

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 25889
ORDER NO. 28304

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 RUSSELL 2B-4HS (FILE NO. 32557) AND MARTIN 2-4HN (FILE NO. 32558) WELLS, SECTIONS 4 AND 9, T.160N., R.99W., DIVIDE COUNTY, ND, TO BE COMMINGLED IN A CENTRAL PRODUCTION FACILITY LOCATED IN SECTION 4, T.160N., 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 Russell 2B-4HS (File No. 32557) and Martin 2-4HN (File No. 32558) wells, Sections 4 and 9, Township 160 North, Range 99 West, Divide County, North Dakota, to be commingled in a central production facility located in Section 4, Township 160 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 Martin 2-4HN well as being located in Sections 4 and 9, Township 160 North, Range 99 West, Divide County, North Dakota, and thus was advertised as such. The actual spacing unit of the Martin 2-4HN well is Sections 25 and 36, Township 161 North, Range 99 West, Divide County, North Dakota.
- (4) Case No. 25972 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