

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 12483
ORDER NO. 14740

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE APPLICATION OF SAMSON
RESOURCES CO. FOR AN ORDER
AUTHORIZING THE FLARING OF GAS FROM
THE LYSTAD #26-163-99H, SESE OF SECTION
26, T.163N., R.99W., DIVIDE COUNTY, ND,
AMBROSE-BAKKEN POOL, PURSUANT TO
THE PROVISIONS OF NDCC § 38-08-06.4 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 29th day of April, 2010.
- (2) The initial public notice of this application was not properly published in the Divide County Journal, the official Divide County newspaper. Evidence and testimony was taken on April 29, 2010 but the record in this case was left open until May 6, 2010 to allow the required notice to be published and afford any interested parties the opportunity to appear. No further appearances were made on May 6, 2010.
- (3) The record in this case was left open to receive additional information from Samson Resources Company (Samson). Additional information in this matter was received from Samson on October 27, 2010 and the record was closed.
- (4) Pursuant to NDAC Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, flaring exemptions under North Dakota Century Code (NDCC) Section 38-08-06.4 and under NDAC Section 43-02-03-60.2.
- (5) NDCC Section 38-08-06.4 states:

As permitted under rules of the industrial commission, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well. Thereafter, flaring of gas from the well must cease and the well must be capped, connected to a gas gathering line, or equipped with an

electrical generator that consumes at least seventy-five percent of the gas from the well. An electrical generator and its attachment units to produce electricity from gas must be considered to be personal property for all purposes. For a well operated in violation of this section, the producer shall pay royalties to royalty owners upon the value of the flared gas and shall also pay gross production tax on the flared gas at the rate imposed under section 57-51-02.2. The industrial commission may enforce this section and, for each well operator found to be in violation of this section, may determine the value of flared gas for purposes of payment of royalties under this section and its determination is final. A producer may obtain an exemption from this section from the industrial commission upon application and a showing that connection of the well to a natural gas gathering line is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available and that equipping the well with an electrical generator to produce electricity from gas is economically infeasible.

(6) Samson is the owner or operator of the following well in the Ambrose-Bakken Pool, Divide County, North Dakota:

<u>File #</u>	<u>Well Name & Number</u>	<u>Location</u>
17183	Lystad #26-163-99H	SE SE Section 26-T163N-R99W

(7) The Ambrose-Bakken Pool is an oil reservoir, but gas is produced in association with the oil at the wellhead as a by-product of oil production.

(8) By previous order of the Commission, said well is currently authorized to flare so that all owners of interests in the well herein described may receive the maximum benefits of the oil production in such a manner that will prevent waste and protect correlative rights.

(9) The well is not connected to a gas gathering facility and evidence presented to the Commission indicates that the well currently produces approximately 55 MCF per day of surplus gas.

(10) The well is located approximately 9.9 miles to the nearest gas gathering system.

(11) Samson has estimated the net profit value of the project to be a loss of approximately \$632,000, therefore, there are insufficient reserves of surplus gas to recoup the costs of installing and operating a gas gathering facility.

(12) Samson has submitted evidence that under current market conditions the surplus casinghead gas presently being produced by the well and the estimated recoverable reserves of surplus gas from the well is insufficient to recoup the costs of installing and operating a gas gathering facility.

(13) Samson has investigated the possibility of equipping the well with an electrical generator and has presented evidence that the well has insufficient gas production to justify

investing in an electric generator. It is therefore determined that equipping the well with an electrical generator to produce electricity from the gas is economically infeasible.

(14) If Samson's request is not granted, taxes and royalties must be paid on flared gas which will increase operating costs, raise the economic limit and cause premature abandonment of the well; or the well must be connected to a gas pipeline or an electrical generator at an economic loss which would also cause premature abandonment, or flaring must cease and the well must be "capped," resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the well and the State of North Dakota.

(15) Considering the amount of surplus gas being produced by the well, the amount of estimated recoverable reserves from the well, and the cost to connect the well to a gas pipeline, it is not economic at this time to connect the well to a gas gathering facility or an electrical generator.

(16) Samson will continue to evaluate the feasibility of connecting the well to a gas gathering facility.

(17) In order to prevent waste, and protect correlative rights this application should be granted.

IT IS THEREFORE ORDERED:

(1) Samson Resources Company, its assigns and successors, is hereby allowed to flare surplus casinghead gas produced with crude oil from the Ambrose-Bakken Pool through the well listed below under the exemption provided for under NDCC Section 38-08-06.4:

<u>File #</u>	<u>Well Name & Number</u>	<u>Location</u>
17183	Lystad #26-163-99H	SE SE Section 26-T163N-R99W

(2) This order shall remain in full force and effect until further order of the Commission.

Dated this 15th day of December, 2010.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

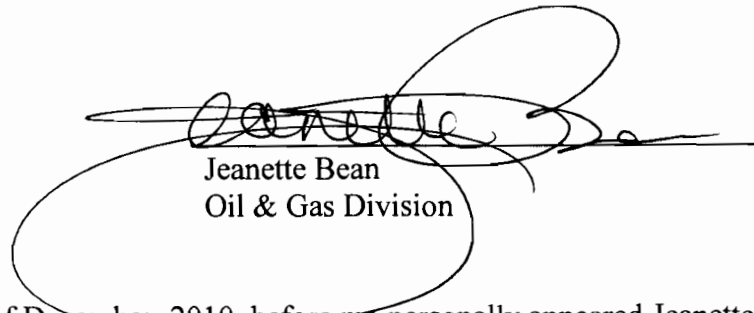
STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

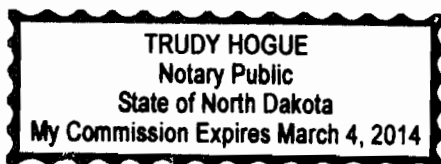
COUNTY OF BURLEIGH

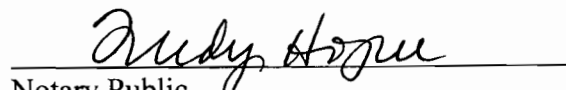
I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 17th day of December, 2010 enclosed in separate envelopes true and correct copies of the attached Order No. 14740 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 12483 :

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


Jeanette Bean
Oil & Gas Division

On this 17th day of December, 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.

October 25, 2010



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

**RE: Samson Resources Company
NDIC CASE NO. 12483**

Dear Mr. Hicks:

Please find enclosed herewith a SUPPLEMENTAL AFFIDAVIT OF STEVE RAWLINGS in regard to the above-captioned matter.

Should you have any questions, please advise.

Sincerely,

LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Steve Rawlings – (w/o enc.) *Via Email*
4732227_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. 12483

Application of Samson Resources Company for an Order authorizing the flaring of gas from the Lystad 26-163-99H well located in the SE/4SE/4 of Section 26, Township 163 North, Range 99 West, Divided County, North Dakota, Ambrose-Bakken Pool, as an exception to the provisions of Section 38-08-06.4 of the N.D.C.C. or such further and additional relief.



SUPPLEMENTAL AFFIDAVIT OF STEVE RAWLINGS

STATE OF COLORADO)
)ss
COUNTY OF DENVER)

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

1.

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

2.

That, to the best of my information, knowledge, and belief, the costs associated with the purchase, installation, connection and operation of an electric generator fueled by gas produced from the Lystad 26-163-99H well would total approximately \$785,510.

3.

That, to the best of my information, knowledge, and belief, the projected revenue received from sale of electricity produced from the electric generator fueled by gas produced from the Lystad 26-163-99H well over a ten (10) year period would total approximately \$360,281.

4.

That requiring the installation and operation of an electric generator fueled by the gas produced from the Lystad 26-163-99H well would result in a discounted loss of approximately \$425,229 and would not be economically justifiable.

5.

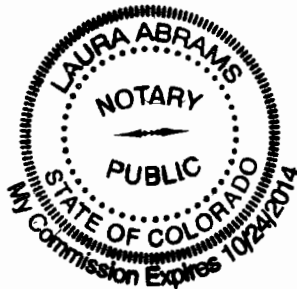
That this affidavit supplements my previously submitted affidavit of April 20, 2010 in the above referenced matter, and that all statements made in such prior affidavit are hereby reaffirmed.

DATED this 19th day of October, 2010.

Steve Rawlings
STEVE RAWLINGS

STATE OF COLORADO)
)ss:
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 19th day of October, 2010 by Steve Rawlings, Manager-Division Operations, of Samson Resources Company.



Laura Abrams
Notary Public
My Commission Expires: 10/24/2014

Case 12483

Hicks, Bruce E.

From: Hicks, Bruce E.
Sent: Monday, October 04, 2010 8:41 AM
To: Lawrence Bender
Subject: FW: Flaring Exemptions: Case Nos. 12482, 12483, 12484, 12485, 12486, 12487
Lawrence,

I researched our records and I can not find a reply from Samson to the email below.

Bruce E. Hicks

Assistant Director
Oil and Gas Division
Dept of Mineral Resources
North Dakota Industrial Commission
701-328-8020
bhicks@nd.gov
www.dmr.nd.gov/oilgas
Bismarck, ND 58505-0840

From: Hicks, Bruce E.
Sent: Monday, June 07, 2010 3:59 PM
To: Lawrence Bender
Subject: Flaring Exemptions: Case Nos. 12482, 12483, 12484, 12485, 12486, 12487

Lawrence,

As you know, NDCC Section 38-08-06.4 provides a producer may obtain an exemption from paying royalties and taxes on flared gas only after showing, inter alia, that equipping the well with an electrical generator to produce electricity from gas is economically infeasible. Samson has attempted to fulfill this requirement in Case Nos. 12482, 12483, 12484, 12485, 12486, and 12487 by providing the statement:

"The.....well has insufficient gas production to justify investing in an electric generator."

The Commission is not comfortable approving such request without the affiant providing some economics supporting the above mentioned statement.

Please let me know if you have any questions or comments.

Bruce E. Hicks

Assistant Director
Oil and Gas Division
Dept of Mineral Resources
North Dakota Industrial Commission
701-328-8020
bhicks@nd.gov
www.dmr.nd.gov/oilgas
Bismarck, ND 58505-0840

10/4/2010

12483

Hicks, Bruce E.

From: Hicks, Bruce E.
Sent: Monday, June 07, 2010 3:59 PM
To: Lawrence Bender
Subject: Flaring Exemptions: Case Nos. 12482, 12483, 12484, 12485, 12486, 12487
Lawrence,

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"The.....well has insufficient gas production to justify investing in an electric generator."

The Commission is not comfortable approving such request without the affiant providing some economics supporting the above mentioned statement.

Please let me know if you have any questions or comments.

Bruce E. Hicks

Assistant Director
Oil and Gas Division
Dept of Mineral Resources
North Dakota Industrial Commission
701-328-8020
bhicks@nd.gov
www.dmr.nd.gov/oilgas
Bismarck, ND 58505-0840

6/7/2010

12483

Fredrikson

& BYRON, P.A.

April 22, 2010



HAND DELIVERED

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

**RE: Samson Resources Company
NDIC CASE NO. 12483**

Dear Mr. Hicks:

Please find enclosed herewith an AFFIDAVIT OF STEVE RAWLINGS in regard to the above-captioned matter.

Should you have any questions, please advise.

Sincerely,


LAWRENCE BENDER

LB/leo

Enclosure

cc: Ms. Heidi Lehr – (w/o enc.) *Via Email*
4732227_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



CASE NO. 12483

AFFIDAVIT OF STEVE RAWLINGS

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

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

That I have prepared or had prepared under my control and supervision the attached exhibit.

That to the best of my knowledge and belief, the information contained on the attached exhibit is true and correct.

4.

That attached as Exhibit No. 1 is a plat showing the area around the Lystad 26-163-99H well. Shown on the plat is a line depicting the field limits of the Ambrose-Bakken Pool, as defined by the North Dakota Industrial Commission. Also displayed on the plat is the location of the Lystad 26-163-99H well located in Section 26, Township 163 North, Range 99 West, Divide County, North Dakota.

5.

That Samson is currently the operator of the Lystad 26-163-99H well, said well having been completed and producing in the Ambrose-Bakken Pool.

6.

That to the best of my information, knowledge, and belief, the Lystad 26-163-99H well was completed as a producer on or about September 6, 2008.

7.

That to the best of my knowledge and belief, gas produced from the Lystad 26-163-99H well from the Ambrose-Bakken Pool does not contain any H₂S and is considered sweet gas.

8.

That to the best of my knowledge and belief, the current average daily rate of gas being produced from the Lystad 26-163-99H well is approximately 64.6 MCFD.

9.

That the Lystad 26-163-99H well is currently not connected to gas gathering facility.

10.

That the Lystad 26-163-99H well has insufficient gas production to justify investing in an electric generator.

11.

That to the best of my knowledge and belief, the total amount of gas from the Lystad 26-163-99H well not being used for lease use and available for sale is approximately 55 MCFD.

12.

That gas produced in association with oil produced from the Lystad 26-163-99H well and not utilized for lease use is currently being flared.

13.

That Samson estimates the ultimate recoverable gas reserves from the Lystad 26-163-99H well to be 142,563 MCF of gas, produced over a 30 year well life.

14.

That based upon the sale of gas from other wells connected to the nearest gathering system to the Lystad 26-163-99H well, if said well were connected to a gas gathering facility, it is anticipated that said gas would have a value of \$2.12/MCF.

15.

That based upon the aforementioned price of \$2.12/MCF, the gross value of the recoverable gas reserves from the Lystad 26-163-99H well is estimated to be \$302,234.

16.

That based upon a royalty rate for the Lystad 26-163-99H well of 57.40% and a gas production tax of \$0.1428/MCF, Samson estimates the royalty and production tax burden for the gas produced from the well would be approximately \$173,477 and \$20,358, respectively.

17.

That the total value of the gas reserves of the Lystad 26-163-99H well to the working interest owners, after deducting royalty and production taxes, is approximately \$108,398.

18.

That to the best of my knowledge and belief, the Lystad 26-163-99H well is located approximately 9.85 miles from the nearest connection point to a gas gathering facility.

19.

That based upon the operations of other operators in and near the area of the Lystad 26-163-99H well, the cost associated with the purchase and installation of a 4 inch pipeline from the well to the nearest connection point to a gas gathering facility is approximately \$63,888 per mile. In this case, the total cost would be approximately \$740,000, inclusive of a gas meter.

20.

That based upon the differential between the value of the gas and the cost to install and operate the pipeline required for delivery of gas to a gas gathering system, requiring to connect the Lystad 26-163-99H well to gas gathering system would result in an undiscounted loss of approximately \$631,602.

21.

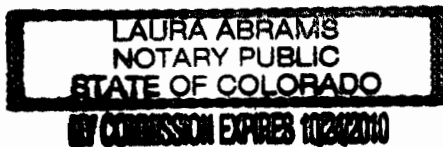
That based upon my knowledge and belief, the low volumes of gas produced from the Lystad 26-163-99H well make it economically infeasible at the present time or in the foreseeable future to connect the Lystad 26-163-99H well to a gas gathering facility.

DATED this 20th day of April, 2010.

Steve Rawlings
Steve Rawlings

STATE OF COLORADO)
)ss
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 20th day of April, 2010, by Steve Rawlings, Manager-Division Operations, of Samson Resources Company



Laura Abrams
Notary Public
My Commission Expires:

4724626_1.DOC

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

CASE NO. 12483

Application of Samson Resources Company for an order authorizing the flaring of gas from the Lystad 26-163-99H well located in the SE/4SE/4 of Section 26, Township 163 North, Range 99 West, Divide County, North Dakota, Ambrose-Bakken Pool, as an exception to the provisions of Section 38-08-06.4 of the N.D.C.C. or such further and additional relief.



APPLICATION OF SAMSON RESOURCES COMPANY

Samson Resources Company ("Samson"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Samson is the owner of an interest in the oil and gas leasehold estate in portions of Section 26, Township 163 North, Range 99 West, Divide County, North Dakota.

2.

That such lands are currently within an area defined by the Commission as the field boundaries for the Ambrose-Bakken Pool.

3.

That Samson is currently the operator of the Lystad 26-163-99H well located in the Southeast Quarter of the Southeast Quarter (SE/4SE/4) of Section 26, completed as a producing well in the Ambrose-Bakken Pool.

4.

That the Lystad 26-163-99H well is currently not connected to a gas gathering facility.

5.

That because of the location of the well and low volumes of gas produced from the Lystad 26-163-99H well, it is economically infeasible to connect said well to a gas gathering facility at the present time, or in the foreseeable future.

6.

That gas produced in association with oil produced from the Lystad 26-163-99H well is currently being flared.

7.

That Section 38-08-06.4 of the North Dakota Century Code prohibits the flaring of gas produced in association with crude oil under certain circumstances but authorizes the Commission, upon application, to grant an exception to the flaring prohibition upon a showing that connection of the well to a gas gathering facility is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available.

8.

That in the opinion of the applicant, it is economically infeasible at the present time or in the foreseeable future to connect the Lystad 26-163-99H well to a gas gathering facility and an exception to Section 38-08-06.4 of the North Dakota Century Code should be granted for said well.

WHEREFORE, Samson requests the following:

(a) That this matter be set for the regularly scheduled April 2010 hearings of the Commission;

(b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, Samson's witnesses in this matter be allowed to participate by telephonic means; and

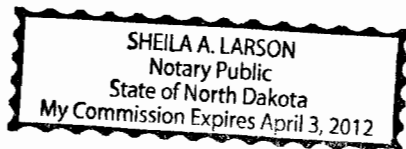
DATED this 26th day of March, 2010.

By ~~XXXXXX~~
LAWRENCE BENDER
Attorneys for Applicant
Samson Resources Company.
200 North 3rd Street, Suite 150
Post Office Box 1855
Bismarck, North Dakota 58502-1855

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

LAWRENCE BENDER being first duly sworn on oath, deposes and says that he is the attorney for the applicant herein named, that he has read the above and foregoing application, knows the contents thereof, and that the same is true to the best of his affiant's knowledge, and belief.

Subscribed and sworn to before me this 20th day of March, 2010.



Notary Public
My Commission Expires: 4/3/12
4710647 1.DOC

March 26, 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 SAMSON
RESOURCES COMPANY FOR
APRIL 28/29, 2010 HEARINGS**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF SAMSON RESOURCES COMPANY to be placed on the April 28/29, 2010 docket.

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.)
Mr. Todd Sattler - (w/enc.)
Ms. Heidi Lehr - (w/enc.)

Attorneys & Advisors
main 701.221.4020
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58501-3879

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Case No. 12499 Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-01-88, pooling all interests in a spacing unit for the Harmon #128H Sections 28 and 31, T.146N, R.92W, Chisago Lake-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. 12500 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 Harmon #128H Sections 28 and 31, T.146N, R.92W, Dunn County, ND, eliminating any tool entry requirements, 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. 12501 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 Harmon #128H Sections 28 and 31, T.146N, R.92W, Dunn County, ND, eliminating any tool entry requirements, 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. 12237 (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-01-88, pooling all interests in a spacing unit for the Harmon #128H Sections 28 and 31, T.146N, R.92W, Chisago Lake-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. 12502 Application of Fidelity Energy & Prod. Co. for an order pursuant to NDAC § 43-02-01-88, pooling all interests in a spacing unit for the Anderson #1111H Sections 13, T.155N, R.92W, Lake Bakken Pool, Morton 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. 12503 Application of Fidelity Energy & Prod. Co. for an order pursuant to NDAC § 43-02-01-88, pooling all interests in a spacing unit for the MCD #1128H Section 29, T.154N, R.92W, Lake Bakken Pool, Morton 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. 12504 Application of Sagebrush Resources, LLC for an order pursuant to NDAC § 43-02-01-88, pooling all interests in a spacing unit for the Kalberg #F4H Section 18, T.119N, R.90W, Thompson Lake-Bakken Pool, Burke 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. 12505 Application of Weyerhaeuser Co. for an order granting an area permit for underground injection of fluids into the unutilized formation of the Little Deep Creek Madison Unit, Benson County, ND, pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

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

0010203

701) 328-8020

4/08/2010

D PAYMENT (circle one)



to 701-223-6584

PLEASE DETACH AND

Date	Date	Times Run	Description
04/08/10	04/08/10	1	Case No. 12409/605240 Bismarck Tribune PO: Notice of Hearing

Code	Order Amt	Net Amt Due
5	930.96	930.96

Affidavit of Publication

State of North Dakota) SS. County of Burleigh
Before me, a Notary Public for the State of North Dakota personally appeared CC who being duly sworn, deposes 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:

Signed CC on the following dates:
sworn and subscribed to before me this 12th day of April, 2010

Notary Public in and for the State of North Dakota



Please return invoice or put order number on check. Thank You.

Remarks

Bismarck Tribune

www.bismarcktribune.com

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LaCrosse, WI 54602-4001

Total Due: 930.96

The National Ombudsman Commission will hold a public hearing on Thursday, April 23, 2010, at the NRC 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** in the hearing you need special facilities assistance. Contact the NRC Gas Division at: 701-338-8938.

April 26, 2010

Section 10, T156N, R92E, S10E, County ND, and each other is appropriate. The 420 acre case is 4354.00. Temporary grazing to develop an oil and/or gas pool discovered by the BOC Resources Inc. in the Prairie: T156N, R92E, S10E, T156N, R103W, Williams County ND. Some of the field lines and encroachment special field rules may be necessary. 2004-05-01

Case No. 12412: Application of EOG Resources, Inc. for an order reinstating and extending the field rules for the Clark Creek Bakken Pool to create and establish a 2,150-acre spacing unit comprised of Sections 4, 7, 8, and 19, 19-11-11-1, Red W. McKenzie County, ND, authorizing drilling of one theoretical well and spacing unit, and such other relief as is appropriate. 8/25/15 10:24

N 29° E 84 W, the NW 1/4 of Section 14, Township 10 N., Range 10 E., T10N R10E, Mckenzie County, ND authorizing the drilling of a horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 14416 Application of Foss Resources, Inc. for an proceeding and approximately 1980 gas drilling and completion of Sections 13-24 and 25, T10N R10E, less Lots 1-27, and 28, each, section, McKenzie County, ND authorizing the drilling of a horizontal well within said illegal tract location not less than 300 feet from the boundary of each drilling unit and such other relief as is appropriate.

Case No. 12415: Application of EOG Resource Fund for an order amending the field rules for the Spotted Horn-Bakken Pool to create and establish a 320-acre spacing unit comprised of the W/2 of section 8, T.150N., R.94W., McLean County, ND, authorizing the drilling of one horizontal well on said spacing unit and the completion of the well.

Case No. 12416, Application of EOG Resources, Inc. for an order extending field boundaries and amending the field rules for the Shorted Horn Bakken Pool to create and establish three 640-acre spacing units composed of Sections 16, 17 and 23, 18 50N, R 74W, McKenzie County, ND authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Order No. 12419: Application of FOD
 Resolution for an order amending the
 boundaries for the Clear Water-Bakken Pool
 to create and establish two 120-acre
 planning units comprised of the 1/2 of
 Section 3 and the W/2 of Section 3-13-18N,
 100W, Mountrail County, ND, authorizing
 the drilling of one horizontal well on each
 planning unit and such other relief as

drilling, completing and producing of not more than three wells on each 80-acre spacing unit described in Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, and 30, T.15S, R.90W, Stanley-Broken Pool, Carroll County, MD, and such other terms and conditions.

Case No. 12421 Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing from more than three wells on leased acre spacing unit described as Section 16, T14N, R35E, Range 35 East, Township 14 North, Mountz County, ND, and such other terms as is appropriate to this application.

Resource, Inc. for an order of the field after the van Hook estate created a 60-acre trapping unit of Sections 34 and 35 and the Section 36 and State Road V. County, ND, authorizing the drilling of a well within said spacing unit less than 500 feet to the boundary of said spacing unit and such other relief as may be warranted.

8810213 Application for
Resource Potential of the American
River for the Potential Bakken
Plate and Establish a 220-acre spacing
unit comprised of the W-2 of Section
16, T-1N, R-8W, M-100N, County
including the drilling of one horizontal
well on said spacing unit and such other
related operations as may be required.

Section 20.12.2. Application for EOD Resources, the for an order amending the field rules and extending the boundaries for the Capital Improvement of the Red Spearin, Madison, Pool to create a zone of spacing allowing the drilling of multiple wells from a single unit composed of the N74 of Section 11 and the N57 of Section 20, T103N, R79W, Bottineau County, ND eliminating the minimum 500 foot setback to the spacing unit boundaries and such other matter as may be appropriate. (Approved by Board of Supervisors on 11/22/2011)

Case No. 17-28, Application of EOG Resources, Inc. for an order amending the field rules and extending the field boundaries for the North Polk Madison Pool or treated zone of spacing allowing the drilling of multiple wells in the spacing unit comprised of the N1/4 of Section 15 and the NW 1/4 of Section 16, T1N, R7W, Bottomland County, ND, all within the minimum 500-foot setbacks to the spacing unit boundaries and such other relief as

Is appropriate. **Case No. 17476: Application of EOG Resources, Inc. for an order creating a 320-acre drilling unit comprised of the NW 1/4 of Section 14 and the NE 1/4 of Section 15, T48N, R77W, Sealed County, ND,** authorizing the drilling of a horizontal well within said drilling unit if it is located more than 50 feet from the boundary of said drilling unit and such other relief as is appropriate.

case. No. 10422. Temporary spacing will develop an oil and/or gas pool discovered by the Stebbins Oil & Gas Corp. at 144N 148-20-11HA, Section 13, T148N, R20W, 11 Lein County, ND. Define the field limits and enforce such special field rules as may be necessary.

Case No. 13-228: Temporary spacing to develop an oil and/or gas pool discovered by the Bear Grasslands, LLC #30044 Sondrol, MENNY Section 30, T149N, R98W, McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 19-000 Application of XTO Energy Inc. for an order suspending and "after hearing" revoking the permit issued to Barrington Resources Oil & Gas Co. LP to drill the Pacific Express #41-25H well (File No. 1958227) with a surface location in the NE1/4 Sec 25, T44N, R16W, Dunn County, ND, and such other orders as may be appropriate.

Case No. 12349: Application for X-10 Energy
 In an order authorizing the drilling of
 completion and production of not more than
 three wells on each 1280-acre spacing unit
 described as Sections 28 and 33, T.154N.,
 R.96W., Sections 3 and 10, and Sections 4
 and 9, T.154N., R.96W., West Capital Area
 Post-Williams County, ND, and such other

Case No. 12-911 Application of wind energy incentives in order to amend the rules for the Cape Hatteras Pool to create and establish a 1280-acre spacing unit composed of Sections 12 and 13, Township R.95W, Williams County, ND, and changing the grading of one horizontal well on the spacing unit and such other well as may be necessary.

APN 17432. Application of XTO for an order authorizing the drilling, mining and producing of no more than three wells on a 160-acre spacing unit located as Sections 19 and 20, T13N, R9E, S1W, Blue Butte-Garden Pool, Mickelson Mining Area, and such other relief as

and establish a 1380-acre spacing unit comprised of Sections 21 and 22 (49N, R91W, T14N) and, subject to obtaining the drilling of a horizontal well on said spacing unit and such other relief as may be required, to operate and produce

Case No. 17-134 Application of XTO Energy,
Inc. for an order creating over 120 acre
drilling units comprised of Sections 26 and
27, Sections 28 and 29, Sections 32 and 33,
Sections 34 and 35, T149N, R102E, and
Sections 1 and 2, Sections 1 and 2, and
Sections 1 and 2, Township 149N, Range 102E,
Section 1 and 2, County 149 North and the

drilling unit at a location not less than 500 feet from the boundary of each drilling unit and such other relief as is appropriate. See Case No. 12435 Application of Newfield Production Co. for an order amending the field rules for the East Fork-Bakken Pool to create three 128-acre spacing units comprised of Sections 17 and 20 of T14N, R10E, S10E.

Section 20 and 33, and Sections 29 and 32, 156A, 159, 159A, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 97

field boundaries and amending the rules rules for the Sand Creek-Bakken Pool, Keene-Bakken Three Forks Pool, and/or the Carlson-Bakken Pool to create the established 281,128-acre spacing unit comprised of Sections 14 and 23 and Sections 15 and 22 T153N, R96W, W8E, Jackson County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other related matters as may be necessary.

Production Co. for an order amending the field rules for the Westberg-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 24 and 25, T152N, R97W, McKenzie County, ND, authorizing the

rules for the South Island. The Baller Pool to create and establish fourteen 1200-acre spacing units comprised of Sections 12 and 24; Sections 14 and 22; Sections 25 and 16; Sections 27 and 24; 1 unit, RIBOW, Sections 1 and 3; Sections 1 and 7; Sections 14 and 23; Sections 16 and 22; Sections 17 and 20; Sections 18 and 19; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33;

and Sections 29 and 31, T. 50N., R. 59W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other wells as is appropriate.

Case No. 12439: Application of Newfield Production Co. for an order creating three 1800-acre drilling units comprised of Sections 22 and 25, Sections 22 and 25 and Sections 22 and 34, T13N, R100W, 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.

Section C-1, in order to create a separate drilling unit comprised of sections 26 and 35, T140R, R100W, 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 rules as is appropriate.

Case No. 12068 (Continued) Temporary
 zoning to develop oil and gas pools
 discovered by the Newfield Prod. Co.
 331 Channel, NWN 1/4 Section 33
 R. 100 1/2, Williams County, ND, define the
 field limits and enact such special field rules
 as may be necessary.

Case No. 1241. Application for a 1935 Petroleum Corp. for an order extending the field boundary and amending the field rules of the North Dakota Board of Oil Control to create and establish two 1280-acre spacing units comprised of Sections 17 and 18, T.150N., R.97W., and Sections 2 and 3, T.149N., R.97W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 1341, Application for Permit
L Petroleum Corp. for an order setting
1760-acre drilling unit, composed of
Sections 29, 30, 31, and 32, T15S, R14W,
McKenzie County, ND, including
the drilling of a horizontal well within said
drilling unit at a location not less than 300
feet from the boundary of said drilling unit,
and such other wells as it deems appropriate.

Case No. 12441: Application of Academy Exploration Corp. for an order amending the field rules for the Cabernet-Syrah Pool to create a 1200-acre spacing unit comprised of Sections 1 and 12, T. 13N, R. 97W, Dunn 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 rules as is appropriate.

Case No. 2241. Applicant: R.R. of Anschutz Exploration Corp. for an order determining the field rights for the St. Anthony Shale Pool to create three 1280-acre spacing units composed of Section 3, T.14N., R.96W. and Section 36, T.14N., R.95W.; Sections 31 and 32; and Sections 35 and 36, T.14N., R.96W. Dunn County, ND, including the drilling of a horizontal well within each spacing unit for less than 300 feet to the boundary of the spacing unit in such other places as is appropriate.

Case No. 14455, application of Brigham Oil & Gas, L.P. for an order amending the field rules of the Alpine Shale Field to create two 120-acre spacing units comprised of sections 31, T.156N, R.92W, and Section 36, T.156N, R.93W, and sections 33 and 34, T.156N, R.92W, Mountain County, ND, authorizing the drilling of a horizontal well within each spacing unit not less than 300 feet to the boundary of each spacing unit and such other rules as is appropriate.

