

North Dakota Industrial Commission
Docket for Hearing
Tuesday, June 26, 2018 @ 9:00 a.m.
N.D. Heritage Center Auditorium
612 East Boulevard Avenue
Bismarck, North Dakota

Case No. 26584: In the matter of a hearing called on a motion of the Commission to consider public comments on the review of the delineation of the ordinary high water mark of the US Army Corps of Engineers survey segments from the northern boundary of the Fort Berthold Indian reservation to the southern border of Sections 33 and 34, Township 153 North, Range 102 West.

The Department of Mineral Resources (Department) has scheduled a special hearing to address the published Review of the delineation of the ordinary high water mark received by the Commission on April 17, 2018, from Wenck Associates, Inc. (Wenck).

After the public hearing, the Department, in consultation with Wenck, shall consider all public comments, develop a final recommendation on each of the review findings, and deliver the final recommendations to the Industrial Commission, which may adopt or modify the recommendations.

Persons interested in testifying should be prepared to provide testimony of a technical nature and testimony in response to written or verbal comments of other parties.

The Commission is seeking testimony on the following:

- Data sources, please provide copies of data utilized if different than data used by Wenck for the review
- Legal research, please provide copies of court decisions if different than those used by Wenck for the review
- Definitions, please provide copies of definitions and the sources of the definitions utilized if different than those used by Wenck for the review
- Aerial photos, please provide copies of aerial photos and their sources as well as geo-referencing and interpretation methods utilized if different than those used by Wenck for the review
- Tract boundaries, please provide copies of tract boundaries and their sources as well as geo-referencing and interpretation methods utilized if different than those used by Wenck for the review
- US Army Corps of Engineers appraisal documents, please provide copies of appraisal documents and their sources as well as interpretation methods utilized if different than those used by Wenck for the review

Submit written comments to brkadrmas@nd.gov or Oil and Gas Division, 1016 E Calgary Ave, Bismarck, ND 58503-5512 before 5 p.m. CDT, Wednesday, June 20, 2018.

Hearing Testimony Procedure

- No telephonic testimony will be accepted
- Sign up will begin at 8 a.m. in the Auditorium—parties will be called in order signed up and must appear or be moved to end of list (at the discretion of the Hearing Officer)
- 15-minute limit on testimony
- Parties will be asked not to repeat testimony of others