

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 12161  
ORDER NO. 14413

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE APPLICATION OF BAYTEX  
ENERGY USA LTD. FOR AN ORDER  
PURSUANT TO NDAC § 43-02-03-88.1 POOLING  
ALL INTERESTS IN A SPACING UNIT  
DESCRIBED AS SECTION 13, T.162N., R.99W.,  
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 25th day of February, 2010.
- (2) Pursuant to North Dakota Administrative Code (NDAC) 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 13, Township 162 North, Range 99 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) Counsel for applicant requests an order of the Commission pooling all interests in the spacing unit.

(7) There were no objections to this application.

(8) 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% of their share of the reasonable actual cost of drilling and completing the well. This application is not a petition for a risk penalty, therefore the Commission makes no findings with regard to whether any particular owner with an interest in the spacing unit at issue in this application may impose a risk penalty against any other owner. The requirements for imposition of a risk penalty are set forth in NDCC Section 38-08-08 and NDAC Section 43-02-03-16.3.

(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 13, Township 162 North, Range 99 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 the 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 the 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) 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.

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

Dated this 1st day of June, 2010.

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

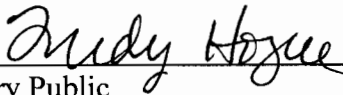
I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 4<sup>th</sup> day of June, 2010 enclosed in separate envelopes true and correct copies of the attached Order No. 14413 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 12161 :

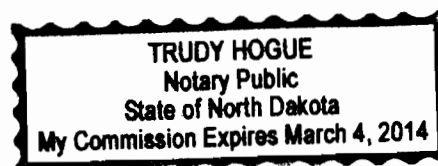
LAWRENCE BENDER  
FREDRICKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502-1855

LEE ZINK  
BAYTEX ENERGY USA LTD  
600 17TH ST STE 1900 S  
DENVER CO 80202

  
Jeanette Bean  
Oil & Gas Division

On this 4<sup>th</sup> day of June, 2010 before me personally appeared Jeanette Bean 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



# Fredrikson

& BYRON, P.A.

February 9, 2010



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

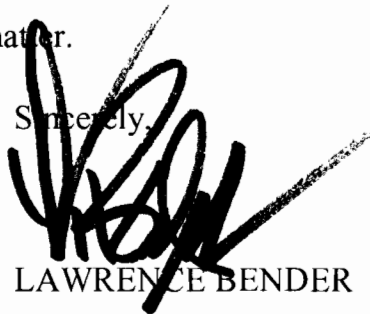
**RE: CASE NO. 12161**  
**Baytex Energy USA Ltd.**

Dear Mr. Hicks:

Please find enclosed herewith the original AFFIDAVIT OF LEE ZINK in regard to the captioned matter for filing.

Thank you for your attention to this matter.

Sincerely,



LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Lee Zink - (w/o enc.) *Via Email*  
4610690\_1.DOC

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. 12161**

**Application of Baytex Energy USA Ltd. for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit described as Section 13, Township 162 North, Range 99 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.**

**AFFIDAVIT OF LEE ZINK**

STATE OF COLORADO     )  
                                      ) ss  
COUNTY OF DENVER     )

Lee Zink, being first duly sworn, deposes and states as follows:

1.

That I am a Landman for Baytex Energy USA Ltd., 600 17th Street, Suite 1900 South, Denver, Colorado 80202, the applicant in the above-entitled matter.

2.

That in the course of my work as Landman for Baytex, I have become familiar with the mineral ownership and leasehold ownership in and under all of Section 13, Township 162 North, Range 99 West, Divide County, North Dakota ("Section 13"). I am also familiar with all the oil and gas operations which have been conducted by Baytex on the above-described lands.

3.

That EOG is the owner of an interest in the oil and gas leasehold estate in portions of Section 13.

4.

That all of Section 13 has been designated as the spacing unit in the Ambrose-Bakken Pool.

5.

That there are separately owned tracts or interests in the mineral estate and/or leasehold estate in Section 13.

6.

That a voluntary pooling in Section 13 has not been accomplished.

DATED this 8 day of February, 2010.

Lee Zink

STATE OF COLORADO    )  
                                  )ss  
COUNTY OF DENVER    )

The foregoing instrument was acknowledged before me this 8th day of February, 2010 by Lee Zink, Landman, of Baytex Energy USA Ltd.



4691438\_1.DOC

Notary Public

My Commission Expires:

1/18/2014

# Fredrikson

& BYRON, P.A.

January 25, 2010

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



**RE: APPLICATION OF BAYTEX  
ENERGY USA LTD.  
Section 13, Township 162 North,  
Range 99 West, Divide County, ND**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF BAYTEX ENERGY USA LTD and NOTICE OF HEARING as described above.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Baytex 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.)  
Mr. Todd Sattler - (w/enc.)  
Mr. Lee Zink - (w/enc.)

4681918\_1.DOC

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

CASE NO. 12161

**Application of Baytex Energy USA Ltd. for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit described as Section 13, Township 162 North, Range 99 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.**



**APPLICATION OF BAYTEX ENERGY USA LTD.**

Baytex Energy USA Ltd. ("Baytex"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Baytex is an owner of an interest in the oil and gas leasehold estate in Section 13, Township 162 North, Range 99 West, Divide County, North Dakota ("Section 13").

2.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in Section 13.

3.

That a voluntary pooling of Section 13 has not been accomplished.

4.

That all of Section 13 has been designated as a spacing unit in the Ambrose-Bakken Pool.

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.

7.

That it is anticipated that certain owners of interests in and under Section 13 may have elected not to participate in drilling and completion operations.

8.

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.

9.

That Baytex therefore requests that the Commission enter its order pursuant to Section 43-02-03-88.1 of the North Dakota Administrative Code pooling all interests in a spacing unit for Section 13, Township 162 North, Range 99 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 North Dakota Century Code and such other and further relief as the Commission deems appropriate.

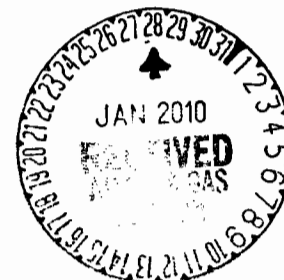
**WHEREFORE**, Baytex requests the following:



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

CASE NO. \_\_\_\_\_

**Application of Baytex Energy USA Ltd. for an order pursuant to Section 43-02-03-88.1 of the N.D. Admin. Code pooling all interests in a spacing unit described as Section 13, Township 162 North, Range 99 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.**



**NOTICE OF HEARING**

PLEASE TAKE NOTICE that Baytex Energy USA Ltd. filed the above-referenced application with the North Dakota Industrial Commission.

*A hearing will be held at the February 2010 hearings of the Commission, at the Department of Mineral Resources Conference Room, Oil and Gas Division, 1016 East Calgary Avenue, Bismarck, North Dakota, to consider the request of Baytex Energy USA Ltd.*

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 25th day of January, 2010.

FREITRICKSON & SYRON, P.A.

By 

LAWRENCE BENDER, ND Bar #03908

*Attorneys for Applicant*

*Baytex Energy USA Ltd.*

200 North 3<sup>rd</sup> Street, Suite 150

Post Office Box 1855

Bismarck, North Dakota 58502-1855

Ph: (701) 221-4020

# 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 CALL FOR BIDS N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

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

February 3, 2010 ..... 177 lines @ .59 = 104.43

TOTAL CHARGE.....\$104.43



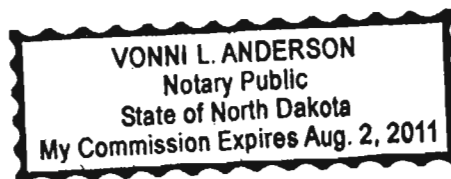
Signed

Steven J. Andrist, Publisher

Subscribed and sworn to before me February 3, 2010

Vonni L. Anderson

Notary Public, State of North Dakota



## 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 25, 2010, 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 12, 2010.

STATE OF NORTH DAKOTA TO:

Case No. 12149: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 13 and 24, T.163N., R.99W.; Sections 18 and 19, T.163N., R.98W.; and Sections 6 and 7, T.162N., R.98W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

Case No. 12150: Application of Samson Resources Co. for an order extending the field boundaries and amending the field rules for the Blooming Prairie-Bakken Pool to create and establish twelve 1280-acre spacing and/or drilling units comprised of Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 26 and 35; Sections 27 and 34; T.163N.; R.98W.; Sections 1 and 12; and Sections 2 and 11, T.162N., R.98W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing and/or drilling unit, and such other relief as is appropriate.

Case No. 12151: Application of Samson Resources Co. for an order extending the field boundaries and amending the field rules for the Forthun-Bakken Pool to create and establish eight 1280-acre spacing units comprised of Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; and Sections 16 and 21, T.163N.,

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. 12160: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 24, T.162N., R.99W., 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. 12161: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 13, T.162N., R.99W., 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. 12162: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 2, T.162N., R.99W., 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. 12163: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 9, T.161N., R.98W., Whiteaker-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. 12201: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Sadler and/or Dolphin-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 17 and 20, T.161N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing

unit, eliminating the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries, and eliminating any tool error setback requirements, and such other relief as is appropriate.

Case No. 12203: Application of Continental Resources, Inc. for an order amending the field rules for the Stoneview-Bakken Pool to create 2560-acre spacing units comprised of the following lands: Sections 3, 10, 15, and 22; Sections 27, 34, 26, and 35, T.160N., R.95W., Divide County; and Sections 3, 10, 2, and 11, T.159N., R.95W., Williams County, ND, authorizing the drilling of up to four horizontal wells from each common well pad within each 2560-acre spacing unit; eliminating the minimum setbacks from the "heel and toe" of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12204: Application of Continental Resources, Inc. for an order amending the field rules for the Hamlet-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 13, 24, 25, and 36, T.160N., R.96W., Divide County, ND, authorizing the drilling of up to four horizontal wells from a common well pad within the 2560-acre spacing unit; eliminating the minimum setbacks from the "heel and toe" of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12023: (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 14 and 23, T.161N., R.95W., Sadler-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.

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

(2-3)

# The Bismarck Tribune

www.bismarcktribune.com

## The Finder

### OIL & GAS DIVISION

600 E BLVD AVE #405  
BISMARCK ND 58505

**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 25, 2010, 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 12, 2010.

**STATE OF NORTH DAKOTA TO:**  
Case No. 12140: Proper spacing for the development of the Oakdale-Bakken Pool, Dunn County, ND, redefine the field limits, and enact such special field rules as may be necessary. Burlington Resources Oil & Gas Co. LP, Continental Resources, Inc.

Case No. 11853: (Continued) Proper spacing for the development of the Sanish-Bakken Pool, McKenzie and Mountrail Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Fidelity Expl. & Prod. Co.; Murex Petroleum Corp.; Oasis Petroleum North America LLC; Sinclair Oil and Gas Co.; Slawson Exploration Co., Inc.; Whiting Oil and Gas Corp.

Case No. 12009: (Continued) Proper spacing for the development of the Bear Creek-Bakken Pool, Dunn County, ND, redefine the field limits, and enact such special field rules as may be necessary. Burlington Resources Oil & Gas Co. LP, Encore Operating, LP

Case No. 12010: (Continued) Proper spacing for the development of the Eldah-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Burlington Resources Oil & Gas Co. LP, Continental Resources, Inc.; Zenergy, Inc.

Case No. 12011: (Continued) Proper spacing for the development of the Pershing-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Burlington Resources Oil & Gas Co. LP, Continental Resources, Inc.

Case No. 12141: Temporary spacing to develop an oil and/or gas pool discovered by the Zenergy, Inc. #1-35H Aagvik, SESE Section 27, T.152N., R.98W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 12142: Application of Zenergy, Inc. for an order extending the field boundaries and amending the field rules for the Painted Woods and/or Squires-Bakken Pools to create and establish one 1280-acre spacing unit comprised of Sections 29 and 30, T.152N., R.102W., Williams County, ND, authorizing the drilling of one horizontal well on said spacing unit, and such other relief as is appropriate.

Case No. 12143: Application of Zenergy, Inc. for an order extending the field boundaries and amending the field rules for the Banks-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 1 and 2; Sections 11 and 12; and Sections 20 and 21, T.152N., R.98W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

Case No. 12144: Application of Zenergy, Inc. for an order creating a 1280-acre, drilling unit comprised of Sections 4 and 9, T.151N., R.98W., 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 such other relief as is appropriate.

Case No. 12145: Application of Zenergy Operating Co., LLC for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Dakota-3 Pennington #16-15H, Section 15, T.152N., R.92W., Van Hook-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. 12146: Proper spacing for the development of the Mandaree-Bakken Pool, Dunn and McKenzie Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Peak ND LLC; Zenergy Operating Co., LLC

Case No. 12147: Application of Peak ND, LLC for an order extending the field boundaries and amending the field rules for the Spotted Horn-Bakken Pool to create and establish two 640-acre spacing units comprised of Section 11 and Section 36, T.150N., R.94W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

Case No. 12148: Proper spacing for the development of the Foothills-Bakken Pool, Burke County, ND, redefine the field limits, and enact such special field rules as may be necessary. Samson Resources Co.

Case No. 12149: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 13 and 24, T.163N., R.99W.; Sections 18 and 19, T.163N., R.98W.; and Sections 6 and 7, T.162N., R.98W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

Case No. 12150: Application of Samson Resources Co. for an order extending the field boundaries and amending the field rules for the Blooming Prairie-Bakken Pool to create and establish twelve 1280-acre spacing and/or drilling units comprised of Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 26 and 35; Sections 27 and 34; T.163N.; R.98W.; Sections 1 and 12; and Sections 2 and 11, T.162N., R.98W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing and/or drilling unit, and such other relief as is appropriate.

Case No. 12151: Application of Samson Resources Co. for an order extending the field boundaries and amending the field rules for the Forthun-Bakken Pool to create and establish eight 1280-acre spacing units comprised of Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; and Sections 16 and 21, T.163N., 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. 12152: Application of Samson Resources Co. for an order creating a 1280-acre drilling unit comprised of Sections 14 and 15, T.152N., R.89W., Mountrail 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 each drilling unit, and such other relief as is appropriate.

Case No. 12153: Application of Brigham Oil & Gas, L.P. for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Jackson 35-34 #1-H, SESE of Section 35, T.154N., R.102W., Williams County, ND, define the field limits, enact such special field rules as may be necessary, and such other relief as is appropriate.

Case No. 12154: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Squires-Bakken Pool, Williams County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility, until the same can be connected, and such other relief as is appropriate.

Case No. 12155: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Bull Butte-Bakken Pool, Williams County, ND, to allow the flaring of

gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected, and such other relief as is appropriate.

Case No. 12156: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Catwalk-Bakken Pool, McKenzie and Williams Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected, and such other relief as is appropriate.

Case No. 12157: Application of Brigham Oil & Gas, L.P. for an order creating a 1280-acre drilling unit comprised of Section 34, T.151N., R.100W., and Section 3, T.150N., R.100W., McKenzie County, ND, authorizing the drilling of a horizontal well within said

Date	Order #	Type	Order Amt
02/04/10	20418171	INV	995.04

Amount Paid: CK #:

Date	Date	Times Run	Description
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Case No. 12140/604968  
02/04/10 02/04/10 1 Bismarck Tribune  
PO: Notice of Hearing

**Affidavit of Publication**  
State of North Dakota ) SS County of Burleigh  
Before me, a Notary Public for the State of North Dakota personally appeared Gregory P. Ziegler who being duly sworn, depose and says that he (she) is the Clerk of Bismarck Tribune Co and that the publication(s) were made through the Bismarck Tribune on the following dates: 2/14 Signed Gregory P. Ziegler sworn and subscribed to before me this 14th day of February 2010  
Notary Public in and for the State of North Dakota

**GREGORY P. ZIEGLER**  
Notary Public  
State of North Dakota  
My Commission Expires July 22, 2015

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drilling unit at a location not less than 500 feet from the boundary of said drilling unit, and such other relief as is appropriate.

**Case No. 12158:** Application of Brigham Oil & Gas, L.P. for an order creating three 1280-acre drilling units comprised of Sections 21 and 28; Sections 23 and 27; and Sections 23 and 26. T.156N., R.100W., Williams 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, and such other relief as is appropriate.

**Case No. 12159:** Application of Brigham Oil & Gas, L.P. for an order creating two 1280-acre drilling units comprised of Sections 14 and 23; and Sections 15 and 22. T.155N., R.101W., Williams 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, and such other relief as is appropriate.

**Case No. 12160:** Application of Baytex Energy USA Ltd. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit described as Section 24, T.162N., R.99W., 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. 12161:** Application of Baytex Energy USA Ltd. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit described as Section 13, T.162N., R.99W., 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. 12162:** Application of Baytex Energy USA Ltd. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit described as Section 2, T.162N., R.99W., 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. 12163:** Application of Baytex Energy USA Ltd. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit described as Section 9, T.161N., R.98W., Whiteaker-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. 12164:** Application of Golden Eye Resources, LLC for an order creating sixteen 1280-acre drilling units comprised of Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 25 and 36; T.156N., R.101W.; Sections 5 and 8; Sections 6 and 7; Sections 18 and 19; Sections 30 and 31; T.156N., R.100W.; Sections 1 and 12; T.155N., R.101W., Williams County, and Sections 6 and 7; T.153N., R.101W., Williams and McKenzie Counties, 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, and such other relief as is appropriate.

**Case No. 12165:** Application of Zavanna, LLC for an order amending the field rules for the Stony Creek-Bakken Pool, Williams County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected, and such other relief as is appropriate.

**Case No. 12166:** Application of Hunt Oil Co. for an order amending the field rules for the Marshall-Bakken Pool, Mountrail County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected, and such other relief as is appropriate.

**Case No. 12167:** Application of Hunt Oil Co. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the King #35-4H, Section 35, T.157N., R.90W., and the W/2 of Section 4, and the E/2 of Section 5, T.156N., R.90W., Ross-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. 12168:** Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Sanish and Van Hook-Bakken Pools in conjunction with two 640-acre spacing units comprised of Sections 9 and 16, T.152N., R.91W., Mountrail County, ND, eliminating the 500-foot setbacks from boundary lines between the two spacing units, and such other relief as is appropriate.

**Case No. 12169:** Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Van Hook-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 28 and 33, T.151N., R.92W., Mountrail 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. 12171:** (Continued) Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Bazooka #1-20H, Section 20, T.152N., R.92W., Big Bend-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. 12172:** (Continued) Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Zephyr #1-36H, Section 36, T.152N., R.93W., Big Bend-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. 12175:** (Continued) Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Coyote #1-32H, Section 32, T.152N., R.92W., Big Bend-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. 12178:** (Continued) Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Wombat #1-25H, Section 25, T.152N., R.90W., Marshall-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. 12170:** Application of Tracker Resource Development II, LLC for an order extending the field boundaries and amending the field rules for the Murphy Creek-Bakken Pool to create and establish 1280-acre spacing units and/or amend existing 1280-acre spacing units to allow the drilling of not more than three horizontal wells on each of the existing or

proposed 1280-acre spacing units comprised of the following lands in Dunn County, ND: Secs. 1 and 12; Secs. 2 and 11; Secs. 3 and 10; Secs. 13 and 24; Secs. 14 and 23; Secs. 15 and 22; Secs. 16 and 21; Secs. 25 and 36; Secs. 27 and 34; Secs. 28 and 33; T.144N., R.95W.; Secs. 6 and 7; Secs. 13 and 24; Secs. 14 and 23; Secs. 15 and 22; Secs. 16 and 21; Secs. 17 and 20; Secs. 18 and 19; Secs. 25 and 36; Secs. 26 and 35; Secs. 27 and 34; Secs. 28 and 33; Secs. 29 and 32; Secs. 30 and 31; T.144N., R.94W.; Secs. 16 and 21; Secs. 17 and 20; Secs. 18 and 19; Secs. 28 and 33; Secs. 29 and 32; Secs. 30 and 31; T.144N., R.93W.; Secs. 1 and 12; Secs. 2 and 11; Secs. 3 and 10; Secs. 14 and 23; Secs. 15 and 22; Secs. 16 and 21; Secs. 17 and 20; Secs. 18 and 19; Secs. 25 and 36; Secs. 26 and 35; Secs. 27 and 34; Secs. 28 and 33; Secs. 29 and 32; Secs. 30 and 31; T.143N., R.93W.; Secs. 18 and 19; Secs. 28 and 33; Secs. 29 and 32; Secs. 30 and 31; T.143N., R.92W., and such other relief as is appropriate.

**Case No. 10792:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Tracker Resource Development II, LLC, #13-1H Dressler, NENW Section 13, T.142N., R.92W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 12171:** Application of Anschutz Exploration Corp. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Kathleen Stroh #1-20-17H-143-95, Sections 17 and 20, T.143N., R.95W., Murphy Creek-Bakken Pool, Dunn 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. 12172:** Application of Anschutz Exploration Corp. for an order extending the field boundaries and amending the field rules for the Fayette, Murphy Creek, Russian Creek, and/or Willmen-Bakken Pools to create and establish thirty-one 1280-acre spacing and/or drilling units comprised of the following lands in Dunn County, ND: Section 36, T.143N., R.96W., and Section 1, T.142N., R.96W.; Section 35, T.143N., R.96W., and Section 2, T.142N., R.96W.; Sections 29 and 32; Sections 30 and 31, T.143N., R.95W.; Sections 1 and 12; Sections 3 and 10; Sections 11 and 14; Sections 13 and 24; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 23 and 26; Sections 27 and 34; Sections 28 and 33; Sections 30 and 31, T.142N., R.97W.; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 6 and 7; Sections 11 and 14; Sections 12 and 13; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 23 and 26; Sections 24 and 25, T.142N., R.96W.; Sections 5 and 8; Sections 6 and 7; Sections 17 and 20; T.142N.; R.95W., 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. 12173:** Application of XTO Energy Inc. for an order amending the field rules for the Mondak-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 1 and 2; and Sections 11 and 12, T.148N., R.104W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

**Case No. 12174:** Application of XTO Energy Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Mondak Federal #11X-14, Sections 14 and 23, T.148N., 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. 12175:** Application of XTO Energy Inc. for an order amending the field rules for the Bear Creek and/or Corral Creek-Bakken Pools to create and establish two 1280-acre spacing units comprised of Sections 29 and 30; and Sections 31 and 32, T.148N., R.95W., Dunn County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

**Case No. 12176:** Application of XTO Energy Inc. for an order amending the field rules for the Morgan Draw-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 5 and 6, T.143N., R.102W., Billings County, ND, authorizing the drilling of one horizontal well on each spacing unit, and such other relief as is appropriate.

**Case No. 12177:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than two additional increase density wells on a 1280-acre spacing unit described as Sections 26 and 35, T.158N., R.96W., Temple-Bakken Pool, Williams County, ND, and such other relief as is appropriate.

**Case No. 12178:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than two additional increase density wells on each 1280-acre spacing unit described as Sections 25 and 36, T.157N., R.96W.; and Sections 5 and 8, T.157N., R.95W., Midway-Bakken Pool, Williams County, ND, and such other relief as is appropriate.

**Case No. 12179:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than two additional increase density wells on each 1280-acre spacing unit described as Sections 23 and 26; and Sections 24 and 25, T.154N., R.95W., Charlson-Bakken Pool, McKenzie and Williams Counties, ND, and such other relief as is appropriate.

**Case No. 12180:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than two additional increase density wells on a 1280-acre spacing unit described as Sections 20 and 21, T.149N., R.97W., North Fork-Bakken Pool, McKenzie County, ND, and such other relief as is appropriate.

**Case No. 12181:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than two additional increase density wells on a 1280-acre spacing unit described as Sections 6 and 7, T.148N., R.97W., Haystack Butte-Bakken Pool, Dunn County, ND, and such other relief as is appropriate.

**Case No. 12182:** Application of XTO Energy Inc. for an order creating two 1280-acre drilling units comprised of Sections 20 and 29; and Sections 28 and 33, T.153N., R.101W., McKenzie 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, and such other relief as is appropriate.

**Case No. 12183:** Application of XTO Energy Inc. for an order creating two 1280-acre drilling units comprised of Sections 16 and 21, T.153N., R.98W., Williams County; and Sections 25 and 36, T.153N., R.97W., McKenzie 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, and such other and further relief.

**Case No. 12058:** (Continued) Application of XTO Energy Inc. for an order pursuant to NDAC / 43-02-03-88.1 pooling all interests in a spacing unit for the Clarence Federal #34X-7, Sections 6 and 7, T.148N., R.97W., Haystack Butte-Bakken Pool, Dunn 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. 12184:** Application of EOG Resources, Inc. for an order extending the field boundaries and amending the field rules for the Painted Woods and/or Squires-Bakken Pools to create and establish fifteen 1280-acre spacing units comprised of Sections 7 and 18, T.155N., R.103W.; Sections 19 and 30; Sections 20 and 29, T.155N., R.102W.; Section 36, T.155N., R.102W., and Section 1, T.154N., R.102W.; Section 35, T.155N., R.102W., and Section 2, T.154N., R.102W.; Section 34, T.155N., R.102W., and Section 3, T.154N., R.102W.; Sections 1 and 12; Sections 13 and 24, T.154N., R.104W.; Sections 4 and 9; Sections 5 and 8; Sections 6 and 7; Sections 15 and 22; Sections 18 and 19, T.154N., R.103W.; Sections 5 and 8; and Sections 6 and 7, T.153N., R.103W., Williams County, ND, authorizing the drilling of not more than two horizontal wells on each spacing unit, and such other relief as is appropriate.

**Case No. 12185:** Application of EOG Resources, Inc. for an order extending the field boundaries and amending the field rules for the Painted Woods-Bakken Pool to create and establish a 640-acre spacing unit comprised of Section 28, T.155N., R.102W., Williams County, ND, authorizing the drilling of not more than two horizontal wells on said spacing unit and/or such other and further relief as is appropriate.

**Case No. 12186:** Application of EOG Resources, Inc. for an order amending the field rules for the Souris-Spearfish/Madison Pool to create a zone of spacing allowing the drilling of multiple wells in the spacing units comprised of the following lands: Sections 25, 26, and 27, and the N/2 and S/2 of Sections 34, 35, and 36, T.164N., R.78W.; Section 30, and the N/2 and the S/2 of Section 31, T.164N., R.77W., and the N/2 and the S/2 of Sections 1, 2, and 3, T.163N., R.78W., and the N/2 of Section 6, T.163N., R.77W., Bottineau County, ND, and such other relief as is appropriate.



**Case No. 12178:** Application of EOG Resources, Inc. for an order amending the field rules for the Clear Water-Bakken Pool to create eleven 1280-acre spacing units comprised of Sections 7 and 18; Sections 13 and 24; Sections 17 and 20; Sections 19 and 30; Sections 21 and 28; Sections 22 and 27; Sections 29 and 32; T.158N., R.90W.; Sections 18 and 19; Sections 30 and 31; T.158N., R.89W.; Sections 5 and 16; and Sections 7 and 18, T.157N., R.90W., Mountrail 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. 12188:** Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 31 and 32, T.155N., R.90W., Mountrail 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. 12189:** 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 Fertile #37-07H, Section 7, T.151N., 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. 12190:** 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 Palermo #2-18H, Sections 18 and 19, T.156N., R.90W., Ross-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. 12191:** Application of EOG Resources, Inc. for an order creating eight 1280-acre drilling units comprised of Sections 16 and 21; Sections 25 and 36; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33; T.153N., R.103W.; Sections 7 and 18; Sections 29 and 32, T.153N., R.102W., Williams County, and Sections 28 and 33, McKenzie and Williams Counties, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of each drilling unit, and such other relief as is appropriate.

**Case No. 12192:** Application of EOG Resources, Inc. for an order pursuant to NDAC / 43-02-03-88.1 authorizing the conversion to saltwater disposal into the Dakota Group of the Fertile #1-72H well, SESE Section 12, T.151N., R.90W., Parshall Field, Mountrail County, ND, pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

**Case No. 12173:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the EOG Resources, Inc., #35-32H Fertile, SESE Section 32, T.151N., R.90W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 12193:** Application of North Plains Energy, LLC for an order removing from Zone II Sections 32 and 33 T.154N., R.98W., Williams County, ND, and amending the field rules for the Trux-Bakken Pool by adding to Zone III one 640-acre spacing unit comprised of all of Section 33, T.154N., R.98W., Williams County, ND, authorizing the drilling of two horizontal wells on the above spacing unit, to be drilled at any location not closer than 500 feet to the boundary of the above spacing unit, and such other relief as is appropriate.

**Case No. 12194:** Application of North Plains Energy, LLC for an order extending the field boundaries and amending the field rules for the Trux-Bakken Pool to a new 1280-acre spacing unit in Zone II comprised of Sections 8 and 9, T.153N., R.98W., Williams County, ND, authorizing the drilling of one horizontal well on the above spacing unit, to be drilled at any location not closer than 500 feet to the boundary on the above spacing unit, and such other relief as is appropriate.

**Case No. 12195:** Application of verson oil and Gas Co. for an order holding that the applicant has agreed to participate in the drilling and completion of the James Hill #4-10H well located in Section 10, T.157N., R.91W., Mountrail County, ND, and compelling the operator of the well, EOG Resources, Inc., to provide the Applicant the requested well information for the well, and such other relief as is appropriate.

**Case No. 12196:** Application of TRZ Energy, LLC and Tracker Resource Development II, LLC, for an order suspending and, after hearing, revoking the permit issued to Continental Resources, Inc. to drill the Hegler #1-13T well (File No. 1815), with a surface location in Section 12, T.146N., R.97W., and a bottomhole location in Section 24, T.146N., R.97W., Dunn County, ND, and such other relief as is appropriate.

**Case No. 12197:** Application of TRZ Energy, LLC and Tracker Resource Development II, LLC, for an order suspending and, after hearing, revoking the permit issued to Continental Resources, Inc. to drill the Roger #1-18H well (File No. 17585), with a surface location in Section 18, T.147N., R.96W., and a bottomhole location in Section 7, T.147N., R.96W., Dunn County, ND, and such other relief as is appropriate.

**Case No. 12198:** Application of Continental Resources, Inc. for an order pursuant to NDAC / 43-02-03-16.2 revoking a permit to drill issued to Encore Operating LP for the drilling of the Nelson #41-5H well (File No. 18435) with a surface location in Lot 1 of Section 5, T.152N., R.94W., McKenzie County, ND and directing the issuance of a permit for a well in the same spacing unit to Continental and such other relief as is appropriate.

**Case No. 12199:** Application of Continental Resources, Inc. for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Oert #1-13H, SESE Section 13, T.155N., R.104W., Williams County, ND, define the field limits, enact such special field rules as may be necessary, and such other relief as is appropriate.

**Case No. 12200:** Application of Continental Resources, Inc. for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Ole #1-29H, NENW Section 29, T.149N., R.96W., McKenzie County, ND, define the field limits, enact such special field rules as may be necessary, and such other relief as is appropriate.

**Case No. 12201:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Sadler and/or Dolphin-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 17 and 20, T.161N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit, eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and eliminating any tool error setback requirements, and such other relief as is appropriate.

**Case No. 12202:** Application of Continental Resources, Inc. for an order amending the field rules for the Sauk, Lindahl, and North Tioga-Bakken Pools to create 2560-acre spacing units comprised of the following lands: Sections 8, 17, 20, and 29; Sections 9, 16, 21, and 28; Sections 15, 22, 27, and 34; and Sections 14, 23, 26, and 35; T.159N., R.95W., Williams County, ND, authorizing the drilling of up to four horizontal wells from each common well pad within each 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12203:** Application of Continental Resources, Inc. for an order amending the field rules for the Stoneview-Bakken Pool to create 2560-acre spacing units comprised of the following lands: Sections 3, 10, 15, and 22; Sections 27, 34, 26, and 35; T.160N., R.95W., Divide County, and Sections 3, 10, 2, and 11; T.159N., R.95W., Williams County, ND, authorizing the drilling of up to four horizontal wells from each common well pad within each 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12204:** Application of Continental Resources, Inc. for an order amending the field rules for the Hamlet-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 13, 24, 25, and 36, T.160N., R.96W., Divide County, ND, authorizing the drilling of up to four horizontal wells from a common well pad within the 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12205:** Application of Continental Resources, Inc. for an order amending the field rules for the Northwest McGregor and Temple-Bakken Pools to create a 2560-acre spacing unit comprised of Sections 1, 12, 13, and 24, T.159N., R.96W., Williams County, ND, authorizing the drilling of up to four horizontal wells from a common well pad within the 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12206:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Sauk-Bakken Pool described as Sections 15 and 22, T.159N., R.95W., Williams County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12207:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Alkali Creek and/or Elm Tree-Bakken Pools to create two 2560-acre spacing units comprised of all of Sections 16, 21, 28, and 33, T.154N., R.94W.; and Sections 25 and 36, T.154N., R.94W.; and Sections 1 and 12, T.153N., R.94W., McKenzie and Mountrail Counties, ND, authorizing the drilling of up to four horizontal wells from each well pad within each 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12208:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Silverston or Eldah-Bakken Pools to create a 2560-acre spacing unit comprised of all of Sections 17, 20, 29, and 32, T.151N., R.97W., McKenzie County, ND, authorizing the drilling of up to four horizontal wells from the same well pad within said 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12209:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the North Fork-Bakken Pool and Pershing-Bakken Pool to create two 2560-acre spacing units comprised of all of Sections 13, 24, 25, and 36; T.150N., R.97W.; and Sections 4 and 9, T.149N., R.96W. and Sections 28 and 33, T.150N., R.96W., McKenzie County, ND, authorizing the drilling of up to four horizontal wells from each well pad within each 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12210:** Application of Continental Resources, Inc. for an order amending the field rules for the Cedar Coulee-Bakken Pool to create a 2560-acre spacing unit comprised of Section 32, T.148N., R.96W., and Sections 5, 8, and 17, T.147N., R.96W., Dunn County, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12211:** Application of Continental Resources, Inc. for an order amending the field rules for the Rattlesnake Point and Jim Creek-Bakken Pools to create a 2560-acre spacing unit comprised of Sections 11, 14, 23, and 26, T.146N., R.96W., Dunn County, ND, authorizing the drilling of up to four horizontal wells from the same well pad within said 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12212:** Application of Continental Resources, Inc. for an order amending the field rules for the Chimney Butte-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 4, 9, 16, and 21, T.146N., R.95W., Dunn County, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating the minimum setbacks from the heel and toe

of the wells to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12213:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Union Center-Bakken Pool, described as Sections 2 and 11, T.152N., R.96W., McKenzie County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12214:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Keene-Bakken/Three Forks Pool described as Sections 3 and 10, T.152N., R.96W., McKenzie County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12215:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 640-acre spacing unit for the Antelope-Bakken Pool described as Section 2, T.152N., R.94W., McKenzie County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12216:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Eldah-Bakken Pool described as Sections 6 and 7, T.151N., R.97W., McKenzie County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12217:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Blue Buttes-Bakken Pool described as Sections 13 and 24, T.151N., R.96W., McKenzie County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12218:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Jim Creek-Bakken Pool described as Sections 21 and 28, T.146N., R.96W., Dunn County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12219:** Application of Continental Resources, Inc. for an order amending the field rules for the Jim Creek-Bakken Pool in conjunction with a 1280-acre spacing unit comprised of Section 35, T.146 N., R.96W.

and Section 2, T.145N., R.96W., Dunn County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12220:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Bear Creek-Bakken Pool described as Sections 11 and 14, T.147N., R.96W., Dunn County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12221:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Murphy Creek-Bakken Pool described as Sections 5 and 8, T.145N., R.95W., Dunn County, ND, eliminating any tool error requirements and also eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries, and such other relief as is appropriate.

**Case No. 12222:** Application of Continental Resources, Inc. for an order creating six 1280-acre drilling units comprised of Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 28 and 33; Sections 29 and 32; and Sections 30 and 31, T.155N., R.98W., Williams County, ND, authorizing the drilling of a horizontal well within each drilling unit eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12223:** Application of Continental Resources, Inc. for an order creating ten 1280-acre drilling units comprised of Sections 7 and 18; Sections 19 and 30; Sections 24 and 25, T.153N., R.99W., Williams County; Sections 13 and 24; Sections 14 and 23, T.152N., R.100W.; and Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; and Sections 18 and 19, T.152N., R.99W., McKenzie County; and one 1600-acre drilling unit comprised of Sections 20 and 29 and the N/2 of Section 32, T.153N., R.99W., McKenzie and Williams Counties, ND, authorizing the drilling of a horizontal well within each drilling unit eliminating the minimum setbacks from the heel and toe of the well to the spacing unit boundaries; eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 12224:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, T.159N., R.95W., Lindahl-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. 12225:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Muir #1-27H, Sections 27 and 34, T.151N., R.97W., Dimmick Lake-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. 12226:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Bailey #1-24H, Sections 13 and 24, T.150N., R.97W., Pershing-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. 12227:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Kummer #1-31H, Sections 30 and 31, T.150N., R.95W., Blue Buttes-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. 12228:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Ole #1-29H, Sections 29 and 32, T.149N., R.96W., McKenzie County, ND, authorizing the recovery from each nonparticipating owner

Cont. From Pg. 48

a risk penalty as provided by NDCC / 38-08-08, and such other relief as is appropriate.

**Case No. 12229:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Roger #1-18H, Sections 7 and 18, T.147N., R.96W., Big Gulch-Bakken Pool, Dunn 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. 12230:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Kate #1-19H, Sections 19 and 30, T.147N., R.96W., Big Gulch-Bakken Pool, Dunn 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. 12231:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Carson Peak #44-2H, Section 35, T.147N., R.96W. and Section 2, T.146N., R.96W., Oakdale-Bakken Pool, Dunn 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. 12232:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Bang #1-33H, Section 33, T.147N., R.96W. and Section 4, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn 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. 12233:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Cuskelly #1-7H, Sections 7 and 18, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn 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. 12234:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Lundberg #1-8H, Sections 8 and 17, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn 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. 12235:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Arthur #1-12T, Sections 1 and 12, T.146N., R.97W., Little Knife-Bakken Pool, Dunn 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. 12236:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Hegler #1-13T, Sections 13 and 24, T.146N., R.97W., Little Knife-Bakken Pool, Dunn 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. 12237:** Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Dvirak #14-6H, Sections 6 and 7, T.146N., R.95W., Chimney Butte-Bakken Pool, Dunn 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. 11772:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit for the Radermecher #1-15H, Sections 15 and 22, T.151N., R.96W., Camel Butte-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. 12023:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 14 and 23, T.161N., R.95W., Sadler-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. 12028:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 30 and 31, T.146N., R.95W., and Sections 6 and 7, T.145N., R.95W., Jim Creek-Bakken Pool, Dunn 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. 12029:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 6, 7, 18, and 19, T.146N., R.95W., Chimney Butte and Jim Creek-Bakken Pools, Dunn 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. 12031:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 23, 26 and 35, T.147N., R.96W., and Section 2, T.146N., R.96W., Oakdale-Bakken Pool, Dunn 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. 12033:** (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC/43-02-03-88.1 pooling all interests in a spacing unit described as Sections 30 and 31, T.151N., R.96W., and Sections 6 and 7, T.150N., R.96W., Dimmick Lake-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. 12035:** (Continued) Application of Continental Resources, Inc. for an order creating two 1280-acre drilling units comprised of Sections 21 and 28; and Sections 22 and 27, T.153N., R.99W., Williams 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, and such other relief as is appropriate.

**Case No. 12014:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-31H Traxel, SESW Section 31, T.146N., R.89W., Mercer County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 12021:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Temple-Bakken Pool for two 1280-acre spacing units comprised of Sections 2 and 11; and Sections 14 and 23, T.159N., R.96W., Williams County, ND, authorizing as increase density wells the drilling of up to four additional horizontal wells from the same well pad within said spacing units, eliminating the minimum setbacks from the north and south boundary lines of both 1280-acre spacing units, eliminating any tool error setback requirements, and such other relief as is appropriate.

**Case No. 11854:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Pershing and North Fork-Bakken Pools for two 1280-acre spacing units comprised of Sections 13 and 24; and Sections 25 and 36, T.150N., R.97W., McKenzie County, ND, authorizing as increase density wells the drilling of up to four additional horizontal wells from the same well pad within said spacing units; and also eliminating the minimum setbacks from the north and south boundary lines of both 1280-acre spacing units; eliminating any tool error setback requirements and such other relief as is appropriate.

**Case No. 11764:** (Continued) Application of Eagle Operating, Inc. for an order granting an area permit for underground injection of fluids into the unutilized formation of the Woburn-Madison Unit, Burke County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

**Case No. 11965:** (Continued) Application of Ward Williston Company for an order of the Commission determining that the plan of unitization for the Little Deep Creek-Madison Area, Renville County, North Dakota, has been signed, ratified or approved by owners of interest owning that percentage of the working interest and royalty interest within said unit as is required by applicable statutes and rules of the Commission.

**Case No. 12068:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Newfield Prod. Co., #1-33H Chanel, NWNW Section 33, T.154N., R.100W., Williams County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 12082:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Prima Exploration, Inc., #32-30 MacTavish, SWNE Section 30,

T.160N., R.83W., Bottineau 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  
2/4 - 604968