

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 1943  
ORDER NO. 2170

IN THE MATTER OF A HEARING CALLED ON A  
MOTION OF THE COMMISSION TO CONSIDER THE  
APPLICATION OF MCALESTER FUEL COMPANY  
FOR AN ORDER TO PERMIT THE DRILLING OF A  
WELL IN THE SW SW AND THE SW NE OF  
SECTION 13, T.140N., R.96W., STARK COUNTY,  
NORTH DAKOTA, AS AN EXCEPTION TO THE  
SPACING REQUIREMENTS IN THE DICKINSON  
FIELD.

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice this cause came on for hearing at 1:30 p.m. on the 25th day of August, 1980, in Bismarck, North Dakota, before an examiner appointed for the purpose by the Industrial Commission of North Dakota, hereinafter referred to as the "Commission."

NOW, on this 23rd day of September, 1980, 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 applicant is the owner of an oil and gas leasehold estate in Section 13, Township 140 North, Range 96 West, Stark County, North Dakota.

(3) That said tract of land is within the boundaries of the Dickinson Field, and forms a spacing unit for the Heath Pool, and the spacing for such pool established by the Commission requires wells to be located in the SW/4 of the NW and SE quarters of each section.

(4) That applicant is desirous of drilling a Heath test well on said section located in the SW SW and the SW NE of said Section 13.

(5) That geological evidence presented to the Commission indicates that wells drilled at proper locations would result in a dry hole, and that wells drilled at the proposed locations would produce oil that might otherwise not be produced.

(6) That due to the geological conditions, the proposed locations are the most advantageous points to drill test wells on said section.

(7) That in order to prevent waste, and to protect correlative rights this application should be granted.

IT IS THEREFORE ORDERED:

(1) That applicant is hereby permitted to drill a well in the approximate center of the SW SW and the SW NE of Section 13, Township 140 North, Range 96 West, Stark County, North Dakota, as an exception to the spacing requirements for the Dickinson Field.

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

DONE, in Bismarck, North Dakota, this 23rd day of September, 1980.

THE NORTH DAKOTA  
INDUSTRIAL COMMISSION

/s/ Arthur A. Link  
Arthur A. Link, Governor

/s/ Allen I. Olson  
Allen I. Olson, Attorney General

/s/ Myron Just  
Myron Just, Commissioner of Agriculture