

# RAILROAD COMMISSION OF TEXAS

RULE 37 CASE NO. 0291096  
STATUS NO. 790071  
DISTRICT 05

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TO CONSIDER THE APPLICATION OF CHESAPEAKE OPERATING, INC. FOR A RULE 37  
EXCEPTION, FOR THE PEGASUS LEASE, WELL NO. 5H, NEWARK, EAST (BARNETT  
SHALE) FIELD, JOHNSON COUNTY, TEXAS

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## ORDER NUNC PRO TUNC

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time period provided by law pursuant to TEX. GOV'T CODE ANN. CHAP 551, *et seq.* (Vernon 2004 & Supp. 2010). The Railroad Commission finds that, due to a clerical error, the Final Order entered on July 14, 2015 incorrectly stated in Finding of Fact No. 8: "The penetration point is 199.8 feet from the *northeast* lease line and 138.3 feet from the southwest lease line." Instead, Finding of Fact No. 8 should state the correct penetration point as being: "The penetration point is 199.8 feet from the *northwest* lease line and 138.3 feet from the southwest lease line."

Further, the Final Order's stated Penetration Location (on page 2 of the Order) incorrectly stated that the "Penetration Location: 199.8 feet from the *northeast* lease line and 138.3 feet from the southwest lease line." Instead, the Final Order's stated Penetration Location (on page 2 of the Order) should state that the correct penetration point as being "Penetration Location: 199.8 feet from the *northwest* lease line and 138.3 feet from the southwest lease line."

Accordingly, it is **ORDERED** the Final Order issued in this proceeding is hereby amended *nunc pro tunc* to reflect that:

The Commission hereby adopts the following corrected finding of fact No. 8 as follows:

The surface location of Well No. 5H is offlease, 490 feet from the northwest line and offlease 3,600 feet from the southwest line and 490 feet from the north west line and offlease 3,600 feet from the southwest line of the JW Henderson Survey. The penetration point is 199.8 feet from the northwest lease line and 138.3 feet from the southwest lease line. The terminus is 246.5 feet from the southwest line and 452.2 feet from the northwest line of the lease and 246.5 feet from the southwest line and 2,740 feet from the southeast line of the JW Henderson Survey. The well was proposed to be drilled at an approximate depth of 9,000 feet.

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**Penetration Location:**

199.8 feet from the *northwest* lease line and 138.3 feet from the southwest lease line."

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 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 25th day of August, 2015.

**RAILROAD COMMISSION OF TEXAS**

  
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**CHAIRMAN DAVID PORTER**

  
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**COMMISSIONER CHRISTI CRADDICK**

  
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**COMMISSIONER RYAN SITTON**

**ATTEST:**

  
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**SECRETARY**

