

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 25866
ORDER NO. 28281

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE APPLICATION OF SM
ENERGY CO. PURSUANT TO NDAC § 43-02-03-
88.1 FOR AN ORDER ALLOWING OIL AND
GAS PRODUCED FROM THE
PULVERMACHER 3-10-161-99H 1XN (FILE NO.
24192) AND PULVERMACHER 34-27-162-99H
1NC (FILE NO. 23602) WELLS, SECTIONS 27
AND 34, T.162N., R.99W., DIVIDE COUNTY,
ND, TO BE COMMINGLED IN A CENTRAL
PRODUCTION FACILITY LOCATED IN
SECTION 34, T.162N., R.99W., PURSUANT TO
NDAC § 43-02-03-48.1 OR GRANTING SUCH
OTHER AND FURTHER RELIEF AS MAY BE
APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 28th day of June, 2017.
- (2) SM Energy Company (SM Energy) made application to the Commission for an order pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1 for an order allowing oil and gas produced from the Pulvermacher 3-10-161-99H 1XN (File No. 24192) and Pulvermacher 34-27-162-99H 1NC (File No. 23602) wells, Sections 27 and 34, Township 162 North, Range 99 West, Divide County, North Dakota, to be commingled in a central production facility located in Section 34, Township 162 North, Range 99 West, pursuant to NDAC Section 43-02-03-48.1 or granting such other and further relief as may be appropriate.
- (3) The original application filed by SM Energy incorrectly identified the Pulvermacher 3-10-161-99H 1XN well as being located in Sections 27 and 34, Township 162 North, Range 99 West, Divide County, North Dakota, and thus was advertised as such. The actual spacing unit of the Pulvermacher 3-10-161-99H 1XN well is Sections 3 and 10, Township 161 North, Range 99 West, Divide County, North Dakota.

(4) Case No. 25949 was scheduled for hearing on July 26, 2017 to correct the advertising mistake.

(5) This case should be dismissed without prejudice.

IT IS THEREFORE ORDERED:

(1) This case is hereby dismissed without prejudice.

Dated this 26th day of July, 2017.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director