



# Oil and Gas Division

Lynn D. Helms - Director      Bruce E. Hicks - Assistant Director

**Department of Mineral Resources**

Lynn D. Helms - Director

**North Dakota Industrial Commission**

[www.dmr.nd.gov/oilgas](http://www.dmr.nd.gov/oilgas)

February 15, 2018

**RE: Notice of Administrative Rules Committee Hearing  
Rules for NDIC – Oil and Gas Division  
Case No. 26062**

Dear Sir or Madam:

The Office of Attorney General has examined the Oil and Gas Division's amendments to North Dakota Administrative Code Chapters 43-02-03, 43-02-05, 43-02-06, 43-02-11, and 43-05-01 and determined the rules are in compliance with North Dakota Century Code Chapter 28-32. Said rules can be viewed on our web site located at "<https://www.dmr.nd.gov/oilgas/>".

The Administrative Rules Committee reviews rule changes adopted by every agency. The purpose of this letter is to inform you the Administrative Rules Committee has scheduled a hearing to review the rules to be adopted by the Oil and Gas Division. The hearing is tentatively scheduled to be heard on March 12, 2018 in the Roughrider Room of the State Capitol Building, Bismarck, North Dakota.

House Bill 1043, approved by the 65<sup>th</sup> Legislative Assembly of North Dakota, eliminated the extraction tax reduction for a workover well. The Industrial Commission promulgated rules under NDAC Chapter 43-02-09 for such wells, although the rules are ineffectual after the passing of House Bill 1043. Please find the following documents attached in support of our request to repeal Chapter 43-02-09 (Workover Projects):

- Letter (repeal request)
- House Bill 1043
- NDAC Chapter 43-02-09 (Workover Projects)
- NDAC Section 28-32-18.1 (authorizing the Administrative Rules Committee to repeal obsolete regulations)

If you have any questions or comments, do not hesitate to contact this office.

Sincerely,

Bruce E. Hicks  
Assistant Director