

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 5813
ORDER NO. 6728

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER CERTIFYING THE DICKINSON HEATH SAND UNIT LOCATED IN STARK COUNTY, NORTH DAKOTA, AS A "QUALIFYING SECONDARY RECOVERY PROJECT" FOR THE PURPOSE OF ACQUIRING THE TAX EXEMPTIONS AND/OR REDUCTIONS PROVIDED BY NDCC CHAPTER 57-51.1 AND SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION MAY DEEM APPROPRIATE.

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice this cause came on for hearing at 9:00 a.m. on the 22nd day of September, 1993, in Bismarck, North Dakota, before an examiner appointed by the Industrial Commission of North Dakota, hereinafter referred to as the "Commission."

NOW, on this 1st day of October, 1993, 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 Conoco Inc. ("Conoco") is the operator of the Dickinson Heath Unit ("DHU") which was unitized in 1972. Water injection into the unitized formation commenced in 1973.

(3) That Conoco requests an order of the Commission certifying that the DHU is a qualifying secondary recovery project for the purpose of acquiring the tax exemption and reduction provided by North Dakota Century Code ("NDCC") Chapter 57-51.1.

(4) That NDCC Section 57-51.1-02 imposes an excise tax, known as the "Oil Extraction Tax." The rate of the tax is six and one-half percent of the gross value at the well of the oil extracted, except for oil that does not qualify as incremental oil but is produced from a secondary recovery project that is certified as qualifying by the Commission after June 30, 1991, the tax rate is four percent. For the Commission to certify that a secondary recovery project is a qualifying project and is entitled to the tax reduction, the project operator must have achieved for six consecutive months an average production level of at least twenty-five percent above the level that would have been recovered under normal recovery operations.

(5) That NDCC Section 57-51.1-03 provides for an exemption from the

extraction tax for incremental oil, as defined therein, produced from a "new secondary recovery project." To be eligible for the tax exemption the project must be certified by the Commission as a qualifying new secondary recovery project and produce incremental oil.

(6) That Conoco plans to initiate a new secondary recovery project in the DHU. It proposes to drill a new recovery well in the unit at an estimated cost of \$800,000, and to renew and increase water injection into the unitized formation.

(7) That Conoco is employing water flooding in the DHU. The unit may be certified by the Commission as a qualifying secondary recovery project when an average production level of at least twenty-five percent above the level that would have been recovered under normal recovery operations has been achieved for six consecutive months.

(8) That the new secondary recovery project proposed by Conoco has not commenced. When and if the proposed project is commenced, the Commission may certify that the operation is a new secondary recovery project.

IT IS THEREFORE ORDERED:

(1) That the DHU may be certified by the Commission as a qualifying new secondary recovery project and eligible for the tax exemption under Section 57-51.1-03 when the new secondary recovery project commences.

(2) That the DHU is a qualifying secondary recovery project, and may be certified by the Commission as eligible for the tax reduction under Section 57-51.1-02 provided the project operator achieves for six consecutive months an average production level of at least twenty-five percent above the level that would have been recovered under normal recovery operations.

(3) That the Commission will hold additional hearings to determine entitlement to the tax incentives provided in NDCC Chapter 57-51.1.

(4) That this order shall remain in full force and effect until further order of the Commission.

Dated this 1st day of October, 1993.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

/s/ Edward T. Schafer
Edward T. Schafer, Governor

/s/ Heidi Heitkamp
Heidi Heitkamp, Attorney General

/s/ Sarah Vogel
Sarah Vogel, Commissioner of Agriculture

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 5813

IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION CERTIFYING THE
DICKINSON HEATH SAND UNIT LOCATED
IN STARK COUNTY, NORTH DAKOTA AS A
"QUALIFYING SECONDARY RECOVERY
PROJECT" FOR THE PURPOSE OF
ACQUIRING THE TAX EXEMPTIONS
AND/OR REDUCTIONS PROVIDED BY
N.D.C.C. CHAPTER 57-51.1 AND SUCH OTHER
AND FURTHER RELIEF AS THE
COMMISSION MAY DEEM APPROPRIATE.

AMENDED APPLICATION OF CONOCO INC.

COMES NOW the applicant, Conoco Inc., and respectfully states as follows:

1.

That Conoco Inc. is currently the operator of the Dickinson Heath Unit located in Stark County, North Dakota.

2.

That the Dickinson Heath Sand Unit was created by the North Dakota Industrial Commission ("Commission") by virtue of Order No. 1186 entered in Case No. 1095 dated November 30, 1972.

3.

That pursuant to Commission Order No. 1202 entered in Case No. 1121 dated March 13, 1973, the Dickinson Heath Sand Unit became effective at 7:00 a.m. on March 15, 1973.

4.

That it is the opinion of Conoco Inc. that the Dickinson Heath Sand Unit meets the definition of a "Qualifying Secondary Recovery Project" and the oil produced therefrom is entitled to an exemption of the oil extraction tax pursuant to N.D.C.C. § 57-51.1-03-5.

5.

That pursuant to N.D.C.C. § 57-51.1-03-5, the Commission should enter its order certifying the Dickinson Heath Sand Unit as a "Qualified Secondary Recovery Project" for the purpose of the tax exemptions and tax reductions provided by N.D.C.C. Chp. 57-51.1.

WHEREFORE, applicant requests that this matter be set for hearing at the regular September 22, 1993 meeting of the Commission and that thereafter the Commission enter its order granting the relief requested and such other and further relief as the Commission may deems appropriate.

DATED this *31st* day of August, 1993.

PEARCE & DURICK

By 

LAWRENCE BENDER

Attorneys for Applicant

Conoco Inc.

314 East Thayer Avenue

Post Office Box 400


Bismarck, North Dakota 58502

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

LAWRENCE BENDER, being first duly sworn on oath, deposes and says that he is the attorney for the applicant named herein, that he has read the foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge, and belief.


LAWRENCE BENDER

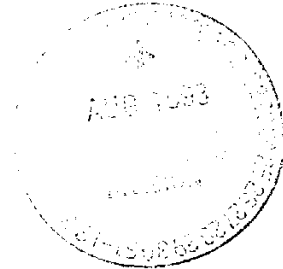
Subscribed and sworn to before me this 31st day of August, 1993.


Lynette Entzi, Notary Public
Burleigh County, North Dakota
My Commission Expires: 6-26-99

**BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA**

CASE NO. 5813

**IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION CERTIFYING THE
DICKINSON HEATH SAND UNIT LOCATED
IN STARK COUNTY, NORTH DAKOTA AS A
"QUALIFYING SECONDARY RECOVERY
PROJECT" FOR THE PURPOSE OF
ACQUIRING THE TAX EXEMPTIONS
AND/OR REDUCTIONS PROVIDED BY
N.D.C.C. CHAPTER 57-51.1 AND SUCH OTHER
AND FURTHER RELIEF AS THE
COMMISSION MAY DEEM APPROPRIATE.**



APPLICATION OF CONOCO INC.

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That it is the opinion of Conoco Inc. that the Dickinson Heath Sand Unit meets the definition of a "Qualifying Secondary Recovery Project" and the oil produced therefrom is entitled to an exemption of the oil extraction tax pursuant to N.D.C.C. § 57-51.1-03-5.

5.

That pursuant to N.D.C.C. § 57-51.1-03-5, the Commission should enter its order certifying the Dickinson Heath Sand Unit as a "Qualified Secondary Recovery Project" for the purpose of the tax exemptions and tax reductions provided by N.D.C.C. Chp. 57-51.1.

WHEREFORE, applicant requests that this matter be set for hearing at the regular August 28, 1991 meeting of the Commission and that thereafter the Commission enter its order granting the relief requested and such other and further relief as the Commission may deems appropriate.

DATED this *16th* day of August, 1993.

PEARCE & DURICK

By 

LAWRENCE BENDER

Attorneys for Applicant

Conoco Inc.

314 East Thayer Avenue

Post Office Box 400

Bismarck, North Dakota 58502

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

LAWRENCE BENDER, being first duly sworn on oath, deposes and says that he is the attorney for the applicant named herein, that he has read the foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge, and belief.

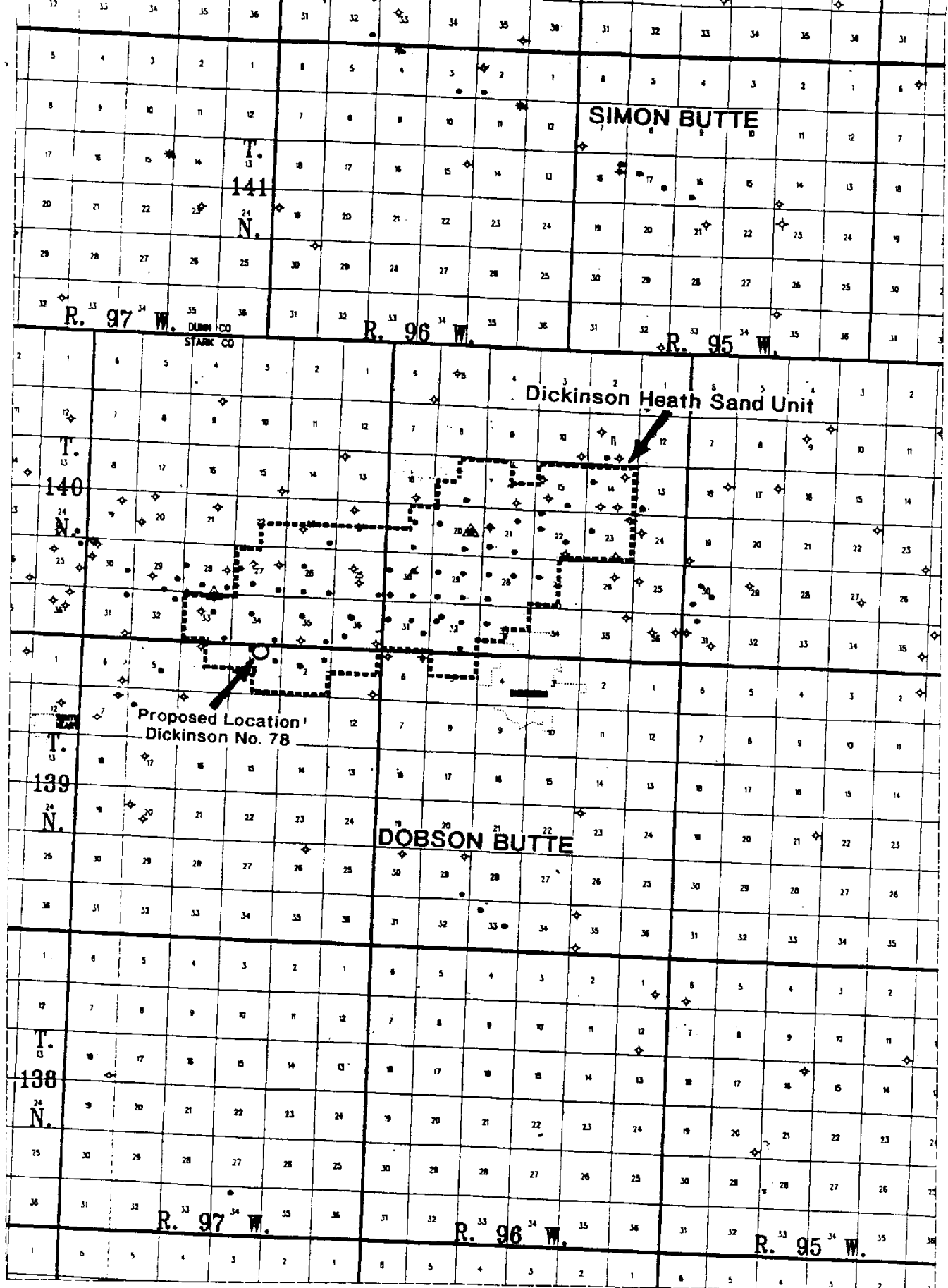


LAWRENCE BENDER

Subscribed and sworn to before me this *16th* day of August, 1993.



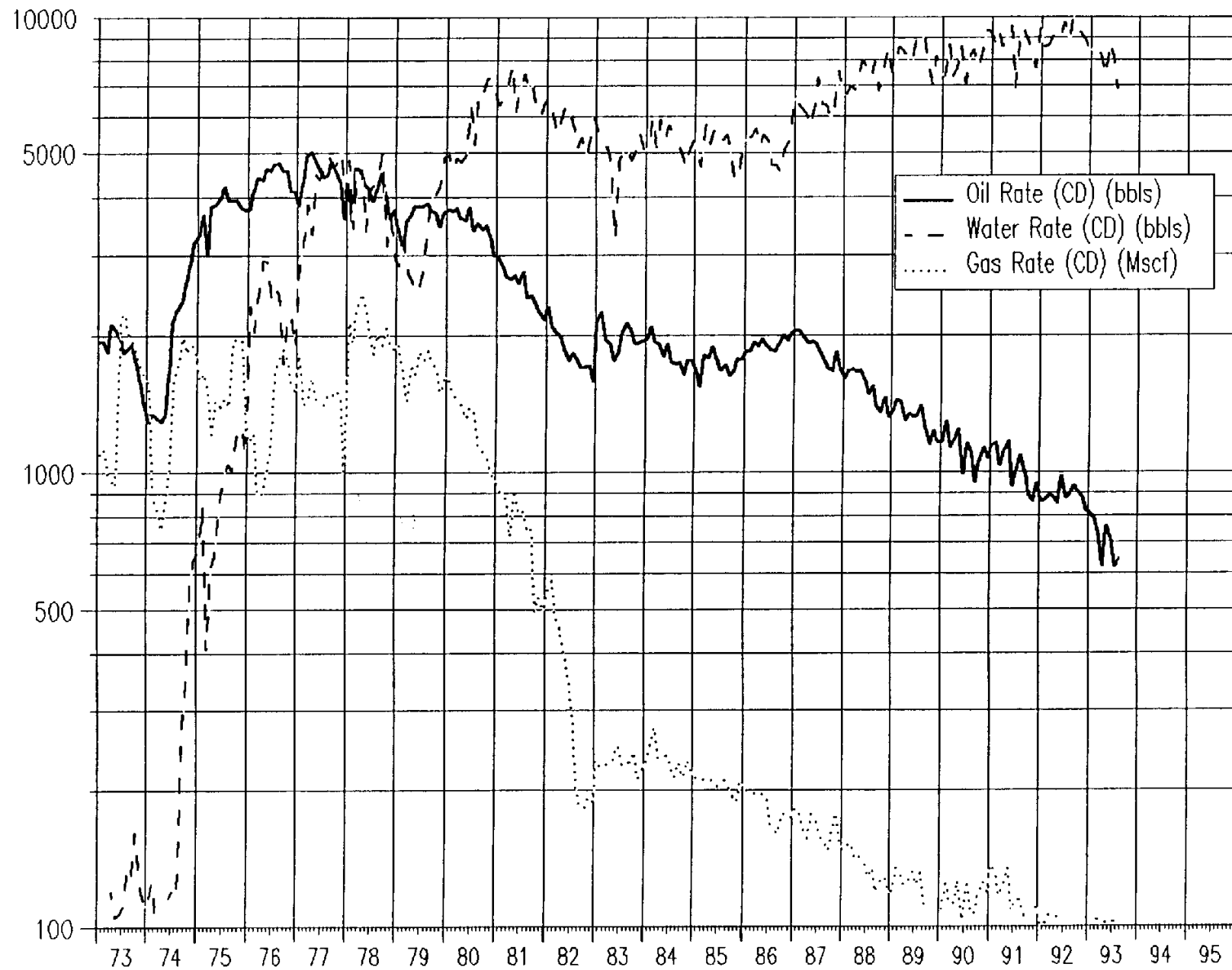
Lynette Entzi, Notary Public
Burleigh County, North Dakota
My Commission Expires: 6-26-99



DICKINSON AREA

CONOCO INC.
Case No. 5813
Exhibit No. 1

DICKINSON HEATH SAND UNIT
(PROD THROUGH 8/93)



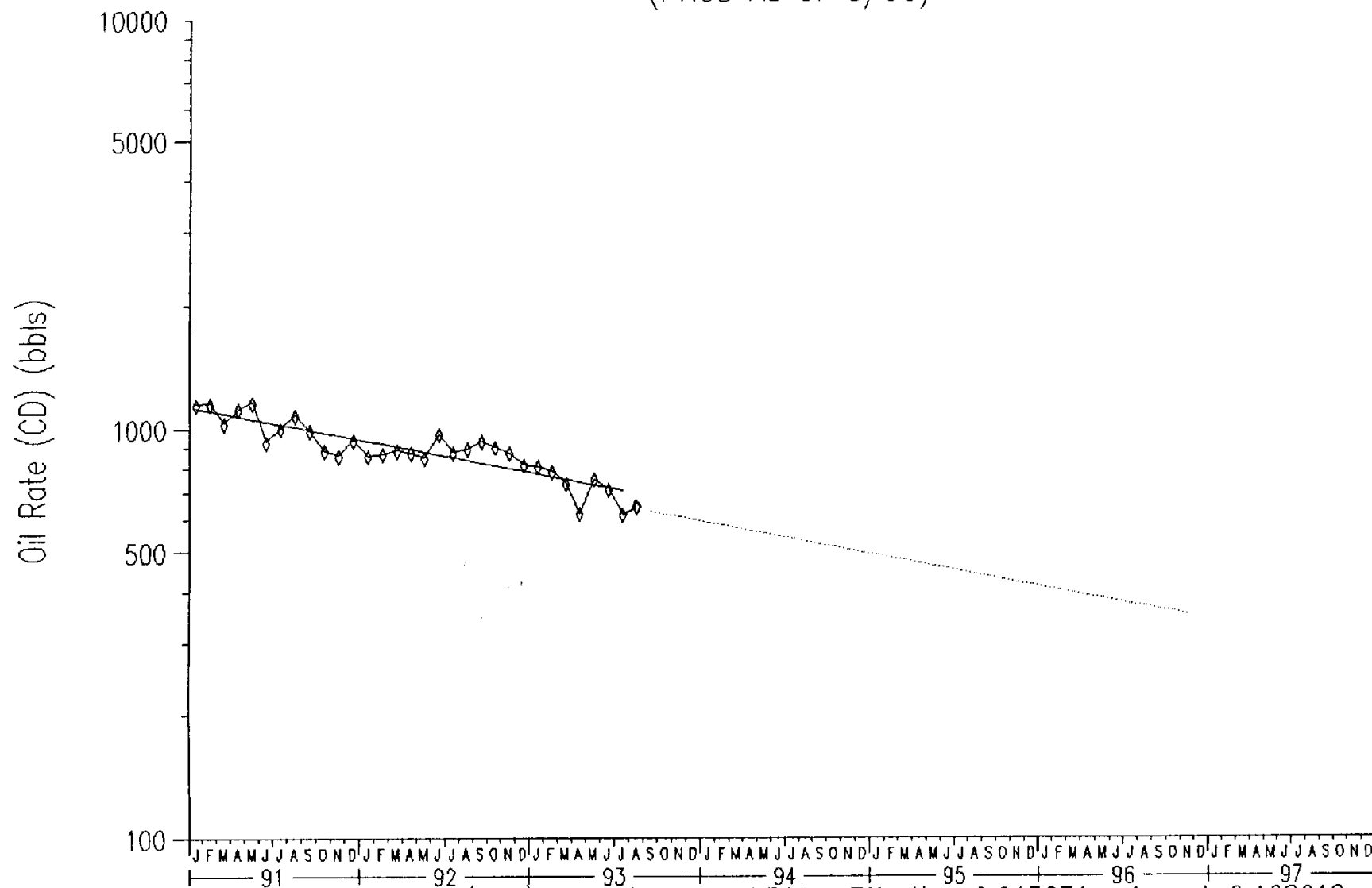
CONOCO INC.

Case No. 5813

EXHIBIT NO. 2

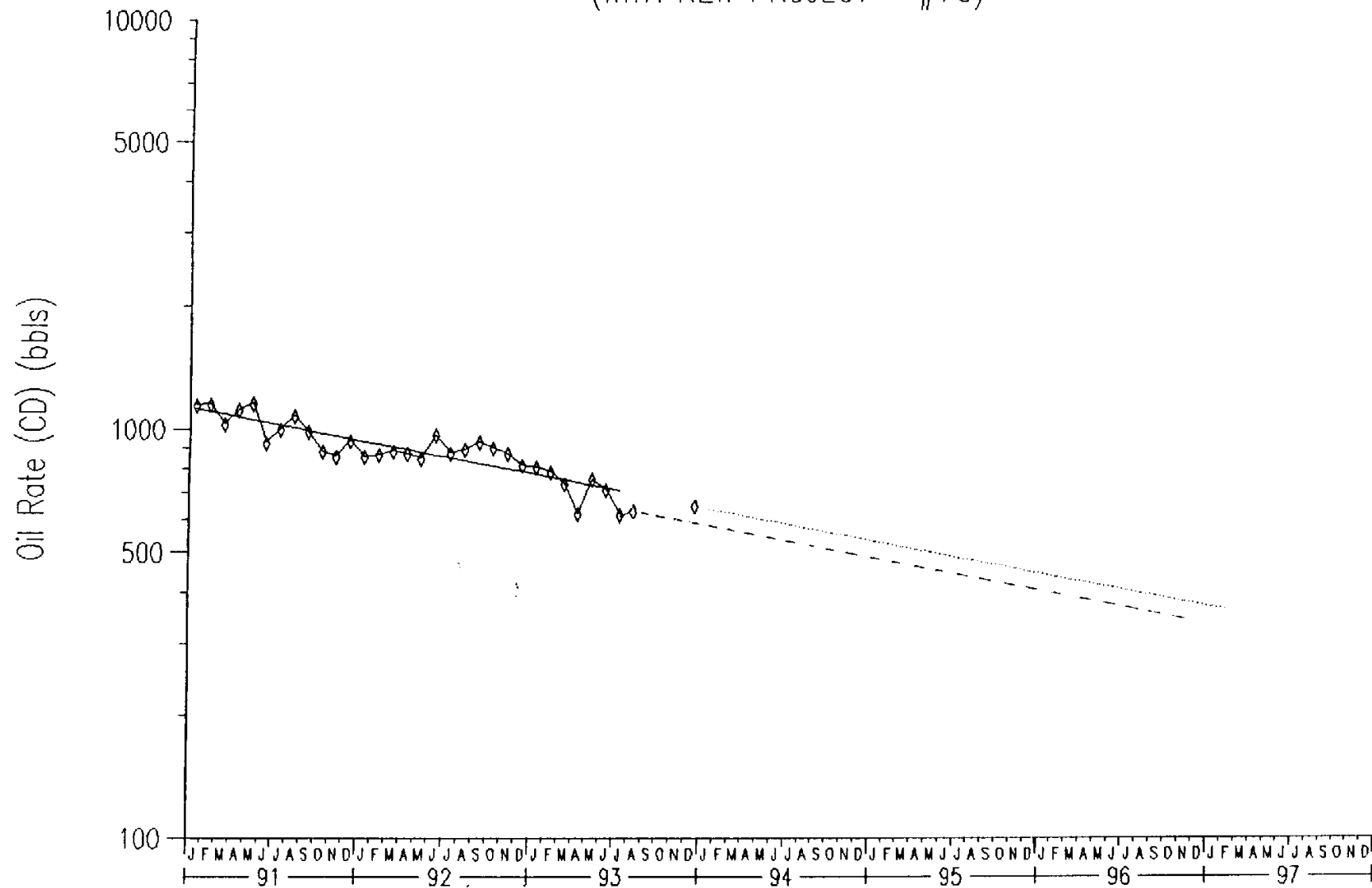
DICKINSON HEATH SAND UNIT
(PROD AS OF 8/93)

CONOCO INC.
Case No. 5813
EXHIBIT NO. 3



DICKINSON HEATH SAND UNIT
(WITH NEW PROJECT - #78)

CONOCO INC.
Case No. 5813
EXHIBIT NO. 4



ADDITIONAL RESERVES OF 73,700 BO

DATA SHEET

ANNUAL DECLINE RATE, 1987 – 91	13.7%
ANNUAL DECLINE RATE, 1991 – PRESENT	16.9%
REMAINING RESERVES UNDER CURRENT CONDITIONS	566 MSTB
REMAINING RESERVES WITH IMPLEMENTATION OF NEW PROJECT, DRILLING WELL #78	650 MSTB
ADDITIONAL RECOVERY	74 MSTB
SUPPLEMENTAL PROJECT IMPROVEMENTS:	
Reallocation of injection volumes	
Altering injection/production profiles	
Re – Sizing of injection/production facilities	

CONOCO INC.
Case No. 5813
EXHIBIT NO. 5

STATE OF NORTH DAKOTA)
)
 COUNTY OF BURLEIGH)
)

AFFIDAVIT OF MAILING

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the 6th day of October, 1993, I enclosed in separate envelopes true and correct copies of the attached Order No. 6728 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons, all of whom appeared at the hearing of the Industrial Commission in Case No. 5813:

Fleck, Mather & Strutz Ltd.
 400 E. Broadway
 Suite 600
 P. O. Box 2798
 Bismarck, ND 58502

Mr. Lawrence Bender
 Pearce & Durick
 P. O. Box 400
 Bismarck, ND 58502

Mr. Ken Daraie
 Conoco Inc.
 800 Werner Court
 Casper, WY 82601

Donna Bauer

Donna Bauer
 Oil & Gas Division

On this 6th day of October, 1993, before me personally appeared Donna Bauer to me known as the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

W. Margaret Rife
 Notary Public

State of North Dakota County of Burleigh
 My Commission expires 9-21-97

THE BISMARCK TRIBUNE

P.O. BOX 1498 BISMARCK, NORTH DAKOTA 58502-1498
(701) 223-2500 IN STATE (800) 472-2273

IND COMM-OIL & GAS DIV

**CR54

600 E BOULEVARD
BISMARCK NO 58505

AV

LEGAL PUBLIC

D=Distribution
I=Inches
L=Lines

BILL-TO NUMBER

109490-1

BILLING PERIOD

VENDOR NUMBER

DATES	DESCRIPTION	REFERENCE NUMBER	PROD. CODE	CLASS CODE	AD SIZE	TIMES	TOTAL UNITS	RATE
08-26 08-26	NOTICE OF PUBL	01094901	BT	0001		1	2211	.50

NOTICE OF PUBLICATION
NORTH DAKOTA

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 9:00 a.m. on September 22, 1993, Pioneer Room, State Capitol, Bismarck, North Dakota. For the purpose of this hearing, the Commission, any member thereof acting as Examiner, or an Examiner appointed by the Commission will receive testimony and exhibits.

STATE OF NORTH DAKOTA TO:

All named parties and persons having any right, title, interest, or claim in the following cases and notice to the public. CASE NO. 5811: ON A MOTION OF THE COMMISSION TO CONSIDER THE PROPER SPACING FOR THE DEVELOPMENT OF THE LAKE ILO-MADISON POOL, DUNN COUNTY, NORTH DAKOTA, REDEFINE THE LIMITS OF THE FIELD, AND ENACT SUCH SPECIAL FIELD RULES AS MAY BE NECESSARY. NORTH AMERICAN RESOURCES CO. CASE NO. 5812: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AUTHORIZING THE DRILLING OF A WELL AT A LOCATION APPROXIMATELY 1980 FEET FROM THE NORTH LINE AND 800 FEET FROM THE EAST LINE OF SECTION 14, T.160N., R.95W., DIVIDE COUNTY, NORTH DAKOTA, AS AN EXCEPTION TO THE APPLICABLE SPACING REQUIREMENTS FOR THE STONEVIEW-MADISON POOL AND SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS APPROPRIATE. CASE NO. 5813: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER CERTIFYING THE DICKINSON HEATH SAND UNIT LOCATED IN STARK COUNTY, NORTH DAKOTA, AS A "QUALIFYING SECONDARY RECOVERY PROJECT" FOR THE PURPOSE OF ACQUIRING THE TAX EXEMPTIONS AND/OR REDUCTIONS PROVIDED BY NDCC CHAPTER 57-51.1 AND SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION MAY DEEM APPROPRIATE. CASE NO. 5814: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AMENDING THE FIELD RULES FOR THE CINNAMON CREEK-BAKKEN POOL SO AS TO CREATE AND ESTABLISH A 640-ACRE SPACING UNIT CONSISTING OF SECTION 22, T.145N., R.102W., MCKENZIE COUNTY, NORTH DAKOTA, AUTHORIZING THE DRILLING OF ONE HORIZONTAL BAKKEN WELL THEREIN AND/OR SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS APPROPRIATE. CASE NO. 5815: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AMENDING THE FIELD RULES FOR THE HAY DRAW BAKKEN POOL SO AS TO CREATE AND ESTABLISH A 640-ACRE SPACING UNIT CONSISTING OF SECTION 4, T.146N., R.102W., MCKENZIE COUNTY, NORTH DAKOTA, AUTHORIZING THE DRILLING OF ONE HORIZONTAL BAKKEN WELL THEREIN AND/OR SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS APPROPRIATE.

CASE NO. 5816: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF GEORESOURCES, INC. FOR AN ORDER POOLING ALL INTERESTS IN A SPACING UNIT FOR THE LANDA-MADISON POOL DESCRIBED AS THE S/2 SE/4 OF SECTION 28, T.163N., R.79W., BOTTINEAU COUNTY, NORTH DAKOTA, AND AUTHORIZING THE RECOVERY OF A RISK PENALTY AGAINST ALL LESSEES WHO ELECT NOT TO PARTICIPATE IN RISK AND COSTS OF DRILLING A WELL THEREON. CASE NO. 5824: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF AMERADA HESS CORPORATION FOR AN ORDER DETERMINING THAT THE SECONDARY RECOVERY PROJECT CERTIFIED AS A QUALIFYING SECONDARY RECOVERY PROJECT BY THE COMMISSION IN ITS ORDER NO. 6626, DATED APRIL 8, 1993, HAS COMMENCED IN THE ANTELOPE-DEVONIAN UNIT, MCKENZIE COUNTY, NORTH DAKOTA, AND DETERMINING AND ESTABLISHING A PRODUCTION DECLINE CURVE AS REQUIRED BY SUBSECTION 3 OF SECTION 43-02-10-06 OF THE NORTH DAKOTA ADMINISTRATIVE CODE. CASE NO. 5818: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER PROVIDING FOR THE UNITIZED MANAGEMENT, OPERATION, AND FURTHER DEVELOPMENT OF THE TRACY MOUNTAIN (TYLER SAND) UNIT AREA, CONSISTING OF PORTIONS OF THE TRACY MOUNTAIN FIELD IN BILLINGS COUNTY, NORTH DAKOTA; FOR APPROVAL OF THE UNIT AGREEMENT AND UNIT OPERATING AGREEMENT CONSTITUTING THE PLAN OF UNITIZATION FOR THE TRACY MOUNTAIN (TYLER SAND) UNIT AREA; FOR APPROVAL OF THE PLAN OF OPERATION; VACATING THE APPLICABLE SPACING ORDERS; AND FOR SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION DEEMS APPROPRIATE. CASE NO. 5819: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN SHAPIRO #23-10 WELL, LOCATED IN THE NE SW OF SECTION 10, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5820: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN SHAPIRO #23-10 WELL, LOCATED IN THE NE SW OF SECTION 10, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5821: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN CUSTER STATE #11-8 WELL, LOCATED IN THE NW NW OF SECTION 8, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5822: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN SHAPIRO #22-10 WELL, LOCATED IN THE NE NW OF SECTION 10, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5823: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER DETERMINING THAT THE PLAN OF UNITIZATION FOR THE TRACY MOUNTAIN (TYLER SAND) UNIT AREA, BILLINGS COUNTY, NORTH DAKOTA, HAS BEEN SIGNED, RATIFIED OR APPROVED BY OWNERS OF INTEREST OWNING THAT PERCENTAGE OF THE WORKING INTEREST AND ROYALTY INTEREST WITHIN SAID UNIT AS IS REQUIRED BY APPLICABLE STATUTES AND RULES OF THE COMMISSION. CASE NO. 5817: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF MERIDIAN OIL INC. FOR AN ORDER ALLOWING THE INJECTION OF WATER INTO THE BICENTENNIAL-BAKKEN POOL IN THE NW NE OF SECTION 29, T.145N., R.103W., MCKENZIE COUNTY, NORTH DAKOTA.

CASE NO. 5821: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN CUSTER STATE #11-8 WELL, LOCATED IN THE NW NW OF SECTION 8, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5822: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER AUTHORIZING THE CONVERSION OF THE DUNCAN SHAPIRO #22-10 WELL, LOCATED IN THE NE NW OF SECTION 10, T.138N., R.101W., TRACY MOUNTAIN FIELD, BILLINGS COUNTY, NORTH DAKOTA, FOR THE INJECTION OF FLUIDS IN THE PROPOSED TRACY MOUNTAIN (TYLER SAND) UNITIZED FORMATION PURSUANT TO CHAPTER 43-02-05 OF THE NORTH DAKOTA ADMINISTRATIVE CODE, AND PROVIDING SUCH OTHER AND FURTHER RELIEF AS THE COMMISSION DEEMS NECESSARY. CASE NO. 5823: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF DUNCAN ENERGY COMPANY FOR AN ORDER DETERMINING THAT THE PLAN OF UNITIZATION FOR THE TRACY MOUNTAIN (TYLER SAND) UNIT AREA, BILLINGS COUNTY, NORTH DAKOTA, HAS BEEN SIGNED, RATIFIED OR APPROVED BY OWNERS OF INTEREST OWNING THAT PERCENTAGE OF THE WORKING INTEREST AND ROYALTY INTEREST WITHIN SAID UNIT AS IS REQUIRED BY APPLICABLE STATUTES AND RULES OF THE COMMISSION. CASE NO. 5817: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF MERIDIAN OIL INC. FOR AN ORDER ALLOWING THE INJECTION OF WATER INTO THE BICENTENNIAL-BAKKEN POOL IN THE NW NE OF SECTION 29, T.145N., R.103W., MCKENZIE COUNTY, NORTH DAKOTA.

Signed by,
Edward T. Schafer, Governor
Chairman, ND Industrial Commission
8/26 - 3345

OF NORTH DAKOTA, PERSONALLY APPEARED
BEFORE THE CLERK OF THE BISMARCK TRIBUNE
ON 8-30-93 WERE MADE THROUGH THE AFO
SIGNED *Clota Mesa*
30 DAY OF August
Clota, Residing at Bismarck

TRICIA J. NELSON
Public, STATE OF NORTH DAKOTA
Commission Expires NOV. 23, 1997

TERMS
for following charges

SOLD-TO NUMBER
109490-1

IND COMM-OIL & GAS DIV

LEGAL PUBLIC

INVOICE NO. 109490

dk

CERTIFICATE OF PUBLICATION
THE DICKINSON PRESS
Dickinson, North Dakota

NOTICE OF PUBLICATION
NORTH DAKOTA 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 9:00 a.m. on September 22, 1993, Pioneer Room, State Capitol, Bismarck, North Dakota. For the purpose of this hearing, the Commission, any member thereof acting as Examiner, or an Examiner appointed by the Commission will receive testimony and exhibits.

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.
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Signed by,
Edward T. Schafer, Governor
Chairman, ND Industrial Commission
(Published Aug. 25, 1993)

STATE OF NORTH DAKOTA, }

County of Stark.

Belle L. Krank, of said state and county, being first duly

sworn, on oath says: That s he 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 _____

Legal--Case No. 5813

\$19.61

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 25

day of August A.D. 1993, and ending on the 25

day of August A.D., 1993, both inclusive.

Belle L. Krank

Sworn to and subscribed to before me this 25th day of

August A.D. 1993.

Marlyn Wanner

MARLYN WANNER
Notary Public, STARK COUNTY, N.DAK.
My Commission Expires APRIL 28 1994