

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 9960
ORDER NO. 11737

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE APPLICATION OF SAMSON
RESOURCES CO. FOR AN ORDER PURSUANT
TO NDAC § 43-02-03-88.1 POOLING ALL
INTERESTS IN A SPACING UNIT FOR THE
HAUGLAND #31-163-98H, SECTION 31,
T.163N., R.98W, AMBROSE-BAKKEN POOL,
DIVIDE COUNTY, ND; AUTHORIZING THE
RECOVERY FROM EACH
NONPARTICIPATING OWNER A RISK
PENALTY AS PROVIDED BY NDCC § 38-08-08
AND SUCH OTHER RELIEF AS IS
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 February, 2008.
- (2) Pursuant to North Dakota Administrative Code Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, pooling under North Dakota Century Code (NDCC) Section 38-08-08.
- (3) The applicant is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Ambrose-Bakken Pool described as all of Section 31, Township 163 North, Range 98 West, Divide County, North Dakota.
- (4) Said spacing unit is created in accordance with an order of the Commission and there are separately owned tracts and/or separately owned interests in the spacing unit, and some of the owners thereof have not voluntarily pooled their interests for the development and operation of said spacing unit.
- (5) The Commission makes no findings with regard to the specific acreage or percentage attributed to separately owned tracts or interests.

(6) NDCC Section 38-08-08 requires the Commission to enter a pooling order upon application when two or more separately owned tracts are embraced within a spacing unit, or there are separately owned interests in all or a part of a spacing unit, in the absence of voluntary pooling. The section further provides that working interest owners in the spacing unit shall pay their share of the reasonable actual cost of drilling and operating the well plus a reasonable charge for supervision. In addition to such costs and charges, nonparticipating lessees may be required to pay a risk penalty of 200 percent and unleased mineral interest owners may be required to pay a risk penalty of 50 percent of their share of the reasonable actual cost of drilling and completing the well.

(7) Applicant requests an order of the Commission pooling all interests in the spacing unit, and allowing the recovery of a risk penalty from nonparticipating owners.

(8) There were no objections to this application.

(9) This application should be granted in order to prevent waste and protect correlative rights.

IT IS THEREFORE ORDERED:

(1) All oil and gas interests in a spacing unit for the Ambrose-Bakken Pool described as all of Section 31, Township 163 North, Range 98 West, Divide County, North Dakota, are hereby pooled for the development and operation of the spacing unit.

(2) This pooling shall not determine or establish the specific acreage to be attributed to separately owned tracts, or specific interests attributed to separately owned interests.

(3) The operator of the well for said spacing unit shall conduct operations in a manner so as to protect correlative rights of all interested parties.

(4) All owners of interests shall recover or receive, without unnecessary expense, their just and equitable share of production from said spacing unit in the proportion as their interests may appear in the spacing unit.

(5) The working interest owners shall reimburse the operator for their proportionate share of the reasonable actual cost of drilling and operating said well, plus a reasonable charge for supervision.

(6) In the event of any dispute as to such costs the Commission shall determine the proper cost.

(7) If a lessee owning an interest in the spacing unit elects not to participate in the risk and cost of drilling a well thereon, the owner paying for the nonparticipating lessee's share of the drilling and operation of a well may recover from the nonparticipating lessee a risk penalty for the risk involved in drilling the well. The risk penalty is 200 percent of the nonparticipating lessee's share of the reasonable actual costs of drilling and completing the well and may be recovered out of, and only out of, production from the pooled spacing unit, as provided by NDCC Section 38-08-10, exclusive of any royalty or overriding royalty.

(8) If an unleased mineral interest owner in the spacing unit refuses a good-faith attempt to execute a lease and elects not to participate in the risk and cost of drilling a well thereon, the owner paying for the nonparticipating mineral interest owner's share of the drilling and operation of a well may recover from the nonparticipating mineral interest owner a risk penalty for the risk involved in drilling the well. The risk penalty is 50 percent of the nonparticipating mineral interest owner's share of the reasonable actual costs of drilling and completing the well and may be recovered out of, and only out of, production from the pooled spacing unit, as provided by NDCC Section 38-08-10, exclusive of any royalty.

(9) In the event the size of the spacing unit pooled herein is modified by the Commission, this order shall terminate as of the date of such order.

(10) This order shall be effective from the date of first operations, and shall remain in full force and effect until further order of the Commission.

Dated this 25th day of March, 2008.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

STATE OF NORTH DAKOTA

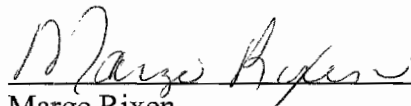
AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 3rd day of April, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 11737 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 by the Industrial Commission in Case No. 9960 :

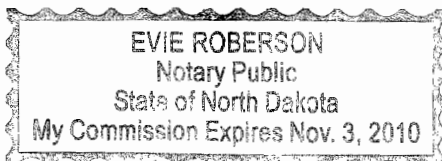
LAWRENCE BENDER
FREDRICKSON & BYRON
PO BOX 1855
BISMARCK ND 58502-1855

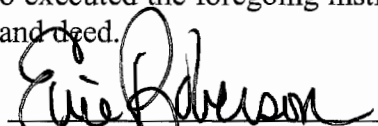
STEVE STACY
SAMSON RESOURCES INC
370-17TH ST STE 3000
DENVER CO 80202



Marge Rixen
Oil & Gas Division

On this 3rd day of April, 2008 before me personally appeared Marge Rixen 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.





Notary Public
State of North Dakota, County of Burleigh

February 19, 2008



Mr. Bruce Hicks
Assistant Director
North Dakota Industrial Commission
Oil and Gas Division
600 East Boulevard
Bismarck, North Dakota 58505-0310

**RE: CASE NO. 9960
APPLICATION OF SAMSON
RESOURCES COMPANY**

Dear Mr. Hicks:

Please find enclosed herewith for filing the original AFFIDAVIT OF STEVE STACY in the captioned matter.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "LBender".

LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Steve Stacy - (w/enc.)
Ms. Connie Wagers - (w/enc.)

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

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



CASE NO. 9960

**Application of Samson Resources Company
for an order pursuant to Section 43-02-03-88.1 of
the N.D. Admin. Code pooling all interests in a
spacing unit for the Haugland #31-163-98H well
described as Section 31-T163N-R98W, Ambrose-
Bakken Pool, Divide County, North Dakota;
authorizing the recovery from each
nonparticipating owner a risk penalty as
provided by Section 38-08-08 of the N.D.C.C.
and such other and further relief as is
appropriate.**

AFFIDAVIT OF STEVE STACY

STATE OF COLORADO)
CITY &) ss
COUNTY OF DENVER)

Steve Stacy, being first duly sworn, deposes and states as follows:

1.

That I am the Land Manager for Samson Resources Company, 370 17th Street, Suite 3000, Denver, Colorado 80202, the applicant in the above-entitled matter.

2.

That in the course of my work as the Land Manager for Samson, I have become familiar with the mineral ownership and leasehold ownership Section 31, Township 163 North, Range 98 West, Divide County, North Dakota ("Subject Lands"). I am also familiar with all the oil and gas operations which have been conducted by Samson on the above-described lands.

3.

That Samson is the owner of an interest in the oil and gas leasehold estate in portions of

the Subject Lands.

4.

That all of Section 31 has been designated as the spacing unit for the Haugland #31-163-98H well in the Ambrose-Bakken Pool.

5.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in the Subject Lands.

6.

That a voluntary pooling in the Subject Lands has not been accomplished.

7.

That Samson has drilled the Haugland #31-163-98H well in the Northwest Quarter of the Northwest Quarter (NW/4NW/4) of Section 31.

8.

That all interested parties entitled to participate in the well will be provided with a well proposal. The proposal to drill the Haugland #31-163-98H well will contain the following information:

- (a) The location of the Haugland #31-163-98H well and the depth of the completion zone;
- (b) An itemization of the estimated cost of drilling and completing the well;
- (c) The approximate date the Haugland #31-163-98H well will be spud;
- (d) That all interested parties entitled to participate had 30 days from the date of the proposal to elect to participate in the well; and
- (e) Notice that a penalty will be imposed against nonparticipating owners.

9.

That the above referenced well proposal of Samson for drilling of the Haugland #31-163-98H well will be forwarded to all interested parties entitled to participate.

10.

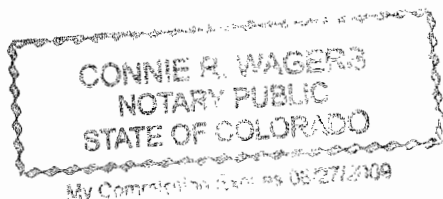
That Samson will make a good faith attempt to lease any unleased mineral acres.


DATED this 18 day of February, 2008.


Steve Stacy

STATE OF COLORADO)
CITY &)ss
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 18th day of February, 2008, by Steve Stacy, Land Manager, of Samson Resources, Inc.




Notary Public
My Commission Expires: 3/27/09

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February 11, 2008



Mr. Bruce Hicks
Assistant Director
North Dakota Industrial Commission
Oil and Gas Division
600 East Boulevard
Bismarck, North Dakota 58505-0310

**RE: NDIC CASE NO. 9960
SAMSON RESOURCES
COMPANY**

Dear Mr. Hicks:

Please find enclosed herewith for filing two AFFIDAVITS OF SERVICE BY MAIL as described above.

Thank you for your attention to this matter.

Sincerely,


LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Steve Stacy - (w/enc.)

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
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BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA



CASE NO. 9960

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AFFIDAVIT OF SERVICE BY MAIL

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

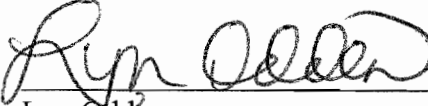
Lyn Odden, being first duly sworn, deposes and says that on the 11 day of February, 2008, she served the attached:

Amended Application of Samson Resources Company

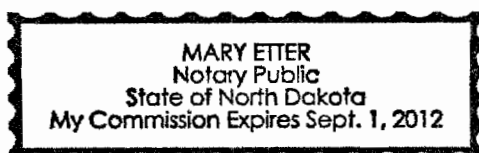
by placing a true and correct copy thereof in an envelope addressed as follows:

See attached Exhibit "A"

and having the same deposited in the United States mail, postage prepaid, at Bismarck, North Dakota.


Lyn Odden

Subscribed and sworn to before me this 11 February, 2008.




Notary Public
My Commission expires:

4319361_1.DOC

Patricia Haugland
PO Box 110
Crosby, ND 58730

Holly White
16600 Cavanaugh Mile Road
Keensburg, CO 80643

Claude M. Gustafson
190 West Nicklaus Avenue
Kalispell, MT 59901

Dwight Wigness
1200 32nd Avenue SW, Apt. #206
Minot, ND 58701-8311

Fern S. Ostberg Trust
2704 Murray Avenue
St. Anthony Village, MN 55418

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190 West Nicklaus Avenue
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Billings, MT 59102

Tracy Larsen
919 Chestnut Street
Grand Forks, ND 58201

Wallace & Evelyn Carlstad
1112 4th Street West
Williston, ND 58801

Earl & Otilia P. Johnson
111 7th Avenue SW, Box 168
Crosby, ND 58730

Angela Thiege
921 East 7th Avenue
Broomfield, CO 80020

Robert & Bertha Grundstad
10255 County Road 11
Ambrose, ND 58833

James R. & Jo Ann Gray
3105 Wonderland Dr.
Rapid City, SD 57702

Frederick W. McCoy, Jr.
PO Box 11215
St. Louis, MO 63105

A. H. Seebold Trust
Martha Seebold
PO Box 11267
St. Louis, MO 63105

Marco Minerals
PO Box 597
Bismarck, ND 58502

EXHIBIT A

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA



CASE NO. 9960

Application of Samson Resources Company for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit for the Haugland #31-163-98H well described as Section 31-T163N-R98W, Ambrose-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief as is appropriate.

AFFIDAVIT OF SERVICE BY MAIL

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

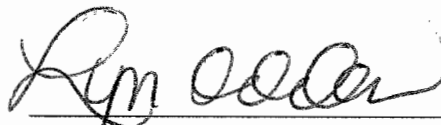
Lyn Odden, being first duly sworn, deposes and says that on the 11 day of February, 2008, she served the attached:

Amended Application of Samson Resources Company

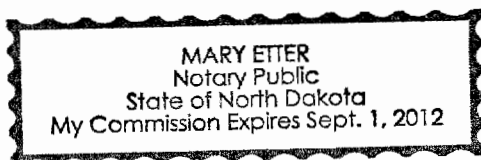
by placing a true and correct copy thereof in an envelope addressed as follows:

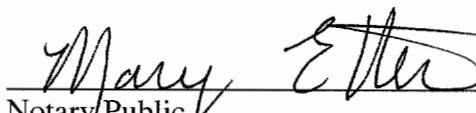
LSM Energy, Inc.
P. O. Box 523
Mandan, ND 58554

and having the same deposited in the United States mail, certified mail, return receipt requested, postage prepaid, at Bismarck, North Dakota.


Lyn Odden

Subscribed and sworn to before me this 11 February, 2008.




Notary Public
My Commission expires:
4319325_1.DOC

Fredrikson

& BYRON, P.A.

February 11, 2008

Mr. Bruce Hicks
Assistant Director
North Dakota Industrial Commission
Oil and Gas Division
600 East Boulevard
Bismarck, North Dakota 58505-0310



RE: **APPLICATION OF SAMSON**
RESOURCES COMPANY
NDIC Case No. 9960

Dear Mr. Hicks:

Please find enclosed herewith for filing an AMENDED APPLICATION OF SAMSON RESOURCES COMPANY for the captioned matter.

As you will note, we have amended paragraph 8 on page 2 to reference "Section 31" rather than "Section 30 and 31". Also, we have amended paragraph (a) on page 3 to reference a hearing date of February 28, 2008, rather than February 27, 2008.

Pursuant to N.D. Admin. Code § 43-02-03-88.2, Samson requests that its witnesses be allowed to participate at the hearing by telephonic means.

Should you have any questions, please advise.

Sincerely,


LAWRENCE BENDER

LB/leo

Enclosure

cc: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Ms. Cynthia Wagner Goulet - (w/enc.)
Mr. Steve Stacy - (w/enc.)
Ms. Connie Wagers - (w/enc.)
All owners of interest - (w/enc.)

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

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200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

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

CASE NO. 9960

Application of Samson Resources Company for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit for the Haugland #31-163-98H well described as Section 31-T163N-R98W, Ambrose-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief as is appropriate.



AMENDED APPLICATION OF SAMSON RESOURCES COMPANY

Samson Resources Company ("Samson"), respectfully shows the North Dakota Industrial Commission ("Commission") as follows:

1.

That Samson is an owner of an interest in the oil and gas leasehold estate in Section 31, Township 163 North, Range 98 West, Divide County, North Dakota ("Section 31").

2.

That there are separately owned tracts or interests in the mineral estate and/or leasehold estate in Section 31.

3.

That a voluntary pooling of Section 31 has not been accomplished.

4.

That Samson has drilled the Haugland #31-163-98H well in the Northwest Quarter of the Northwest Quarter (NW/4NW/4) of Section 31.

5.

That Section 38-08-08(1) of the North Dakota Century Code provides that when two or more separately owned tracts are embraced within a spacing unit, or when there are separately owned interests in all or a part of a spacing unit, and in the absence of a voluntary pooling, the Commission upon the application of any interested person shall enter an order pooling all interests in the spacing unit for the development and operations thereof.

6.

That certain owners of interests in and under Section 31 may have elected not to participate in the drilling and completion operations of the Haugland #31-163-98H well.

7.

That Section 38-08-08(3) of the North Dakota Century Code provides that if an owner of an interest in a spacing unit elects not to participate in the risk and cost of drilling a well, the owner paying for the nonparticipating owner's share of the drilling and operation of a well may recover from the nonparticipating owner a risk penalty involved in drilling the well.

8.

That Samson therefore requests that the Commission enter its order pooling all interests in a spacing unit for the Haugland #31-163-98H well described as Section 31, Township 163 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief as is appropriate.

- 3 -

February 11, 2008



Mr. Bruce Hicks
Assistant Director
North Dakota Industrial Commission
Oil and Gas Division
600 East Boulevard
Bismarck, North Dakota 58505-0310

**RE: NDIC CASE NO. 9960
SAMSON RESOURCES
COMPANY**

Dear Mr. Hicks:

Please find enclosed herewith for filing two AFFIDAVITS OF SERVICE BY MAIL as described above.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "LB", with a long horizontal stroke extending to the right.

LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Steve Stacy - (w/enc.)

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fax 701.221.4040
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BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 9960

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AFFIDAVIT OF SERVICE BY MAIL

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

Deodar Eisenbraun, being first duly sworn, deposes and says that on the 6 day of February, 2008, she served the attached:

Application of Samson Resources Company and Notice of Hearing

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

See attached Exhibit "A"

and having the same deposited in the United States mail, postage prepaid, at Bismarck, North Dakota.

Deodar Eisenbraun
Deodar Eisenbraun

Subscribed and sworn to before me this 6 February, 2008.



Lynette Entzi-Odden
Notary Public
My Commission expires:

4319361_1.DOC

Patricia Haugland
PO Box 110
Crosby, ND 58730

Holly White
16600 Cavanaugh Mile Road
Keensburg, CO 80643

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Martha Seebold
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Marco Minerals
PO Box 597
Bismarck, ND 58502

EXHIBIT A

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OF THE STATE OF NORTH DAKOTA**



CASE NO. 9960

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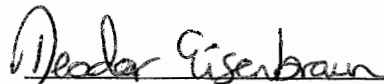
Deodar Eisenbraun, being first duly sworn, deposes and says that on the 6 day of February, 2008, she served the attached:

Application of Samson Resources Company and Notice of Hearing

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

LSM Energy, Inc.
P. O. Box 523
Mandan, ND 58554

and having the same deposited in the United States mail, certified mail, return receipt requested, postage prepaid, at Bismarck, North Dakota.


Deodar Eisenbraun

Subscribed and sworn to before me this 6 February, 2008.




Notary Public
My Commission expires:
4319325_1.DOC

January 28, 2008



Mr. Bruce Hicks
Assistant Director
North Dakota Industrial Commission
Oil and Gas Division
600 East Boulevard
Bismarck, North Dakota 58505-0310

**RE: APPLICATION OF SAMSON
RESOURCES COMPANY
Section 31-T163N-R98W, Divide
County, ND**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF SAMSON RESOURCES COMPANY and NOTICE OF HEARING as described above.

As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Samson requests that its witnesses be allowed to participate at the hearing by telephonic means.

Should you have any questions, please advise.

Sincerely,


LAWRENCE BENDER

LB/leo

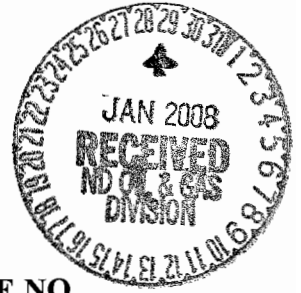
Enclosure

cc: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Ms. Cynthia Wagner Goulet - (w/enc.)
Mr. Steve Stacy - (w/enc.)
Ms. Connie Wagers - (w/enc.)

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CASE NO. _____

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APPLICATION OF SAMSON RESOURCES COMPANY

Samson Resources Company ("Samson"), respectfully shows the North Dakota Industrial Commission ("Commission") as follows:

1.

That Samson is an owner of an interest in the oil and gas leasehold estate in Section 31, Township 163 North, Range 98 West, Divide County, North Dakota ("Section 31").

2.

That there are separately owned tracts or interests in the mineral estate and/or leasehold estate in Section 31.

3.

That a voluntary pooling of Section 31 has not been accomplished.

4.

That Samson has drilled the Haugland #31-163-98H well in the Northwest Quarter of the Northwest Quarter (NW/4NW/4) of Section 31.

5.

That Section 38-08-08(1) of the North Dakota Century Code provides that when two or more separately owned tracts are embraced within a spacing unit, or when there are separately owned interests in all or a part of a spacing unit, and in the absence of a voluntary pooling, the Commission upon the application of any interested person shall enter an order pooling all interests in the spacing unit for the development and operations thereof.

6.

That certain owners of interests in and under Section 31 may have elected not to participate in the drilling and completion operations of the Haugland #31-163-98H well.

7.

That Section 38-08-08(3) of the North Dakota Century Code provides that if an owner of an interest in a spacing unit elects not to participate in the risk and cost of drilling a well, the owner paying for the nonparticipating owner's share of the drilling and operation of a well may recover from the nonparticipating owner a risk penalty involved in drilling the well.

8.

That Samson therefore requests that the Commission enter its order pooling all interests in a spacing unit for the Haugland #31-163-98H well described as Section 30 and 31, Township 163 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief as is appropriate.

- 3 -

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

CASE NO. _____

Application of Samson Resources Company for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit for the Haugland #31-163-98H well described as Section 31-T163N-R98W, Ambrose-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief as is appropriate.

NOTICE OF HEARING

PLEASE TAKE NOTICE that Samson Resources Company filed the above-referenced application with the North Dakota Industrial Commission.

A hearing will be held at 9:00 a.m. on February 27, 2008, at the Department of Mineral Resources Conference Room, Oil and Gas Division, 1016 East Calgary Avenue, Bismarck, North Dakota, to consider the request of Samson Resources Company.

As noted in the attached application, the applicant is requesting the authority to impose a risk penalty against any nonparticipating owner electing not to participate in the drilling of the contemplated well. Any nonparticipating owner may object to the risk penalty by responding in opposition to the application.

DATED this 20th day of January, 2008.

FREERITSON & MYTON, P.A.

By  _____
LAWRENCE SENDER

Attorneys for Applicant
Samson Resources Company
200 North 3rd Street, Suite 150
Post Office Box 1855
Bismarck, North Dakota 58502-1855

**NOTICE OF HEARING
N.D. INDUSTRIAL
COMMISSION
OIL AND GAS DIVISION**

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, February 28, 2008, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES:

If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, February 15, 2008.

STATE OF NORTH DAKOTA TO:

Case No. 9937: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 26 and 35, T.160N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate.

Case No. 9938: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 7 and 18, T.160N., R.94W., Burke County, and Sections 1 and 12, T.160N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 9940: Temporary spacing to develop an oil and/or gas pool discovered by the Newfield Production Co. #25-2 Plumer-Lundquist, NWNE Section 25, T.161N., R.99W., Divide County, ND, define the field limits, and enact such special field

Case No. 9956: Application of Headington Oil Co. LLC for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 16 and 17, T.160N., R.95W., Divide County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate.

Case No. 9960: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Haugland #31-163-98H, Section 31, T.163N., R.98W., Ambrose-Bakken Pool, Divide County, ND; authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 9795: (Continued) Proper spacing for the development of the Moraine-Duperow Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Armstrong Operating, Inc.

Signed by,
John Hoeven, Governor
Chairman,
ND Industrial Commission

NNI L. ANDERSON
Notary Public
State of North Dakota
Commission Expires Aug. 2, 2011

Affidavit of Publication

State of North Dakota, County of Divide, ss:

I, Steven J. Andrist, being first duly sworn, on my oath, say that I am the publisher of The Journal, a weekly newspaper of general circulation and official newspaper of Divide County, State of North Dakota, published in the city of Crosby, ND, and that the advertisement headed

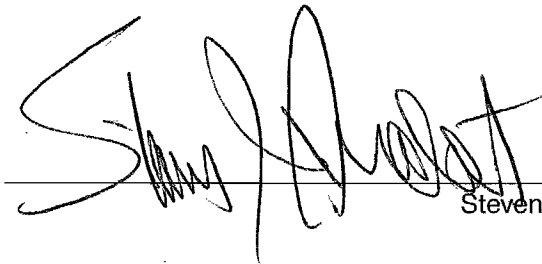
NOTICE OF HEARING

copy of which is here attached, was published in The Journal on the following dates:

6, 2008 91 lines @ .57 = 51.87

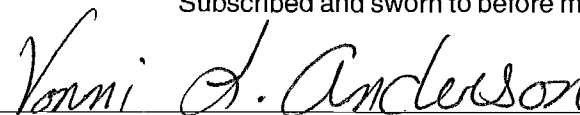
CHARGE \$51.87

Signed



Steven J. Andrist, Publisher

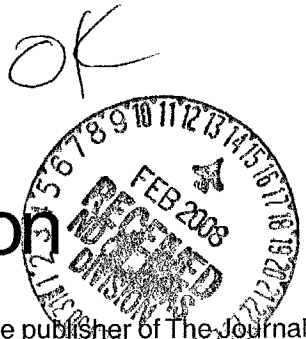
Subscribed and sworn to before me February 6, 2008



Vonni L. Anderson

Notary Public, State of North Dakota

My Commission Expires August 2, 2011



NOTICE OF HEARING N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, February 28, 2008, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, February 15, 2008.

STATE OF NORTH DAKOTA TO:

Case No. 9936: Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-20H Jost, SWSW Section 20, T.145N., R.98W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 9937: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 26 and 35, T.160N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 9938: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 7 and 18, T.160N., R.94W., Burke County, and Sections 1 and 12, T.160N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 9939: Application of Continental Resources, Inc. for

an order extending the field boundaries and amending the field rules for the North Tioga-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 7 and 18, T.159N., R.94W., Burke County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 9879: (Continued) To consider whether Section 34, T.129N., R.102W., Bowman County, ND, is the appropriate spacing unit in the Ash-Red River Pool for the Continental Resources, Inc., #1-34 Kate White, located 2490 feet from the north line and 1815 feet from the west line of said Section 34. Case No. 9815: (Continued) Application of Continental Resources, Inc. for an order creating a 1280-acre drilling unit comprised of Sections 6 and 7, T.149N., R.95W., McKenzie County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit and for such other relief as is appropriate. Case No. 9940: (Continued) Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Blue Buttes-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 30 and 31, T.150N., R.95W., McKenzie County, ND, authorizing the drilling of one horizontal well on said spacing unit and for such other relief as is appropriate. Case No. 9940: Temporary spacing to develop an oil and/or gas pool discovered by the Newfield Production Co. #25-2 Plumer-Lundquist, NWN Section 25, T.161N., R.99W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 9723: (Continued) Application of Newfield Production Co. for an order creating four 1280-acre drilling units comprised of Sections 7 and 8; Sections 10 and 15; Sections 11 and 14; and Sections 23 and 26, T.148N., R.96W., Dunn County, ND, authorizing the drilling of a horizontal well within each drilling unit at a location not less than 500 feet from the boundary of each drilling unit as an exception to the provisions of NDAC § 43-02-03-18 and such other relief as is appropriate. Case No. 9941: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Austin #4-09H, Section 9, T.154N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9942: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Cormio #1-23H, Section 23, T.153N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9943: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Alan #1-06H, Section 6, T.152N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9944: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Evans #1-13H, Section 13, T.152N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9945: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the HG #1-14H, Section 14, T.152N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9946: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Roger #1-15H, Section 15, T.152N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9947: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the School #1-16H, Section 16, T.152N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9948: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Herbert #1-26H, Section 26, T.153N., R.90W., Parshall-Bakken Pool, Mountrail County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9949: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Federal #41X-13, Sections 13 and 24, T.149N., R.97W., North Fork-Bakken Pool, McKenzie County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9950: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Federal #41X-22, Sections 15 and 22, T.149N., R.97W., North Fork-Bakken Pool, McKenzie County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate.

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Case

No. 9951: Application of Headington Oil Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Federal #44X-23 well described as Sections 14 and 23, T.149N., R.97W., North Fork-Bakken Pool, McKenzie County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9952: Application of Headington Oil Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the 101 Federal #11X-24, Sections 24 and 25, T.147N., R.105W., MonDak-Bakken Pool, McKenzie County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9953: Application of Headington Oil Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Mattson Trust #44X-17, Sections 17 and 20, T.153N., R.96W., Dollar-Joe-Bakken Pool, Williams County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9954: Application of Headington Oil Co. LLC for an order creating four 1280-acre drilling units comprised of Sections 19 and 30; Sections 20 and 29, T.148N., R.96W., Sections 23 and 26; and Sections 24 and 25, T.148N., R.97W., Dunn County, ND, authorizing the drilling of a horizontal well at a location not less than 500 feet from the boundary of each proposed drilling unit as an exception to the provisions of NDAC § 43-02-03-18, and such other relief as is appropriate. Case No. 9955: Application of Headington Oil Co. LLC for an order extending the field boundaries and amending the field rules for the Lost Bridge-Bakken Pool to create four 1280-acre spacing units comprised of Sections 1 and 12; Sections 2 and 11; Sections 13 and 14, T.148N., R.97W., and Sections 17 and 18, T.148N., R.96W., Dunn County, ND, authorizing the drilling of a horizontal well within each spacing unit not less than 500 feet to the boundary of each spacing unit and such other relief as is appropriate. Case No. 9956: Application of Headington Oil Co. LLC for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 16 and 17, T.160N., R.95W., Divide County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 9831: (Continued) Application of Headington Oil Co. LP for an order authorizing the flaring of gas from the Ongstad #41X-15, NENE of Section 15, T.157N., R.95W., Williams County, ND, Tioga-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 and for such other relief as is appropriate. Case No. 9957: Application of Encore Operating, LP for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Red River, Stonewall, Duperow, Birdbear and Madison Pools to be commingled in the well bore of the Nelson 17 #1 well, NWNW Section 17, T.152N., R.101W., Camp Field, McKenzie County, ND, and such other relief as is appropriate. Case No. 9958: Application of Encore Operating, LP for an order extending the field boundaries and amending the field rules for the Murphy Creek-Bakken Pool to create two 1280-acre spacing units comprised of Sections 21 and 28; and Sections 23 and 26, T.145N., R.95W., Dunn County, ND, authorizing the drilling of a horizontal well within each spacing unit not less than 500 feet to the boundary of each spacing unit and such other relief as is appropriate. Case No. 9767: (Continued) Application of Encore Operating, LP for an order amending the field rules for the Charlson-Bakken Pool to create three 1280-acre spacing units comprised of Sections 6 and 7, Sections 8 and 17, and Sections 16 and 21, T.153N., R.95W., McKenzie County, ND, authorizing the drilling of one horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and for such other relief as is appropriate. Case No. 9959: Application of Forest Oil Corp. for an order extending the field boundaries and amending the field rules for the Dimmick Lake-Bakken Pool to create a 640-acre spacing unit comprised of Section 28, T.151N., R.96W., McKenzie County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 9960: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Haugland #31-163-98H, Section 31, T.163N., R.98W., Ambrose-Bakken Pool, Divide County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 9886: (Continued) Application of the Cirque Resources LP for an order authorizing the drilling of a well at a location approximately 1680 feet from the north line and 1200 feet from the west line of Section 11, T.150N., R.90W., McLean County, ND, as an exception to the provisions of NDAC § 43-02-03-18, and for such other relief as is appropriate. Case No. 9795: (Continued) Proper spacing for the development of the Moraine-Duperow Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Armstrong Operating, Inc. Case No. 9836: (Continued) Application of Tecton Energy, LLC for an order extending the field boundaries and amending the field rules for the Little Missouri-Red River Pool to create a 1280-acre spacing unit comprised of Section 31, T.129N., R.105W., and Section 36, T.129N., R.106W., Bowman County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and providing such further and additional relief as is appropriate. Case No. 9961: A motion of the Commission to consider the termination of the Zenith Newton-Heath Unit, Stark County, ND. Chaparral Energy LLC Case No. 9907: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Helix Oil & Gas Co., LLC #4-8H Linseth, NWNW of Section 8, T.149N., R.95W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 9858: (Continued) Proper spacing for the development of the Silverston-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Enerplus Resources USA Corp. Case No. 9962: Temporary spacing to develop an oil and/or gas pool discovered by the Eagle Operating, Inc. #29-5 E-M Cleone, SWNW Section 29, T.163N., R.87W., Renville County, ND, define the field limits, and enact such special field rules as may be necessary.

Signed by,

John Hoeven, Governor

Chairman, ND Industrial Commission

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To pla

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Or pla