



## RAILROAD COMMISSION OF TEXAS

### HEARINGS DIVISION

**OIL AND GAS DOCKET NO. 08-0296295**

---

**THE APPLICATION OF BRIGHAM RESOURCES OPERATING, LLC FOR AN EXTENSION OF FLARING PERMIT, EXCEPTION TO STATEWIDE RULE 32, FOR THE NEAL LETHCO 28-27 LEASE, WELL NO. 1H, HOEFS T-K (WOLFCAMP) FIELD, PECOS COUNTY, TEXAS**

---

**OIL AND GAS DOCKET NO. 08-0296705**

---

**THE APPLICATION OF BRIGHAM RESOURCES OPERATING, LLC FOR AN EXTENSION OF FLARING PERMIT, EXCEPTION TO STATEWIDE RULE 32, FOR THE MCINTYRE STATE 34-33 LEASE, WELL NO. 1H, HOEFS T-K (WOLFCAMP) FIELD, PECOS COUNTY, TEXAS**

---

**OIL AND GAS DOCKET NO. 08-0296824**

---

**THE APPLICATION OF BRIGHAM RESOURCES OPERATING, LLC FOR AN EXTENSION OF FLARING PERMIT, EXCEPTION TO STATEWIDE RULE 32, FOR THE PAGE ROYALTY 31 LEASE, WELL NO. 1H, HOEFS T-K (WOLFCAMP) FIELD, PECOS COUNTY, TEXAS**

---

**HEARD BY:** Peggy Laird, P.G. - Technical Examiner  
Terry Johnson - Legal Examiner

**SUBMITTED BY:** Peggy Laird, P.G. - Technical Examiner  
Ryan Lammert - Administrative Law Judge

**HEARING DATE:** September 25, 2015

**CONFERENCE DATE:** November 3, 2015

**APPEARANCES:**

**REPRESENTING:**

**APPLICANT:**

George C. Neale  
Emeka Madu

Brigham Resources Operating, LLC

**EXAMINERS' REPORT AND RECOMMENDATION**

**STATEMENT OF THE CASE**

Brigham Resources Operating, LLC ("Brigham") seeks exceptions to Statewide Rule 32 (16, Tex. Admin. Code §3.32) to flare gas from three leases in the Hoefs T-K (Wolfcamp) Field in Pecos County, Texas. All offset operators in the subject field were notified of the hearing. There were no objections filed, and no protestants appeared at the hearing. The Examiners recommend the exceptions to Statewide Rule 32 be granted, as requested by Brigham.

**DISCUSSION OF THE EVIDENCE**

Statewide Rule 32 governs the utilization of gas well gas and casinghead gas produced by oil and gas wells under the jurisdiction of the Railroad Commission. In the subject applications, Brigham is requesting to flare gas as provided in Statewide Rule 32(h), for a limited time until the installation of and connection to a pipeline gathering system is completed. At the hearing, Brigham presented information and testimony for the subject leases. Brigham reported that about ten miles of pipelines have been installed at a cost of twenty-six million dollars. Connections to pipelines for gas sales are now complete for the subject leases, and flaring is no longer occurring. What follows is a summary of Brigham's presentation presented by lease and docket number .

**NEAL LETHCO 28-27 LEASE, WELL NO. 1H (Docket No. 08-0296295)**

The **Neal Lethco 28-27 Lease, Well No. 1H (Lease No. 45822)** is located 15.53 miles northwest of Fort Stockton, Pecos County, and was completed on October 16, 2014. Initial production was 629 barrels of oil per day (BOPD), 489 thousand cubic feet of gas per day (MCF/D), and 2,745 barrels of water per day (BWPD).

Brigham received administrative authority (Permit No. 19723) to flare 700 MCF/D from October 26, 2014, to April 25, 2015. Brigham's request for a hearing to extend the

flaring authority was received on April 9, 2015. The request for a hearing allows the permit to remain in effect beyond the expiration, pending outcome of the hearing. Brigham is requesting authority to flare a total volume of 20,024 MCF from April 25, 2015, to September 3, 2015, when connection to the pipeline gathering system was completed.

**MCINTYRE STATE 34-33 LEASE, WELL NO. 1H (Docket No. 08-0296705)**

The **McIntyre State 34-33 Lease, Well No. 1H (Lease No. 46246)** is located 19.8 miles northwest of Fort Stockton, Pecos County, and was completed on November 10, 2014. Initial production was 767 BOPD, 461 MCF/D gas, and 1,789 BWPD.

Brigham received administrative authority (Permit No. 19950) to flare 500 MCF/D from November 20, 2014, to May 20, 2015. Brigham's request for a hearing to extend the flaring authority was received on May 13, 2015. The request for a hearing allows the permit to remain in effect beyond the expiration, pending outcome of the hearing. Brigham is requesting authority to flare a total volume of 21,564 MCF from May 20, 2015, to September 15, 2015, when connection to the pipeline gathering system was completed.

**PAGE ROYALTY 31 LEASE, WELL NO. 1H (Docket No. 08-0296824)**

The **Page Royalty 31 Lease, Well No. 1H (Lease No. 46264)** is located 22.5 miles northwest of Fort Stockton, Pecos County, and was completed on November 14, 2014. Initial production was 603 BOPD, 280 MCF/D gas, and 2,655 BWPD.

Brigham received administrative authority (Permit No. 20159) to flare 500 MCF/D from November 27, 2014, to May 27, 2015. Brigham's request for a hearing to extend the flaring authority was received on May 21, 2015. The request for a hearing allows the permit to remain in effect beyond the expiration, pending outcome of the hearing. Brigham is requesting authority to flare a total volume of 6,427 MCF from May 27, 2015, to July 29, 2015, when connection to the pipeline gathering system was completed.

**FINDINGS OF FACT**

1. Notice of this hearing was given to all parties entitled to notice at least ten days prior to the date of hearing. There were no protests to the application.
2. These leases have received administrative permits to flare casinghead gas for 180 days each.
3. Exceptions to Statewide Rule 32 authorizing gas to be flared for a limited time is necessary to allow for the installation of and connection to pipeline gathering systems.

4. Brigham reported that about ten miles of pipelines have been installed at a cost of twenty-six million dollars.
5. Connections to pipelines for gas sales are now complete for the subject leases, and flaring is no longer occurring.

**CONCLUSIONS OF LAW**

1. All things have occurred and been accomplished to give the Commission jurisdiction in this matter. Tex. Nat. Res. Code § 81.051
2. Approval of the requested exception to Statewide Rule 32 to flare gas for the subject wells will not harm correlative rights, and will promote development of the field.

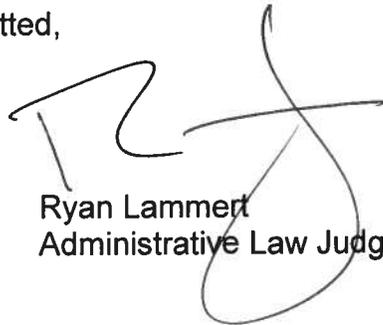
**EXAMINERS' RECOMMENDATION**

Based on the above findings of fact and conclusions of law, the Examiners recommend that the Commission grant an exception to Statewide Rule 32 for the subject leases, as requested by Brigham Resources Operating, LLC.

Respectfully submitted,



Peggy Laird, P.G.  
Technical Examiner



Ryan Lammert  
Administrative Law Judge