

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

**OIL AND GAS DOCKET  
NO. 8A-0261303**

**IN THE EARNEST (6500 SAND) FIELD,  
SCURRY COUNTY, TEXAS**

**FINAL ORDER  
AMENDING THE FIELD RULES  
FOR THE EARNEST (6500 SAND) FIELD  
SCURRY COUNTY, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket heard on April 20, 2009, 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 field rules adopted in Final Order No. 8A-64,581, effective December 30, 1974, for the Earnest (6500 Sand) Field, are re-numbered and amended as hereafter set out:

**RULE 1:** The entire correlative interval from 6,946 feet to 7,027 feet as shown on the log of the Earnest Estate Well No. 1, Section 31, Block 3, H & GN RR Survey, Scurry County, Texas, shall be designated as a single reservoir for proration purposes and be designated as the Earnest (6500 Sand) Field.

**RULE 2:** No vertical well shall hereafter be drilled nearer than THREE HUNDRED THIRTY (330) feet to any property line, lease line or subdivision line and no vertical well shall be drilled nearer than SIX HUNDRED SIXTY (660) feet to any applied for, permitted or completed well in the same reservoir on the same lease, pooled unit or unitized tract.

No horizontal drainhole well shall hereafter be drilled such that the penetration point or terminus of a horizontal drainhole is nearer than THREE HUNDRED THIRTY (330) feet to any property line, lease line or subdivision line. No horizontal drainhole well shall hereafter be drilled such that the penetration point or terminus shall be closer than SIX HUNDRED SIXTY (660) feet to any point on another horizontal drainhole within the correlative interval on the same lease, provided that this restriction on spacing between wells shall not apply to horizontal drainhole wells that are parallel or subparallel and do not overlap more than ONE HUNDRED (100) feet.

There is no minimum between-well spacing requirement between horizontal and vertical wells.

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.

**RULE 3:** The acreage assigned to the individual oil well for the purpose of allocating allowable oil production thereto shall be known as a proration unit. The standard drilling and proration units are established hereby to be ONE HUNDRED SIXTY (160) acres. No proration unit shall consist of more than ONE HUNDRED SIXTY (160) acres except as hereinafter provided. The two farthestmost points in any proration unit shall not be in excess of FOUR THOUSAND FIVE HUNDRED (4,500) feet removed from each other; provided however, that in the case of long and narrow leases or in cases where because of the shape of the lease such is necessary to permit the utilization of tolerance acreage, the Commission may after proper showing grant exceptions to the limitations as to the shape of proration units as herein contained. All proration units shall consist of continuous and contiguous acreage which can reasonably be considered to be productive of oil. No double assignment of acreage will be accepted.

If after the drilling of the last well on any lease and the assignment of acreage to each well thereon in accordance with the regulations of the Commission there remains an additional unassigned acreage of less than ONE HUNDRED SIXTY (160) acres, then and in such event the remaining unassigned acreage up to and including a total of FORTY (40) acres may be assigned as tolerance acreage to the last well drilled on such lease or may be distributed among any group of wells located thereon, so long as the proration units resulting from the inclusion of such additional acreage meet the limitations prescribed by the Commission.

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 maximum daily oil allowable for a well in the field shall be determined by multiplying 231 barrels of oil per day, the numerator of which is the acreage assigned to the well for proration purposes and the denominator of which is the maximum acreage authorized by these field rules for proration purposes, exclusive of tolerance acreage. The daily oil allowable for a well in the field shall be adjusted in accordance with Statewide Rule 49(a) when applicable.

**RULE 5:** Each oil well in the Earnest (6500 Sand) Field is allowed to produce under increased gas-oil ratio authority with a daily gas limit of 500 MCF per well. Each oil well is allowed to produce up to 231 barrels of oil per day regardless of producing gas-oil ratio. Oil allowables shall not be penalized due to high gas-oil ratios.

Done this 19<sup>th</sup> day of May, 2009.

**RAILROAD COMMISSION OF TEXAS  
(Order approved and signatures affixed by  
OGC Unprotected Master Order dated May 19,  
2009)**