

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF A HEARING CALLED ON A MOTION
OF THE COMMISSION TO CONSIDER THE APPLICATION
OF CARDINAL PETROLEUM COMPANY FOR AN ORDER
POOLING ALL INTERESTS IN THE 320-ACRE SPACING
UNIT COMPRISED OF THE S $\frac{1}{2}$ SECTION 11, TOWNSHIP
140 NORTH, RANGE 96 WEST, STARK COUNTY,
NORTH DAKOTA.

CASE NO. 1072
ORDER NO. 1147

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice, this cause came on for hearing at 9:30 a.m., on the 9th day of December, 1971, in the Hearing Room, State Capitol Building, Bismarck, North Dakota, before the Industrial Commission of North Dakota, hereinafter referred to as the "Commission."

NOW, on this 9th day of December, 1971, the Commission, a quorum being present, having considered the testimony adduced, and the exhibits received at said hearing, and being fully advised in the premises,

FINDS:

- 1) That due public notice having been given, as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.
- 2) That applicant is the owner of an interest in the oil and gas leasehold estate in the S $\frac{1}{2}$ of Section 11, Township 140 North, Range 96 West, Stark County.
- 3) That by its order the Commission established the field boundaries for the Dickinson-Heath Pool and that Section 11, Township 140 North, Range 96 West, Stark County, North Dakota, is adjacent to such pool.
- 4) That orders of the Commission established 320 acres as the spacing for the Dickinson-Heath Pool and that such orders further authorized that spacing units should consist of any two adjacent and contiguous quarter-sections within a section.
- 5) That Section 38-08-08, North Dakota Century Code, requires the Commission to enter a pooling order when two or more separately owned tracts are embraced within a spacing unit, or when there are separately owned interests in all or a part of a spacing unit in the absence of voluntary pooling.
- 6) That in order to protect correlative rights and prevent the drilling of unnecessary wells, the Commission should pool all interests in this spacing unit.

7) That such pooling order should be effective on the date hereof.

IT IS THEREFORE ORDERED:

- 1) That all of the interests in the S $\frac{1}{2}$ of Section 11, Township 140 North, Range 96 West, Stark County, North Dakota, be, and the same are hereby pooled for the development and operation of a spacing unit, and that all interested parties participate in the proceeds from a well drilled thereon in proportion as their interests may appear.
- 2) That Cardinal Petroleum Company shall be the operator of this spacing unit and shall conduct operations in a manner such as to protect correlative rights of all interested parties.
- 3) That this pooling order shall govern allocation of production from said spacing unit.
- 4) That, in the event the size of spacing units in the Dickinson-Heath Pool is modified by the Commission, this order shall terminate as of the date of such modification order.

DONE, at Bismarck, North Dakota, this 9th day of December, 1971.

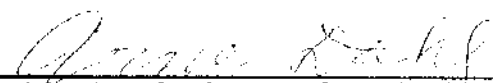
THE NORTH DAKOTA INDUSTRIAL COMMISSION



William L. Guy, Governor



Helgi Johanneson, Attorney General



Arne Dahl, Commissioner of Agriculture

(Case No. 1072)

STATE OF NORTH DAKOTA

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AFFIDAVIT OF
MAILING

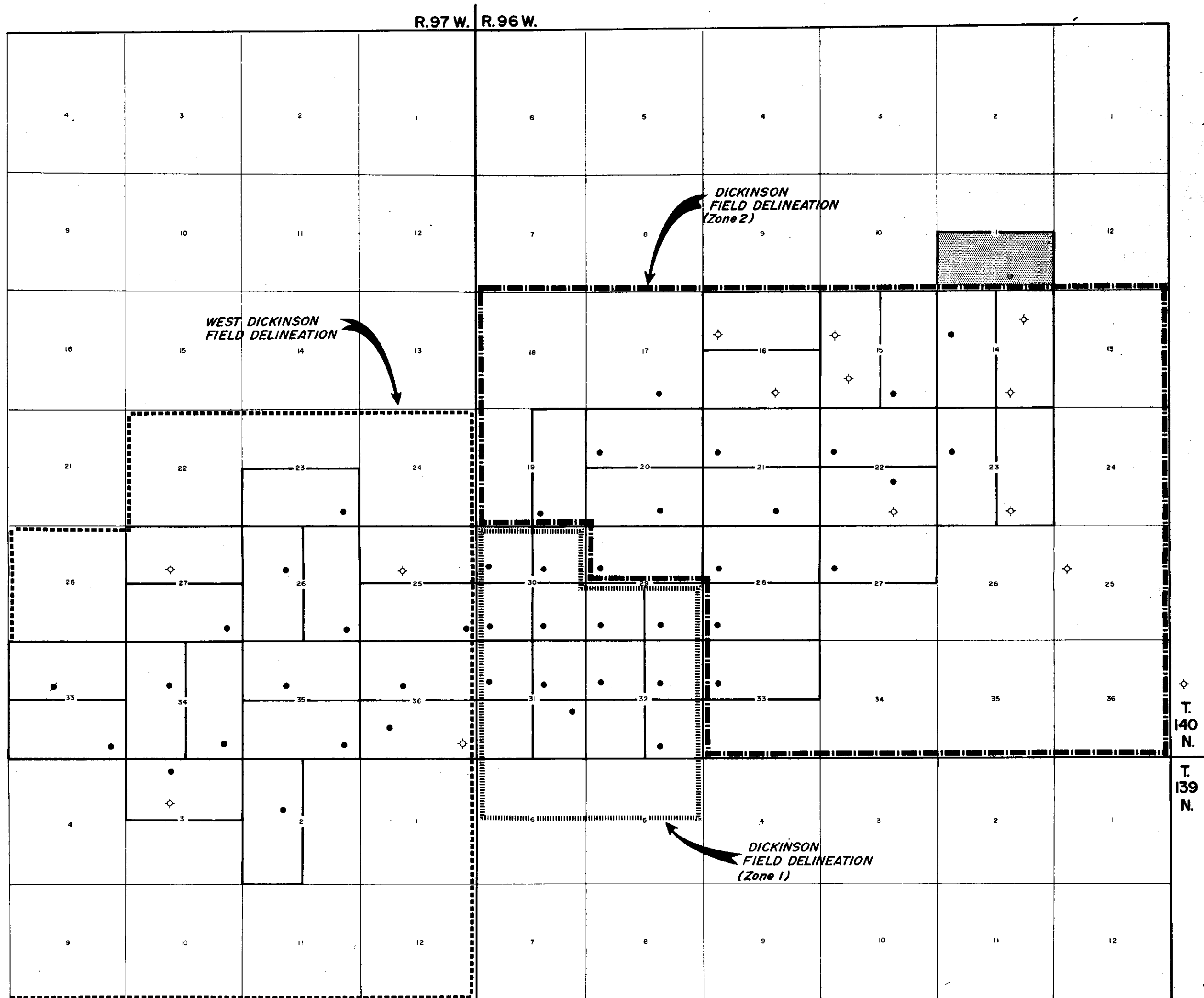
COUNTY OF GRAND FORKS

I, F. E. Wilborn, being first duly sworn upon oath,
depose and say: That I am over twenty-one years of age; that on the
4th day of Jan., 1972, I enclosed in separate envelopes true
and correct copies of the attached Order No. 1147 of the North
Dakota State Industrial Commission, and deposited the same in the
United States Post Office at the University Station, University of
North Dakota, Grand Forks, North Dakota, with postage thereon fully
paid, directed to: Donald Roberts, Cardinal Petroleum Co., Box 1077, Billings,
Montana 59103
all of whom filed written appearances at the hearing of the Industrial
Commission on Case No. 1072.

F. E. Wilborn
(Signature of person mailing
Order and preparing Affidavit)

Subscribed and sworn to before
me this 4th day of Jan., 1972.

Notary Public, Grand Forks County
My Commission expires on the 1st day of July, 1977.



DICKINSON-WEST DICKINSON FIELDS
STARK COUNTY, NORTH DAKOTA
DELINEATION OF FIELD AREAS
AND
INDIVIDUAL WELL SPACING UNITS

CARDINAL PETROLEUM COMPANY
BILLINGS, MONTANA
Prepared by
DONALD K. ROBERTS
LAND MGR.

CASE NO. 1072
EXHIBIT NO. 1
DEC. 9, 1971

CARDINAL PETROLEUM COMPANY
BILLINGS, MONTANA

Prepared by Donald K. Roberts

CASE NO. 1072 - EXHIBIT NO. 2
December 9, 1971

E $\frac{1}{2}$ Section 11, Township 140 North, Range 96 West
Stark County, North Dakota

MINERAL OWNERSHIP

Anton J. Pavlicek	160.0000/320ths
Wm. Rummel	2.5000/320ths
Southland Royalty Company	60.0000/320ths
Monroe Ferrell, Trustee	4.1666/320ths
Josephine Stoltz	5.0000/320ths
Carter Foundation Production Company	60.0000/320ths
G. E. Holmstrom (unleased interest)	.4167/320ths
H. A. Hedberg	.4167/320ths
Margaret H. Rummel	5.0000/320ths
George Joseph	20.0000/320ths
O. Gunvoldsen	2.5000/320ths

WORKING INTEREST

Cardinal Petroleum Company (except for above unleased interest) 100%

NW $\frac{1}{4}$ Section 11, Township 140 North, Range 96 West
Stark County, North Dakota

MINERAL OWNERSHIP

State of North Dakota	80.000/160ths
Justine M. Metz	13.333/160ths
Victor T. Froehlich	4.444/160ths
Clarence L. Froehlich	4.444/160ths
Herman B. Froehlich	4.444/160ths
Raymond R. Froehlich	4.444/160ths
Lorraine B. Sykora	4.444/160ths
Lee V. Froehlich	4.444/160ths
William J. Kesting, Laurine Engel and Cleon G. Engel, as joint tenants	40.000/160ths

WORKING INTEREST

Cardinal Petroleum Company 100%

SW $\frac{1}{4}$ Section 11, Township 140 North, Range 96 West
Stark County, North Dakota

MINERAL OWNERSHIP

The Federal Land Bank of Saint Paul
John J. Wolfe
Arthur J. Wolfe

80/160ths
40/160ths
40/160ths

WORKING INTEREST

Cardinal Petroleum Company

100%

P. O. BOX 1077
BILLINGS, MONTANA
59103

AREA CODE 406
PHONE 248-7324



November 12, 1971

North Dakota Industrial Commission
Capitol Building
Bismarck, North Dakota 58501

Re: Application of Cardinal
Petroleum Company for an
order pooling Cardinal
interests in the spacing
unit described as the $S\frac{1}{2}$
Section 11, T140N, R96W
Dickinson-Heath Pool
Stark County, North Dakota

Gentlemen:

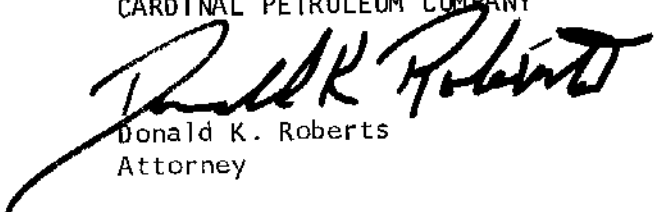
Cardinal Petroleum Company is the owner of all of the oil and gas leasehold interests in the $S\frac{1}{2}$ of Section 11, Township 140N, Range 96W, Stark County, North Dakota, with the exception of a .208 acre mineral interest in the $SE\frac{1}{4}$ of Section 11. We have been unable to locate the owner of this mineral interest. The $S\frac{1}{2}$ of Section 11 is adjacent to the field boundaries established by the Commission for the Dickinson-Heath pool which is spaced on 320 acre spacing.

Cardinal intends to drill a Heath test in the $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 11 with the spacing unit to be the $S\frac{1}{2}$ of 11. It is requested that an order be entered by the Commission involuntary pooling all interest in the $S\frac{1}{2}$ of Section 11 and that Cardinal be named operator of all activities conducted within the spacing unit. The reason for the need for involuntary pooling is the inability to locate the very small outstanding mineral interest owner.

It is requested that an Examiner's Hearing be scheduled to act upon this application at the earliest time possible.

Very truly yours,

CARDINAL PETROLEUM COMPANY


Donald K. Roberts
Attorney

DKR/se
cc: Dr. E. A. Noble

CERTIFICATE OF PUBLICATION
THE DICKINSON PRESS
Dickinson, North Dakota

STATE OF NORTH DAKOTA, }
County of Stark.

**LEGAL
NOTICES**

NOTICE OF PUBLICATION
N. D. INDUSTRIAL COMMISSION
BISMARCK, NORTH DAKOTA
The State of North Dakota by its Industrial Commission hereby gives notice pursuant to law and the rules and regulations of said Commission promulgated thereunder of the following public hearing to be held at 9:30 a.m. on 9 December 1971, in the Hearing Room, State Capitol Building, Bismarck, North Dakota.

STATE OF NORTH DAKOTA TO:
All named parties and persons having any right, title, interest, or claim in the following case and notice to the public. CASE NO. 1072: On a motion of the Commission to consider the application of Cardinal Petroleum Company for an order pooling all interests in the S-2 of Section 11, T. 140N., R. 96W., Stark County, North Dakota.
N. D. INDUSTRIAL COMMISSION
William L. Guy, Governor
(Published November 23, 1971.)

Erv Barth, of said state and county, being first duly sworn, on oath says: That he is the Office Manager of the Dickinson Press, Inc., publisher of **THE DICKINSON PRESS**, a daily newspaper of general circulation, printed and published at Dickinson, in said county and state, and has been such during the time hereinafter mentioned; and that advertisement headed Notice Of Publication
N. D. Industrial Commission Bismarck, North Dakota

a printed copy of which is hereunto annexed, was printed and published in **THE DICKINSON PRESS**, and in the regular and entire issue of each and every number 1 consecutive weeks, commencing on the 23 day of November A. D. 19 71, and ending on the 23 day of November A. D., 19 71, both inclusive

Sworn to and subscribed to before me this 23 day of Nov. A. D. 19 71.

416
\$ 12/11/71
Date 9
HAROLD NELSON
State Printer

Ed J. Hauck
Notary Public, Stark County, N. Dak.
My Commission Expires June 7, 1972