

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**OIL AND GAS DOCKET NO. 08-0313705**

**APPLICATION OF XTO ENERGY INC. (945936) FOR AN EXCEPTION TO STATEWIDE RULE 32 FOR THE ST. LUCIA TB (FLARE PERMIT NO. 34284), COMMINGLING PERMIT NO. 08-7648 IN THE PHANTOM (WOLFCAMP) FIELD, LOVING COUNTY, TEXAS**

**FINAL ORDER**

The Commission finds that after statutory notice in the above-numbered docket heard on October 24, 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 St. Lucia TB in the Phantom (Wolfcamp) Field (Field No. 71052900) in Loving County, Texas. The St. Lucia TB shares a flare point (Commingle Permit No. 08-7648) with the St. Lucia 76 2833 (48657) Lease and the St. Kitts 76 2833 (50025) Lease. XTO Energy Inc. is authorized to flare casinghead gas from August 28, 2018 to August 27, 2020, a period of two years, at a volume of 48,000 MCF/Day under Permit No. 34284.

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 23<sup>rd</sup> day of January 2019.

**RAILROAD COMMISSION OF TEXAS**

**(Order approved and signatures affixed by  
Hearings Division's Unprotested Master  
Order dated January 23, 2019)**