

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 12912  
ORDER NO. 15179

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 SECTIONS 18 AND 19, T.162N.,  
R.99W., AMBROSE-BAKKEN POOL, DIVIDE  
COUNTY, ND; AS PROVIDED BY NDCC § 38-  
08-08, AND SUCH OTHER RELIEF AS IS  
APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 28th day of July, 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 Sections 18 and 19, 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 Sections 18 and 19, 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 31st day of August, 2010.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

STATE OF NORTH DAKOTA

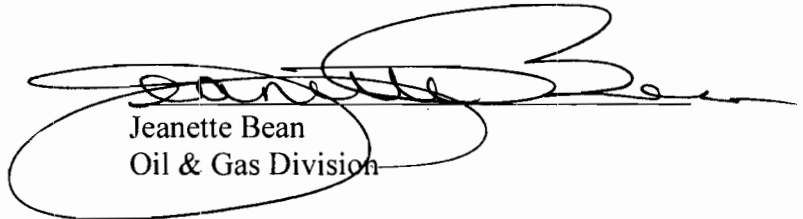
AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

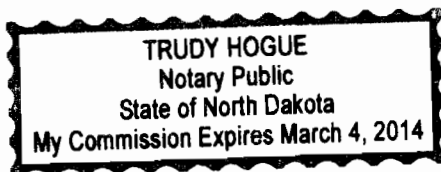
I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 10<sup>th</sup> day of September, 2010 enclosed in separate envelopes true and correct copies of the attached Order No. 15179 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 12912 :

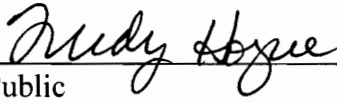
LAWRENCE BENDER  
FREDRICKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502-1855

TIMOTHY MORRIS  
BAYTEX ENERGY USA LTD  
600 17TH ST STE 1900 S  
DENVER CO 80202

  
Jeanette Bean  
Oil & Gas Division

On this 10<sup>th</sup> day of September, 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

12912

# Fredrikson

& BYRON, P.A.

July 15, 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. 12912**  
**Baytex Energy USA Ltd.**

Dear Mr. Hicks:

Please find enclosed herewith the original AFFIDAVIT OF TIMOTHY R. MORRIS 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. 12912**

**Application of Baytex Energy USA Ltd. for an order pursuant to N.D.A.C. Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 18 and 19, Township 162 North, Range 99 West, Ambrose-Bakken Pool, Divide County, North Dakota; as provided by N.D.C.C. Section 38-08-08 and such other and further relief.**



**AFFIDAVIT OF TIMOTHY R. MORRIS**

STATE OF COLORADO     )  
                                      ) ss  
COUNTY OF DENVER     )

Timothy R. Morris, being first duly sworn, deposes and states as follows:

1.

That I am Vice President 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 Vice President for Baytex, I have become familiar with the mineral ownership and leasehold ownership in Sections 18 and 19, Township 162 North, Range 99 West, Divide County, North Dakota ("Sections 18 and 19").

3.

That Baytex is the owner of an interest in the oil and gas leasehold estate in portions of Sections 18 and 19.

4.

That by application dated June 28, 2010 to be heard on July 28, 2010, Baytex has requested that Sections 18 and 19 be designated as a spacing unit in the Ambrose-Bakken Pool.

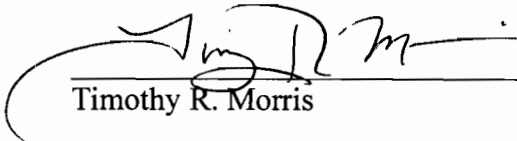
5.

That there are separately owned tracts or interests in the mineral estate and/or leasehold estate in Sections 18 and 19.

6.

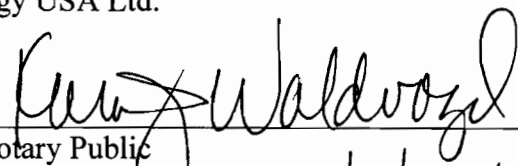
That a voluntary pooling in Sections 18 and 19 has not been accomplished.

DATED this 13<sup>th</sup> day of July, 2010.

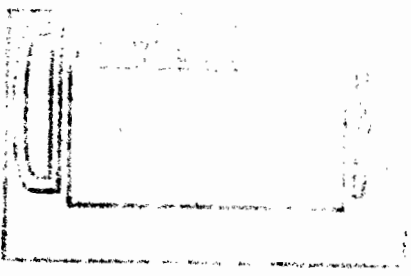
  
\_\_\_\_\_  
Timothy R. Morris

STATE OF COLORADO     )  
                                      )ss  
COUNTY OF DENVER     )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of July, 2010 by Timothy R. Morris, Vice President, of Baytex Energy USA Ltd.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 1/18/2014

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June 28, 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. FOR  
JULY 28, 2010 HEARINGS**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF BAYTEX ENERGY USA LTD. to be placed on the July 28, 2010 docket.

**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/sal

Enclosure

cc: Ms. Karlene Fine - (w/enc.)  
Mr. Lynn Helms - (w/enc.)  
Mr. Todd Sattler - (w/enc.)  
Mr. Lee Zink - (w/enc.)

Attorneys & Advisors  
main 701.221.4020  
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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. 12912

Application of Baytex Energy USA Ltd. for an order pursuant to N.D.A.C. Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 18 and 19, Township 162 North, Range 99 West, Ambrose-Bakken Pool, Divide County, North Dakota; as provided by N.D.C.C. Section 38-08-08 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 Sections 18 and 19, Township 162 North, Range 99 West, Divide County, North Dakota ("the Subject Lands").

2.

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

3.

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

4.

That by separate application Baytex has requested that all of Sections 18 and 19 be designated as a spacing unit in the proposed Ambrose-Bakken Pool.

5.

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

6.

That Baytex therefore requests that the Commission enter its order pooling all interests in the proposed spacing unit described as Sections 18 and 19, Township 162 North, Range 99 West, Ambrose-Bakken Pool, Divide County, North Dakota; as provided by N.D.C.C. Section 38-08-08.

**WHEREFORE**, Baytex requests the following:

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

(b) That pursuant to N.D.A.C. Section 43-02-03-88.2, Baytex's witnesses in this matter be allowed to participate by telephonic means; and

(c) That thereafter the Commission issue its order granting the relief requested and such other and further relief as the Commission may deem appropriate.

DATED this 28th day of June, 2010.

Fredrikson & Byron, P.A.

By 

LAWRENCE BENDER, ND Bar #03898

*Attorneys for Applicant,*

*Baytex Energy USA Ltd.*

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

P. O. Box 1855

Bismarck, ND 58502-1855

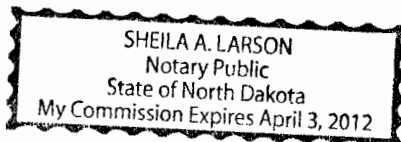
(701) 221-4020

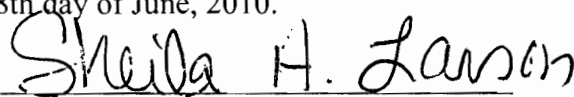
STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF BURLEIGH         )

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

  
LAWRENCE BENDER

Subscribed and sworn to before me this 28th day of June, 2010.



  
Sheila A. Larson, Notary Public  
My Commission Expires: April 3, 2012

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## INDUSTRIAL COMMISSION - OIL AND GAS DIVISION

and 19; Sections 28 and 33; Sections 29 and 32; and, Sections 30 and 31, T.162N., R.99W., Divide County, ND, authorizing the drilling of a total of not more than three horizontal wells on each 640 or 1280-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12908: Application of Baytex Energy USA Ltd. in accordance with NDAC § 43-02-03-88.1 for an order authorizing the conversion of the O'Brien #1-7 well, located in the SWSW of Section 7, T.161N., R.97W., Divide County, ND, to a salt water disposal well in the Dakota Group pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 12909: 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 4, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND; as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12910: 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 5, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND; as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12911: 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 Sections 6 and 7, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND; as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12912: 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 Sections 18 and 19, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND; as provided

by, and producing of a total of not more than two wells on a 1280-acre spacing unit described as Sections 26 and 35, T.161N., R.95W., Sadler-Bakken Pool, Divide County, ND, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, eliminating any tool error setback requirements, and such other relief as is appropriate.

Case No. 12954: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Hanson #17-20-163-98H, Sections 17 and 20, T.163N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12955: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Antonson #01-12-163-95H, Sections 1 and 12, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12956: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12957: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other and further relief.

Signed by,  
John Hoeven, Governor  
Chairman,  
ND Industrial Commission  
(7-7)

# Affidavit of Publication

State of North Dakota, County of Divide, ss:

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

## NOTICE OF HEARING

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

July 7, 2010 ..... 229 lines @ .59 = 135.00

TOTAL CHARGE.....\$135.00

Signed

Steven J. Andrist, Publisher

Subscribed and sworn to before me July 7, 2010

Vonni L. Anderson  
Notary Public, State of North Dakota

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



*cases listed back on 7-20-10*

## N.D. INDUST

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Wednesday, July 28, 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 Thursday, July 15, 2010. **STATE OF NORTH DAKOTA TO:**

Case No. 12858: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Upland-Bakken Pool to create and establish eight 1280-acre spacing units comprised of Sections 2 and 11; Sections 15 and 22; 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.161N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12868: 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 four 800-acre spacing units comprised of Sections 27 and 34; Sections 28 and 33; Sections 29 and 32; and Sections 30 and 31, T.164N., R.95W.; and six 1280-acre spacing units comprised of Sections 25 and 36; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33; Sections 29 and 32; and, Sections 30 and 31, T.163N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit, and such other relief as is appropriate.

Case No. 12869: Application of Samson Resources Co. for an order creating five 800-acre drilling units comprised of Sections 26 and 35; Sections 27 and 34; Sections 28 and 33; Sections 29 and 32; and Sections 30 and 31, T.164N., R.98W., Divide County, ND, authorizing the drilling of a horizontal well within each drilling unit, and such other relief as is appropriate.

Case No. 12870: Application of Samson Resources Co. for an order creating four 1280-acre drilling units comprised of Sections 5 and 8; Sections 6 and 7; Sections 17 and 20; and Sections 18 and 19, T.163N., R.95W., Divide County, ND, authorizing the drilling of a horizontal well within each drilling unit, and such other relief as is appropriate.

Case No. 12872: Application of Baytex Energy USA Ltd. for an order extending the field boundaries and amending the field rules for the Ambrose-Bakken Pool to create and establish four 640-acre spacing units comprised of Sections 4, 5, 8, and 9, T.162N., R.99W.; and seven 1280-acre spacing units comprised of Sections 6 and 7; Section 16 and 21; Sections 17 and 20; Sections 18

Case No. 12923: 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 4 and 9, T.160N., R.96W., Dolphin-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12924: 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 29 and 32, T.160N., R.96W., Hamlet-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12925: 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 Tanberg #1-4H, Sections 4 and 9, T.161N., R.95W., Sadler-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12926: Application of Continental Resources, Inc. for an order authorizing the drilling, com-

Plot on front.

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## The Finder

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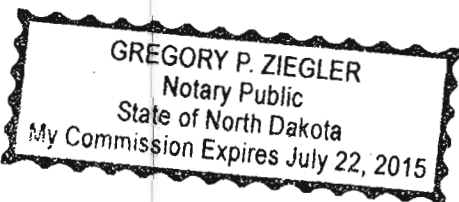
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Affidavit of Publication  
State of North Dakota ) SS County of Burleigh  
Before me, a Notary Public for the State of North Dakota  
personally appeared CK who being duly sworn, deposes  
and says that he (she) is the Clerk of Bismarck Tribune Co.,  
and that the publication(s) were made through the  
Bismarck Tribune on the following dates:  
7/9 Signed Carmen Buntz  
sworn and subscribed to before me this 10th  
day of July 2010  
Notary Public and for the State of North Dakota



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

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**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. Wednesday, July 28, 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 Thursday, July 15, 2010.

**STATE OF NORTH DAKOTA TO:**

Case No. 12843: Temporary spacing to develop an oil and/or gas pool discovered by the Ritchie Expl., Inc. #1-27 Sylvia, Lot 2, Section 27, T.164N., R.77W., Bottineau County, ND, define the field limits, and enact such special field rules as may be necessary.  
Case No. 12844: Temporary spacing to develop an oil and/or gas pool discovered by the EOG Resources, Inc. #1-161 Hardacre, NENW Section 16, T.153N., R.103W., Williams County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 12845: 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 19 and 30, T.154N., R.90W., Mountrail County, ND, authorizing the drilling of a horizontal well within said spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12846: Application of EOG Resources, Inc. for an order amending the field rules for the Alger-Bakken Pool to create two 1280-acre spacing units comprised of Sections 16 and 17, and Sections 27 and 28, T.156N., R.92W., Mountrail County, ND, authorizing the drilling of a horizontal well within each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12847: Application of EOG Resources, Inc. for an order amending the field rules for the Alger-Bakken Pool to create two 1920-acre spacing units comprised of Sections 6, 7, and 8, and Sections 7, 17, and 18, T.156N., R.92W., Mountrail County, ND, authorizing the drilling of a total of not more than six horizontal wells within each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing

unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12848: Application of EOG Resources, Inc. for an order extending the field boundaries and amending the field rules for the Cottonwood and/or Alger-Bakken Pools to create two 2560-acre spacing units comprised of Sections 33 and 34, T.157N., R.92W., and Sections 5 and 6, T.156N., R.92W.; and Sections 34 and 35, T.157N., R.92W., and Sections 4 and 5, T.156N., R.92W., Mountrail County, ND, authorizing the drilling of a total of not more than six horizontal wells within each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12849: Application of EOG Resources, Inc. for an order amending the field rules for the Ross and Alger-Bakken Pools to create a 640-acre spacing unit comprised of the W/2 of Section 31, T.157N., R.91W., and the E/2 of Section 3, T.156N., R.92W., Mountrail County, ND, authorizing the drilling of a horizontal well within said spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12850: Application of EOG Resources, Inc. for an order amending the field rules for the Clear Water-Bakken Pool to authorize the drilling, completing, and producing of a total of not more than three wells in a 1280-acre spacing unit described as Sections 13 and 24, T.158N., R.90W., Mountrail County, ND, and such other relief as is appropriate.

Case No. 12539: (Continued) Application of EOG Resources, Inc. for an order creating a 1440-acre drilling unit comprised of Sections 13, 24, and 25, T.151N., R.95W., less Lots 1, 2, 3, and 4 in each section, McKenzie County, ND, authorizing the drilling of not more than six horizontal wells within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit, reducing the minimum setbacks from the heel and toe of the well to the drilling unit boundaries, and such other relief as is appropriate.

Case No. 12761: (Continued) Application of EOG Resources, Inc. for an order authorizing the drilling, completing, and producing of a total of not more than four wells on a 1920-acre spacing unit described as Sections 9, 10, and 11, T.151N., R.91W.; on each 1600-acre spacing unit described as the W/2 of Section 14 and Sections 15 and 16, T.151N., R.91W.; Sections 21 and 22 and the W/2 of Section 23, T.151N., R.91W.; and the W/2 of Section 26 and Sections 27 and 28, T.151N., R.91W.; and on a 1280-acre spacing unit described as Sections 34 and 35, T.151N., R.91W., Van Hook-Bakken Pool, Mountrail County, ND, and such other relief as is appropriate.

Case No. 12851: Temporary spacing to develop an oil and/or gas pool discovered by the Cirque Resources, LP #44-364 Gunnison State, SESE Section 36, T.161N., R.91W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 12852: Temporary spacing to develop an oil and/or gas pool discovered by the Brigham Oil & Gas, L.P. #1-H Tjelle 29-32, NENW Section 29, T.151N., R.102W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 12853: Application of Brigham Oil & Gas, L.P. for an order extending the field boundaries and amending the field rules for the Todd-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 2 and 11, T.154N., R.101W., Williams County, ND, authorizing the drilling of one horizontal well on said spacing unit, and such other relief as is appropriate.

Case No. 12854: Application of Brigham Oil & Gas, L.P. for an order extending the field boundaries and amending the field rules for the Alger-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 1 and 12, T.155N., R.94W., Mountrail County, ND, authorizing the drilling of one horizontal well on said spacing unit, and such other relief as is appropriate.

Case No. 12855: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Camp and/or Banks-Bakken Pools to create and establish seven 1600-acre spacing units comprised of Sections 29 and 32 and the S/2 of Section 20; Sections 28 and 33 and the S/2 of Section 21; Sections 27 and 34 and the S/2 of Section 22, T.153N., R.99W.; Sections 26 and 35, T.153N., R.99W.; and the N/2 of 5, T.152N., R.99W.; Sections 25 and 36, T.153N., R.99W.; and the N/2 of Section 4, T.152N., R.99W.; Sections 30 and 31, T.153N., R.98W.; and the N/2 of 3, T.152N., R.99W.; and Sections 29 and 32, T.153N., R.98W.; and the N/2 of 2, T.152N., R.99W.; and two 960-acre spacing units comprised of the S/2 of Section 2 and Section 11; and the S/2 of Section 3 and Section 10, T.152N., R.99W., Williams and McKenzie Counties, ND, authorizing the drilling of one horizontal well on each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12856: Application of Continental Resources, Inc. for an order amending the field rules for the Camp-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 2, 11, 14, and 23, T.152N., R.100W., McKenzie and Williams Counties, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating the 1220 setback rule, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12857: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Corinth-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 16 and 21, and Sections 26 and 35, T.159N., R.97W., Williams County, ND, authorizing the drilling of one horizontal well on each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12858: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Upland-Bakken Pool to create and establish eight 1280-acre spacing units comprised of Sections 2 and 11; Sections 15 and 22; 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.161N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12859: Application of Continental Resources, Inc. for an order amending the field rules for the Oakdale-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 22, 27, and 34, T.147N., R.96W., and Section 3, T.146N., 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 1220 setback rule, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12860: Application of Continental Resources, Inc. for an order amending the field rules for the Pershing and North Fork

Bakken Pools to create a 2560-acre spacing unit comprised of Sections 13, 24, 25, and 36, T.150N., R.97W., McKenzie County, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating the 1220 setback rule, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12861: Application of Continental Resources, Inc. for an order amending the field rules for the Elm Tree-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 14, 23, 26, and 35, T.153N., R.94W., McKenzie County, ND, authorizing the drilling of up to four horizontal wells from said well pad within said 2560-acre spacing unit, eliminating the 1220 setback rule, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 12862: Application of Continental Resources, Inc. for an order amending the field rules for the Poker Jim-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 17 and 20, T.146N., R.103W., McKenzie County, ND, authorizing the drilling of one horizontal well on said spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12863: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Bicentennial-Bakken Pool to create and establish four 1280-acre spacing units comprised of Sections 29 and 32, T.146N., R.103W.; Sections 3 and 10; Sections 5 and 8, T.145N., R.103W.; and Sections 16 and 21, T.144N., R.103W., McKenzie and Golden Valley Counties, ND, authorizing the drilling of one horizontal well on each spacing unit, setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12864: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Squaw Gap-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 28 and 33, T.146N., R.104W., McKenzie County, ND, authorizing the drilling of a horizontal well within said spacing unit setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12316: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Big Gulch-Bakken Pool for two 1280-acre spacing units comprised of Sections 7 and 18; and Sections 19 and 30, T.147N., R.96W., Dunn 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 "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. 12751: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-H Ravin, NWNE Section 1, T.150N., R.97W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

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Case No. 12902: Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of not more than a total of three wells on a 1280-acre spacing unit described as Sections 3 and 4-51N, R.94W, T.108N, Banner-Burke in Burke County, ND, and such other relief as is appropriate.

Case No. 12914: Application of Denbury Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 11, T.153N., R.96W., Carlson-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

of the well to the spacing unit boundaries a 200 feet, eliminating any tool error setback requirements, and such other relief as is appropriate.

in a spacing unit for the Evelyn Kary 4-1  
22H-144-97, Sections 15 and 22, T.14  
R.97W, Cabernet-Bakken Pool, D  
County, ND as provided by NDCC § 38  
08; and such other relief as is appropriate.

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Case No. 12938: 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 Jaeger State #1-34-27H-144-97, Sections 27 and 34, T.144N., R.97W., Cabernet-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12939: 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 Kenneth Stron #1-12-1H-143-97, Sections 1 and 12, T.143N., R.97W., Cabernet-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12940: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within the St. Anthony-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12941: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zones II and III of the Willmen-Bakken Pool, Dunn and Billings Counties, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12942: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within the Simon-Butte-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12943: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zone II of the Hungry Man Butte-Bakken Pool, Billings County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12944: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each of the following 1280-acre spacing units Sections 4 & 9; Sections 5 & 8; Sections 6 & 7; Sections 17 & 20; Sections 18 & 19; T.142N., R.98W.; Sections 18 & 19; Sections 30 & 31; T.143N., R.98W.; Sections 13 & 24; Sections 14 & 23; Sections 15 & 22; Sections 16 & 21; and Sections 26 & 35, T.143N., R.99W., St. Demetrius-Bakken Pool, Billings County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12945: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zone II of the Fayette-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet and/or such other and further relief as appropriate.

Case No. 12946: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zones I and II of the Russian Creek-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12947: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within the Manning-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12948: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zone II of the Cabernet-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12949: Application of Anschutz Exploration Corp. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zones IV, V, and VI of the Murphy Creek-Bakken Pool, Dunn County, ND, not to exceed a total of six horizontal wells on each such spacing unit, eliminating any tool error requirements and also setting the minimum setbacks from the "heel and toe" of the well to the spacing unit boundaries at 200 feet, and such other relief as is appropriate.

Case No. 12950: Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Gary #1-24H, Section 24, T.154N., R.99W., Stockyard Creek-Bakken Pool, Williams County, ND; and also to consider a petition for a risk penalty requesting an order authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Gary #1-24H well as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12951: Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Hanson 28-33 #1H, Sections 28 and 33, T.154N., R.99W., Stockyard Creek-Bakken Pool, Williams County, ND; and also to consider a petition for a risk penalty requesting an order authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Hanson 28-33 #1H well as provided by NDCC § 38-08-08 of the NDCC, and such other relief as is appropriate.

Case No. 12952: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Lynn #19-20-29H, Sections 19, 20, 29, and 30, T.154N., R.92W., Sanish-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12953: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Domaskin #19-30-29H, Sections 19, 20, 29, and 30, T.154N., R.92W., Sanish-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12954: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Hanson #17-20-163-98H, Sections 17 and 20, T.163N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12955: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Antonson #01-12-163-95H, Sections 1 and 12, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12956: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12957: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.163N., R.95W., Forthun-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other and further relief.

Case No. 12958: Application of Blawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 32, T.151N., R.92W., Big Bend-Bakken Pool, Mountrail County, ND; as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12959: Application of Blawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 32, T.151N., R.92W., Big Bend-Bakken Pool, Mountrail County, ND; as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12960: Application of Tracker Resource Development II, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 17 and 20, T.153N., R.98W., Truax-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12961: Application of Tracker Resource Development II, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 18 and 19, T.153N., R.98W., Truax-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12962: Application of Tracker Resource Development II, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 6 and 7, T.151N., R.162W., Elk-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12963: Application of Tracker Resource Development II, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Danielle #12-1H, Sections 1 and 12, T.145N., R.97W., Little Knife-Bakken Pool, Dunn County, ND; and also to consider a petition for a risk penalty requesting an order authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Danielle #12-1H well as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 12964: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than four wells on lands within a 1280-acre spacing unit described as Sections 29 and 32, T.149N., R.95W., Bear Den-Bakken Pool, McKenzie County, ND, and such further and additional relief.

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