

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 8208
ORDER NO. 9641

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE APPLICATION OF LYCO
ENERGY CORPORATION FOR AN ORDER
PURSUANT TO NORTH DAKOTA
ADMINISTRATIVE CODE SECTION 43-02-03-
88.1 EXEMPTING THE PLUMER-LUNDQUIST
#25-2 WELL, LOCATED IN THE NW/4 NE/4 OF
SECTION 25, T.161N., R.99W., DIVIDE
COUNTY, NORTH DAKOTA, FROM THE
PROVISIONS OF NORTH DAKOTA CENTURY
CODE SECTION 38-08-06.4 RELATING TO THE
FLARING OF GAS.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

(1) This cause came on for hearing at 9:00 a.m. on the 24th day of March, 2004.

(2) Pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, flaring exemptions under North Dakota Century Code (NDCC) Section 38-08-06.4 and under NDAC Section 43-02-03-60.2.

(3) NDCC Section 38-08-06.4 states:

As permitted under rules of the industrial commission, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well, or until June 30, 1986, for wells in production prior to July 1, 1985. Thereafter, flaring of gas from the well must cease and the well must either be capped or connected to a gas gathering line. For a well operated in violation of this section, the producer shall pay royalties to royalty owners upon the value of the flared gas and shall also pay gross production tax on the flared gas at the rate imposed under section 57-51-02.2. The industrial commission may enforce this section and, for each well operator found to be in violation of this

section, may determine the value of flared gas for purposes of payment of royalties under this section and its determination is final. A producer may obtain an exemption from this section from the industrial commission upon application and a showing that connection of the well to a natural gas gathering line is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available.

(4) Applicant is the owner or operator of the following well in the Burg-Red River Pool, Divide County, North Dakota:

<u>File #</u>	<u>Well Name & Number</u>	<u>Location</u>
14775	Plumer-Lundquist #25-2	NW NE Section 25-T161N-R99W

(5) The Burg-Red River Pool is an oil reservoir, but gas is produced in association with the oil at the wellhead as a by-product of oil production.

(6) By previous order of the Commission, said well is currently authorized to flare so that all owners of interests in the well herein described may receive the maximum benefits of the oil production in such a manner that will prevent waste and protect correlative rights.

(7) The well is currently not connected to a gas gathering facility and that evidence presented to the Commission indicates that the well currently produces approximately 19.5 MCF per day, of which 4.5 MCF is used for lease operations and 15 MCF is surplus gas and is being flared.

(8) The well is located approximately 12 miles from the nearest gas gathering system.

(9) The applicant has estimated the total project cost of purchasing and installing a gas pipeline at a minimum of \$100,000.

(10) The applicant submitted evidence indicating estimated recoverable gas reserves of 14,947 MCF, of which 3,449 MCF is surplus gas that would be available for sale.

(11) The applicant has estimated the value of the gas to be \$4.79 per MCF, based upon the value of gas being sold in the area which is similar in composition .

(12) The net value (after royalty payments and state taxes) of the gas available for sale is \$13,444, therefore, since the total project cost is \$100,000, there are insufficient reserves of surplus gas to recoup the costs of installing and operating a gas gathering facility.

(13) The applicant has submitted evidence that under current market conditions the surplus casinghead gas presently being produced by the well and the estimated recoverable reserves of surplus gas from the well is insufficient to recoup the costs of installing and operating a gas gathering facility.

(14) If applicant's request is not granted, taxes and royalties must be paid on flared gas which will increase operating costs, raise the economic limit and cause premature abandonment of

the well; or the well must be connected to a gas pipeline at an economic loss which would also cause premature abandonment, or flaring must cease and the well must be "capped," resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the well and the State of North Dakota.

(15) Considering the amount of surplus gas being produced by the well, the amount of estimated recoverable reserves from the well, and the cost to connect the well to a gas pipeline, it is not economic at this time, or in the foreseeable future, to connect the well to a gas gathering facility.

(16) In order to prevent waste, and protect correlative rights this application should be granted.

IT IS THEREFORE ORDERED:

(1) The applicant, its assigns and successors, is hereby allowed to flare surplus casinghead gas produced with crude oil from the Burg-Red River Pool through the well listed below under the exemption provided for under NDCC Section 38-08-06.4.

<u>File #</u>	<u>Well Name & Number</u>	<u>Location</u>
14775	Plumer-Lundquist #25-2	NW NE Section 25, T.161N., R.99W.

(2) This order shall remain in full force and effect until further order of the Commission.

Dated this 23rd day of April, 2004.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN5729

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the 27th of April, 2004 enclosed in separate envelopes true and correct copies of the attached Order No. 9641 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 by the Industrial Commission in Case No. 8208:

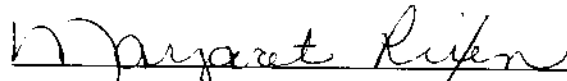
John Morrison
Fleck, Mather & Strutz Ltd.
P. O. Box 2798
Bismarck, ND 58502

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

Charles Wiley
Lyc0 Energy Corp.
6688 N. Central Expy. #1600
Dallas, TX 75206

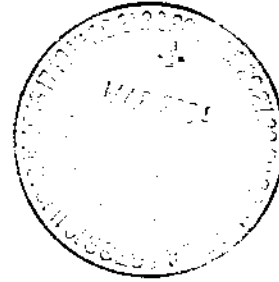

Donna Bauer
Oil & Gas Division

On this 27th day of April 2004, 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.


Notary Public
State of ND, County of Burleigh
My Commission expires 9-21-2005

LYCO ENERGY CORPORATION

Charles B. Wiley
Vice President - Operations



March 22, 2004

Mr. Bruce E. Hicks
Industrial Commission of North Dakota, Oil and Gas Division
600 E. Blvd., Dept. 405
Bismarck, North Dakota 58505-0840

Re: Case No. 8208
Order Pursuant to North Dakota Administrative Code Section 43-02-03-88
Exempting the Plumer-Lundquist #25-2 Well from the Provisions of North
Dakota Century Code Section 38-08-06.4 Relating to the Flaring of Gas.
Plumer-Lundquist #25-2 Well
Sections 24 and 25-T161N-R99W, 5th P.M.
Divide County, North Dakota

Dear Mr. Hicks:

Enclosed for your review is Lyco Energy Corporation's request for an order pursuant to North Dakota Administrative Code Section 43-02-03.88 exempting the Plumer-Lundquist #25-2 well from the provisions of North Dakota Century Code Section 38-08-06.4 relating to the flaring of gas to be heard at the March 24, 2004, Board hearing.

Sincerely,

A handwritten signature in black ink that reads "Charles B. Wiley". The signature is written in a cursive style with a large, stylized "W".

Charles B. Wiley



NORTH DAKOTA INDUSTRIAL COMMISSION HEARING

MARCH 24, 2004

**CASE NO. 8208
GAS FLARING EXEMPTION
PLUMER-LUNDQUIST #25-2 WELL**

**NE/4 OF SECTION 25 & SE/4 OF SECTION 24
T161N-R99W
DIVIDE COUNTY, NORTH DAKOTA**

**LYCO ENERGY CORPORATION
6688 NORTH CENTRAL EXPRESSWAY
SUITE 1600
DALLAS, TEXAS 75206**

EXHIBIT "F"

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF THE APPLICATION OF LYCO ENERGY CORPORATION FOR AN EXEMPTION TO NORTH DAKOTA ADMINISTRATIVE CODE SECTION 43-02-03-88.1 RELATING TO FLARING OF GAS.

CASE NO. 8208
AFFIDAVIT OF CHARLES B. WILEY

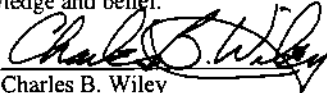
LYCO ENERGY CORPORATION, 6688 North Central Expressway, Suite 1600, Dallas, Texas 75206-3927:

STATE OF TEXAS &
COUNTY OF DALLAS &

Charles B. Wiley being first duly sworn and says:

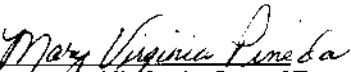
1. I am the Vice President of Operations for Lyco Energy Corporation and reside in Plano, Texas. I have not testified before the North Dakota Industrial Commission. I am a Registered Professional Engineer in Petroleum and Natural Gas in Texas (Registration Number 31959). Attached as Exhibit "A" is a resume of my work history and education.
2. Exhibit "A-1" through "A-5", as contained in the Exhibit Packet for Case 8208, was prepared under my direction and is true and correct to the best of my knowledge and belief.

By:


Charles B. Wiley
Vice President of Operations
Lyco Energy Corporation

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF TEXAS THIS 5th DAY OF March, 2004.

By:


Notary Public for the State of Texas
Residing at Garland, Texas
My Commission Expires: 11-16-07

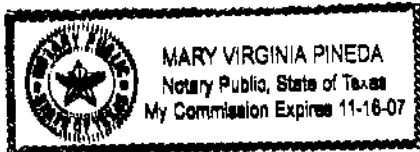


EXHIBIT 'A'
CASE NO. 8208

CHARLES B. WILEY
1901 Lake Side Lane
Plano, Texas 75023
(972) 867-0059

EDUCATION: B. S. Mechanical Engineering, Missouri University, January, 1964. Honors: Pi Tau Sigma and Tau Beta Pi.

REGISTRATION: Registered Professional Engineer in Texas in Petroleum and Natural Gas (No. 31959).

EXPERIENCE:

1989-Present: Vice President - Operations, **Lyco Energy Corporation**, Dallas, Texas. Supervise a five person department for this independent exploration and production company. Company is very active in drilling and production in the Williston Basin. Managed the drilling of the first horizontal well in Divide County, North Dakota. Have been directly responsible for the drilling of 40 horizontal wells in Richland County, Montana, including the State's longest horizontal lateral to date with 9,570' of horizontal displacement.

1985-1989: Project Engineer, **D. L. Ray, Inc.**, Richardson, Texas. Responsible for all aspects of the drilling, completion, equipment specification, ordering and installation of a \$20,000,000, 130+ well, W. Texas waterflood project.

1984-1985: Principal, **The Charles B. Wiley Company**, Plano, Texas. Was an independent, oil and gas, exploration and production operator. Assembled, sold, drilled and completed three prospects. Also provided a full range of petroleum engineering consulting services to independent, oil and gas company clients. This ranged from economic analyses to overall management of drilling and production operations.

1981-1984: Vice President of Operations, **Henry Energy Corp.**, Arlington, Texas. Overall responsibility for the organizing and supervising of the Geology, Land, Engineering and Field Operations Departments from the startup of this public company. Responsible for development of gross production from 0 oil and gas to 28,000 BOPM and 40,000 MCFPM. President,

- ZTEX Drilling Company, Jacksboro, Texas. Bore profit and loss responsibility for subsidiary North Texas drilling company.
- 1979-1981: Vice President of Drilling and Production, **Cornell Oil Company**, Dallas, Texas. Supervised all drilling and production activities for the company operated, 8,000 BOPD, Cornell Unit waterflood in Yoakum County, Texas, as well as numerous exploration prospects throughout the Southwest and the Rocky Mountains as a non-operator.
- 1976-1979: Area Engineer, **Sun Company**, Oklahoma City, Oklahoma. Supervised engineers and technicians for production and development drilling activities in seven states. Served as a special instructor for company, hourly employee training program.
- 1972-1976: Platform Hillhouse Senior Project Engineer, **Sun Company**, Ventura, California. Bore complete engineering responsibility for this Santa Barbara Channel platform and all associated equipment, onshore and offshore. Conceived and completely directed three major platform construction projects with costs exceeding \$1,000,000.
- 1969-1972: Segment Petroleum Engineer, **Sun Company**, McAllen, Texas. Responsible for all drilling and production engineering activity in one of three segments of this South Texas District.
- 1967-1969: Field Facilities Engineer, **Shell Oil Company**, Ventura, California. Developed a successful automatic well test system for a steam flooded oil field and a coagulation water treatment pilot program for a major waterflood.
- 1965-1967: Marine Technology Development Engineer, **Shell Development Company**, Los Angeles, California. Conducted the development testing program as well as the first successful company installation of a pump down, production tool system for use with diverless, subsea wellheads.
- 1964-1965: Production Engineer, **Shell Oil Company**, Midland, Texas. Obtained four months of field training and orientation as well as ten weeks of basic production engineering training at Shell Development in Houston, Texas. Conducted

artificial lift and rod pumping dynamometer studies to accelerate income and obtain optimum oil withdrawal rates.

TECHNICAL AND PROFESSIONAL

SOCIETY: Member - Society of Petroleum Engineers of AIME (SPE).

ARTICLES AND

PUBLICATIONS: Wiley, Charles B.: "Success of a High-Friction Diverting Gel in Acid Stimulation of a Carbonate Reservoir-Cornell Unit, San Andres Field". Journal of Petroleum Technology (SPE) (November, 1981).

The above article was also presented to the Society of Petroleum Engineers' National Production Operations Symposium in Oklahoma City, Oklahoma, in March, 1981, and the Southwestern Petroleum Short Course in Lubbock, Texas, in April, 1981.

Wiley, Charles B.: "Impressed Current Cathodic Protection Performance on An Offshore Platform, Santa Barbara Channel, California". This paper was presented at the American Petroleum Institute, Coastal Chapter Meeting, Ventura, California, October, 1976.

Wiley, Charles B.: "Utility Rate Increases Justify Platform Generating Equipment". Oil and Gas Journal (December, 1975).

The above article was also presented to the American Petroleum Institute, Pacific Coast Joint Chapter Meeting in Long Beach, California, in October, 1975.

EXHIBIT "A-1"

CASE NO. 8208

Gas Flaring Exemption Under North Dakota Administrative Code Section 43-02-03.88

1. The gas price used is identical to that received in Richland County for casinghead gas (including gas liquids) during the month of December, 2003 (Exhibit "A-2" - \$4.79 per MCF).
2. The estimated cost to install compression facilities and connect this well to the Amerada Hess Corporation gas line 12 miles to the East (Exhibit "A-3") is estimated to be at least \$100,000. It is estimated that the cost to operate the gas compressor and gas gathering system would be approximately \$1,250 per month.
3. During January, 2004, the well produced at a rate of 18.3 BOPD, 48 BWPD and 19.5 MCFPD. The pumping unit and heater treater are estimated to be consuming 15 MCFPD and 4.5 MCFPD is being flared (Exhibit "A-3").
4. The amount of remaining gas reserves for this well is estimated to be 14,947 MCF (19.5 MCFPD x 365 days/year x 2.1 years = 14,947 MCF) for the remaining 2.1 years of economic life (Exhibit "A-4 and "A-5"). It is estimated that 11,498 MCF of this gas (15 MCFPD x 365 days/year x 2.1 years = 11,498 MCF) will be consumed by the pumping unit and heater treater. This leaves 3,449 MCF of gas available for sale (4.5 MCFPD x 365 days/year x 2.1 years = 3,449 MCF).

Using the above data, in 2.1 years of remaining well life, gas sales of 3,449 MCF of gas would yield income of \$13,444 before operating expenses.

MCF		NRI		Gas Price		Sev. Tax		Gas Sales Income
3,449	x	82.4375%	x	(\$4.79	-	\$.0615)	=	\$13,444

The connection of the Plumer-Lundquist #25-2 well to a natural gas gathering line is "economically infeasible" under North Dakota Code section 38-08-06.4 because the "direct costs of connecting the well to the line and the direct costs of operating the facilities connecting the well to the line during the life of the well, are greater than the amount of money the operator is likely to receive for the gas". Therefore, this well should be exempt to North Dakota Administrative Code Section 43-02-03.88 relating to flaring of gas.

EXHIBIT A-2

CASE NO.8208

DEC-03

BEAR PAW ENERGY GRASSLANDS GAS SYSTEM LEASE PURCHASE STATEMENT

<u>Lease Information:</u>		<u>Contact Information:</u>	
Meter Number:	87792	Company:	Lyco Energy
Lease Name:	BURNING TREE STATE 36-2	Contact:	Virginia Garza
Lease Number:	87792	Fax #:	214-365-1269
Operator:	LYCO ENERGY		

Contract Number:	GRS-0426	API Number:	2508321881
Field Name:	CATTANEO	ND Gas Production Tax Exempt %	0%
State:	MONTANA	ND Oil Production Tax Exempt %	0%
County:	RICHLAND	ND Oil Extraction Tax %	0%
Legal Description	NWNE SEC36-T25N-R54E		

<u>SETTLEMENT INFORMATION:</u>					
Wellhead Volume:	452	Drip MCF's	4.0		
		Drip Bbls	1.2		
		MCF's Returned			
		Dry BTU:	1.4563		
Liquids:	<u>Actual Volume</u>	<u>Gallons</u>	<u>Payout Percent</u>	<u>Prices</u>	<u>Producer Payment</u>
Propane	1,375	Gallons			
IsoButane	142	Gallons			
NorButane	388	Gallons			
Gasoline	162	Gallons			
Condensate	49	Gallons			
SULFUR		MCF			
RESIDUE	400	MMBTU			
Returned		MMBTU			
Sold	400	MMBTU			
Residue BTU (Weighted Average) @ 14.73 PSIA, 60 F. Dry.					
FLAT RATE PAYMENT					
Gross Payment					2,331.73
OTHER CHARGES AND CREDITS:					
Process Fee					0.00
Treating Fee					0.00
Gathering Fee					0.00
Compression Cost Recovery					150.04
Electrical Power Cost Recovery					63.41
Meter Fee					0.00
Guaranteed Payment					0.00
Payment Before Taxes					2,118.28
Natural Gas Gross Production Tax					0.00
Oil Gross Production and Extraction Tax					0.00
Net Payment					2,118.28
Pipeline Payback					45.20
Total Payment					\$2,163.48

Bear Paw Energy
1400 16th Street Suite 310
Denver, CO 80202
(720) 946-3600

EXHIBIT "A-3"

Charles Wiley

CASE NO.8208

From: Jill [dansproduction@nemontel.net]
Sent: Tuesday, August 26, 2003 4:19 PM
To: Charles Wiley
Subject: Plumer Lundquist 25-2

Dear Charles

Here are the things you requested regarding the Plumer Lundquist 25-2:

1. Current gas rate is 4.50/MCF
2. The nearest gas sales line is 12 miles due East of location.
3. The nearest gas sales line is owned by Amerada Hess Corporation.
4. The normal pressure for this line is 45 PSI.

If you have any more questions regarding this situation please contact me, Bruce with Dan's Production, or Rory Nelson with Amerada Hess. These numbers are:

Bruce Mortenson
(C) 701-770-5894
(W) 701-774-3273

Rory Nelson
(C) 701-641-2011
(W) 701-675-2212 Ext. 25

I hope this information will help you with this situation.

Thank you,

Bruce
Dan's Production Service

EXHIBIT "A-4"
CASE NO.8208

RESERVES AND ECONOMICS
AS OF
12-31- 3

LYCO ENERGY CORPORATION DIRECT INTEREST

SUMMARY - RED LAKE
LYCO ENERGY DIRECT INTEREST
PROVED DVLPD PRODUCING RESERVES

PROVED DEVELOPED PRODUCING RESERVES

ACCT NUMBER	FIELD, COUNTY LEASE NAME	GROSS OIL/COND MB-----	NET OIL/COND MB-----	GROSS GAS MMF-----	NET GAS MMF-----	OIL REVENUE M\$-----	GAS REVENUE M\$-----	TOTAL TAXES M\$-----	NET CAP INVTHT M\$-----	OPRTNG EXPNSE M\$-----	NET REVENUE M\$-----	CUM P.W. 10.000% M\$-----	LIFE YRS -----
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N O R T H D A K O T A

005001	PLUMER-LUNDQT 25-2	6.735	2.681	0.000	0.000	79.1	0.0	7.1	0.0	43.4	28.6	26.8	2.1
	TOTAL NORTH DAKOTA	6.735	2.681	0.000	0.000	79.1	0.0	7.1	0.0	43.4	28.6	26.8	

ALL ESTIMATES HEREIN ARE PART OF THE NETHERLAND, SEWELL
REPORT AND ARE SUBJECT TO ITS PARAMETERS AND CONDITIONS.

BASED ON CONSTANT PRICES AND COSTS

EXHIBIT "A-5"
CASE NO.8208

BASIC DATA
AS OF
12-31- 3

LYCO ENERGY CORPORATION DIRECT INTEREST

SUMMARY - RED LAKE
LYCO ENERGY DIRECT INTEREST
PROVED DVLDP PRODUCING RESERVES

PROVED DEVELOPED PRODUCING RESERVES

PROP NUMBER	FIELD, COUNTY LEASE NAME	# OF WELLS		GROSS OIL/COND MB	ULTIMATE GAS MMF	WORKING INTEREST		REVENUE INTEREST		OIL/COND \$/BBL		GAS \$/MCF		8/8 OPERATNG EXPENSE M\$/M	
		OIL	GAS			START	END	START	END	START	END	STRT	END	START	END

N O R T H D A K O T A

005001	PLUMER-LUNDQT 25-2	1.	0.	15.612	0.000	50.000	50.000	39.812	39.812	29.49	29.49	0.00	0.00	3.5	3.5
	TOTAL NORTH DAKOTA	1.	0.	15.612	0.000										

ALL ESTIMATES HEREIN ARE PART OF THE NETHERLAND, SEWELL
REPORT AND ARE SUBJECT TO ITS PARAMETERS AND CONDITIONS.

BASED ON CONSTANT PRICES AND COSTS

LYCO ENERGY CORPORATION

Charles B. Wiley
Vice President - Operations



February 6, 2003

Industrial Commission of ND, Oil & Gas Division
600 E. Blvd., Dept. 405
Bismarck, ND 58505-0840
Attention: Mr. Bruce Hicks

Re: Flaring Exemption
Plumer-Lundquist 25-2
NW NE Sec. 25-T161N-R99W
Divide County
Well File #14775

Dear Mr. Hicks:

We have been advised that we must obtain an exemption for the estimated 4.5 MCF this well is flaring daily and this can only be granted through the hearing process. We also understand that the applicant need not appear at the hearing unless required by the director.

If we submit a properly executed affidavit with attachments containing all the information required by law and no one opposes the application, can this flaring exemption be considered and granted without an attorney being present?

Sincerely,

Charles B. Wiley

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 March 24, 2004, North Dakota Oil and Gas Division Office, 1016 East Calgary 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 701-328-3722 by March 10, 2004.

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. 8208: On a motion of the Commission to consider the application of Lyco Energy Corporation for an order pursuant to North Dakota Administrative Code Section 43-02-03-88.1 exempting the Plumer-Lundquist #25-2 well, located in the NW/4 NE/4 of Section 25, T.161N., R.99W., Divide County, North Dakota, from the provisions of North Dakota Century Code Section 38-08-06.4 relating to the flaring of gas.

Signed by,
John Hoeven, Governor
Chairman
ND Industrial Commission (3-3)

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

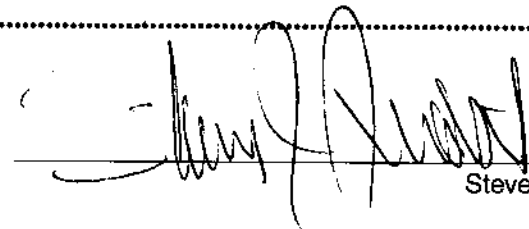
NOTICE OF PUBLICATION

a printed copy of which is here attached, was published in The Journal on the following dates:

March 3, 2004 7.5 inches @ 5.50 = 41.25

TOTAL CHARGE \$41.25

Signed



Steven J. Andrist, Publisher

Subscribed and sworn to before me March 8, 2004



Donna Molander

Notary Public, State of North Dakota
My Commission Expires January 26, 2007

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

10	DATE	03-02-01
11	DESCRIPTION - OTHER COMMENT/CHARGES	12/13/14
12	NET AMOUNT	99.84
13	GROSS AMOUNT	99.84
14	TIMES RUN	64
15	SALE PRICE	156L
16	BILLED UNITS	1
17	CLASS CODE	0132
18	PO/ORD NO	#8208
19	CLASSIFICATION	JL44

**NOTICE OF PUBLICATION
NORTH DAKOTA
INDUSTRIAL COMMISSION
BISMARCK, NORTH DAKOTA**

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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 701-328-3722 by March 10, 2004.

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. 8208: On a motion of the Commission to consider the application of Lyco Energy Corporation for an order pursuant to North Dakota Administrative Code Section 43-02-03-88.1 exempting the Plumer-Lundquist #25-2 well, located in the NW/4 NE/4 of Section 25, T.161N., R.99W., Divide County, North Dakota, from the provisions of North Dakota Century Code Section 38-08-06.4 relating to the flaring of gas. Case No. 8209: On a motion of the Commission to consider the application of Bill Barrett Corporation for an order extending the field boundaries and amending the field rules for the Indian Hill-Madison Pool so as to create and establish a 320-acre spacing unit comprised of the E/2 of Section 35, T.153N., R.102W., McKenzie County, North Dakota, authorizing the drilling of one horizontal well within said spacing unit, not less than 500 feet from the spacing unit boundary and/or such other and further relief as the Commission deems appropriate. Case No. 8210: On a motion of the Commission to consider the application of Golden Eye Resources, LLC for an order authorizing the drilling of a well at a location approximately 1860 feet from the north line and 1376 feet from the west line (SE/4 NW/4) of Section 32, T.162N., R.86W., Renville County, North Dakota, as an exception to the provisions of North Dakota Administrative Code Section 43-02-03-18, and such other and further relief as the Commission deems appropriate. Case No. 8158: (Continued) On a motion of the Commission to consider the temporary or proper spacing for the development of an oil and/or gas pool discovered by the Sinclair Oil Corporation #14-36 State Snetz well, located in the NE/4 NE/4 of Section 36, T.147N., R.98W., McKenzie County, North Dakota, define the limits of the field, and enact such special field rules as may be necessary. Case No. 8183: (Continued) On a motion of the Commission to consider the temporary spacing for the development of an oil and/or gas pool discovered by the North Souris Field LLC #28-2 Skarphol well, located in the SW/4 SW/4 of Section 28, T.164N., R.77W., Bottineau County, North Dakota, define the

limits of the field, and enact such special field rules as may be necessary. Case No. 8166: (Continued) On a motion of the Commission to consider the application of Continental Resources, Inc. for an order approving certain amendments to the unit operating agreement for the Cedar Hills North-Red River "B" Unit, Bowman and Slope Counties, North Dakota; so as to authorize the recovery of a risk penalty as provided by North Dakota Century Code Section 38-08-09.4 and for such further and additional relief as the Commission deems appropriate. Case No. 8211: On a motion of the Commission to consider the application of Whiting Petroleum Corporation for an order amending the applicable orders for the Lucky Mound-Madison Pool so as to create three 160-acre spacing units consisting of the SE/4 of Section 15, T.150N., R.89W., the NE/4 of Section 27, T.150N., R.89W., and the E/2 SW/4 of Section 22 and the E/2 NW/4 of Section 27, T.150N., R.89W., all in McLean County, North Dakota, and allow horizontal laterals to be drilled from existing vertical wells, or horizontal wells to be drilled, in each of said spacing units at any location not closer than 500 feet to any boundary of the spacing unit, or for such other and further relief as the Commission deems appropriate. Case No. 8212: On a motion of the Commission to consider the application of Burlington Resources Oil & Gas Company LP for an order pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1 authorizing the conversion to enhanced recovery into the Cedar Hills South-Red River "B" Unit, of the following wells: CHSU #11-32SH 26 well, located in the NW/4 NW/4 of Section 32 and the CHSU #21-32NH 26 well, located in the NE/4 NW/4 of Section 32, both in T.132N., R.106W., Cedar Hills Field, Bowman County, North Dakota, pursuant to NDAC Chapter 43-02-05 and providing such other and further relief as the Commission deems appropriate. Case No. 8213: On a motion of the Commission to consider the proper spacing for the development of the Morgan Draw-Red River Pool, Golden Valley County, North Dakota, redefine the limits of the field, and enact such special field rules as may be necessary. BTA Oil Producers. Case No. 8159: (Continued) On a motion of the Commission to consider revoking Order No. 7861 which authorized the flaring of gas from the Miller #23-6 well, located in the NE/4 SE/4 of Section 6, T.150N., R.104W., McKenzie County, North Dakota, from the Harding-Madison Pool, as an exemption to the provisions of Section 38-08-06.4 of the North Dakota Century Code. Case No. 8214: On a motion of the Commission to consider the application of Delta Petroleum Corporation for an order extending the field boundaries and amending the field rules for the Sherwood-Madison Pool so as to create and establish a zone of 40-acre spacing for all of Sections 9 and 10, T.163N., R.85W., Renville County, North Dakota, authorize the drilling of wells not less than 500 feet to the boundary of the spacing unit, and/or such other and further relief as the Commission deems appropriate. Case No. 8203: (Continued) On a motion of the Commission to consider the termination of the Zenith (Newton) Unit, Stark County, North Dakota.

Signed by:
John Hoeven, Governor
Chairman, ND Industrial Commission
3/2 - 190022

AFFIDAVIT OF PUBLICATION
STATE OF NORTH DAKOTA) SS
County of Burleigh
BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
PERSONALLY APPEARED [Signature] WHO BEING DULY SWORN, DEPOSES AND
SAYS THAT HE (SHE) IS THE CLERK OF BISMARCK TRIBUNE COMPANY,
AND THAT THE ABOVE PUBLICATIONS Bismarck Tribune WERE
MADE THROUGH THE FOREGOING NEWSPAPER AT THE DATES SHOWN
[Signature] SIGNED [Signature]
SWORN AND SUBSCRIBED TO BEFORE ME THIS 4th

YOUR RIGHT TO KNOW
Your right to know and be informed of the functions of your government are embodied in public notices. We strongly advise those citizens seeking further information to exercise their right to access to public records and public meetings.

190022-1 3/2/04

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APPROVE OF PUBLICATION
 STATE OF NORTH DAKOTA
 COUNTY OF BEND
 I, RONDA DIONE DICK, Notary Public, State of North Dakota, do hereby certify that the above and foregoing is a true and correct copy of the original as shown to me by Carolee Dick on this 3rd day of March 2004.
 My Commission Expires 4th of August 2004.
Ronda Diane Dick
 Notary Public for the State of North Dakota, Residing at Bismarck

RONDA DIONE DICK
 Notary Public, STATE OF NORTH DAKOTA
 My Commission Expires AUGUST 21, 2004



STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS **FIRST NOTICE**

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