

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL AND GAS DOCKET NO. 08-0309409

APPLICATION OF XTO ENERGY INC. (945936) FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR TWO FLARE POINTS IN THE JE PARKER TANK BATTERY AREA, MARTIN (CONSOLIDATED), MARTIN (ELLENBURGER), MARTIN (MCKEE), MARTIN (SECOND SIMSON SD.) AND THREE BAR (WICHITA) FIELDS, ANDREWS COUNTY, TEXAS

FINAL ORDER

The Commission finds that after statutory notice in the above-numbered docket heard on May 17, 2018, the presiding Technical Examiner and Administrative Law Judge (collectively, "Examiners") have 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 Examiners' report and recommendation, the findings of fact and conclusions of law contained therein, and any exceptions and replies thereto, 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 XTO Energy Inc. is hereby granted an exception to Statewide Rule 32 (16 Tex. Admin. Code §3.32) for the JE Parker Tank Battery No. 1 (36494, 40027, 36480, 04073, 32094) Leases and JE Parker Tank Battery No. 2 (45616) Lease as established in Attachment A.

The authority is granted, provided all production is reported on the appropriate Commission forms. XTO Energy Inc. shall file the Statewide Rule 32 Exception Data Sheet and, shall file at the same time, the appropriate Commission required administrative Statewide Rule 32 Exception gas flaring fee for all wells.

Pursuant to §2001.144(a)(4)(A), of the Texas Government Code, and by agreement of the parties in writing or on the record, **the parties have waived the right to file a motion for rehearing and the Final Order in this case is final and effective on the date the Master Order relating to the Final Order is signed.**

Done this 21st day of August 2018.

RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
Hearings Division's Unprotested Master
Order dated August 21, 2018)**

ATTACHMENT A - FLARE AUTHORITY

Flare Point and Flare Permit No.	Tank Battery Name	Lease No.	Field Name	Maximum Daily Flaring Volume (MCF/Day) and Authorized Effective Dates in Final Order
Flare No. 1 No. 25712 (Comingle Permit No. 08-4596)	JE Parker Tank Battery No. 1 Lease Wells on the Proration Schedule = 47 Wells	36494	Martin (Cons.)	6,800 MCF/Day from 5/10/2018 through 5/09/2020
		40027		
		36480		
		04073	Martin (Ellenburger)	
		32094	Martin (McKee)	
Flare No. 2 No. 25711 (Non- Commingling)	JE Parker Tank Battery No. 2 Lease Wells on the Proration Schedule = 9 Wells	45616	Three Bar (Wichita)	3,200 MCF/Day from 5/10/2018 through 5/09/2020

Notes: MCF/Day = thousand cubic feet per day