BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 7534 ORDER NO. 8853

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER ELIMINATING THE INTERWELL DISTANCE AND AMENDING THE SURFACE CASING, GAS-OIL RATIO, AND BOTTOM HOLE PRESSURE TESTING REQUIREMENTS FOR ALL SECONDARY RECOVERY PROJECTS AND POOLS LOCATED IN THE FOLLOWING FIELDS WITHIN DIVIDE COUNTY, NORTH DAKOTA: AMBROSE, BAUKOL NOONAN, BIG DIPPER, BURG, COLGAN, DANEVILLE, DOLPHIN, EAST GOOSE LAKE, FLAT LAKE EAST, FORTUNA, GOOSENECK, HAMLET, HAYLAND, KIMBERLY, MORAINE, MUSTA, NOONAN, NORTH TIOGA, SADLER, SKABO, SKJERMO, STONEVIEW, WEST AMBROSE, WILDROSE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 20th day of December, 2000. Order No. 8800, dated January 4, 2001, continued this matter for 60 days or until further order of the Commission.
- (2)Special field rules are currently in effect for the Ambrose-Duperow and Red River Pools, Baukol Noonan-Duperow and Madison Pools, Big Dipper-Duperow, Madison and Red River Pools, Burg-Red River and Silurian Pools, Colgan-Duperow Pool, Daneville-Birdbear, Gunton, Madison, Red River and Winnipegosis Pools, Dolphin Dawson Bay Unit, Dolphin-Bakken, Dawson Bay, Madison and Souris River Pools, East Goose Lake-Madison Pool, Flat Lake East Ratcliffe Unit, Flat Lake East-Madison Pool, Fortuna-Red River Pool, Gooseneck-Duperow and Red River Pools, Hamlet-Bakken, Duperow, Madison and Winnipegosis Pools, Hayland-Madison Pool, Kimberly-Birdbear, Duperow and Madison Pools, Moraine-Duperow, Madison, Silurian and Winnipegosis Pools, Musta-Duperow Pool, Noonan-Madison Pool, North Tioga-Bakken, Madison, Red River, Stonewall and Winnipegosis Pools, Sadler-Bakken and Madison Pools, Skabo-Madison Pool, Skjermo-Duperow and Red River Pools, Stoneview Stonewall Unit, Stoneview-Bakken, Duperow, Madison, Red River, Stonewall and Winnipegosis Pools, West Ambrose-Duperow Pool, and Wildrose-Madison and Souris River Pools in Divide County, North Dakota. Said rules require the following:
 - (a) Surface casing is not required to be set at a point deep enough to protect the fresh waters found within the Fox Hills Formation.

- (b) All wells drilled must maintain an interwell setback from any well permitted to or producing from each respective pool.
- (c) Semiannual gas-oil ratio tests must be conducted.
- (d) Annual reservoir pressure tests must be conducted.
- (3) Potable waters are located within the Fox Hills Formation and sufficient surface casing should be set to protect such waters.
- (4) An interwell setback prevents operators from drilling a well at an optimum location in the reservoir. A well drilled at an optimum location may produce oil that might otherwise not be produced, therefore, the interwell setback should be eliminated.
- (5) Semiannual gas-oil ratio tests are a financial burden on operators and should be required annually only when the gas is not being marketed, although additional tests conducted by the operator may provide valuable information and should be submitted to the Commission.
- (6) Annual reservoir pressure tests on existing wells are a financial burden on operators and should be required only when a new well is completed in the pool, although additional tests conducted by the operator may provide valuable information and should be submitted to the Commission.
 - (7) There were no objections to this case.
- (8) The aforementioned protection of potable waters and relief from certain field rules will prevent waste, avoid the drilling of unnecessary wells, and protect correlative rights.

IT IS THEREFORE ORDERED:

- (1) Commission orders establishing special field rules for the aforementioned pools in paragraph (2) above are hereby amended to provide for the following:
 - (a) Surface casing shall be set and cemented at a point not less than 50 feet below the base of the Fox Hills Formation.
 - (b) No interwell setback shall be required to a well permitted to or producing from any respective pool.
 - (c) The gas-oil ratio of all wells not connected to a gas gathering system shall be measured annually during the month of May. The reservoir pressure shall be measured within 45 days in all wells hereinafter completed in any pool. Drill stem test pressures are acceptable for determining reservoir pressure. Pressure measurements shall be made at or adjusted to its respective subsea datum after the well has been shut in for a minimum of 48 hours. All gas-oil ratio and reservoir pressure determinations shall be made by methods approved by the Director and reported to the Director within 15 days following the end of the month in which they are determined. The Director is

authorized to waive these requirements if the necessity therefor can be demonstrated to his satisfaction. All additional gas-oil ratio and reservoir pressure determinations conducted on any well, but not specifically required herein, shall be reported to the Director within 15 days following the end of the month in which they are determined.

- (2) Paragraph (8) of Commission Order No. 8589, which sets forth the gas-oil ratio and reservoir pressure requirements for the North Tioga-Red River Pool, shall remain in full force and effect until further order of the Commission.
- (3) Paragraph (13) of Commission Order No. 8593, which sets forth the gas-oil ratio and reservoir pressure requirements for the Skabo-Madison Pool, shall remain in full force and effect until further order of the Commission.
- (4) Paragraph (9) of Commission Order No. 8590, which sets forth the gas-oil ratio and reservoir pressure requirements for the Wildrose-Souris River Pool, shall remain in full force and effect until further order of the Commission.
- (5) This order shall remain in full force and effect until further order of the Commission.

Dated this 15th day of February, 2001.

INDUSTRIAL COMMISSION STATE OF NORTH DAKOTA

- /s/ John Hoeven, Governor
- /s/ Wayne Stenehjem, Attorney General
- /s/ Roger Johnson, Commissioner of Agriculture

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the <u>21st</u> day of <u>February, 2001</u>, enclosed in separate envelopes true and correct copies of the attached Order No. <u>8853</u> of the North Dakota Industrial Commission, and deposited the same with the United State Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. <u>7534</u>:

John Morrison Fleck, Mather & Strutz Ltd. P. O. Box 2798 Bismarck, ND 58502

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

Donna Bauer

Oil & Gas Division

On this <u>21st</u> day of <u>February, 2001</u>, before me personally appeared <u>Donna Bauer</u> 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.

Notary Public

State of ND, County of Burleigh My Commission expires 11-03-2004

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STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the 17th day of January, 2001, enclosed in separate envelopes true and correct copies of the attached Order No. 8800 of the North Dakota Industrial Commission, and deposited the same with the United State Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 7534:

John Morrison Fleck, Mather & Strutz Ltd. P. O. Box 2798 Bismarck, ND 58502

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

Donna Bauer
Oil & Gas Division

On this <u>17th</u> day of <u>January, 2001</u>, before me personally appeared <u>Donna Bauer</u> 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.

Notary Public

State of ND, County of Burleigh My Commission expires 11-03-2004

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BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 7534 ORDER NO. 8800

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER ELIMINATING THE INTERWELL DISTANCE AND AMENDING THE SURFACE CASING, GAS-OIL RATIO, AND BOTTOM HOLE PRESSURE TESTING REQUIREMENTS FOR ALL SECONDARY RECOVERY PROJECTS AND POOLS LOCATED IN THE FOLLOWING FIELDS WITHIN DIVIDE COUNTY, NORTH DAKOTA: AMBROSE, BAUKOL NOONAN, BIG DIPPER, BURG, COLGAN, DANEVILLE, DOLPHIN, EAST GOOSE LAKE, FLAT LAKE EAST, FORTUNA. GOOSENECK, HAMLET. HAYLAND. KIMBERLY, MORAINE, MUSTA, NOONAN, NORTH TIOGA, SADLER, SKABO, SKJERMO, STONEVIEW, WEST AMBROSE, WILDROSE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 20th day of December, 2000.
- (2) North Dakota Century Code Section 38-08-11 provides the Commission shall enter its orders within thirty (30) days after hearing.
- (3) The issues in this case are of such complexity that additional time is necessary for the Commission to render a decision, therefore, this matter should be continued.

IT IS THEREFORE ORDERED:

(1) This matter is hereby continued for sixty (60) days or until further order of the Commission.

Dated this 12th day of January, 2001.

INDUSTRIAL COMMISSION STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission.

/s/ Lynn D. Helms, Director

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 December 20, 2000, Judicial Room, Doublewood Inn, 1400 East Interchange Avenue, 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.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Industrial Commission at 70l-328-3722 by December 6, 2000.

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. 7534: On a motion of the Commission to consider eliminating the interwell distance and amending the surface casing, gas-oil ratio, and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Divide County, North Dakota: Ambrose, Baukol Noonan, Big Dipper, Burg, Colgan, Daneville, Dolphin, East Goose Lake, Flat Lake East, Fortuna, Gooseneck, Hamlet, Hayland, Kimberly, Moraine, Musta, Noonan, North Tioga, Sadler, Skabo, Skjermo, Stoneview, West Ambrose, Wildrose.

Signed by, Edward T. Schafer, Governor Chairman, ND Industrial Commission

(11-29)

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Affidavit of Publication

State of North Dakota, County of Divide, ss:

I, Steven J. Andrist, being first duly sworn, on my oath, say that I am the publisher of The Journal, a weekly newspaper of general circulation and official newspaper of Divide County, State of North Dakota, published in the city of Crosby, ND, and that the advertisement headed

Notice of publication a printed copy of which is here attached, was published in The Journal on the following dates: Lines @ Lines @ Lines @ November 29, 2000 Column Inches @ 4.50 Column Inches @ = \$ Column Inches @ = \$ Notary/Affidavit Fee\$ 36.00° s Total Charge Signed Steven J. Andrist, Publisher Subscribed and sworn to before me December 7, 2000

> Donna Molander Notary Public, State of North Dakota My Commission Expires December 14, 2006

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the NE/4 SE/4 of Section 28, 1,148/N., R.104W., McKenzie County, North Dakota, define the limits of the field, and enact such special field rules as may be necessary. Case No. 7522: On a motion of the Commission to consider the application of Petro-Hunt, LLC. for an order amending the applicable orders for the Little Knife-Duperow Pool so as to eliminate the requirement that any well located within Zone I of the pool be located in the NE or SW quarter of each section or for such other and further rulef as the Commission deems appropriate and which will allow the Zabolotry; #3D-44 well to be drilled to and completed in the Little Knife-Duperow. Pool at a location approximately. 1837 feet from the morth line of Section 3, T144N., R.98W. Billings County, North Dakota. Case-No. 7523: On a motion of the Commission to consider the application of Upton Resources USA Inc. for an order amending, the field rules for the Rocky Hill-Madison Pool so as to create and establish a zone of 460-acre. spacing for Section 7, T.138N., R.99W. Stark County, North Dakota, authorizing the drilling of not more than two horizontal wells within said section, and/or such other and further relief as the Commission deems appropriate. Case No. 7524: On a motion of the Commission to consider the application of Upton Resources USA, Inc. for an order amending the field rules for the Davis Creek-Madison Pool and the Norwegian Greek-Madison Pool os as to create and establish a zone of 640-acre spacing for Section 32. T.139N., R.10W., Billings: County, North Dakota, authorizing the drilling of a horizontal well w County, North. Dakota, authorizing the infilling of a horizontal well within said section, and/or such other and further relief as the Commission deems appropriate. Case No. 7528. On a motion of the Commission to consider the application of Belco Energy Corp. for an order creating a 640-acre drilling unit consisting of all. of Section: 6: 1.142Nn. 875W, Dunn County, North Dakota, authorizing the drilling of a horizontal well therein at a location not less than 500 feet from the boundary of the proposed drilling unit as an exception to the provisions of Section 43-02-03-18 of the North Dakota Administrative Code, and such other and further relief as the Gommission deems appropriate. Case No. 7522. On a motion of the Commission to consider eliminating the intervell distance and amending the gas-oil ratio and bottom, hole pressure testing requirements for all spools located in the following fields, within Adams County, North Dakota: Cow Butte. Case No. 7530: On a motion of the Commission to consider eliminating the intervell distance and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery-projects and pools located in the following fields within Billings County, North Dakota: Ash Coulee, Barra, Beaver Creek, Big Scick, Buckhorn, Bull Creek, Bullsmake, Davis Creek, Deviores, Devils Pass, Elkhorn Ranch, Four-gyes, Fryburg, Glade, Hungry Man Butte, Ice Caves, Knutson, Little Knife, Magpie, Marquis, Medora, Morgan Draw, North Elkhorn Ranch, Rocky Hill, Rocky Ridge, Roosevelt, Saddle Butte, T. R., Tracy Mountain, Tree Top, Wannagan, Whiskey Joe, and Whitestall, Case No. 7531; On a motion of the Commission to consider eliminating the intervell distance and amending the surface casing gas-oil ratio, and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Bottineau Gounty, North Dakota: Andre Baumann Drain, Cimbel, Elms, Glenburdments for all secondary recovery projects and pools located in the follow

Lesje, Mohall, Mountrose, Newburg, North Haas, North Roth, North Souris, North Westhope, Northeast Landa, Prescott, Refuge, Renville, Roth, Russell, Scandia, Scotia, Sergis, Sherman, Souris, South Ander Creek, South Landa, South Srarbuck, South Westhope, Southwest Haas, Southwest Landa, Southwest Databuck, Spring Coulee, Starbuck, Stinson, Wayne, West Roth, Wheaton, Wiley and Zion Case No. 7532.

On a motion of the Commission to considereliminating the interwell distance and amending the gas-oil ratio and Bottom-hole pressure testing requirements for all secondary recovery projects and pools located in the following fields, within Bowman County, North Dakotza Amor, Austin, Cedar Creek, Cedar-Hills, Cold Turkey Creek, Corey-Butte, Coyote Creek, Gold, Grand, River, Horse Creek, Ives, Little Missouri, Medicine Pole Creek, Ives, Little Missouri, Medicine Pole Hills, Rattlesnake Burtes, Skull Creek, South Horse Creek, State Line and Sunset Burtes. Case No. 7533; On a motion of the Commission to consider eliminating the intervell distance and amending the surface casing gas-oil ratio, and bottom hole pressurecasing gas-oil ratio, and bottom hole pressure-testing requirements for all secondary recov-ery projects and pools located in the follow-ing fields within Burke County, North Dakota: Battleview, Black Slough, Bowbells, Carter, Columbus, Coteau, Customs, Dale, Flaxton, Foothills, Lakeside, Lignie, Little Butte, Eucy, Minnesota, Niobe, North Star, North-Tioga, Northeast Foothills, Perella, Pickett, Portal, Rennie Lake, Rival, Short Creek, South, Careau, Singl. Stongarder, Strong Bun-Coteau, Spiral, Stoneview, Stony Skin, Thompson Lake, Tioga, Upper Des Lacs. Thompson Lake, Tloga, Upper Desi Lacy, Varville, Wiking, Woburn, Case No. 7534: On a motion of the Commission to consider eliminating the interwell distance and amending the surface casing, gas-oil ratio, and bottom hole pressure resting requirements for all secondary recovery projects and pools located in the following fields within Divide County, North Dakota: Ambrose, Balkoi Noonan, Big Dipper, Burg, Colgan, Daneville, Dolphin, East Goose, Lake, Flat: Lake East, Fortuna. Gooseneck, Hamlet, Hayland, Kimberly, Moraline, Musta, Noonan, North Tloga, Sadler, Skabo, Skjermo, Stoneview, West Ambrose, Wildrose, Case No. 7535; On. a motion of the Commission to consider eliminating the intervell distancer and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Dunn County, North Dakotas Balley, Barta, Bear Toreek, Big. Guich, Cabernet, Cedar Coulee, Crooked-Crest, Eagle Nest, Fayette, Jim Creek, Clarkeler, Lake, Jio, Little Knife, Lone Butte, Lost, Bridge, Murphy Creek, Cakeler, Balk, Jio, Little Knife, Lone Butte, Lost, Bridge, Murphy Creek, Cakeler, Rustlessnake Point, Round Top, Butte, Russian Creek, Saxon, Simon, Butte, Werner, Willmen, Wolf. Bay, Case No. 7536; On. a motion of the Commission to consider eliminating, the interwell distance and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Nethenry County, North Dakota: Bayes of the Commission to consider eliminating the interwell distance and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within McHenry County, North Dakota: Pape Butte, Case No. 7533 On a motion of the Commission to consider eliminating the interwell distance and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery projects and pools l Last Chance, Little Knife, Little Tank, Lone Butte, Lonesome, Mondak, Nameless, Nelson Bridge, Nohly Lake, North Branch, North Fork, Patent Gate, Pershing, Phelps Bay, Pierre Creek, Poe, Poker Jim, Pronghorn, Ragged Butte, Ranch Coulee, Randolph, Rawson, Red Wing Creek, Rough Rider, Sakakawae, Sand Creek, Sandrocks, Sather Lake, Scairt Woman, Sioux, Snowcover, South Boxcar, Squaw Creek, Squaw Gap, Tobacco Garden, Todd, Trailside, Trenton, Union Center, Westberg,

Winter Butte, Yellowstone. Case No. 2340: On a motion of the Commission to consider eliminating the interwell distance and amending the surface casing, gas-oil ratio, and bottom hole pressure teating requirements of all pools located in the following fields within McLean County, North Dakota: Centennial, Lucky Mound, Raub. Case No. 7541: On a motion of the Commission to consider eliminating the interwell distance and amending the surface casing, gas-oil ratio, and bottom hole pressure testing requirements, for all secondary recovery projects and pools located in the following fields within Mountrail County, North Dakota: Banner, Big Bend, Osloe, Plaza, Pleasant Valley, Prairie Junction, Southwest-Aurelia, Stanley, Tioga, Wabek, White Earth: Case No. 7542: On a motion of the Commission to consider eliminating the interwell distance and amending the sur-Southwest Aurelia, Stanley, Tioga, Wabek, White Earth. Case No. 7542: On a motion of the Commission to consider eliminating the interwell distance and amending the surface, casing, gas-oil ratio, and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Renville County, North Dakota: Choka Clay, Colathoun, Culver, Des Lact, Donnybrook, Dry Creek, Eden Valley, Elmore, Glenburn, Grassland, Greene, Grover, Hedberg, Hurley, Ivanboa, Lake Darling, Little Deep Creek, Lockwood, Loraine, Mackobee Coulee, McKinney, Mohall, Mouse River Park, Newporte, Norma, North Grano, North Mouse River Park, Newporte, Norma, North Mouse River Park, Pleasant, Prescott, Sevennille, Goulee, Sherwood, Smith, South Antler Creek, South Pleasant, Folley, Truro, West Greene, Windmill; Case, 10, 7543: On a motion of the Commission to consider eliminating the interwell distance and amending the gas-oil ratio and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Slope County, North Dakota: Cedar Hills, Rocky, Ndge, Scheffeld, and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Slope County, North Dakota: Consider eliminating, the interwell distance and amending the gas-oil ratio, and bottom hole pressure testing requirements for all secondary recovery projects and pools located in the following fields within Slope County, North Dakota Buck, Park, Pland, tom hole pressure testing requirements for all-secondary recovery projects and pools located in the following fields within Williams County, North Dakota: Avoca, Battleview, Beaver Lodge, Big Meadow Bonetrali, Bistord, Capa, Catwalk, Charlson, Cow Creek, Crazy Man Creek, Dollar Joe, Dublin, East-Fork, Eightmile, Epping, Ft. Buford, Glass Bluff, Grenora, Grinnell, Hanson, Hardscrafble, Helle Slough, Hofflund, Indian Hill, Last, Chance, Lindalif, Marmon, McGregor, Midway, Missouri Ridge, North Tioga, Northwest McGregor, Pleasant Valley, Ray, Rosebud, Round Prairie, Sauk, Stemile, South McGregor, Stockyard Creek, Stony, Creek, Emple, Tioga, Todd, Trenton, Truax, Tyrone, West, Capa, West Toga, Williston, Willow Creek m hole pressure testing requirements for Sptring Temple, Tloga, West Capa, West Tloga, West Capa, West Tloga, West Capa, West Tloga, West Capa, Signed by, Edward T. Schafer, Governor Chairman, ND Industrial Commission 1/30 – 137769

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NOTICE OF PUBLICATION

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
am on December 20, 2000, Judicial Room,
DoublewGod Inn, 1400 East Interchange
Avenue, 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.
ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and
will need special facilities or assistance relating to a disability, please contact the North
Dakota Industrial Commission at 701-3283722 by December 6, 2000.
STATE OF NORTH DAKOTA TO:
All named parties and persons having any

STATE OF NORTH DAKCTA TO: All named parties and persons having any right, title, interest, or claim in the following cases and notices to the public. <u>Case No. 75211</u>. On a motion of the Commistrot to consider the temporary or proper spacing for the development of an oil and/or gas pool discovered by the Nance Petroleum Corporation #16-28X Federal well, located in

EGEND BILLING PERIOD 2. 3. 4.