

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

**OIL AND GAS DOCKET
NO. 08-0255680**

**IN THE WHITEHORSE (SHALE) FIELD,
CULBERSON COUNTY, TEXAS**

**FINAL ORDER
APPROVING NEW FIELD DESIGNATION AND
ADOPTING TEMPORARY RULES AND REGULATIONS
FOR THE WHITEHORSE (SHALE) FIELD
CULBERSON COUNTY, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket heard on March 12, 2008, the presiding examiner has made and filed a report and recommendation containing findings of fact and conclusions of law, for which service was not required; that the proposed application is in compliance with all statutory requirements; 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 examiner's report and recommendation, the findings of fact and conclusions of law contained therein, 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 the application of Chesapeake Operating, Inc. for new field designation for its University Lands 4627 Well No. 1 is hereby approved. The new field shall be known as the Whitehorse (Shale) Field, ID No. 96936 800, Culberson County, Texas.

It is further ordered by the Railroad Commission of Texas that the following rules shall be adopted on a temporary basis for the Whitehorse (Shale) Field, Culberson County, Texas.

RULE 1: The entire correlative interval from 11,003 feet to 12,042 feet as shown on the log of the University Lands 4627 No. 1 (API 409-32287), Section 27, Block 46 University Lands Survey, Culberson County, Texas, shall be designated as a single reservoir for proration purposes and be designated as the Whitehorse (Shale) Field.

RULE 2: No gas well shall hereafter be drilled nearer than NINE HUNDRED THIRTY THREE (933) feet to any property line, lease line or subdivision line and no well shall be drilled nearer than ONE THOUSAND EIGHT HUNDRED SIXTY SEVEN (1,867) feet to any applied for, permitted or completed well in the same reservoir on the same lease, pooled unit or unitized tract. There is no minimum required distance between a vertical well and a horizontal lateral well on the same lease. The aforementioned distances in the above rule are minimum distances to allow an operator flexibility in locating a well, and the above spacing rule and the other rules to follow are for the purpose of permitting only one well to

each drilling and proration unit. Provided however, that the Commission will grant exceptions to permit drilling within shorter distances and drilling more wells than herein prescribed whenever the Commission shall have determined that such exceptions are necessary either to prevent waste or to prevent the confiscation of property. When exception to these rules is desired, application therefore shall be filed and will be acted upon in accordance with the provisions of Commission Statewide Rule 37 and 38, which applicable provisions of said rule are incorporated herein by reference.

In applying this rule the general order of the Commission with relation to the subdivision of property shall be observed.

RULE 3: The acreage assigned to the individual gas well for the purpose of allocating allowable gas production thereto shall be known as a proration unit. The standard drilling and proration units are established hereby to be SIX HUNDRED FORTY (640) acres. No proration unit shall consist of more than SIX HUNDRED FORTY (640) acres; provided that, tolerance acreage of ten (10) percent shall be allowed for each standard proration unit so that an amount not to exceed a maximum of SEVEN HUNDRED FOUR (704) acres may be assigned. The two farthestmost points in any proration unit shall not be in excess of NINE THOUSAND (9,000) feet removed from each other. Each proration unit containing less than SIX HUNDRED FORTY (640) acres shall be a fractional proration unit. All proration units shall consist of continuous and contiguous acreage which can reasonably be considered to be productive of gas. No double assignment of acreage will be accepted.

Operators shall file with the Commission certified plats of their properties in said field, which plats shall set out distinctly all of those things pertinent to the determination of the acreage credit claimed for each well; provided that if the acreage assigned to any proration unit has been pooled, the operator shall furnish the Commission with such proof as it may require as evidence that interests in and under such proration unit have been so pooled.

RULE 4: The daily allowable production of gas from individual wells completed in a non-associated gas reservoir of the subject field shall be determined by allocating the allowable production, after deductions have been made for wells which are incapable of producing their gas allowables, among the individual wells in the following manner:

SEVENTY FIVE percent (75%) of the total field allowable shall be allocated among the individual wells in the proportion that the acreage assigned such well for allowable purposes bears to the summation of the acreage with respect to all prorable wells producing from this field.

TWENTY FIVE percent (25%) of the total field allowable shall be allocated among the individual wells in the proportion that the deliverability of such well, as evidenced by the most recent G-10 test filed with the Railroad Commission bears to the summation of the deliverability of all prorable wells producing from this field.

It is further ordered that these rules are temporary and effective until April 8, 2010, or until Commission staff evaluates appropriate data, after notice and opportunity for hearing as offered by the Commission prior to the expiration of the rules. After this notice and opportunity for hearing, should the evidence evaluated during review be insufficient to sustain spacing or proration unit rules, these temporary rules, on the Commission's own motion, may be modified or terminated.

Done this 8th day of April, 2008.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed
by OGC Unprotected Master Order
dated April 8, 2008)**