

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
SUPERVISOR OF WELLS

IN THE MATTER OF

THE PETITION OF NUENERGY OPERATING,)
INC, FOR AN ORDER FROM THE SUPERVISOR)
OF WELLS FORMING A 200-ACRE DUNDEE)
FORMATION DRILLING UNIT AS AN EXCEPTION)
TO RULE 324.301, AND STATUTORILY POOLING) CAUSE NO. 01-2023
ALL INTERESTS INTO THE DRILLING UNIT IN)
HAY TOWNSHIP, GLADWIN COUNTY,)
MICHIGAN.)

NOTICE OF HEARING

Take notice that an evidentiary hearing will be held before the Supervisor of Wells (Supervisor) on the SECOND DAY OF MAY (MAY 2) 2023, BEGINNING AT 1:00 P.M. The hearing will be conducted pursuant to Part 615, Supervisor of Wells; of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.61501 et seq., and the administrative rules, 1996 AACS, 2001 AACS, 2002 AACS, 2015 AACS, 2019 MR 20, R 324.101 et seq.; and the Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq. Pursuant to the Michigan Office of Administrative Hearings and Rules (MOAHR) ADMINISTRATIVE HEARING STANDARD No. 2021-1, the hearing will be conducted remotely. The Department of Environment, Great Lakes, and Energy (EGLE) will provide notice of videoconference links or phone numbers to all parties and individuals who provide a timely answer to the petition as detailed below.

The purpose of this hearing is to receive testimony and evidence pertaining to the need or desirability of issuing an order in the matter of the petition of NuEnergy Operating, Inc. (Petitioner), P.O. Box 1122, Gaylord, Michigan 49734.

The Petitioner seeks an order of the Supervisor, approving an exception to the 40-acre drilling units established by R 324.301, to form a 200-acre Dundee Formation drilling unit, and statutorily pool all interests into the drilling unit, pursuant to R 324.304. The drilling unit for the proposed Cramer Riddle A2-35 and Cramer Maxwell A3-35 wells consists of the SW/4 of SE/4 of Section 26, and the E/2 of NW/4, W/2 of NE/4 of Section 35 T18N, R1E, Hay Township, Gladwin County, Michigan.

You can obtain a copy of the written petition by requesting one in writing from Jeffrey Smetzer, NuEnergy Operating, Inc, P.O. Box 1122, Gaylord, Michigan 49734, telephone number 989-731-0590.

Take note that if you wish to participate as a party in the hearing by presenting evidence or cross-examining witnesses, you shall prepare and deliver to the Petitioner and the Supervisor, not less than five days before the hearing date, an answer to the petition in the manner set forth in R 324.1204(6). Proof of mailing or delivering the answer shall be filed with the Supervisor on or before the date of the hearing. The answer shall state with specificity the interested person's position with regard to the petition. Failure to prepare and serve an answer in a timely manner shall preclude you from presenting evidence or cross-examining witnesses at the hearing. If an answer to the petition is not filed, the Supervisor may elect to consider the petition and enter an order without oral hearing. Mail the answer to the petition to Jeffrey Smetzer at the preceding address, and to the Supervisor in care of the Assistant Supervisor of Wells, Adam Wygant, at the address listed below.

Take further note that you may request a change in the location of the hearing to the county in which the proposed drilling unit is located. If the majority of the owners of the oil and gas rights, which are listed in the petition as having not voluntarily pooling their interests into the proposed drilling unit, include in their timely filed answers a request to hold an in-person hearing in the county where the proposed drilling unit is located, the Assistant Supervisor of Wells shall: (i) at the time and place scheduled in this notice adjourn the scheduled hearing; (ii) reschedule the hearing for a location in such county; and (iii) provide, by first-class mail, notice of the rescheduled hearing date, time, and place prior to the rescheduled hearing date to all persons who filed an answer in response to this notice.

Questions regarding this Notice of Hearing should be directed to Kevin Carey, EGLE, P.O. Box 30256, Lansing, Michigan 48909-8311, telephone number 989-370-1257. Persons with disabilities needing accommodations for effective participation in this hearing should call or write Kevin Carey at least one week prior to the hearing date to request mobility, visual, hearing, or other assistance.

3/13/2023

Dated: _____



Adam W. Wygant
ASSISTANT SUPERVISOR OF WELLS
Oil, Gas, and Minerals Division
P.O. Box 30256
Lansing, Michigan 48909-7756