

of the supreme court. Each judge of the district court. The clerk of the supreme court and his deputy. Clerks of the district court, clerks of the county court, county auditors and register of deeds and their deputies within their respective counties. County commissioners within their respective counties. Judges of the county court. Public administrators within their respective counties. Justices of the peace within their respective counties. Notaries public anywhere in the state upon complying with the provisions of Section 845 and 846. City clerks or auditors, City justices of the peace and police magistrates, Township and village clerks within their respective cities, townships and villages. Each sheriff and his deputy within their respective counties in the cases provided by law. Other officers in the cases specially provided by law.

§ 2. EMERGENCY.] An emergency exists, therefore, this act shall take effect and be in force immediately upon its passage and approval.

Approved February 15, 1929.

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## OIL

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### CHAPTER 184

(S. B. No. 131—Fleckten.)

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#### OIL DRILLING LICENSE, ETC.

An Act providing for licensing of any person, co-partnership, firm or corporation, who shall either lease from the owner of land, and obtain oil or gas rights thereon, or who shall sell its corporate stock, bonds, notes, or any other evidence of indebtedness, who desires to drill either a test hole or an oil or gas well, shall apply to the state geologist for a permit before drilling, providing that the state geologist shall issue licenses for drilling and provided further that the person, co-partnership, firm or corporation shall file with the state geologist a complete log of the drilling, which log shall be a public record, giving authority to the state geologist to make such examination of the drilling while in progress or after completion, and giving authority to the state geologist to inspect drilling operations for the purpose of testing and examining the well. Penalty.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. Any person, co-partnership, firm or corporation, who shall hold leases upon any land, covering or granting oil, gas and mineral rights, and who shall either operate a drilling outfit, or employ a driller to drill for oil, gas or any other mineral product,

shall before commencing to drill, either a test hole or an oil or gas well, make a written application to the state geologist giving the name and address of the owner of the land and the name and address of the lessee, if any, of the land, also the name of the person co-partnership, firm or corporation, employed to do and perform the drilling of such test hole or well, the legal description of the land and the location of the proposed test hole or well on said land, also the name and address of each land owner who shall have leased to the said person, co-partnership, firm or corporation, any oil, gas or mineral rights, lying within the radius of six (6) miles from the proposed test hole or well. Upon the filing of such application, with the state geologist, accompanied with a fee of \$10.00, the geologist shall grant a permit to the said person, co-partnership, firm or corporation, to drill such well, subject to the condition that the said person, co-partnership, firm or corporation, or its agents, servants or assigns, shall if requested by the state geologist furnish to the state geologist a complete log of the drilling operations. Such log to be so furnished shall show the different formations of the earth surface encountered or penetrated; the depth and condition of each formation encountered, and the approximate angle or degree of pitch of the structure where the drill and the drilling operations are operated. Such log shall be kept in minute detail, shall be filed when the drill shall have penetrated five hundred (500) feet from the surface, and for each five hundred (500) feet or a fraction thereof, an additional log shall be filed from time to time as the drilling proceeds. Such log of the drilling shall be a public record, and shall be available to all persons as herein provided, and for the further purpose of informing stock-holders, bond-holders, or lessee of the land, lying and being within a radius of six (6) miles from the said drilling operations or well.

§ 2. And further the said log shall show in detail the size, length and quantity of casing used in said drilling operations, each oil bearing strata encountered, the depth of such strata, the formation thereof, the condition and density thereof, and further shall show the different water-bearing stratas encountered, and samples of the water to be delivered to the state geologist upon request from him, and further that in furnishing such log to the state geologist. A complete log of the said drilling operations must be kept by the said person, co-partnership, firm or corporation or their agents, servants or assigns, at the site of the drilling, the said log, shall be exhibited to the state geologist for his inspection at any time that he may call upon the said person, co-partnership, firm or corporation, or its agents, servants or assigns for the privilege of examining and inspecting the said log. All lessors, bond-holders, stock-holders, or persons holding any evidence of indebtedness given by such person, co-partnership, firm or corporation, shall have a right to in-

spect either the public record, the files of the state geologist or the record of the log as kept by the driller at the site of drilling, and in addition thereto, shall have the right to inspect any material removed from the well or test holes.

§ 3. Any person, co-partnership, firm or corporation, its agents, officers, servants or assigns, or any person in charge of the drilling operations of any such test hole or well, who shall knowingly or wilfully, fail, neglect or refuse to file an application with the state geologist, or who shall conduct drilling operations for the test holes or oil, gas or mineral wells, without first receiving from the state geologist a license as hereinbefore in Section 1 provided, or who shall refuse to grant to the said geologist the right, privilege and opportunity to inspect the log of the well as kept by the driller or person in charge of the drilling operations at the site of the drilling, or who shall refuse to allow the state geologist to examine the material taken from the test hole or well, or shall refuse to grant any lessor, bond-holder, stock-holder, or the holder of any evidence of indebtedness, issued by any such person, co-partnership, firm or corporation, the privilege of examining the log as kept by the person in charge of the drilling operations, or shall refuse to allow such person to inspect the material taken from the well or who shall fail, neglect or refuse to file with the state geologist a complete log of the well or drilling operations, as hereinbefore specified and declared, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined, a sum not exceeding \$5,000.00, or by imprisonment in the county jail, not exceeding one (1) year, or both such fine and imprisonment.

§ 4. EMERGENCY.] This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 7, 1929.