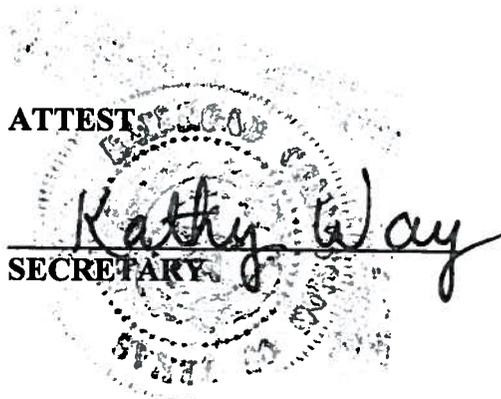


CHAIRMAN BARRY T. SMITH



COMMISSIONER DAVID PORTER

ATTEST



SECRETARY

