

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 5858
ORDER NO. 6779

IN THE MATTER OF A HEARING CALLED ON A
MOTION OF THE COMMISSION TO CONSIDER THE
APPLICATION OF CONOCO INC. FOR AN ORDER
AUTHORIZING EMERGENCY AND/OR INTERMITTENT
GAS FLARING FROM THE FOLLOWING WELLS AND/OR
AT A CENTRAL FACILITY FOR SAID WELLS IN THE
DICKINSON- LODGEPOLE POOL, STARK COUNTY,
NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW/4
NW/4 OF SECTION 32, T.140N., R.96W.,

CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF
SECTION 31, T.140N., R.96W.,

CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF
SECTION 31, T.140N., R.96W.,

CONOCO - DICKINSON STATE "A" NO.
83 WELL, NW/4 NW/4 OF SECTION 5,
T.139N., R.96W.,

AS AN EXCEPTION TO THE PROVISIONS
OF SECTION 38-08-06.4 OF THE NORTH
DAKOTA CENTURY CODE OR SUCH
FURTHER AND ADDITIONAL RELIEF AS
THE COMMISSION MAY DEEM
APPROPRIATE.

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice this cause came on for hearing at 9:00 a.m.
on the 15th day of December, 1993, in Bismarck, North Dakota, before an
examiner appointed by the Industrial Commission of North Dakota, hereinafter
referred to as the "Commission."

NOW, on this 30th day of December, 1993, the Director, on behalf of
the Commission as authorized by the Commission, 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 counsel for the applicant requests that this case be
continued to the regularly scheduled hearing on January 26, 1994.

(3) That there were no objections to said request.

(4) That this case should be continued to the regularly scheduled
hearing on January 26, 1994.

IT IS THEREFORE ORDERED:

(1) That this case is hereby continued to the regularly scheduled hearing on January 26, 1994.

Dated this 30th day of December, 1993.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission.

/s/ Wesley D. Norton, Director

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 5858
(CONTINUED)
ORDER NO. 6797

IN THE MATTER OF A HEARING CALLED ON A
MOTION OF THE COMMISSION TO CONSIDER THE
APPLICATION OF CONOCO INC. FOR AN ORDER
AUTHORIZING EMERGENCY AND/OR
INTERMITTENT GAS FLARING FROM THE
FOLLOWING WELLS AND/OR AT A CENTRAL
FACILITY FOR SAID WELLS IN THE DICKINSON-
LODGEPOLE POOL, STARK COUNTY, NORTH
DAKOTA:
CONOCO - DICKINSON STATE NO. 74 WELL, SW/4
NW/4 OF SECTION 32, T.140N., R.96W.,
CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF
SECTION 31, T.140N., R.96W.,
CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF
SECTION 31, T.140N., R.96W.,
CONOCO - DICKINSON STATE "A" NO.
83 WELL, NW/4 NW/4 OF SECTION 5,
T.139N., R.96W.,
AS AN EXCEPTION TO THE PROVISIONS
OF SECTION 38-08-06.4 OF THE NORTH
DAKOTA CENTURY CODE OR SUCH FURTHER
AND ADDITIONAL RELIEF AS THE COMMISSION
MAY DEEM APPROPRIATE.

ORDER OF THE COMMISSION

BY THE COMMISSION:

Pursuant to legal notice this cause came on for hearing at 9:00 a.m.
on the 26th day of January, 1994, in Bismarck, North Dakota, before an
examiner appointed by the Industrial Commission of North Dakota, hereinafter
referred to as the "Commission."

NOW, on this 23rd day of February, 1994, 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 Section 38-08-06.4 of the North Dakota Century Code
("NDCC") 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 and gross production tax imposed under section 57-51-02 upon the value of the flared gas. The industrial commission shall enforce this section and, for each well operator found to be in violation of this section, shall determine the value of flared gas for purposes of payment of gross production tax and 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.

(3) That Conoco, Inc. ("Conoco") is the owner or operator of the following wells in the Dickinson-Lodgepole Pool, Stark County, North Dakota:

File #	Well Name & Number	Location
13447	Dickinson State #74	SW NW 32-140-96
13514	Kadrmass #75	NW SE 31-140-96
13554	Frenzel #79	NW NE 31-140-96
13598	Dickinson State "A" #83	NW NW 05-139-96

(4) That the Dickinson-Lodgepole Pool is an oil reservoir, but gas is produced in association with crude oil at the wellhead as a by-product of oil production.

(5) That operations are currently ongoing to route the production from the wells in (3) above to a central facility. All the wells, except the Dickinson State "A" #83, are currently connected to a gas gathering pipeline and processing facility.

(6) That Conoco anticipates connecting their Dickinson State "A" #83 well to a gas gathering pipeline and processing facility in the near future.

(7) That Conoco is desirous of an order of the Commission authorizing emergency and/or intermittent gas flaring from said wells and/or at a central facility.

(8) That there are times when gas production must be flared if oil production is to continue due to mechanical failure or maintenance of the gas gathering pipeline or plant.

(9) That Conoco currently has a vapor recovery system installed on the tanks within the central facility. There may be times when tank vapors must be flared if oil production is to continue due to mechanical failure or maintenance of the vapor recovery system.

(10) That said flaring will be intermittent and only minimal amounts of gas will be flared.

(11) That 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 wells; or the wells must be connected to a second gas pipeline at an economic loss which would also cause premature abandonment, or flaring must cease and the wells must be shut in, resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the wells and the state of North Dakota.

(12) That NDCC Section 38-08-06.4 does not provide for retroactive exemptions.

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

IT IS THEREFORE ORDERED:

(1) That the applicant, its assigns and successors, is hereby allowed to flare surplus casinghead gas produced with crude oil through the wells listed in paragraph (3) of the findings, as an exemption to the provisions of NDCC Section 38-08-06.4 when the gas gathering pipeline or processing plant is shut down due to mechanical failure or maintenance.

(2) That the applicant, its assigns and successors, is hereby allowed to flare tank vapors from the central facility serving the wells listed in paragraph (3) of the findings, as an exemption to the provisions of NDCC Section 38-08-06.4 when the tank vapor recovery system is shut down due to mechanical failure or maintenance.

(3) That should the applicant, its assigns and successors, ever flare gas under the authority of paragraphs (1) or (2) of this order, it shall immediately notify the Director of the Oil and Gas Division and shall file a written report within 24 hours after flaring ceases detailing the location of the flare site, the wells involved, the number of days gas was flared and the estimated amount of gas flared, along with any other information deemed necessary by the Director.

(4) That this order is prospective only.

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

Dated this 23rd day of February, 1994.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

/s/ Edward T. Schafer, Governor

/s/ Heidi Heitkamp, Attorney General

/s/ Sarah Vogel, Commissioner of Agriculture

NORTH DAKOTA INDUSTRIAL COMMISSION

OIL AND GAS DIVISION

Wesley D. Norton
DIRECTOR

F. E. Wilborn
ASSISTANT DIRECTOR

Clarence G. Carlson
GEOLOGIST

Charles Koch
ENGINEERING DEPT.

Doren Dannewitz
FIELD SUPERVISOR

Glenn Wollan
RECLAMATION SUP.

March 25, 1993

Mr. Lawrence Bender
Pearce and Durick Law Firm
P.O. Box 400
Bismarck, ND 58502

RE: CONTINUANCE OF CASE NO. 5858

Dear Mr. Bender:

Pursuant to Section 43-02-03-90 North Dakota Administrative Code, any person moving for continuance of a hearing, and who is granted the continuance, shall submit twenty-five dollars (\$25.00) to the Industrial Commission to cover the cost of republication for the notice of hearing.

At its meeting on December 30, 1993, the Industrial Commission entered Order No. 6779 granting the request of Conoco Inc. for a continuance of Case No. 5858 to the January 26, 1994 hearings.

Enclosed is Invoice No. 6794 in the amount of \$25.00. Please submit payment at your earliest convenience.

Sincerely,

Tracy Heilman

Tracy Heilman
Information Processor

th
enc.

*paid \$25.00
cf # 11250
Rec'd 4/21/94*

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

AFFIDAVIT OF MAILING

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the 1st day of March, 1994, I enclosed in separate envelopes true and correct copies of the attached Order No. 6797 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, all of whom appeared at the hearing of the Industrial Commission in Case No. 5858:

Fleck, Mather & Strutz Ltd.
400 E. Broadway
Suite 600
P. O. Box 2798
Bismarck, ND 58502

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

Mr. Paul Schulz
Conoco Inc.
800 Werner Court
Casper, WY 82601

Donna Bauer
Donna Bauer
Oil & Gas Division

On this 2nd day of March, 1994, 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.

Ernie Peterson
Notary Public
State of North Dakota County of Burleigh
My Commission expires 11-3-98

25

30

29



CASPER DIVISION



DICKINSON LODGEPOLE

Geologist: Ian Gordon

Date: Jan 5, 1994

T
1
4
0
N

36

CONOCO	44.45695%
PLACID OIL	32.14286%
HUNT PET.	8.40336%
HUNTINGTON RES.	4.72689%
LOUIS W. HILL JR.	4.13910%
PHILLIPS PET.	4.38126%
WISER OIL	1.74958%

FRENZEL 79

CONOCO 100%

FILUPI 76

STATE 74

31

CONOCO 50%
SINGER 50%

KADIMAS 75

32

CONOCO INC.
CASE NO. 5858
EXHIBIT NO. 1WALTON 84
(DRILLING)

STATE A #83

CONOCO 100%

6

R 96 W

5

T
1
3
9
N

1

ECONOMIC DATA

Treating Vessel Gas-Oil Ratio:	466 SCF/STB (@ 60 psi±)
VRU Gas-Oil Ratio:	64 SCF/STB (@ atmosphere)
Oil Price:	\$11.65/Bbl (12/93 Williston Sweet Posting)
Gas Price:	\$1.00/MCF (Estimated)
Average Oil Tax Burden:	5.0% (Curtailed Rate)
	7.0% (Unitization Rate)
Gas Tax Burden:	\$0.0407/MCF

Production Scenario	Oil Volume BOPD	Gas Volume (Treating Vessel) MCFD	Gas Volume (VRU) MCFD
Curtailed Rate	300	140	19
Unitization	3,500	1,631	224

Production Scenario	Daily Oil Revenues \$	Daily Gas Revenues (Treating Vessel) \$	Daily Gas Revenues (VRU) \$	Total Daily Revenues \$
Curtailed Rate (300 BOPD)	\$3,495	\$140	\$19	\$3,654
Unitization (3,500 BOPD)	\$40,775	\$1,631	\$224	\$42,630

Production Scenario	Daily Oil Taxes \$	Daily Gas Taxes (Treating Vessel) \$	Daily Gas Taxes (VRU) \$	Total Daily Taxes \$
Curtailed Rate (300 BOPD)	\$175	\$6	\$1	\$182
Unitization (3,500 BOPD)	\$2,854	\$66	\$9	\$2,929

CONOCO INC.
CASE NO. 5858
EXHIBIT NO. 2

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

AFFIDAVIT OF MAILING

I, Donna Bauer, being duly sworn upon oath, depose and say: That on the 5th day of January, 1994, I enclosed in separate envelopes true and correct copies of the attached Order No. 6779 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, all of whom appeared at the hearing of the Industrial Commission in Case No. 5858 :

Fleck, Mather & Strutz Ltd.
400 E. Broadway
Suite 600
P. O. Box 2798
Bismarck, ND 58502

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

Donna Bauer
Donna Bauer
Oil & Gas Division

On this 10th day of January, 1994, 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.

Eric Roberson
Notary Public
State of North Dakota County of Burleigh
My Commission expires 11-3-98

**BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA**

CASE NO. 5858

IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION AUTHORIZING EMERGENCY
AND/OR INTERMITTENT GAS FLARING
FROM THE FOLLOWING WELLS AND/OR AT
A CENTRAL FACILITY FOR SAID WELLS IN
THE DICKINSON-LODGEPOLE POOL,
STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL
SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 32-T140N-R96W

CONOCO - KADRMAS NO. 75 WELL
NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - FRENZEL NO. 79 WELL
NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - DICKINSON STATE "A" NO. 83
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 5-T139N-R96W,

AS AN EXCEPTION TO THE PROVISIONS OF
SECTION 38-08-06.4 OF THE NORTH DAKOTA
CENTURY CODE OR SUCH FURTHER AND
ADDITIONAL RELIEF AS THE COMMISSION
MAY DEEM APPROPRIATE.

CASE NO. 5859

IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION ALLOWING THE
COMMINGLING OF PRODUCTION FROM
THE FOLLOWING WELLS IN THE
DICKINSON-LODGEPOLE POOL, STARK
COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL
SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 32-T140N-R96W

CONOCO - KADRMAS NO. 75 WELL
NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - FRENZEL NO. 79 WELL
NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - DICKINSON STATE "A" NO. 83
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 5-T139N-R96W

AND SUCH FURTHER AND ADDITIONAL
RELIEF AS THE COMMISSION DEEMS
APPROPRIATE:

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

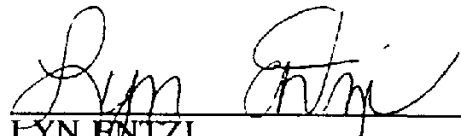
Lyn Entzi, being first duly sworn, deposes and says that on the *10th* day of December, 1993, she served the attached:

**NOTICE OF CONTINUANCE FOR CONOCO INC. (NDIC CASE NO. 5858) and
NOTICE OF CONTINUANCE FOR CONOCO INC. (NDIC CASE NO. 5859)**

by placing a true and correct copy thereof in an envelope addressed as follows:

See attached Exhibit A

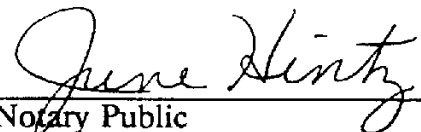
and depositing the same, with postage prepaid, in the United States mail at Bismarck, North Dakota.



LYN ENTZI

Subscribed and sworn to before me this *10th* day of December, 1993.

June Hintz
Notary Public, State of North Dakota
My commission expires February 2, 1996.



Notary Public
Burleigh County, North Dakota
My Commission expires: _____

Peggy Addington
7246 Dalewood
Dallas, TX 75214

Baytech, Inc.
P.O. Box 10158
Midland, TX 79702-7158

Martha Smart Bennett
529 Granada
Garland, TX 75043-5119

Pacific West Lease Co.
3521 S. W. 104 St.
Seattle, WA 98146-1136

Phillips Petroleum Co.
P.O. Box 910519
Dallas, TX 75391-0519

Torch Oil & Gas Co.
P.O. Box 201629
Houston, TX 77216-1629

Phillips Petroleum Company
Phillips Building
Bartlesville, OK 74004

Placid Oil Company
3900 Thanksgiving Tower
Dallas, TX 75201

SASI Minerals Company
c/o SI Energy, Inc.
P.O. Box 7247 8649
Philadelphia, PA 19170-8649

The Wiser Oil Company
8115 Preston Road, Suite 400
Dallas, TX 75225

The Wiser Oil Company
P.O. Box 640454
Pittsburgh, PA 15264-0454

Hunt Petroleum Corporation
3400 Thanksgiving Tower
Dallas, TX 75201

Beeman Dockery
R.R. 1, Box 276
Colorado City, TX 79512-9604

Patricia Dowell and William Dowell
943 Fourth Avenue West
Dickinson, ND 58601

EXHIBIT A

N. H. Lake Estate
c/o Mary Pearl Lake
2706 Cambridge
Odessa, TX 79761

Agribank FCB
375 Jackson St.
P.O. Box 64949
St. Paul, MN 55164-0949

Dodge Jones Fdn.
P.O. Box 176
Abilene, TX 79604-0176

Mary Ann Ficek and Edwin A. Ficek
1106 13th St. West
Dickinson, ND 58601

The Fasken Foundation
Acct. #01-1036-00
500 W. Texas, Suite 1160
Midland, TX 79701-4234

Lester Frenzel and Marlene Frenzel
Rural Route 1, Box 161
Dickinson, ND 58601

Rose Frenzel
1126 13th St. W.
Dickinson, ND 58601

Randy Geiselman
3301 Stanolind
Midland, TX 79707-6623

William J. Grinde, Trustee of the John M.
Grinde Trust
1855 Green Street
San Francisco, CA 94123

Irene Hammann and Carl Hammann
3217 Southeast Lincoln
Portland, OR 97200

Louis W. Hill, Jr.
c/o First Trust, Special Assets
P.O. Box 64142
St. Paul, MN 55164-0142

Andrews Royalty Inc.
5949 Sherry Lane, Suite 850
Dallas, TX 75225

Mid-Continent Energy Investors
1990 Limited Partnership
3400 Mid-Continent Tower
401 South Boston
Tulsa, OK 74103-4071

Clark E. Jones
1509 Maple Ln.
Elgin, IL 60123-5133

Clyde W. Jones
P.O. Drawer 1267
Parker, CO 80134-1267

Linda K. Branting f/k/a Linda K. Jones
8517 Thunderhill Heights
Parker, CO 80134

Linda K. Jones
8517 E. Thunderhill
HTS
Parker, CO 80134-5835

Louis W. Hill, Jr., #25540080
c/o Colorado National Bank
TR Nat'l Resources Dept (CNDT2311)
P.O. Box 17532
Denver, CO 80217

Arnold E. Kadrmas
P.O. Box 951
Lewiston, ID 83501

Douglas Kadrmas
2314 25 1/2 Ave. S.
Fargo, ND 58103

Linda Kadrmas
2251 Hillside Ave.
St. Paul, MN 55108-1610

Gerald David Kalanek
3754 Kingston Drive
Bismarck, ND 58501-8284

Paul Karow
DeForest, WI 53532

Clifford Knudtson
Dorside Lodge
Hayward, WI 54843

Matt-Tex L.L.P.
P.O. Box 176
Abilene, TX 79604

Mary Pearl Lake
2706 Cambridge
Odessa, TX 79761

Darlene McKinley Lane
P.O. Box 12713
Odessa, TX 79768-2713

John A. Matthews, Jr.
1821 Industrial
San Angelo, TX 76904

Julia Jones Matthews
Box 176
Abilene, TX 79604-0176

Diane Mayer and Kenneth Mayer
Box 992
Wolf Point, MT 59201

Leslie J. May
675 Calmar Ave.
Oakland, CA 94617

J. Hiram Moore, Betty Jane Moore &
Michael Harrison Moore
TR U/I/TR DTD 7-1-1971
P.O. Box 10908
Midland, TX 79702-7908

G.M. Moffitt, Associate Land Advisor
Mobil Exploration & Producing U.S. Inc.
12450 Greenspoint Drive
Houston, TX 77066-1991

Farm Credit Bank of St. Paul
375 Jackson Street
St. Paul, MN 55101

Mobil Exploration & Production, North
America Inc.
c/o Mobil Oil Corporation, Agent
P.O. Box 101383
Atlanta, GA 30392-1383

Mary Margaret Pugh
3100 Gourd
El Paso, TX 79925-4529

Zula Mae Pugh
9604 Hilltop Rd.
Bellevue, WA 98004-4006

Erma Lowe Trust for Carson Yost Mary Ralph
Lowe Trustee
c/o Marlo Inc.
P.O. Box 2923
Houston, TX 77252

Erma Lowe Trust for Saman Yost Mary Ralph
Lowe Trustee
c/o Marlo Inc.
P.O. Box 2923
Houston, TX 77252

Huntington Resources, Inc.
8086 S. Yale, Suite 228
Tulsa, OK 74136

Joan Schmidt
Rt. 1, Box 140
Dickinson, ND 58601-9639

Virginia L. Sherron
1101 W. Greenough #F9
Missoula, MT 59802-3734

**BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA**



CASE NO. 5858

**IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION AUTHORIZING EMERGENCY
AND/OR INTERMITTENT GAS FLARING
FROM THE FOLLOWING WELLS AND/OR AT
A CENTRAL FACILITY FOR SAID WELLS IN
THE DICKINSON-LOGGPOLE POOL,
STARK COUNTY, NORTH DAKOTA:**

**CONOCO - DICKINSON STATE NO. 74 WELL
SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 32-T140N-R96W**

**CONOCO - KADRMAS NO. 75 WELL
NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 31-T140N-R96W**

**CONOCO - FRENZEL NO. 79 WELL
NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 31-T140N-R96W**

**CONOCO - DICKINSON STATE "A" NO. 83
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 5-T139N-R96W,**

**AS AN EXCEPTION TO THE PROVISIONS OF
SECTION 38-08-06.4 OF THE NORTH DAKOTA
CENTURY CODE OR SUCH FURTHER AND
ADDITIONAL RELIEF AS THE COMMISSION
MAY DEEM APPROPRIATE.**

APPLICATION OF CONOCO INC.

COMES NOW the applicant, Conoco Inc., and respectfully states as follows:

1.

That Conoco Inc. is the owner of an interest in the oil and gas leasehold estate in the following described lands:

- a) N $\frac{1}{2}$ of Section 5-T139N-R96W
- b) N $\frac{1}{2}$ of Section 31-T140N-R96W
- c) S $\frac{1}{2}$ of Section 31-T140N-R96W
- d) W $\frac{1}{2}$ of Section 32-T140N-R96W

2.

That such lands are currently within an area defined by the North Dakota Industrial Commission ("Commission") as the field boundaries for the Dickinson-Lodgepole Pool.

3.

That Conoco is the operator of the Conoco - Dickinson State No. 74 well located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 32, drilled and completed as a producer of oil and gas in the Dickinson-Lodgepole Pool.

4.

That Conoco is the operator of the Conoco - Kadrmas No. 75 well located in the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, drilled and completed as a producer of oil and gas in the Dickinson-Lodgepole Pool.

5.

That Conoco is the operator of the Conoco - Frenzel No. 79 well located in the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 31, drilled and completed as a producer of oil and gas in the Dickinson-Lodgepole Pool.

6.

That Conoco is the operator of the Conoco - Dickinson State "A" No. 83 well located in the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 5, currently drilling with an anticipated completion the Dickinson-Lodgepole Pool.

7.

That the Conoco - Dickinson No. 74 well, Conoco - Kadrmas No. 75 well and Conoco - Frenzel No. 79 well are all currently connected to a gas gathering facility.

8.

That it is anticipated that the Dickinson State "A" No. 83 well will be connected to a gas gathering facility.

9.

That there are times when gas production must be flared if oil production is to continue due to mechanical failure or maintenance at the wells, the proposed central facility, the pipeline or the plant.

10.

That N.D.C.C. §38-08-06.4 prohibits the flaring of gas produced in association with crude oil under certain circumstances but authorizes the Commission, upon application, to grant an exception to the flaring prohibition.

11.

That Conoco Inc. therefore requests an order of the Commission authorizing emergency and/or intermittent gas flaring from the following wells and/or at a central facility for said wells in the Dickinson-Lodgepole Pool, Stark County, North Dakota:

- a) Conoco - Dickinson No. 74 well
- b) Conoco - Kadrmas No. 75 well
- c) Conoco - Frenzel No. 79 well
- d) Conoco - Dickinson State "A" No. 83

WHEREFORE, applicant requests that this matter be set for hearing at the regular December 15, 1993 meeting of the Commission and that thereafter the Commission issue its order granting the relief requested and such other and further relief as the Commission may deem appropriate.

PEARCE & DUKICK

By

LAWRENCE BENDER

Conoco Inc.

Post Office Box 400

Bismarck, North Dakota 58502

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) ss.

Lawrence Bender

Subscribed and sworn to before me this 8th day of November, 1993.

A handwritten signature in cursive script, reading "Lynette Entzi", written over a horizontal line.

Lynette Entzi, Notary Public
Burleigh County, North Dakota
My Commission Expires: 6-26-99

CONOCO\DIX.FLG

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 5858

IN THE MATTER OF THE APPLICATION OF
CONOCO INC. FOR AN ORDER OF THE
COMMISSION AUTHORIZING EMERGENCY
AND/OR INTERMITTENT GAS FLARING
FROM THE FOLLOWING WELLS AND/OR AT
A CENTRAL FACILITY FOR SAID WELLS IN
THE DICKINSON-LODGEPOLE POOL,
STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL
SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 32-T140N-R96W

CONOCO - KADRMAS NO. 75 WELL
NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - FRENZEL NO. 79 WELL
NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 31-T140N-R96W

CONOCO - DICKINSON STATE "A" NO. 83
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 5-T139N-R96W,

AS AN EXCEPTION TO THE PROVISIONS OF
SECTION 38-08-06.4 OF THE NORTH DAKOTA
CENTURY CODE OR SUCH FURTHER AND
ADDITIONAL RELIEF AS THE COMMISSION
MAY DEEM APPROPRIATE.

NOTICE OF CONTINUANCE FOR CONOCO INC.

PLEASE TAKE NOTICE that on Wednesday, December 15, 1993, Conoco Inc. will respectfully request that the above captioned hearing be continued to the regularly scheduled January 26, 1994 hearing of the Commission.

DATED this 10th day of December, 1993.

PEARCE & MURICK

By


LAWRENCE BENDER

Attorneys for Applicant

Conoco Inc.

314 East Thayer Avenue

Post Office Box 400

Bismarck, North Dakota 58502

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 January 26, 1994, Brynhild Haugland Room, State Capitol, 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 701-224-3722 by January 12, 1994.

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. 5858: (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AUTHORIZING EMERGENCY AND/OR INTERMITTENT GAS FLARING FROM THE FOLLOWING WELLS AND/OR AT A CENTRAL FACILITY FOR SAID WELLS IN THE DICKINSON-LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW/4 NW/4 OF SECTION 32, T.140N., R.96W.,

CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - DICKINSON STATE "A" NO. 83 WELL, NW/4 NW/4 OF SECTION 5, T.139N., R.96W.,

AS AN EXCEPTION TO THE PROVISIONS OF SECTION 38-08-06.4 OF THE NORTH DAKOTA CENTURY CODE OR SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION MAY DEEM APPROPRIATE.

CERTIFICATE OF PUBLICATION
THE DICKINSON PRESS
Dickinson, North Dakota

STATE OF NORTH DAKOTA, }

County of Stark.

Belle L. Krank

of said state and county, being first sworn, on oath says: That 8 he is the bookkeeper

Dickinson Press, Inc., publisher of **THE DICKINSON PRESS**, a newspaper of general circulation, printed and published at Dickinson, North Dakota, and has been such during the time herein

CASE NO. 5859: (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER ALLOWING THE COMMINGLING OF PRODUCTION FROM THE FOLLOWING WELLS IN THE DICKINSON-LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW/4 NW/4 OF SECTION 32, T.140N., R.96W.,

CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - DICKINSON STATE "A" NO. 83 WELL, NW/4 NW/4 OF SECTION 5, T.139N., R.96W.,

AND SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION DEEMS APPROPRIATE.

Signed by,
Edward T. Schafer, Governor
Chairman, ND Industrial
Commission
(Published Dec. 30, 1993)

advertisement headed 8

is hereunto annexed, was printed and published in the regular and entire issue of each

consecutive weeks, commencing on the 8

A.D. 19 93, and ending on the 30th

A.D., 19 93, both inclusive.

Subscribed and sworn to before me this 30th

A.D. 19 93

Marilyn Wanner

MARILYN WANNER

Notary Public, STARK COUNTY, N.D.

My Commission Expires APRIL 28

THE BISMARCK TRIBUNE

P.O. BOX 1498 BISMARCK, NORTH DAKOTA 58502-1498
(701) 223-2500 IN STATE (800) 472-2273

IND COMM-OIL & GAS DIV
600 E BOULEVARD
BISMARCK ND 58505

**CR54

AV

LEGAL PUBLICA

BILL-TO NUMBER

121470-6

BILLING PERIOD

VENDOR NUMBER

D=Distribution
I=Inches
L=Lines

SOL

1

DATES	DESCRIPTION	REFERENCE NUMBER	PROD. CODE	CLASS CODE	AD SIZE	TIMES	TOTAL UNITS	RATE
2-29 12-29	NOTICE OF PUBLICATION	01214706	BT	0001		1	121L	.53

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 January 26, 1994, Brynhild Haugland Room, State Capitol, 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 701-224-3722 by January 12, 1994.

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. 5862: ON A MOTION OF THE COMMISSION

TO CONSIDER THE TEMPORARY SPACING FOR THE DEVELOPMENT OF AN OIL AND/OR GAS POOL DISCOVERED BY THE GENERAL ATLANTIC RESOURCES, INC. #4123 NESS WELL, LOCATED IN THE NE 1/4 OF SECTION 23, T.163N., R.99W., DIVIDE COUNTY, NORTH DAKOTA, DEFINE THE LIMITS OF THE FIELD, AND ENACT SUCH SPECIAL FIELD RULES AS MAY BE NECESSARY. CASE NO. 5870: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF GENERAL ATLANTIC RESOURCES, INC. FOR AN ORDER PERMITTING PRODUCTION FROM THE AMBROSE-DUPER OW AND RED RIVER POOLS TO BE COMINGLED IN THE WELLBORE OF THE NESS #4123 WELL, LOCATED IN THE NE 1/4 OF SECTION 23, T.163N., R.99W., DIVIDE COUNTY, NORTH DAKOTA. CASE NO. 5871: ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF APACHE CORPORATION FOR AN ORDER ALLOWING AN ADDITIONAL WELL TO BE DRILLED ON TWO SPACING UNITS FOR THE LITTLE MISSOURI-RED RIVER POOL DESCRIBED AS THE SE1/4 OF SECTION 5, T.129N., R.106W., BOWMAN COUNTY, NORTH DAKOTA, AND THE NW1/4 OF SECTION 9, T.129N., R.106W., BOWMAN COUNTY, NORTH DAKOTA. CASE NO. 5872: ON A MOTION OF THE COMMISSION TO CONSIDER THE TEMPORARY SPACING FOR THE DEVELOPMENT OF AN OIL AND/OR GAS POOL DISCOVERED BY THE CONOCO INC. #2 POKER JIM FED. COM. WELL, LOCATED IN THE SW 1/4 OF SECTION 8, T.146N., R.103W., MCKENZIE COUNTY, NORTH DAKOTA, DEFINE THE LIMITS OF THE FIELD, AND ENACT SUCH SPECIAL FIELD RULES AS MAY BE NECESSARY.

CASE NO. 5858: (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AUTHORIZING EMERGENCY AND/OR INTERMITTENT GAS FLARING FROM THE FOLLOWING WELLS AND/OR AT A CENTRAL FACILITY FOR SAID WELLS IN THE DICKINSON LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW1/4 NW1/4 OF SECTION 32, T.140N., R.96W.,
CONOCO - KADRMAS NO. 75 WELL, NW1/4 SE1/4 OF SECTION 31, T.140N., R.96W.,
CONOCO - FRENZEL NO. 79 WELL, NW1/4 NE1/4 OF SECTION 31, T.140N., R.96W.,
CONOCO - DICKINSON STATE "A" NO. 83 WELL, NW1/4 NW1/4 OF SECTION 5, T.139N., R.96W.,

AS AN EXCEPTION TO THE PROVISIONS OF SECTION 38-08.06.4 OF THE NORTH DAKOTA CENTURY CODE OR SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION MAY DEEM APPROPRIATE. CASE NO. 5859: (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER ALLOWING THE COMINGLING OF PRODUCTION FROM THE FOLLOWING WELLS IN THE DICKINSON-LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW1/4 NW1/4 OF SECTION 32, T.140N., R.96W.,
CONOCO - KADRMAS NO. 75 WELL, NW1/4 SE1/4 OF SECTION 31, T.140N., R.96W.,
CONOCO - FRENZEL NO. 79 WELL, NW1/4 NE1/4 OF SECTION 31, T.140N., R.96W.,
CONOCO - DICKINSON STATE "A" NO. 83 WELL, NW1/4 NW1/4 OF SECTION 5, T.139N., R.96W.,

AND SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION DEEMS APPROPRIATE.

Signed by,
Edward T. Schafer, Governor
Chairman, ND Industrial Commission
12/29 - 5691

NOTICE OF PUBLICATION
STATE OF NORTH DAKOTA
12/29/93
Notice of P
12/29/93
4 DAY
Residing at Bismarck

PAYMENT TERMS

Due 10th of month following charges

DETACH
HERE

BILL-TO NUMBER

121470-6

BILLING DATE

12/31/93

SOLD-TO NUMBER

121470-6

IND COMM-OIL & GAS DIV

LEGAL PUBLICATIO

INVOICE GROUP TL

1214706

THE BISMARCK TRIBUNE

12/29/93

**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 January 26, 1994, Brynhild Haugland Room, State Capitol, 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 701-224-3722 by January 12, 1994.

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. 5858:** (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER AUTHORIZING EMERGENCY AND/OR INTERMITTENT GAS FLARING FROM THE FOLLOWING WELLS AND/OR AT A CENTRAL FACILITY FOR SAID WELLS IN THE DICKINSON-LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW/4 NW/4 OF SECTION 32, T.140N., R.96W.,

CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - DICKINSON STATE "A" NO. 83 WELL, NW/4 NW/4 OF SECTION 5, T.139N., R.96W.,

AS AN EXCEPTION TO THE PROVISIONS OF SECTION 38-08-06.4 OF THE NORTH DAKOTA CENTURY CODE OR SUCH FURTHER AND ADDITIONAL RELIEF AS THE COMMISSION MAY DEEM APPROPRIATE **CASE NO. 5859:** (CONTINUED) ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONOCO INC. FOR AN ORDER ALLOWING THE COMMINGLING OF PRODUCTION FROM THE FOLLOWING WELLS IN THE DICKINSON-LODGEPOLE POOL, STARK COUNTY, NORTH DAKOTA:

CONOCO - DICKINSON STATE NO. 74 WELL, SW/4 NW/4 OF SECTION 32, T.140N., R.96W.,

CONOCO - KADRMAS NO. 75 WELL, NW/4 SE/4 OF SECTION 31, T.140N., R.96W.,

CONOCO - FRENZEL NO. 79 WELL, NW/4 NE/4 OF SECTION 31, T.140N., R.96W.,

**CERTIFICATE OF PUBLICATION
THE DICKINSON PRESS
Dickinson, North Dakota**

STATE OF NORTH DAKOTA, }

County of Stark. }

Belle L. Krank

, of said state and county, being first duly sworn, on oath says: That he is the bookkeeper of the Dickinson Press, Inc., publisher of **THE DICKINSON PRESS**, a daily newspaper of general circulation, printed and published at Dickinson, in said county and state, and has been such during the time hereinafter mentioned; and that advertisement headed

Legal--Case No. 5858

\$39.75

a printed copy of which is hereunto annexed, was printed and published in **The Dickinson Press**, and in the regular and entire issue of each and every number 1 consecutive weeks, commencing on the 30 day of December A.D. 1993, and ending on the 30 day of December A.D., 1993, both inclusive.

Sworn to and subscribed to before me this 30th day of December A.D. 1993.

Marilyn Wanner

MARILYN WANNER
Notary Public, STARK COUNTY, N.DAK.
My Commission Expires APRIL 28 1994

P.O. BOX 1498 BISMARCK, NORTH DAKOTA 58502-1498
(701) 223-2500 IN STATE (800) 472-2273

C

100
FISHEROCK

ent

VE

TO NUMBER

SOLD