

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 PATRICK PETROLEUM CORPORATION FOR AN ORDER
POOLING ALL INTERESTS IN A 320-ACRE SPACING
UNIT FOR THE DICKINSON-HEATH POOL DESCRIBED
AS THE E/2 OF SECTION 10, TOWNSHIP 140 NORTH,
RANGE 96 WEST, STARK COUNTY, NORTH DAKOTA.

CASE NO. 1209
ORDER NO. 1302

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice this cause came on for hearing at 9:30 a.m. on the 10th day of September, 1974, at Bismarck, North Dakota, before the Industrial Commission of North Dakota, hereinafter referred to as the "Commission."

NOW, on this 8th day of October, 1974, 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 an oil and gas leasehold in the E/2 of Section 10, Township 140 North, Range 96 West, Stark County, North Dakota, and that said 320-acre tract forms a spacing unit for the Dickinson-Heath Pool.
- (3) That there are separately owned interests in this spacing unit, and some of the owners thereof have not voluntarily pooled their interests for the development and operation of such spacing unit and the applicant has been unable to obtain the voluntary pooling of all interests in this spacing unit.
- (4) 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.
- (5) That in order to protect correlative rights and prevent the drilling of unnecessary wells, the Commission should pool all interests in said spacing unit.
- (6) That such pooling order should be effective on the date hereof.

HARRIS, BROWN & KLEMER

Consulting Geologists

POSTOFFICE BOX 5

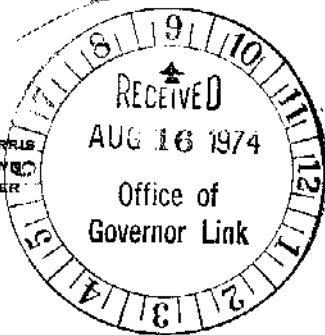
BISMARCK, NORTH DAKOTA

58501

222 WEST BOWEN

TELEPHONE 223-3588
AREA CODE 701

STEVEN H. HARRIS
JAMES L. BROWN
JOHN N. KLEMER



August 16, 1974

North Dakota Industrial Commission
State Capitol
Bismarck, North Dakota, 58501

Re: Hearing on September 10, 1974
Proposed Spacing Exception
SE/4SE/4 10-140N-96W
Dickinson Area
Stark County, North Dakota

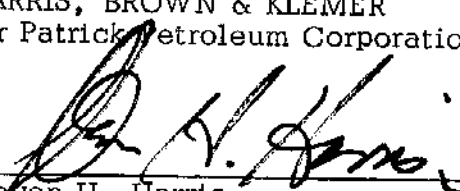
Gentlemen;

Reference is made to my request for the captioned exception location well which was written on August 13, 1974. In this petition for hearing, I made reference to "normal location for a well in S/2-10"; it now appears that Patrick Petroleum Corporation and their partner, Phillips Petroleum Company, will request that the 320 acre spacing unit for the off-pattern well be the East Half of Section 10 rather than the South Half of Section 10.

It is requested that my August 13, 1974, letter be amended accordingly. It is further requested that a second hearing be set up to force-pool the E/2 of 10-140N-96W and to declare the E/2-10 as the spacing unit for the proposed well in SE/4SE/4 10-140N-96W.

Thank you.

HARRIS, BROWN & KLEMER
for Patrick Petroleum Corporation


Steven H. Harris

cc: John Orr, Patrick Petroleum

Dr. E.A. Noble, N. D. Geological Survey

G. W. Vande Walle, Attorney General Dept.

Ray Harrison, Phillips Petroleum

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA, }
County of Burleigh. } ss.

Patricia Nelson, being duly sworn,
says that she is a clerk of the Bismarck Tribune Company and that
the annexed printed copy of

Notice of publication - Case #1208

was taken from The Bismarck Tribune, a daily newspaper, which
during the whole time of publication of said notice hereinafter
stated, has been, and was printed and published in the City of
Bismarck, County of Burleigh, and State of North Dakota. That
the said notice was published in said newspaper on the following
dates: 8/28

in each and every issue of the full number thereof, commencing
on the 28 day of August 19 74, and
ending on the 28 day of August 19 74,
upon which days or times of publication aforesaid the said news
paper was regularly published.

Patricia Nelson
Subscribed and sworn to before this 29 day of
August, A. D. 19 74.

Paul J. Patera
Notary Public, Burleigh County, N. D.

My commission expires 3-24-76

Cost of Publication, \$ 9.00

Date 8-27-74
OK
mv

pn
SL-29

PAUL J. PATERA
Notary Public, BURLEIGH CO., N. D.
My Commission Expires Mar. 24, 1976
ROLF NELSON
State Printer

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 10 September 1974 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 cases and notices to the public, CASE NO. 1208: On a motion of the Commission to consider the application of Patrick Petroleum Corporation for an order permitting the drilling of a well in the SE SE of Sec. 10, T. 140N., R. 96W., Stark County, North Dakota, as an exception to the spacing pattern in the Dickinson Heath Pool, CASE NO. 1209: On a motion of the commission to consider the application of Patrick Petroleum Corporation for an order pooling all interests in a 320-acre spacing unit for the Dickinson Heath Pool described as the E/2 of Sec. 10, T. 140N., R. 96W., Stark County, North Dakota CASE NO. 1210: On a motion of the Commission to consider the application of Farmers Union Central Exchange, Inc., for an order amending the outline of the Zenith Field and establishing temporary spacing for an oil pool discovered by the Farmers Union Central Exchange, Inc., No. 1634, Krushensky located in the SE SE of Sec. 34, T. 140N., R. 99W., Stark County, North Dakota, define the limits of the field, and enact such special field rules as may be necessary.

8/28 - 19982

CERTIFICATE OF PUBLICATION

THE DICKINSON PRESS
Dickinson, North Dakota

STATE OF NORTH DAKOTA, }

County of Stark. }

NOTICE OF PUBLICATION

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BISMARCK, NORTH DAKOTA

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(Published August 29, 1974)

Debbie Kuntz, of said state and county, being first duly

sworn, on oath says: That she is the Bookkeeper 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 29

day of August A. D. 1974, and ending on the 29

day of August A. D., 1974, both inclusive.

Sworn to and subscribed to before me this 29 day of

921 August A. D. 1974

Date 9-3-74

HAROLD NELSON

State Printer

ED J. HAUCK

Notary Public, STARK COUNTY, N. DAK.
My Commission Expires JUNE 7, 1979