BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

FILED
DEC 01 2010
SECRETARY, BOARD OF OIL, GAS & MINING

---oo0oo---

IN THE MATTER OF FORMAL RULEMAKING TO REPEAL THE OIL AND GAS RULE R649-4: DETERMINATION OF WELL CATEGORIES UNDER THE NGPA OF 1978	: : :	ORDER OF REPEAL OF OIL & GAS RULE R649-4

DOCKET NO. 2010-023
CAUSE NO. RO&G-2010-02

---oo0oo---

Pursuant to the Request of the Division of Oil, Gas & Mining ("Division") filed with the Board of Oil, Gas & Mining ("Board"), the forgoing Formal Rulemaking to Repeal the Oil and Gas Rule R649-4: Determination of Well Categories Under the Natural Gas Policy Act of 1978, came on for hearing before the Board on October 27, 2010 with Board members Ruland J. Gill, Jake Y. Harouny, James T. Jensen, Kelly L. Payne, Samuel C. Quigley, and Douglas E. Johnson, Chair present and participating in the hearing.

Steven Schneider presented the Board with a summary of the actions taken by the Board and Division to comply with the Utah Administrative Rulemaking Act, Utah Code §§63G-3-101 et seq. (2009); specifically: that at its regularly scheduled hearing on August 25, 2010 commence formal rulemaking to repeal R649-4; the eRules filing was completed on September 1, 2010; the proposed rule repeal appeared in the Utah State Bulletin on September 15, 2010; the Board gave notice of and provided opportunity for public comment after publication in the Utah State Bulletin as part of the regularly scheduled Board hearing on September 22, 2010; that a 30-day comment period was provided extending through October 15, 2010; that no objections were received; and that more than 7 days have elapsed since the close of the comment period.

Steve Alder, Assistant Attorney General, represented the Division.

The Board being fully advised, based on the reasons stated in the Request, and for good cause appearing does by unanimous vote of those present hereby Order repeal of Oil and Gas Rule R649-4: Determination of Well Categories under the Natural Gas Policy Act of 1978, effective upon the execution and entry of this Order.

DATED this 1st day of December, 2010.

Douglas E Johnson, Chair
Utah Board of Oil Gas and Mining

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER for Docket No. 2010-023, Cause No. RO&G-2010-02 to be mailed with postage prepaid, this 3rd day of January, 2011, to the following:

Michael S. Johnson
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
Via Email

Fred Donaldson
Steven F. Alder
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
Via Email

Lee Peacock
Utah Petroleum Association
275 E South Temple, Suite 150
Salt Lake City, UT 84111-1270

Lowell Braxton
Western Energy Alliance
3666 S Millbrook Terrace
Salt Lake City, UT 84106

Julie Ann Carter