

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 03-0295880

THE APPLICATION OF ELAN DEVELOPMENT, LP TO CONSIDER APPROVAL OF A QUALIFIED SUBDIVISION PURSUANT TO STATEWIDE RULE 76 FOR A 134.091 ACRE TRACT IN THE T.N.N.O.R.R. CO. SURVEY, A-566, R.J. GOSS SURVEY, A-719 AND T.N.N.O.R.R. CO. SURVEY, A-572, MONTGOMERY COUNTY, TEXAS.

FINAL ORDER

The Commission finds that after statutory notice the captioned proceeding was heard by the examiners on May 29, 2015, and closed on November 4, 2015 upon receipt of plats and metes and bounds descriptions. The proceeding having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. At least ten days notice was given to the applicant and owners of possessory mineral interests and mineral lessors in the proposed qualified subdivision. Notice of Hearing was published in The Courier, a newspaper of general circulation in Montgomery County, for four consecutive weeks, on April 24, 2015 and May 1, 8 and 15, 2015.
2. Elan Development, LP (hereinafter "Elan") own all of the surface acreage in the proposed qualified subdivision and thus all of the surface ownership in the proposed qualified subdivision is represented in this hearing.
3. The proposed qualified subdivision is located in Montgomery County, a county having a population in excess of 400,000. Montgomery County had an estimated population of 455,764 in 2010 and an estimated population of 518,947 in 2014.
4. The proposed qualified subdivision is being subdivided in a manner authorized by law by the surface owner for residential use, pursuant to ordinances relating to zoning, platting, and subdivisions.
5. The Preliminary Master Plan of the proposed qualified subdivision was approved by the Commissioners Court of Montgomery County on December 22, 2014 in Regular Session as a portion of the Star Ridge Ranch.

6. The proposed qualified subdivision contains 134.091 acres in the T.N.N.O.R.R. CO. Survey, A-566, R.J. Goss Survey, A-719 and T.N.N.O.R.R. CO. Survey, A-572, Montgomery County, including an operations site totaling 4.054 acres. The operations site may be used by possessory mineral interest owners to explore for and produce minerals. The operations site is located within the proposed qualified subdivision and designated on the qualified subdivision plat which is attached as Exhibit I. A metes and bounds description for the 134.091 acre qualified subdivision is set forth in Exhibit II. A metes and bounds description for the 4.054 acre operations site is set forth as Exhibit III. A metes and bounds description for a 45' wide 0.740 acre access easement from the west is set forth as Exhibit IV.
7. The proposed qualified subdivision plat contains provision for road and pipeline easements to allow use of the operations site within the proposed qualified subdivision.
8. In the 2.5 mile area of review around the proposed Qualified Subdivision, there has been mineral development in the Patrick P. Ray (Wilcox 10,000) Field, the Friendswood (Wilcox, Lower) Field, the Friendswood (Wilcox 9700) Field, the Friendship Development (C-3B) Field, the Friendship Development (Wilcox) Field, the Conroe (Middle Wilcox Cons.) Field, the Conroe, S. (Wilcox 15) Field, the Conroe, S. (Wilcox 25-10,300) Field, the Conroe, South (Wilcox 11,200) Field, the Conroe, South (Wilcox 9900) Field, the Conroe, South (Wilcox 9100) Field, the Conroe, South (Wilcox 9250) Field, the Conroe, South (Wilcox 9150) Field and the Conroe (Middle Wilcox Cons.) Field. No wells have been drilled within the Proposed Qualified Subdivision. Elan presented expert testimony that any field extensions that may be found to underlie the proposed Qualified Subdivision in the future can be reached by directional drilling from the proposed pad sites. The operations sites have road access and pipeline easements as required by the rule.
9. The proposed operations site and pipeline and road easements are adequate to ensure that any mineral resources under the proposed qualified subdivision may be fully and effectively exploited.
10. Applicants have waived the issuance of an examiner's proposal for decision in this docket.
11. All parties have agreed on the record that, pursuant to the provisions of Texas Government Code §2001.144(a)(4), this Final Order shall be effective on the date a Master Order relating to this Final Order is signed.

CONCLUSIONS OF LAW

1. Proper notice of hearing was timely issued to appropriate persons entitled to notice.
2. All things necessary to the Commission attaining jurisdiction have occurred.
3. The application of Elan Development, LP for Commission approval of their proposed

qualified subdivision meets the requirements of Texas Natural Resources Code, Chapter 92, and Statewide Rule 76 [16 TEX. ADMIN. CODE §3.76].

4. Pursuant to §2001.144(a)(4) of the Texas Government Code, and the consent of the applicants, this Final Order is effective when a Master Order relating to this Final Order is signed on December 8, 2015.

IT IS THEREFORE ORDERED that the application of Elan Development, LP for approval of a qualified subdivision containing 134.091 acres in the T.N.N.O.R.R. CO. Survey, A-566, R.J. Goss Survey, A-719 and T.N.N.O.R.R. CO. Survey, A-572, in Montgomery County, Texas, more particularly described by the metes and bounds descriptions in field notes and plats attached hereto and incorporated herein for all purposes, is hereby **APPROVED**.

It is further **ORDERED** that this Final Order is effective on December 8, 2015 when the Master Order relating to this Final Order is signed.

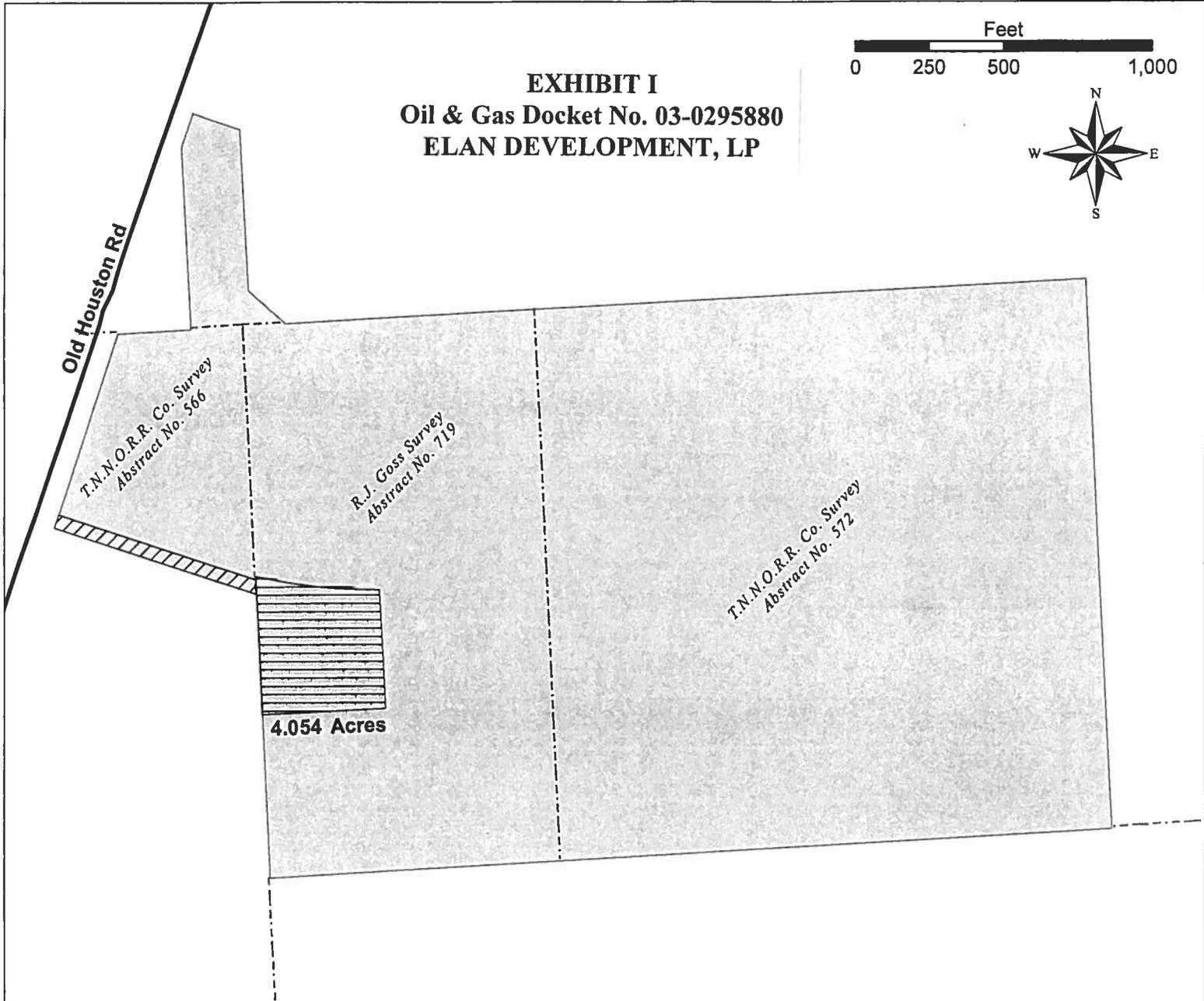
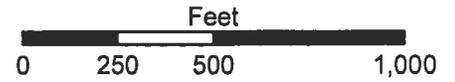
All pending motions and requests for relief not previously granted or granted herein are denied.

Done this 8th day of December, 2015, in Austin, Texas.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Division Unprotested Master Order dated
December 8, 2015)**

EXHIBIT I
Oil & Gas Docket No. 03-0295880
ELAN DEVELOPMENT, LP



ELAN DEVELOPMENT, L.P.
Proposed Qualified Subdivision
PURBUANT TO RAILROAD COMMISSION STATEWIDE RULE 76
FOR A
134.091 Acre Tract
LOCATED IN THE
T.N.N.O.R.R. (A-566), RJ Goss, & T.N.N.O.R.R. (A-572) Surveys
Montgomery County, Texas

ELAN DEVELOPMENT, LP

Exhibit No.:	
Docket No.:	03-0295880
Date:	5/29/2015

Legend

- Operation Sites
- 45' Pipeline and Access Easement
- Proposed Qualified Subdivision

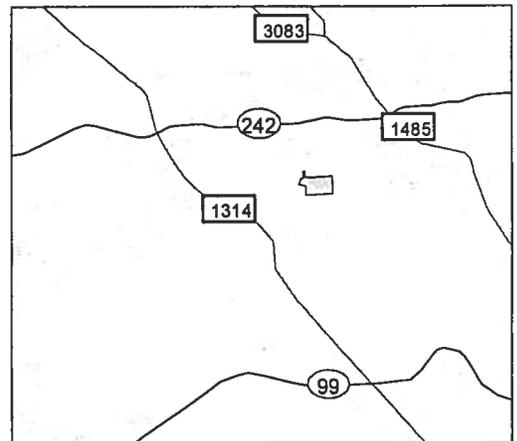


EXHIBIT II
Oil & Gas Docket No. 03-0295880 Revised: February 26, 2015
ELAN DEVELOPMENT, LP November 24, 2014
Job No. 1608-2000

DESCRIPTION OF
134.091 ACRES
QUALIFIED SUBDIVISION
(134-1, 134-2, 134-3)

Being a 134.091 acre tract of land out of and consisting of all of that certain Elan Development, L.P. called 134.03 acre tract of land, more fully described in File No. 2013098277 of the Official Public Records of Montgomery County, Texas. Said tract being situated in the T.N.N.O.R.R. Co. Survey, Abstract No. 566, R.J Goss Survey, Abstract No. 719 and T.N.N.O.R.R. Co. Survey, Abstract No. 572, Montgomery County, Texas, said 134.091 acre tract being more particularly described by metes and bounds as follows (Bearings based on Texas Coordinate System, Central Zone, NAD83 (NA2011) Epoch 2010.00);

BEGINNING at a point for corner for the West corner of said Elan Development called 134.03 acre tract, same being the Northwest corner of that certain Old Houston Acres Subdivision, Section Three, Block No. 1, more fully described in Cabinet Z, Pages 700-703 of the Map Records of Montgomery County, Texas, same being in the East right of way line of that certain Old Houston Road called 120' right of way from which a found 1/2-inch iron rod bears South 71 deg. 48 min. 33 sec. East a distance of 8.03 feet;

Thence, North 18 deg. 52 min. 30 sec. East along and with the West line of said Elan Development called 134.03 acre tract, same being the East right of way line of said Old Houston Road, a distance of 683.55 feet to a 5/8-inch iron rod found for the most Westerly Northwest corner of said Elan Development called 134.03 acre tract, same being the Southwest corner of that certain Jewel Scott called 15.6 acre tract of land, more fully described in File No. 9314164 of the Official Public Records of Montgomery County, Texas;

Thence, North 87 deg. 02 min. 18 sec. East along and with the most Westerly North line of said Elan Development called 134.03 acre tract, same being the South line of said Scott called 15.6 acre tract, a distance of 246.38 feet to a axel found for an interior ell corner of said Elan Development called 134.03 acre tract, same being the Southeast corner of said Scott called 15.6 acre tract;

134.091 Acres

Revised: February 26, 2015
November 24, 2014
Job No. 1608-2000

Thence, North 03 deg. 06 min. 18 sec. West along and with the most Northerly West line of said Elan Development called 134.03 acre tract, same being the East line of said Scott called 15.6 acre tract, a distance of 613.49 feet to a 1/2-inch iron rod found for an angle point for corner, same being the North corner of said Scott called 15.6 acre tract, same being in the East right of way line of said Old Houston Road;

Thence, North 18 deg. 56 min. 31 sec. East continuing along and with the most Northerly West line of said Elan Development called 134.03 acre tract, same being the East right of way line of said Old Houston Road, a distance of 120.01 feet to a 1/2-inch iron rod found for the North corner of said Elan Development called 134.03 acre tract, same being a Southwesterly corner of that certain Deegan Enterprise, LLC called 26.000 acre tract of land, more fully described in File No. 2004-087460 of the Official Public Records of Montgomery County, Texas;

Thence, South 70 deg. 59 min. 58 sec. East along and with the most Northerly North line of said Elan Development called 134.03 acre tract, same being a Southerly line of said Deegan Enterprise called 26.000 acre tract, a distance of 167.03 feet to a 1/2-inch iron rod found for the most Northerly Northeast corner of said Elan Development called 134.03 acre tract, same being an interior corner of said Deegan Enterprise called 26.000 acre tract;

Thence, South 03 deg. 07 min. 23 sec. East along and with the most Northerly East line of said Elan Development called 134.03 acre tract, same being a West line of said Deegan Enterprise called 26.000 acre tract, a distance of 541.16 feet to a 5/8-inch iron rod found for an angle point for corner, same being in the Westerly line of said Deegan Enterprise called 26.000 acre tract;

Thence, South 48 deg. 05 min. 54 sec. East along and with the Northeast line of said Elan Development called 134.03 acre tract, same being a Southwest line of said Deegan Enterprise called 26.000 acre tract, a distance of 169.75 feet to an axel found for an angle point in the North line of said Elan Development called 134.03 acre tract, same being the South line of said Deegan Enterprise called 26.000 acre tract;

134.091 Acres

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November 24, 2014
Job No. 1608-2000

Thence, North 86 deg. 48 min. 40 sec. East along and with the North line of said Elan Development called 134.03 acre tract, same being the South line of said Deegan Enterprise called 26.000 acre tract, a distance of 2700.72 feet to a 1/2-inch iron rod found for the Northeast corner of said Elan Development called 134.03 acre tract, same being an interior ell corner of said Deegan Enterprise called 26.000 acre tract;

Thence, South 02 deg. 45 min. 30 sec. East along and with the East line of said Elan Development called 134.03 acre tract, same being a West line of said Deegan Enterprise called 26.000 acre tract, a distance of 1850.01 feet to a 1/2-inch iron rod found for the Southeast corner of said Elan Development called 134.03 acre tract, same being the Southwest corner of said Deegan Enterprise called 26.000 acre tract, same being in the North line of that certain Fred R. Stalling and Joyce P. Stallings called 72.657 acre tract of land, more fully described in File No. 2012123297 of the Official Public Records of Montgomery County, Texas;

Thence, South 86 deg. 48 min. 28 sec. West along and with the South line of said Elan Development called 134.03 acre tract, same being the North line of said Stallings called 72.657 acre tract, that certain Scott W. Harris and Karen C. Harris called 27.7844 acre tract of land, more fully described in File No. 2009-016393 of the Official Public Records of Montgomery County, Texas, that certain John P. Sherrill and wife, Samantha S. Sherrill called Residue of 91.9970 acre tract of land, more fully described in File No. 9513551 of the Official Public Records of Montgomery County, Texas and that certain Patsy M. Graham called 100.00 acre tract of land, more fully described in File No. 2003-135100 of the Official Public Records of Montgomery County, Texas, passing at a distance of 320.22 feet a 1/2-inch iron rod, passing at a distance of 890.42 feet to a 1/2-inch iron rod bearing South 03 deg. 11 min. 32 sec. East a distance of 0.21 feet offline and continuing in all a total distance of 2842.37 feet to a 1/2-inch iron rod found for the Southwest corner of said Elan Development called 134.03 acre tract, same being the Northwest corner of said Graham called 100.00 acre tract, same being in the East line of said Old Houston Acres, Section Three, Block No. 1;

134.091 Acres

Revised: February 26, 2015
November 24, 2014
Job No. 1608-2000

Thence, North 02 deg. 44 min. 38 sec. West along and with the Southerly West line of said Elan Development called 134.03 acre tract, same being the East line of said Old Houston Acres, Section Three, Block No. 1, passing at a distance of 180.13 feet to a found capped iron rod marked "Jeff Moon RPLS 4639" a distance of 0.67 feet offline, passing at a distance of 686.98 feet to a found capped iron rod marked "Jeff Moon RPLS 4639" a distance of 0.54 feet offline, passing at a distance of 775.85 feet to a found capped iron rod marked "Jeff Moon RPLS 4639" a distance of 0.49 feet offline and continuing in all a total distance of 953.20 feet to a 1/2-inch iron rod found for an interior ell corner of said Elan Development called 134.03 acre tract, same being the Northeast corner of said Old Houston Acres, Section Three, Block No. 1;

Thence, North 71 deg. 48 min. 33 sec. West along and with the Westerly South line of said Elan Development called 134.03 acre tract, same being the North line of said Old Houston Acres, Section Three, Block No. 1, a distance of 724.86 feet to the PLACE OF BEGINNING, containing 134.091 acres, more or less.

LJA Engineering, Inc.

EXHIBIT III
Oil & Gas Docket No. 03-0295880
ELAN DEVELOPMENT, LP

Revised: July 27, 2015
June 18, 2015
Job No. 1608-2000

DESCRIPTION OF
4.054 ACRE (176,592 SQUARE FEET)
DRILL SITE

Being 4.054 acre (176,592 square feet) of land in the R.J. Goss Survey, Abstract 719, Montgomery County, Texas, being a portion of that certain called 134.03 acre tract conveyed to Elan Development, L.P. by an instrument of record in File Number 2013098277 in the Official Public Records of Real Property of Montgomery County, Texas (M.C.O.P.R.R.P.), said 4.054 acre tract being more particularly described by metes and bounds as follows (Bearings based on Texas Coordinate System, Central Zone, NAD83 (NA2011) Epoch 2010.00);

COMMENCING for reference at the most westerly southwest corner of said 134.03 acre tract, same being the northwest corner of Old Houston Acres, Section Three, Block No. 1, a subdivision of record in Cabinet Z, Pages 700-703 in the Map Records of Montgomery County, Texas (M.C.M.R.), same being on the easterly right-of-way of Old Houston Road (120 feet right-of-way) as recorded in Volume 969, Page 305 in the Deed Records of Montgomery County, Texas, from which a found 1/2-inch iron rod bears South 71° 48' 33" East, 7.88 feet;

Thence, South 71° 48' 33" East, with the northerly line of said Old Houston Acres and a southerly line of said 134.03 acre tract, 724.86 feet to a 1/2-inch iron rod found for the northeast corner of said Old Houston Acres and the POINT OF BEGINNING of the herein described tract;

Thence, North 02° 44' 38" West, 60.00 feet to a point for corner, the beginning of a curve;

Thence, 419.79 feet along the arc of a non-tangent curve to the left, having a radius of 2040.00 feet, a central angle of 11° 47' 25", and a chord which bears South 84° 02' 30" East 419.05 feet to a point for corner;

Thence, South 03° 17' 24" East, 399.32 feet to a point for corner;

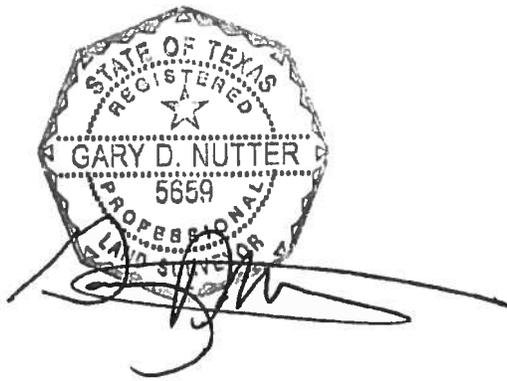
Thence, South 87° 03' 07" West, 418.04 feet to a point for corner;

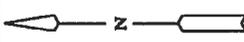
4.054 Acres

Revised: July 27, 2015
June 18, 2015
Job No. 1608-2000

Thence, North 02° 44' 38" West, 404.20 feet to the POINT OF BEGINNING and containing 4.054 acres (176,592 square feet) of land.

LJA Engineering, Inc.

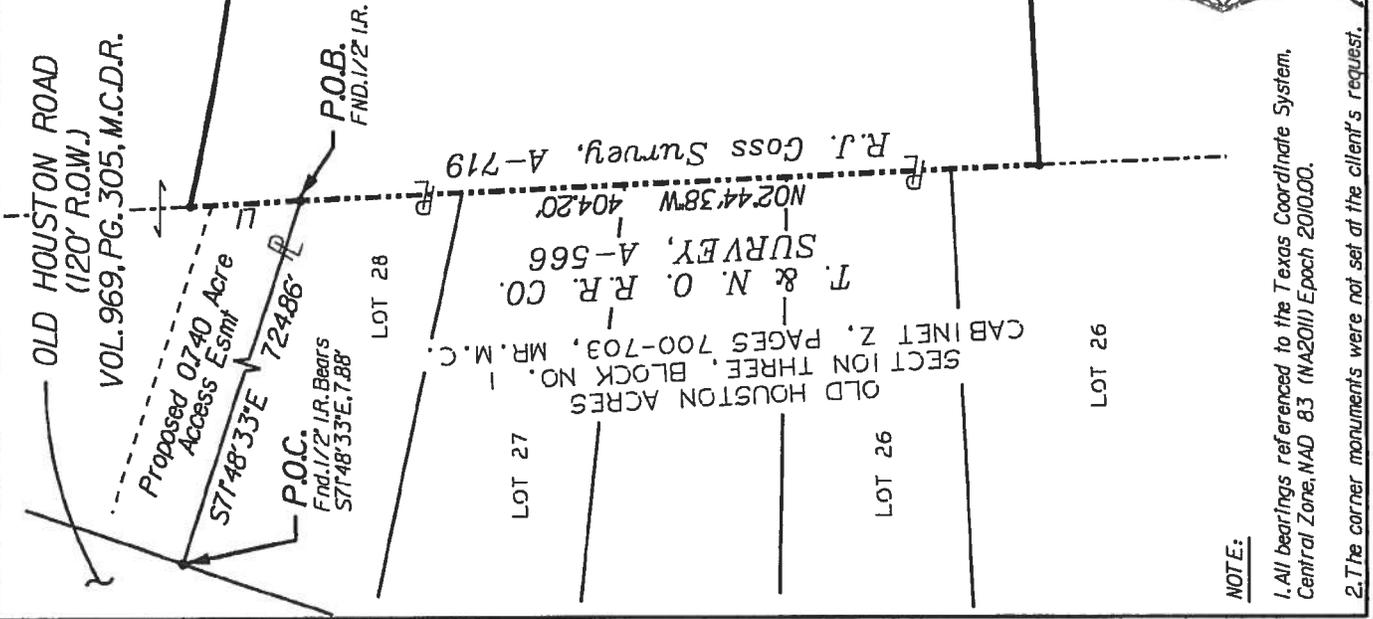




Scale: 1" = 100'

Curve	Radius	Tangent	Chord	Arc	Delta	Chord Bearing
1	2040.00'	210.64'	419.05'	419.79'	11°47'25"	S84°02'30"E

Line	Bearing	Distance
1	N02°44'38"W	60.00'



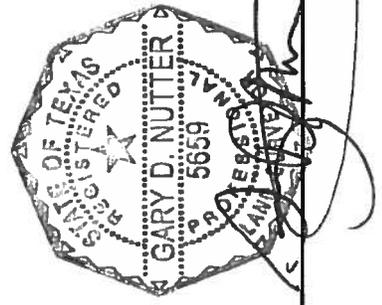
4.054 ACRES
(176,592 S.F.)

EXHIBIT OF
4.054 ACRES (176,592 S.F.)
IN THE
DRILL SITE

R. J. GOSS SURVEY, A-719
MONTGOMERY COUNTY, TEXAS
JULY 2015 JOB NO. 1608-2000

LJA Engineering, Inc.

2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10110501



NOTE:

1. All bearings referenced to the Texas Coordinate System, Central Zone, NAD 83 (NA2011) Epoch 2010.00.
 2. The corner monuments were not set at the client's request.

Rule 76 Proposed Qualified
Subdivision Containing 134.03

EXHIBIT IV
Oil & Gas Docket No. 03-0295880
ELAN DEVELOPMENT, LP

Revised: July 27, 2015
June 18, 2015
Job No. 1608-2000

DESCRIPTION OF
0.740 ACRE (32,219 SQUARE FEET)
PIPELINE & ACCESS EASEMENT
(45' WIDE)

Being 0.740 acre (32,219 square feet) of land in the T. & N. O. R.R. Co. Survey, Abstract 566, Montgomery County, Texas, being a portion of that certain called 134.03 acre tract conveyed to Elan Development, L.P. by an instrument of record in File Number 2013098277 in the Official Public Records of Real Property of Montgomery County, Texas (M.C.O.P.R.R.P.), said 0.740 acre tract being more particularly described by metes and bounds as follows (Bearings based on Texas Coordinate System, Central Zone, NAD83 (NA2011) Epoch 2010.00);

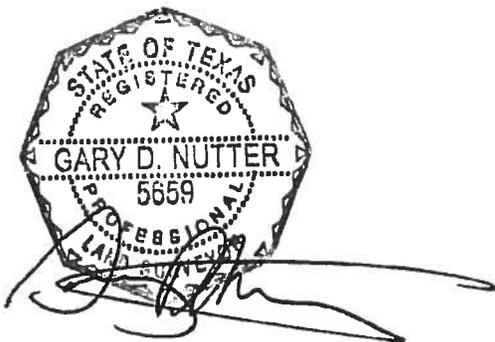
BEGINNING at the most westerly southwest corner of said 134.03 acre tract, same being the northwest corner of Old Houston Acres, Section Three, Block No. 1, a subdivision of record in Cabinet Z. Pages 700-703 in the Map Records of Montgomery County, Texas (M.C.M.R.), same being on the easterly right-of-way of Old Houston Road (120 feet right-of-way) as recorded in Volume 969, Page 305 in the Deed Records of Montgomery County, Texas, from which a found 1/2-inch iron rod bears South 71° 48' 33" East, 7.88 feet;

Thence, North 18° 52' 30" East, with said easterly right-of-way line and the westerly line of said 134.03 acre tract, 45.00 feet to a point for corner;

Thence, South 71° 48' 33" East, departing said easterly right-of-way line and said westerly line, 707.11 feet to a point for corner;

Thence, South 02° 44' 38" East, 48.18 feet to a 1/2-inch iron rod found for the northeast corner of said Old Houston Acres, same being an interior corner of said 134.03 acre tract;

Thence, North 71°48' 33" West, with the northerly line of said Old Houston Acres and a southerly line of said 134.03 acre tract, 724.86 feet to the POINT OF BEGINNING and containing 0.740 acre (32,219 square feet) of land.



LJA Engineering, Inc.

ELAN DEVELOPMENT, L.P.
 CALLED 134.03 ACRES
 FILE NO. 2013098277
 M.C.O.P.R.

Entergy Texas, Inc.
 (Called 100' Easement)
 Clerk File No. 2008-018546
 M.C.O.P.R.

LINE TABLE			
Line	Bearing	Distance	
1	N18°52'30"E	45.00'	
2	S02°44'38"E	48.18'	

OLD HOUSTON ROAD
 (120' R.O.W.)
 VOL. 969, PG. 305, M.C.D.R.

P.O.B.
 Fnd. 1/2" I.R. Bears
 S71°48'33"E, 7.88'

S71°48'33"E 707.11'
 0.740 ACRE (32,219 S.F.)
 N71°48'33"W 724.86'

LOT 28

LOT 27

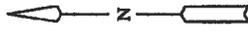
LOT 26

OLD HOUSTON ACRES
 SECTION THREE, BLOCK NO. 103, MR. M.C.
 CABINET 2, PAGES 100-103

FND. 1/2" I.R.

PROPOSED 4.054 ACRE
 DRILL SITE

T. & N. O. R.R. CO. SURVEY, A-566
 R.J. Goss Survey, A-719



Scale: 1" = 100'

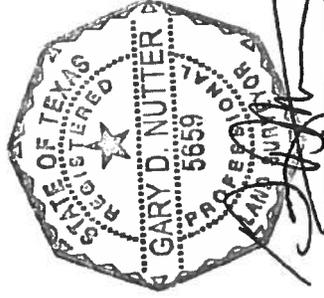


EXHIBIT OF
 0.740 ACRE (32,219 S.F.)
 PIPELINE & ACCESS EASEMENT
 (45' WIDE)

IN THE
 T. & N. O. R.R. CO. SURVEY, A-566
 MONTGOMERY COUNTY, TEXAS

JULY 2015 JOB NO. 1608-2000

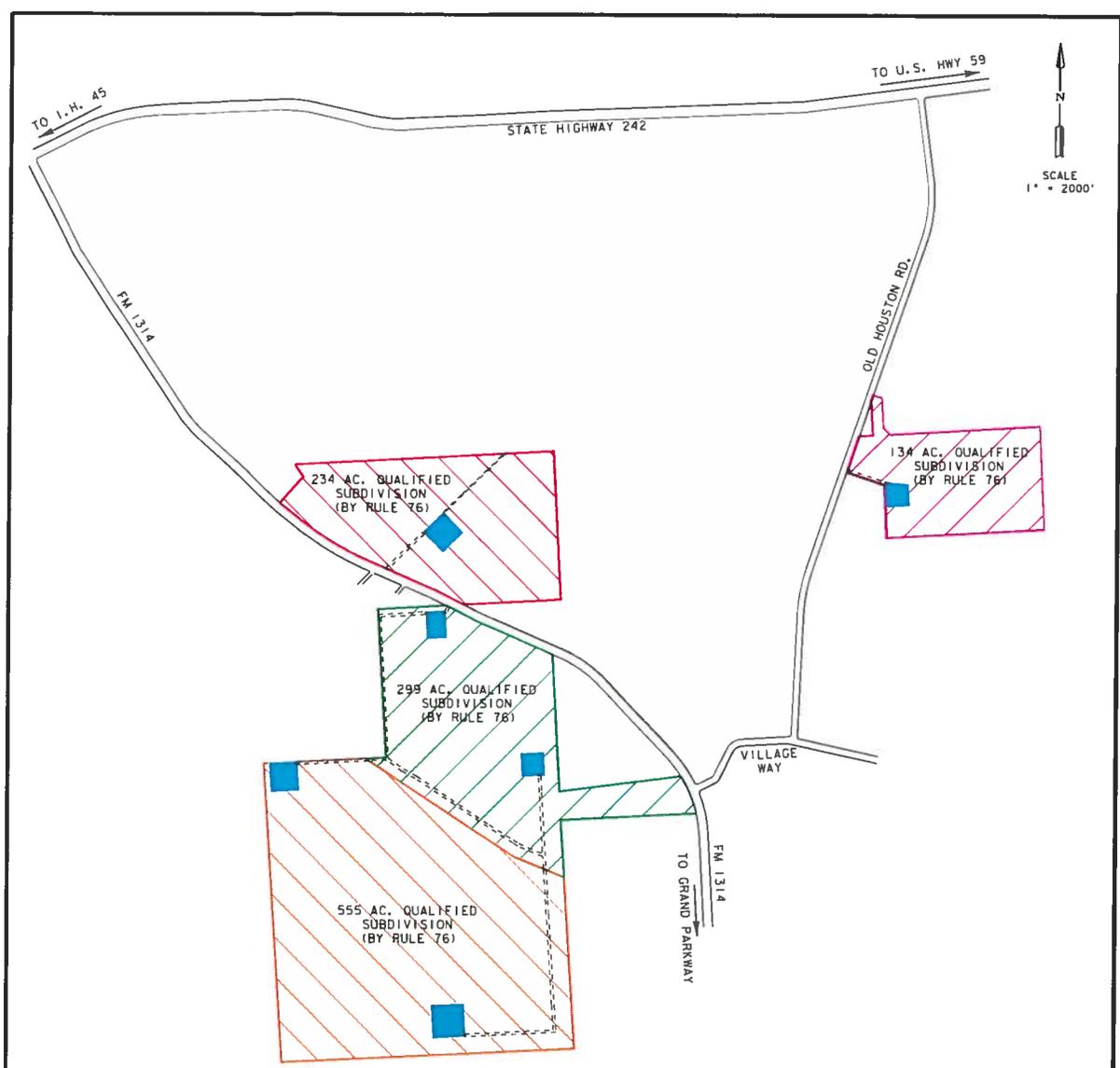
LJA Engineering, Inc.

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 Phone 713.953.5200
 Fax 713.953.5026
 T.B.P.L.S. Firm No. 10110501

NOTE:

1. All bearings referenced to the Texas Coordinate System, Central Zone, NAD 83 (NAD2011) Epoch 2010.00.

2. The corner monuments were not set at the client's request.



-  PROPOSED DRILL SITE
-  PROPOSED ACCESS/PIPELINE EASEMENTS
-  MAJOR ROADWAYS

ELAN DEVELOPMENT, LP

Exhibit No.:
 Docket No.: 03-0295880
 Date: 5/29/2015

ELAN DEVELOPMENT, L.P.

**STAR RIDGE RANCH
 QUALIFIED SUBDIVISION
 PARCEL EXHIBIT**

LJA Engineering & Surveying, Inc.

2829 Briarpark Drive Phone 713.953.5200
 Suite 600 Fax 713.953.5026
 Houston, Texas 77042 FRN - F-1386

DATE: OCTOBER 2015 JOB NO: 1966-10000