

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 25879
ORDER NO. 28294

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF SM ENERGY CO. PURSUANT TO NDAC § 43-02-03-88.1 FOR AN ORDER ALLOWING OIL AND GAS PRODUCED FROM THE BURTMAN 14-23HN (FILE NO. 31305) AND BURTMAN 14-23HS (FILE NO. 31306) WELLS, SECTIONS 14 AND 23, T.161N., R.99W., DIVIDE COUNTY, ND, TO BE COMMINGLED IN A CENTRAL PRODUCTION FACILITY LOCATED IN SECTION 23, T.161N., R.99W., PURSUANT TO NDAC § 43-02-03-48.1 OR GRANTING SUCH OTHER AND FURTHER RELIEF AS MAY BE APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 28th day of June, 2017.
- (2) SM Energy Company (SM Energy) made application to the Commission for an order pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1 for an order allowing oil and gas produced from the Burtman 14-23HN (File No. 31305) and Burtman 14-23HS (File No. 31306) wells, Sections 14 and 23, Township 161 North, Range 99 West, Divide County, North Dakota, to be commingled in a central production facility located in Section 23, Township 161 North, Range 99 West, pursuant to NDAC Section 43-02-03-48.1 or granting such other and further relief as may be appropriate.
- (3) The original application filed by SM Energy incorrectly identified the Burtman 14-23HS well as being located in Sections 14 and 23, Township 161 North, Range 99 West, Divide County, North Dakota, and thus was advertised as such. The actual spacing unit of the Burtman 14-23HS well is Sections 26 and 35, Township 161 North, Range 99 West, Divide County, North Dakota.
- (4) Case No. 25962 was scheduled for hearing on July 26, 2017 to correct the advertising mistake.

(5) This case should be dismissed without prejudice.

IT IS THEREFORE ORDERED:

(1) This case is hereby dismissed without prejudice.

Dated this 26th day of July, 2017.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director