

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**OIL AND GAS DOCKET
NO. 01-0284498**

**IN THE HAWKVILLE (EAGLE FORD
SHALE) FIELD, LIVE OAK, DIMMIT,
LASALLE, MCMULLEN, AND WEBB
COUNTIES, TEXAS**

ORDER NUNC PRO TUNC

**AMENDING FIELD RULES FOR THE HAWKVILLE (EAGLE FORD SHALE) FIELD,
LIVE OAK, DIMMIT, LASALLE, MCMULLEN, AND WEBB COUNTIES, TEXAS**

In conference at its office in Austin, Texas, the Railroad Commission of Texas took up for consideration its Final Order entered on December 18, 2013, the matter amending the field rules for the Hawkville (Eagle Ford Shale) Field, Live Oak, Dimmit, Lasalle, McMullen and Webb Counties, Texas. The Commission finds that, due to a clerical error, the Final Order entered December 18, 2013, did not state the correct notice distance for a Statewide Rule 38 exception on Field Rule 3 (a.).

Accordingly, it is **ORDERED** that the Final Order in Docket No. 01-0284498 be, and the same is hereby, amended *nunc pro tunc* so that the order contains the correct notice distance and the order now reads as follows:

Therefore, it is **ORDERED** by the Railroad Commission of Texas that the Field Rules adopted in Final Order No. 01-0263175, effective November 24, 2009, for the Hawkville (Eagleford Shale) Field, Dimmit, La Salle, McMullen and Webb Counties, Texas, are hereby amended and made permanent. The amended Field Rules are set out in their entirety as follows:

RULE 1: The entire correlative interval from 11,050 feet and 11,290 feet as shown on the log of the Petrohawk Operating Company - STS Lease, Well No. 1 (API No. 42-283-32144), Section 98, H&GN RR Co. Survey, A-976, La Salle County, Texas, shall be designated as a single reservoir for proration purposes and be designated as the Hawkville (Eagleford Shale) Field.

RULE 2: No well for oil or gas shall hereafter be drilled nearer than THREE HUNDRED THIRTY (330) feet to any property line, lease line, or subdivision line. There is no minimum between well spacing requirement. 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 therefor shall be filed and will be acted upon in accordance with the provisions of Commission Statewide Rules 37 and 38, which applicable provisions of said rules 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.

Provided, however, that for purposes of spacing for horizontal wells, the following shall apply:

- a. A take point in a horizontal drainhole well is any point along a horizontal drainhole where oil and/or gas can be produced from the reservoir/field interval. The first take point may be at a different location than the penetration point and the last take point may be at a location different than the terminus point.
- b. No horizontal drainhole well for oil or gas shall hereafter be drilled such that the first and last take point are nearer than ONE HUNDRED (100) feet to any property line, lease line or subdivision line.
- c. For each horizontal drainhole well, the perpendicular distance from any take point on such horizontal drainhole between the first take point and the last take point to any point on any property line, lease line or subdivision line shall be a minimum of THREE HUNDRED THIRTY (330) feet.

In addition to the penetration point and the terminus of the wellbore required to be identified on the drilling permit application (Form W-1H) and plat, the first and last take points must also be identified on the drilling permit application (Remarks Section) and plat. Operators shall file an as-drilled plat showing the path, penetration point, terminus and the first and last take points of all drainholes in horizontal wells, regardless of allocation formula.

If the applicant has represented in the drilling application that there will be one or more no perf zones or "NPZ's" (portions of the wellbore within the field interval without take points), then the as-drilled plat filed after completion of the well shall be certified by a person with knowledge of the facts pertinent to the application that the plat is accurately drawn to scale and correctly reflects all pertinent and required data. In addition to the standard required data, the certified plat shall include the as-drilled track of the wellbore, the location of each take point on the wellbore, the boundaries of any wholly or partially unleased tracts within a Rule 37 distance of the wellbore, and notations of the shortest distance from each wholly or partially unleased tract within a Rule 37 distance of the wellbore to the nearest take point on the wellbore.

A properly permitted horizontal drainhole will be considered to be in compliance with the spacing rules set forth herein if the as-drilled location falls within a rectangle established as follows:

- a. Two sides of the rectangle are parallel to the permitted drainhole and 33 feet on either side of the drainhole;
- b. The other two sides of the rectangle are perpendicular to the sides described in (a) above, with one of those sides passing through the first take point and the other side passing through the last take point.

Any point of a horizontal drainhole outside of the described rectangle must conform to the permitted distance of the nearest property line, lease line or subdivision line measured perpendicular from the wellbore.

For any well permitted in this field, the penetration point need not be located on the same lease, pooled unit or unitized tract on which the well is permitted and may be located on an Offsite Tract. When the penetration point is located on such Offsite Tract, the applicant for such a drilling permit must give 21 days notice by certified mail, return receipt requested to the mineral owners of the Offsite Tract. For the purposes of this rule, the mineral owners of the Offsite Tract are (1) the designated operator; (2) all lessees of record for the Offsite Tract where there is no designated operator; and (3) all owners of unleased mineral interests where there is no designated operator or lessee. In providing such notice, applicant must provide the mineral owners of the Offsite Tract with a plat clearly depicting the projected path of the entire wellbore. In the event the applicant is unable, after due diligence, to locate the whereabouts of any person to whom notice is required by this rule, the applicant must publish notice of this application pursuant to the Commission's Rules of Practice and Procedure. If any mineral owner of the Offsite Tract objects to the location of the penetration point, the applicant may request a hearing to demonstrate the necessity of the location of the penetration point of the well to prevent waste or to protect correlative rights. Notice of Offsite Tract penetration is not required if (a) written waivers of objection are received from all mineral owners of the Offsite Tract; or, (b) the applicant is the only mineral owner of the Offsite Tract. To mitigate the potential for well collisions, applicant shall promptly provide copies of any directional surveys to the parties entitled to notice under this section, upon request.

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 THREE HUNDRED TWENTY (320) acres. No proration unit shall consist of more than THREE HUNDRED TWENTY (320) 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 THREE HUNDRED FIFTY TWO (352) acres may be assigned. Each proration unit containing less than THREE HUNDRED TWENTY (320) 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.

Notwithstanding the above, the acreage assigned to a gas well which has been

drilled as a horizontal drainhole well may contain more than THREE HUNDRED TWENTY (320) acres providing that the following formula is utilized to determine the proper assignment of acreage:

$$A = (L \times 0.16249) + 320 \text{ acres}$$

Where: A = calculated area assignable, if available, to a horizontal drainhole for proration purposes rounded up to the next whole number evenly divisible by 40 acres;
L = the horizontal drainhole distance measured in feet between the first take point and the last take point.

The acreage assigned to a horizontal drainhole well shall not exceed 640 acres.

For the purpose of assigning additional acreage to a horizontal drainhole well pursuant to the formula above, the distance from the first take point to the last take point in the horizontal drainhole shall be used in such determination, in lieu of the distance from penetration point to terminus.

For the determination of acreage credit in this field, operators shall file for each gas well in this field a Form P-15 Statement of Productivity of Acreage Assigned to Proration Units. On that form or an attachment thereto, the operator shall list the number of acres that are being assigned to each well on the lease or unit for proration purposes. For gas wells, operators shall be required to file, along with the Form P-15, a plat of the lease, unit or property; provided that such plat shall not be required to show individual proration units. There is no maximum diagonal limitation in this field.

Under the following conditions, an operator, at its option, shall be granted an exception to Statewide Rule 38 and permitted to form fractional units of less than THREE HUNDRED TWENTY (320) acres, but not less than FORTY (40) acres:

- a. The Railroad Commission shall notify in writing the designated operators, lessees of record for tracts that have no designated operator, and all owners of unleased mineral interests (i) within 660 feet from the bottomhole location of a vertical well or (ii) within 660 feet of any take point on a horizontal well within the correlative interval.
- b. Designated operators, lessees of record for tracts that have no designated operator, and all owners of unleased mineral interests receiving this written notification shall have 21 days from the date of issuance of the notice of application for a Rule 38 density exception to file a written protest with the Railroad Commission, such protest to be received by the Railroad Commission within said 21 day period.
- c. If no written protest is received by the Railroad Commission within the 21 day

period of time, or if written waivers are received from each designated operator, lessees of record for tracts that have no designated operator, and all owners of unleased mineral interests to whom notice is required, the application shall be approved administratively by the Railroad Commission.

- d. If a written protest is received by the Railroad Commission within 21 days of the date of issuance of the notice of application, the application will be scheduled for hearing at which the applicant must show that the fractional proration unit and the well thereon are necessary to effectively drain an area of the field that will not be effectively drained by existing wells, or to prevent waste or confiscation.
- e. Permits granted pursuant to the above provision shall be issued as exceptions to Statewide Rule 38.

Such an administrative provision shall not prevent an operator from electing to apply for and obtain a density exception to form fractional units of less than THREE HUNDRED TWENTY (320) acres under the provisions of Statewide Rule 38 rather than under the provisions of sections (a) through (e) above.

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:

NINETY percent (90%) 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.

TEN percent (10%) 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.

It is further **ORDERED** that the allocation formula in the Hawkville (Eagleford Shale) Field will remain suspended. The allocation formula may be reinstated administratively, in accordance with the Commission's rules, if the market demand for gas in the Hawkville (Eagleford Shale) Field drops below 100% of deliverability.

It is further **ORDERED** that all wells completed with a gas-oil ratio of 3,000 cubic feet per barrel and above in the Hawkville (Eagleford Shale) Field, Dimmit, La Salle, McMullen and Webb Counties, Texas, are permanently classified as gas wells without the need of further administrative review, effective the date of initial completion.

It is further **ORDERED** that operators in the Hawkville (Eagleford Shale) Field are granted exception to semi-annual G-10 deliverability testing requirements pursuant to Statewide Rule 28, subject to the following conditions:

1. No G-10 tests shall be required when the allocation formula in the field is suspended.
2. When the allocation formula is not suspended, G-10 tests shall be required only once a year and otherwise shall be conducted in accordance with the requirements of Statewide Rule 28.

Done this 21^h day of January, 2014.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Divisions' Unprotested Master
Order dated January 21, 2014)**