

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 13547  
ORDER NO. 15823

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE TEMPORARY SPACING TO  
DEVELOP AN OIL AND/OR GAS POOL  
DISCOVERED BY THE HESS CORP. #0211H-1,  
AV-SCHWARTZ-163-93, LOT 1, SECTION 2,  
T.163N., R.93W., BURKE COUNTY, ND, DEFINE  
THE FIELD LIMITS, AND ENACT SUCH  
SPECIAL FIELD RULES AS MAY BE  
NECESSARY.

TEMPORARY ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 18th day of November, 2010.
- (2) The witnesses for Hess Corporation (Hess) provided telephonic testimony in this matter pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.2. Telephonic Communication Affidavits were received on December 15, 2010; therefore, such testimony may be considered evidence.
- (3) The AV-Schwartz-163-93 #0211H-1 well (File No. 19347), with a surface location 254 feet from the north line and 887 feet from the east line of Section 2, Township 163 North, Range 93 West, Burke County, North Dakota (Section 2), was drilled horizontally through the Bakken Pool on a 1280-acre drilling unit, described as Section 2 and Section 11, Township 163 North, Range 93 West, Burke County, North Dakota (Section 11), pursuant to Order No. 14497.
- (4) The AV-Schwartz-163-93 #0211H-1 well was drilled as a dual stacked-lateral horizontal well in the upper Three Forks Formation and the middle member of the Bakken Formation to bottom hole locations approximately 321 feet from the south line and 2619 feet from the west line of Section 11, and 306 feet from the south line and 2612 feet from the east line of Section 11, respectively.
- (5) Hess requested the following lands be included in the field and pool established for the AV-Schwartz-163-93 #0211H-1 well:

TOWNSHIP 163 NORTH, RANGE 93 WEST, 5TH PM  
ALL OF SECTIONS 2 AND 11.

(6) Hess requested Sections 2 and 11 be established as a standup 1280-acre spacing unit with one horizontal well allowed.

(7) Sections 2 and 11 are adjacent or adjoining to the Short Creek Field.

(8) The AV-Schwartz-163-93 #0211H-1 well discovered the Short Creek-Bakken Pool.

(9) Order No. 14497 entered in Case No. 12245 also established Sections 1 and 12, Township 163 North, Range 93 West, Burke County, North Dakota, as a 1280-acre drilling unit for the exclusive purpose of drilling one horizontal well within said drilling unit within the Bakken Pool. This drilling unit will be included as a spacing unit in the Short Creek-Bakken Pool.

(10) The Commission will take administrative notice of the testimony given in Case No. 12246 which was scheduled on a motion of the Commission to consider amending the current Bakken Pool field rules to eliminate or reduce the setbacks currently established for the heel and toe of horizontal wells in North Dakota, and such other relief as is appropriate, heard on March 23, 2010. Order No. 14498 entered in Case No. 12246 amended all current 660 or 500-foot setback requirements in any established Bakken Pool spacing unit or drilling unit relative to the heel and toe of a horizontal well to 200 feet.

(11) Geological and engineering evidence and testimony presented to the Commission relative to the matter of well spacing indicates the Short Creek-Bakken Pool, as classified and defined in this order, should be developed on a pattern of one horizontal well per 1280 acres, for the effective, economical, and efficient recovery of oil from said pool, to assure rapid development and provide maximum ultimate recovery, to avoid the drilling of unnecessary wells, and to prevent waste in a manner that will protect correlative rights.

(12) There were no objections in this matter.

(13) Certain special field rules for the Short Creek-Bakken Pool are necessary to prevent waste and protect against the contamination and pollution of surface lands and fresh waters.

**IT IS THEREFORE ORDERED:**

(1) Order No. 14497 as it pertains to Sections 1 and 12; and Sections 2 and 11, Township 163 North, Range 93 West, Burke County, North Dakota, is hereby rescinded.

(2) Sections 1 and 12; and Sections 2 and 11, Township 163 North, Range 93 West, Burke County, North Dakota, are hereby established as standup 1280-acre spacing units for the exclusive purpose of drilling one horizontal well within each said spacing unit within the Short Creek-Bakken Pool. Existing and future vertical and directional wells drilled within the spacing units herein established shall not be subject to this order.

(3) The Director is hereby authorized to exercise continuing jurisdiction in this matter to determine whether a horizontal well proposed or drilled upon the 1280-acre spacing units herein established has justified the creation of such unit, to require amendments or modifications to the permit to drill for such horizontal well, and to deny a permit to drill in the event a well is proposed to be drilled in a manner inconsistent with the evidence that justified such spacing unit.

(4) Provisions established herein for the Short Creek-Bakken Pool are for the exclusive purpose of drilling horizontal wells. Existing and future vertical and directional wells drilled within the area defined in paragraph (5) below shall not be subject to this order.

(5) The Short Creek Field is hereby redefined as the following described tracts of land in Burke County, North Dakota:

TOWNSHIP 163 NORTH, RANGE 93 WEST, 5TH PM  
ALL OF SECTIONS 1, 2, 11 AND 12.

(6) The Short Creek-Bakken Pool is hereby defined as that accumulation of oil and gas found in the interval from 50 feet above the top of the Bakken Formation to 50 feet below the top of the Three Forks Formation within the limits of the field as set forth above.

(7) The temporary spacing for the development of the Short Creek-Bakken Pool is hereby set at one horizontal well per standup 1280-acre spacing unit.

(8) All portions of the well bore not isolated by cement of any horizontal well in the Short Creek-Bakken Pool shall be no closer than 500 feet to the east or west boundary and 200 feet to the north or south boundary of the spacing unit. Measurement inaccuracies in the directional survey equipment need not be considered except when deemed necessary by the Director.

(9) Sections 1 and 12; and Sections 2 and 11, Township 163 North, Range 93 West, Burke County, North Dakota, are hereby designated standup 1280-acre spacing units in the Short Creek-Bakken Pool.

(10) Spacing units hereafter created in the Short Creek-Bakken Pool shall be standup spacing units consisting of two adjacent governmental sections.

(11) The Short Creek-Bakken Pool shall not be extended except by further order of the Commission after due notice and hearing.

(12) The operator of any horizontally drilled well in the Short Creek-Bakken Pool shall cause to be made a directional survey of the well bore. The directional survey contractor shall file a certified survey with the Commission within 30 days after completion of the well in accordance with NDAC Section 43-02-03-25. The survey shall be of sufficient quality to enable the Commission to determine the entire completion location of the well and its terminus.

(13) The Director is hereby authorized to exercise continuing jurisdiction to determine whether any well proposed or drilled upon any spacing unit herein established has justified the creation of such unit, to require amendments or modifications to the permit to drill for such well, and to deny a permit to drill in the event a well is proposed to be drilled in a manner inconsistent with the evidence that justified the spacing requirements in the Short Creek-Bakken Pool.

(14) The Commission shall have continuing jurisdiction in this matter and specifically reserves the authority, upon its own motion or the motion of any interested party, to: (1) review the spacing requirements for the Short Creek-Bakken Pool; and (2) make such further amendments or

modifications to the spacing requirements for the Short Creek-Bakken Pool as the Commission deems appropriate.

(15) No well shall be drilled or produced in the Short Creek-Bakken Pool, as defined herein, except in conformity with the regulations above without special order of the Commission after due notice and hearing.

(16) The following rules concerning the casing, tubing and equipping of wells shall apply to the subsequent drilling and operation of wells in the Short Creek-Bakken Pool:

- (a) The surface casing shall consist of new or reconditioned pipe that has been previously tested to 1000 pounds per square inch. The casing shall be set and cemented at a point not less than 50 feet below the base of the Fox Hills Formation. Sufficient cement shall be used to fill the annular space outside the pipe to the surface of the ground, or the bottom of the cellar, and sufficient scratchers and centralizers shall be used to assure a good cement job. Cement shall be allowed to stand a minimum of 12 hours before drilling the plug or initiating tests. The quality of cement shall conform to the standards provided under NDAC Section 43-02-03-21;
- (b) The producing or oil string shall consist of new or reconditioned pipe that has been previously tested to 2000 pounds per square inch. Casing shall be set and cemented at a point not higher than the top of the producing formation, or at a point approved by the Director. Sufficient cement shall be used and applied in such a manner as to protect and isolate all formations containing oil and/or gas, protect the pipe through salt sections encountered, and isolate the Dakota-Lakota Series. The cement shall be allowed to stand a minimum of 15 hours before drilling the plug or initiating tests. The quality of cement shall conform to the standards provided under NDAC Section 43-02-03-21. After cementing, the casing shall be tested by application of pump pressure of at least 1500 pounds per square inch. If, at the end of 30 minutes this pressure has dropped 150 pounds per square inch or more, the casing shall be repaired. Thereafter, the casing shall again be tested in the same manner. Further work shall not proceed until a satisfactory test has been obtained;
- (c) All well-head fittings and connections shall have a working pressure in excess of that to which they are expected to be subjected; and,
- (d) All wells shall be equipped with tubing; a tubing packer must also be utilized in flowing wells unless a waiver is obtained from the Director after demonstrating the casing will not be subjected to excessive pressure or corrosion; all tubing shall be of sufficient internal diameter to allow the passage of a bottom hole pressure gauge for the purpose of obtaining bottom hole pressure measurements.

(17) The gas-oil ratio of all wells not connected to a gas gathering system shall be measured annually during the month of May. The reservoir pressure shall be measured in any well completed in the Short Creek-Bakken Pool if deemed necessary by the Director. Drill stem test pressures are acceptable for determining reservoir pressure. Pressure measurements shall be made at or adjusted

to a subsea datum of 5200 feet. All gas-oil ratio and reservoir pressure determinations shall be made by methods approved by the Director and reported to the Director within 15 days following the end of the month in which they are determined. The Director is authorized to waive these requirements if the necessity therefore can be demonstrated to his satisfaction. All additional gas-oil ratio and reservoir pressure determinations conducted on any well, but not specially required herein, shall be reported to the Director within 15 days following the end of the month in which they are determined.

(18) No salt water, drilling mud, crude oil, or waste oil shall be stored in pits in this field, except in an emergency, and approved by the Director.

(19) For the purposes of division of production to owners of interests in spacing units established by this order, and proven productive prior to the date hereof, this order shall be retroactive to the date of first production.

(20) All wells in the Short Creek-Bakken Pool shall be allowed to produce at a maximum efficient rate through October 31, 2011.

(21) After October 31, 2011, all wells in the Short Creek-Bakken Pool shall be allowed to produce at a maximum efficient rate for a period of 60 days commencing on the first day oil is produced through well-head equipment into tanks from the ultimate producing interval after casing has been run; after that, oil production from such wells shall not exceed an average of 200 barrels per day for a period of 60 days; after that, oil production from such wells shall not exceed an average of 150 barrels per day for a period of 60 days, thereafter, oil production from such wells shall not exceed an average of 100 barrels of oil per day; if and when such wells are connected to a gas gathering and processing facility the foregoing restrictions shall be removed, and the wells shall be allowed to produce at a maximum efficient rate. The Director is authorized to issue an administrative order allowing unrestricted production at a maximum efficient rate for a period not to exceed 120 days, commencing on the first day oil is produced through well-head equipment into tanks from the ultimate producing interval after casing has been run, if the necessity therefor can be demonstrated to his satisfaction.

(22) If the flaring of gas produced with crude oil from the Short Creek-Bakken Pool causes, or threatens to cause, degradation of ambient air quality, production from the pool shall be further restricted.

(23) This order shall cover all of the Short Creek-Bakken Pool, common source of supply of crude oil and/or natural gas as herein defined, and continues in full force and effect until the 31st day of January, 2013. If the Short Creek-Bakken Pool is still producing, the proper spacing for the pool will be considered by the Commission on or before its regularly scheduled hearing date in December, 2012. If, however, the Short Creek-Bakken Pool is no longer producing when the proper spacing is to be considered, the Commission, at its own discretion, may refrain from scheduling a proper spacing hearing and may, without further notice, enter an order dismissing the proper spacing matter.

Dated this 1st day of August, 2011.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

STATE OF NORTH DAKOTA

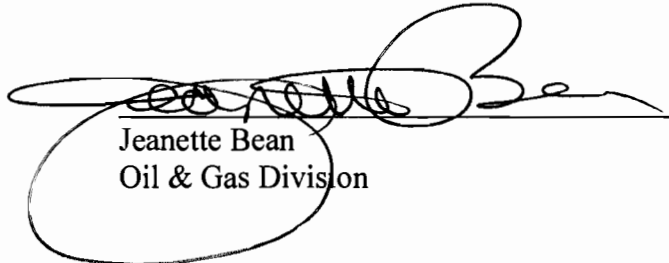
AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

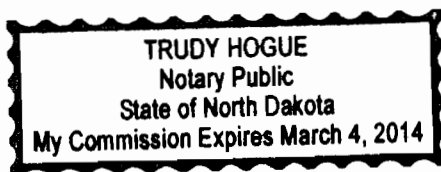
I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 12<sup>th</sup> day of August, 2011 enclosed in separate envelopes true and correct copies of the attached Order No. 15823 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 13547:

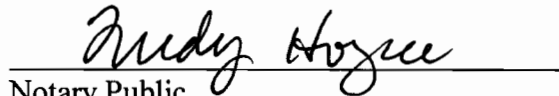
JOHN MORRISON  
CROWLEY FLECK PLLP  
PO BOX 2798  
BISMARCK ND 58502-2798

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

  
Jeanette Bean  
Oil & Gas Division

On this 12<sup>th</sup> day of August, 2011 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

## Schmidt, Bethany R.

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**From:** Amanda Bergquist <abergquist@crowleyfleck.com>  
**Sent:** Wednesday, December 15, 2010 2:45 PM  
**To:** Hicks, Bruce E.; Schmidt, Bethany R.  
**Cc:** John W. Morrison  
**Subject:** Case Nos. 13547, 13548 & 13549  
**Attachments:** Case Nos. 13547, 13548 and 13549.pdf^.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Enclosed please find the Hess telephonic affidavits from Case Nos. 13547,13548 and 13549.

Thanks.

**CROWLEY | FLECK** PLLP  
ATTORNEYS

**Mandy Bergquist**  
Crowley Fleck PLLP  
400 E. Broadway, Suite 600  
Bismarck ND, 58501  
DIRECT DIAL: 701.224.7552  
FAX: 701.222.4853  
[abergquist@crowleyfleck.com](mailto:abergquist@crowleyfleck.com)


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**TELEPHONIC COMMUNICATION AFFIDAVIT**  
**Industrial Commission of North Dakota**  
**Oil and Gas Division**  
**600 East Boulevard, Dept. 405**  
**Bismarck, ND 58505-0840**

This affidavit is made to comply with North Dakota Administrative Code Section 43-02-03-88.2.

I, Lane Neal, do hereby confirm that I presented testimony under oath in North Dakota Industrial Commission Case Numbers 13547 & 13548 on November 18, 2010. My testimony was presented by telephone from (713) 609-7316, Hess Corporation, 500 Dallas Street, Houston, Texas 77002


  
(Affiant's Signature)

[illegible]

On December 13<sup>th</sup>, 2010, Lane Neal, known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that he executed the same as a free act and deed.

( S E A L )

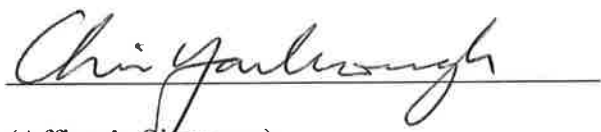


  
Notary Public  
State of Texas, County of Harris  
My Commission Expires: 11/24/2011

**TELEPHONIC COMMUNICATION AFFIDAVIT**  
**Industrial Commission of North Dakota**  
**Oil and Gas Division**  
**600 East Boulevard, Dept. 405**  
**Bismarck, ND 58505-0840**

This affidavit is made to comply with North Dakota Administrative Code Section 43-02-03-88.2.

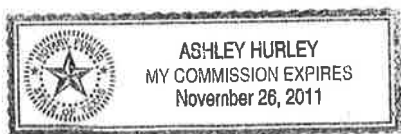
I, Chris Yarbrough, do hereby confirm that I presented testimony under oath in North Dakota Industrial Commission Case Numbers 13547 & 13548 on November 18, 2010. My testimony was presented by telephone from (713) 609-7316, Hess Corporation, 500 Dallas Street, Houston, Texas 77002

  
(Affiant's Signature)

STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF HARRIS            )

On December 13<sup>th</sup>, 2010, Chris Yarbrough, known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that he executed the same as a free act and deed.

( S E A L )




  
Notary Public  
State of Texas, County of Harris  
My Commission Expires: 11/26/2011

**Industrial Commission of North Dakota  
Oil and Gas Division  
600 East Boulevard, Dept. 405  
Bismarck, ND 58505-0840**

This affidavit is made to comply with North Dakota Administrative Code Section 43-02-03-88.2.

I, Michael Allen, do hereby confirm that I presented testimony under oath in North Dakota Industrial Commission Case Numbers 13547, 13548 & 13549 on November 18, 2010. My testimony was presented by telephone from (713) 609-7316, Hess Corporation, 500 Dallas Street, Houston, Texas 77002

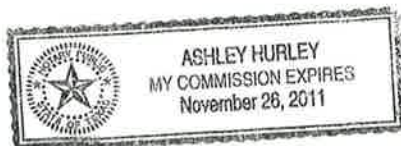
  
(Affiant's Signature)

STATE OF TEXAS                         )  
  ) ss.  
COUNTY OF HARRIS                         )

On December 13<sup>th</sup>, 2010, Michael Allen, known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that he executed the same as a free act and deed.

( S E A L )

Notary Public  
State of Texas, County of Harris  
My Commission Expires: 11/26/2011



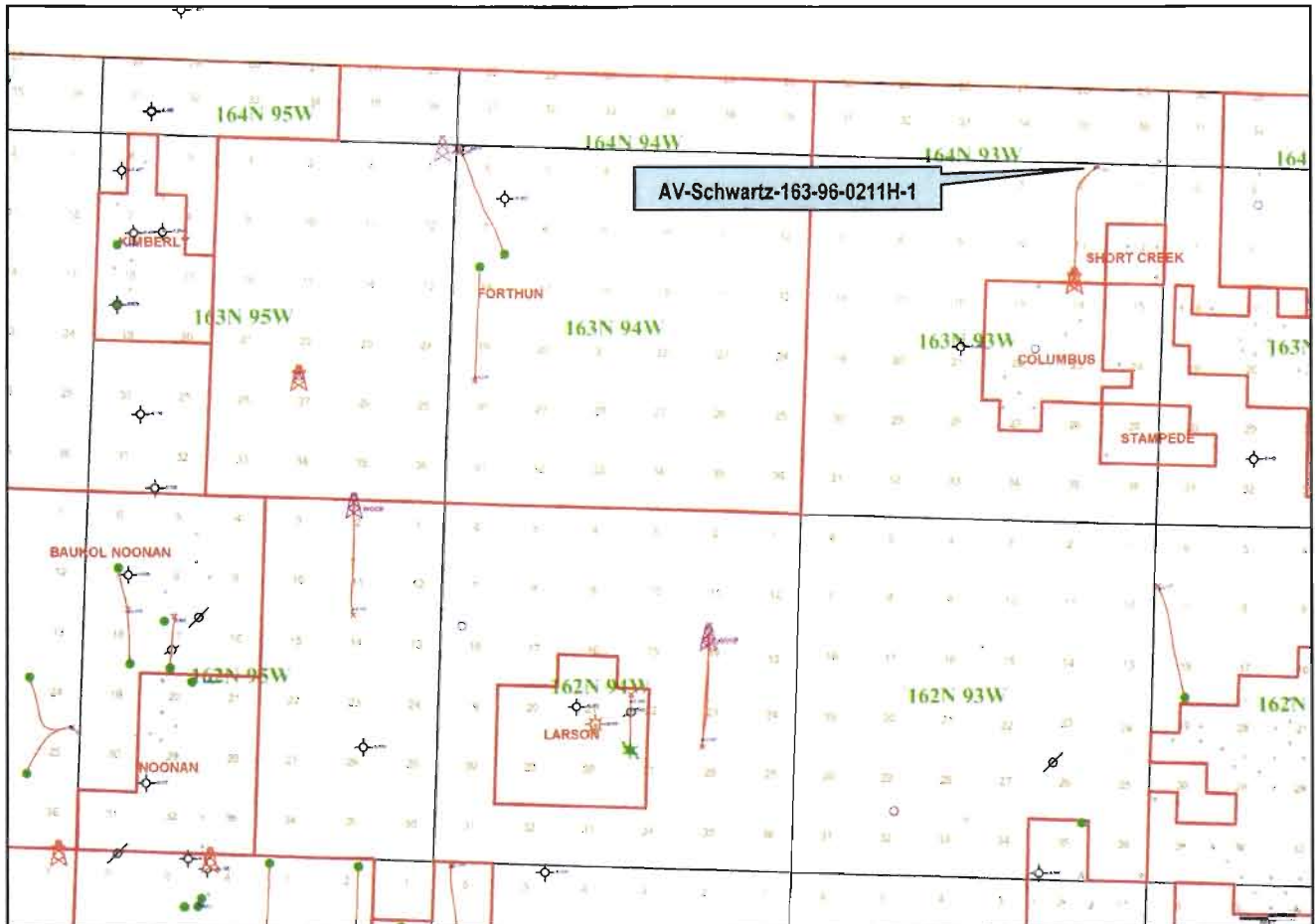


**Case 13547**

**Temporary spacing to develop an oil and/or gas pool discovered by the Hess Corp. #0211H-1, AV-Schwartz-163-93, Lot 1, Section 2, T.163N., R.93W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.**

**November 18, 2010**

**Location Map- AV-Schwartz-163-96-0211H-1 Area  
Burke Co., ND**



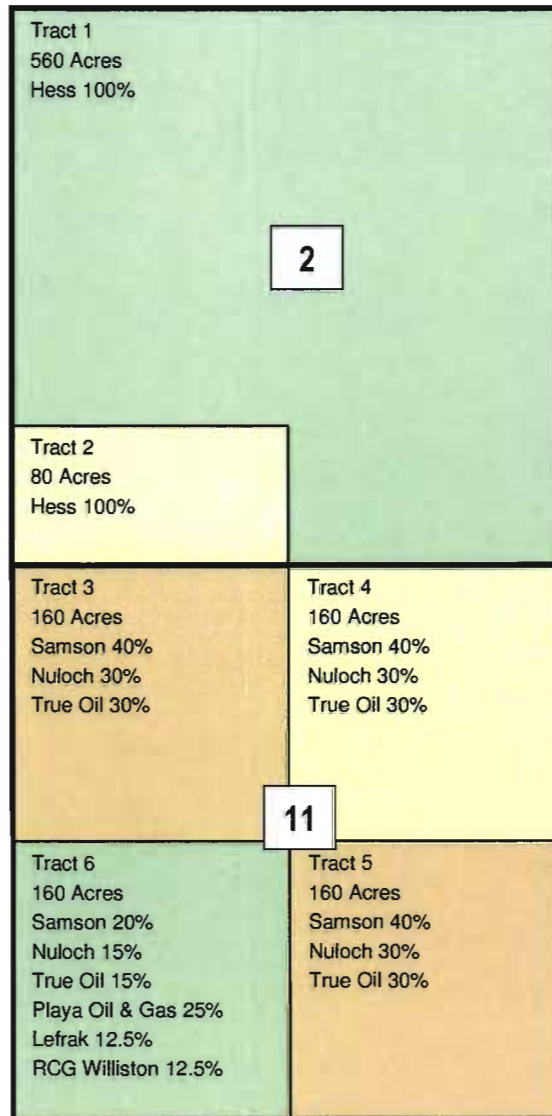
**Note: Well symbols are located at BHL**

- WELL SYMBOLS**
- Location Only
  - Well Drilling
  - Waiting on Completion
  - Oil Well
  - Abandoned Well
  - Gas Well
  - Injection Well
  - Permit Canceled
  - Oil & Gas Well
  - Dry Hole
  - Plugged and Abandoned
  - Service Well
  - Temporarily Abandoned
  - Abandoned Oil Well
  - Abandoned GAS Well

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA  
DATE 11/18/10 CASE NO. 13547  
Introduced By Hess  
Exhibit 1  
Identified By Allen

**Case # 13547  
11/18/2010  
Exhibit # 1**

## AV-Schwartz-163-93-1102H-1



### Working Interest Summary

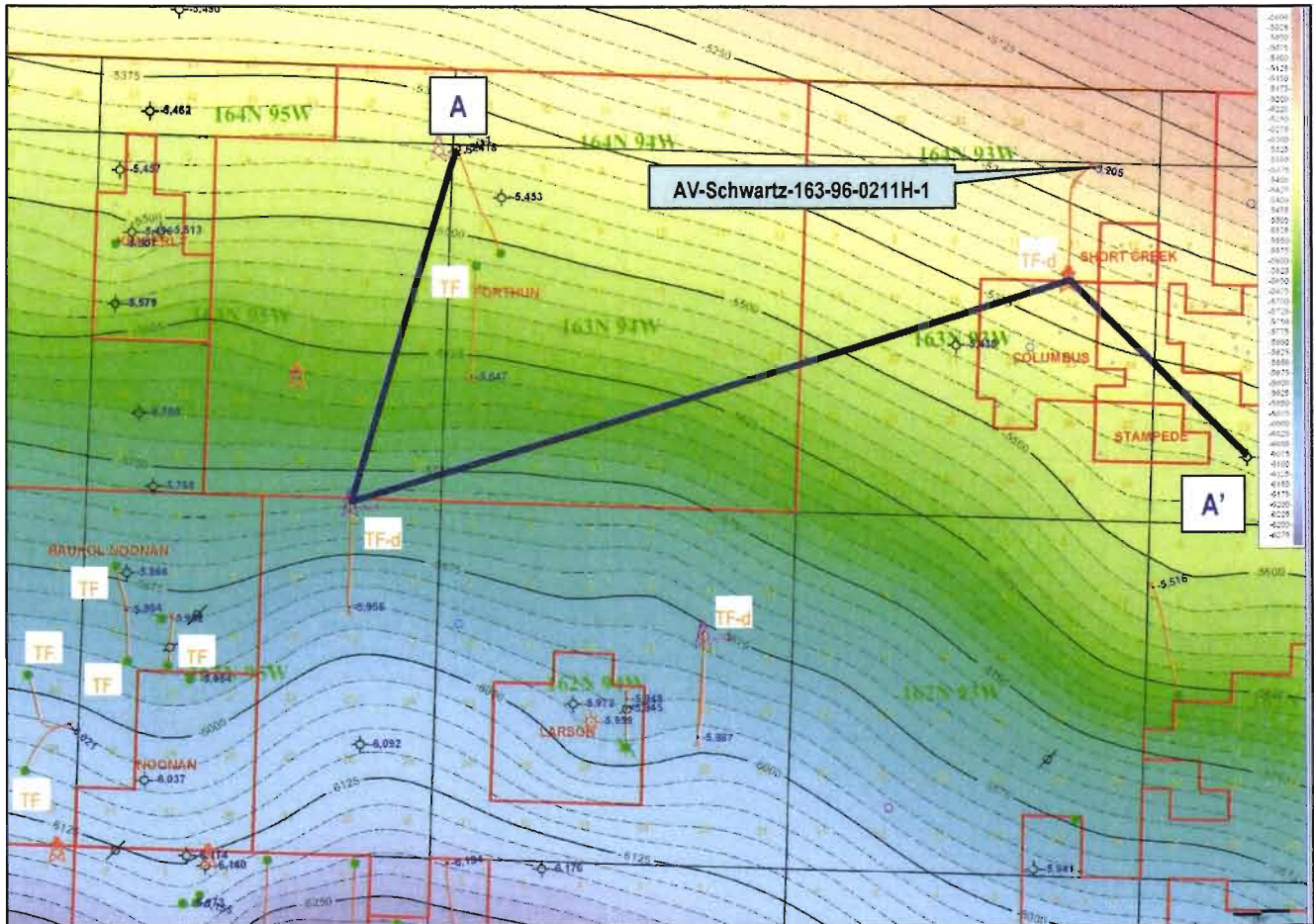
Hess Corporation	50.03%
Samson Resources Company	17.49%
Nuloch America Corporation	13.12%
True Oil LLC	13.12%
Playa Oil & Gas LP	3.12%
Lefrak Energy Investments, LP	1.56%
RCG Williston	1.56%
Total	100%

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA  
DATE 11/18/10 CASE NO. 13547  
Introduced By Hess  
Exhibit 2  
Identified By Allen

**Case # 13547**  
**11/18/2010**  
**Exhibit # 2**



# Top Middle Bakken Structure Map (SSTVD) CI: 25 ft.



Note: Well symbols are located at BHL

- WELL SYMBOLS**
- Location Only
  - Well Drilling
  - Waiting on Completion
  - Oil Well
  - Abandoned Well
  - Permit Canceled Normal Line
  - Expired Permit
  - Dry Hole
  - Service Well
  - Dry Hole, With Show of Oil
  - Abandoned Oil Well
  - Hess Operated Well
  - TF Three Forks lateral wells, -d notes part of a dual lateral well design

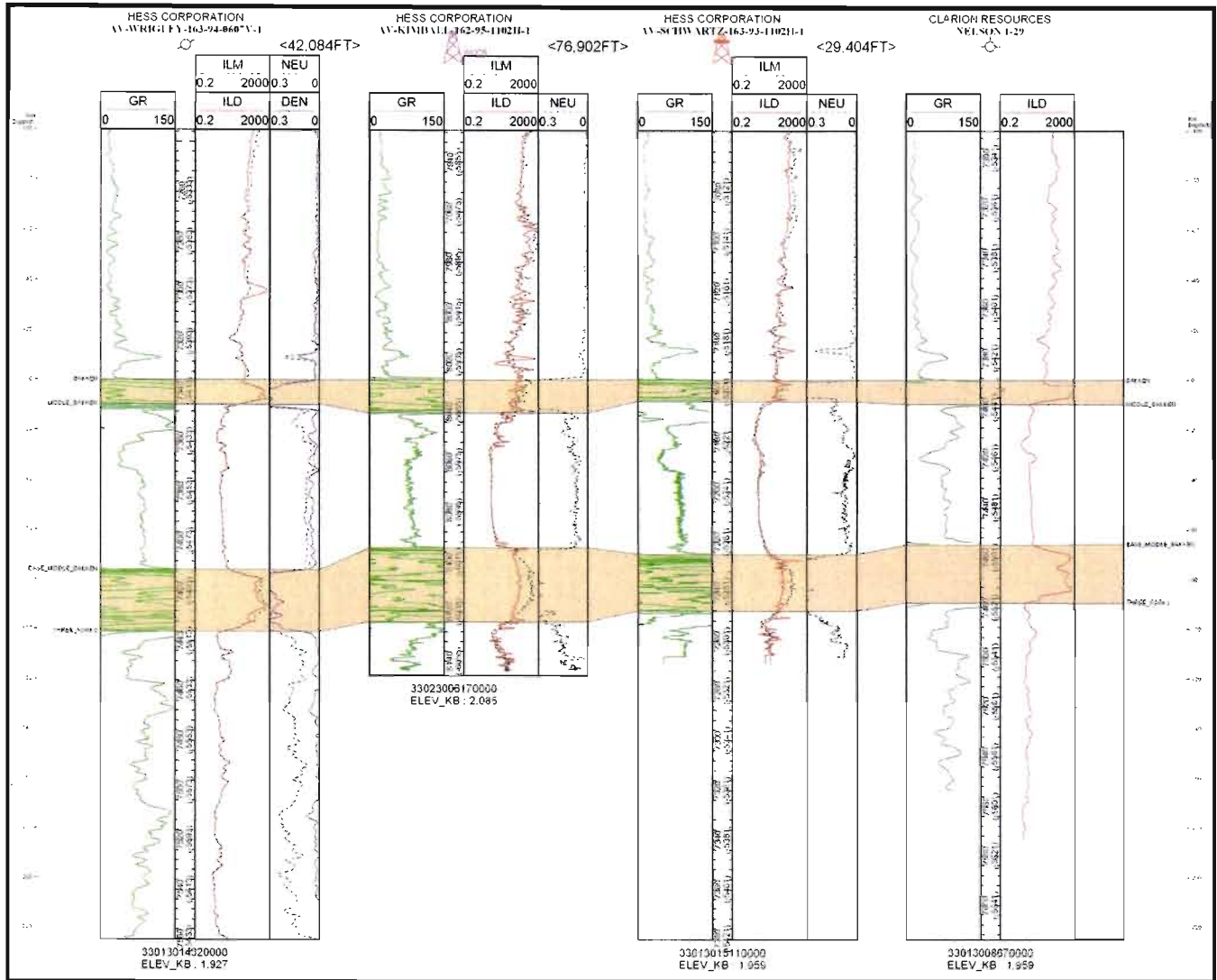
INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA  
DATE 11/18/10 CASE NO. 13547  
Introduced By Hess  
Exhibit 3  
Identified By Varbrough

**Case # 13547**  
**11/18/2010**  
**Exhibit # 3**

# Stratigraphic Cross Section A to A' (NW to SE) Flattened on Top Bakken Shale

A

A'



INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA  
DATE 11/18/10 CASE NO. 13547  
Introduced By Hess  
Exhibit 4  
Identified By Yarbrough

Case # 13547  
11/18/2010  
Exhibit # 4



**Hess Corporation**  
**Typical Avalanche Area Economics For 1 Dual Lateral Well Per 1280 acres**  
**18-Stage Pinpoint Fracs Per Lateral**

**Middle Bakken Reservoir Data**

Gross Thickness	64 Feet
Porosity	5.5 %
Water Saturation	45 %
Formation Volume Factor	1.51 rb/STB
Acreage	1280 Acres
OOIP	12.7 MMBO

**Three Forks Reservoir Data**

Gross Thickness	16 Feet
Porosity	6.1 %
Water Saturation	35 %
Formation Volume Factor	1.51 rb/STB
Acreage	1280 Acres
OOIP	4.2 MMBO

Commingled Peak Rate	364 BOPD
Producing GOR	1,236 SCF/STB
NGL Yield	120.6 BBL/MMCF

Est. Sales Gas Tie-In	01/01/2013
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Ultimate Recovery	603 MBO / 746 MBOE
Recovery Factor	3.6%

**Economic Input**

Capex	\$10.4 MM
Opex - Well	\$4,296 /Month
Opex - Variable Oil	\$8.56/Bbl

**Economic Results**

Price Assumption	Base
Oil Price	\$80/BBL
Gas Price	\$6/MCF
Rate of Return	18.0%
Payout	4.0 Years
NPV at 10%	\$1,891M

INDUSTRIAL COMMISSION	
STATE OF NORTH DAKOTA	
DATE <u>11/18/10</u>	CASE NO. <u>13547</u>
Produced By <u>Hess</u>	
Exhibit <u>5</u>	
Identified By <u>Neal</u>	

**Case # 13547**  
**11/18/2010**  
**Exhibit # 5**

# Oil and Gas Division

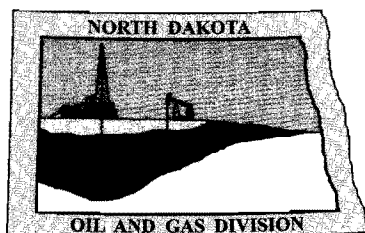
Lynn D. Helms - Director      Bruce E. Hicks - Assistant Director

## Department of Mineral Resources

Lynn D. Helms - Director

## North Dakota Industrial Commission

[www.oilgas.nd.gov](http://www.oilgas.nd.gov)



October 26, 2010

TO:      HESS CORPORATION  
         10384 68TH ST NW  
         TIOGA ND 58852

FROM:   North Dakota Industrial Commission  
         Governor John Hoeven, Chairman

SUBJECT:   Temporary Spacing Hearing; Case No. 13547

The temporary spacing for the development of an oil and/or gas pool discovered by the AV-SCHWARTZ-163-93- 0211H-1 well, located in the Lot 1 of Section 2, T.163N., R.93W., BURKE County, North Dakota will be considered at the North Dakota Industrial Commission hearing on November 18, 2010.

Three copies of all exhibits to be used at the hearing are to be prefiled with Mr. Bruce E. Hicks, Assistant Director, North Dakota Industrial Commission Oil & Gas Division, 600 East Boulevard Ave.-Dept. 405, Bismarck, ND 58505-0840 five (5) days prior to the date of the hearing.

The Industrial Commission, pursuant to North Dakota Administrative Code 43-02-03-18 part 4 desires full and consistent information from all participants in spacing hearings, especially the operators. Thus, effective immediately the Commission requires the following information be prefiled:

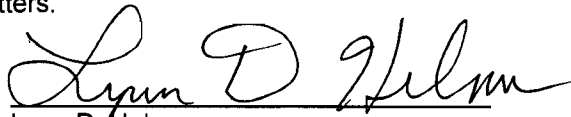
- 1)    Name, address, and phone number of the operator of the discovery well.
- 2)    Size and shape of the spacing units, well locations, and field rules being requested. If the requested spacing units are rectangular, indicate the desired orientation. Include any requests for exceptions needed.
- 3)    A map showing all wells within one (1) mile of the area being considered for spacing and the pools from which they produce.
- 4)    The pool's geologic formation (including stratigraphic definition) and the geographic area of the proposed field.
- 5)    The following data must be included:
  - a)   Initial reservoir pressure and any subsequent reservoir pressures
  - b)   Pertinent production data
  - c)   Oil analysis
  - d)   Gas analysis
  - e)   Gas-oil ratio
  - f)   Porosity of net pay
  - g)   Thickness of net pay
  - h)   Water saturation of net pay
  - i)   Oil formation volume factor
  - j)   Reservoir temperature

- 6) The following data must be included if available:
  - a) Permeability
  - b) Resistivity or salinity of formation water
  - c) Oil Pour Point
  - d) Reservoir Drive Mechanism
  - e) Bubble Point Pressure
- 7) Pertinent economics.
- 8) Maximum area of efficient and effective drainage by wells and supporting data.
- 9) Estimated original oil in place and expected recovery.
- 10) Disposition of all fluids.
- 11) A lease ownership map showing working interest ownership, non-working interest ownership, and lease expiration dates.
- 12) A structure map, isopach map, and cross section if pertinent.
- 13) A complete suite of logs if not previously filed.

A person or persons knowledgeable of the information submitted and capable of answering questions on the data must testify at the hearing. An exception to this requirement can be made if the following requirements are met:

- 1) No further development is anticipated.
- 2) The information requested above is prefiled ten (10) days prior to the scheduled hearing.
- 3) Prefiled exhibits are accompanied by signed affidavits from the person or persons who prepared the exhibits attesting to the following:
  - 4)
    - a) Their professional qualifications as an expert witness.
    - b) That they prepared, supervised preparation, or reviewed the documents.
    - c) That the documents are true and correct.
    - d) Identification of each exhibit, and explanation of the pertinence of the exhibit to the temporary spacing matter at hand.
- 5) No one appears to oppose the temporary spacing request. If the operator declines to appear and an interested party does appear to oppose the temporary spacing request or submits a written objection, it may result in the matter being continued and an appearance by the operator required. In addition, you should be aware that in the event an Industrial Commission order is appealed the court decision will be based entirely on the hearing record. The lack of hearing testimony could result in an incomplete record.

In order to develop timely communication, all operators are asked to advise the Commission of the name and address of the person(s) responsible for regulatory matters for their company. Such person(s) will be notified of pending spacing matters.

  
Lynn D. Helms  
Director

THE BURKE COUNTY TRIBUNE  
AFFIDAVIT OF PUBLICATION



OK X

STATE OF NORTH DAKOTA)  
COUNTY OF BURKE)

Kristi M. Bohl of said County and State, being first duly sworn, on her oath, says that she is the owner of The Burke County Tribune, a weekly newspaper of general circulation, printed at Bowbells, in said County and State, and that she has been during the time hereinafter mentioned, and that the The Notice of Publication of

Notice of Hearing

a printed copy of which is hereto annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the Notice was published in the newspaper proper and not in supplement, once each week for 1 successive weeks, to wit:

10-20-10      20      20  
20      20      20

Kristi M. Bohl  
Kristi M. Bohl, Publisher

Subscribed and sworn to before me this 27<sup>th</sup> day of  
October, 2010.

Lyann Rick  
Notary Public in and for  
Burke County, North Dakota

LYANN RICK  
Notary Public  
State of North Dakota  
My commission expires Aug. 6, 2014

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TOTAL \_\_\_\_\_

6

## NOTICE OF HEARING

### N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, November 18, 2010, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

**PERSONS WITH DISABILITIES:** If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, November 05, 2010.

#### STATE OF NORTH DAKOTA TO:

Case No. 13546: Proper spacing for the development of the Leaf Mountain-Bakken Pool, Burke County, ND, redefine the field limits, and enact such special field rules as may be necessary. Oasis Petroleum North America LLC

Case No. 13364: (Continued) Proper spacing for the development of the Gros Ventre-Bakken Pool, Burke and Mountrail Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Oasis Petroleum North America LLC.

Case No. 13547: Temporary spacing to develop an oil and/or gas pool discovered by the Hess Corp. #0211H-1, AV-Schwartz-163-93, Lot 1, Section 2, T.163N., R.93W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 13559: Application of Cornerstone Natural Resources LLC, for an order establishing an 800-acre drilling unit consisting of Sections 28 and Section 33, T.164N., R.90W., Burke County, ND and allowing a horizontal well to be drilled thereon in the Bakken Formation at any location not closer than 500 feet to the boundary of the spacing unit except that the toe and heel of any horizontal well should be allowed to be located as close as 200 feet to the boundary of the drilling unit, and such other relief as is appropriate.

Case No. 13560: Application of Cornerstone Natural Resources LLC, for an order establishing twenty-two 640-acre drilling units consisting of Sections 1, 2, 4, 5, 8, 9, 11, 12, 16, 17, 20, 21, 28 and 33, T.163N., R.90W., Sections 3, 4, 9, 10, 26 and 35, T.163N., R.91W., and Sections 2 and 11, T.162N., R.91W., all in Burke County, ND and allowing a horizontal well to be drilled in the Bakken Formation on each such spacing unit at any location not closer than 500 feet to the boundary of the spacing unit except that the toe and heel of any horizontal well should be allowed to be located as close as 200 feet to the boundary of the drilling unit, and such other relief as is appropriate.

Signed by,  
John Hoeven, Governor  
Chairman, ND Industrial Commission  
October 27, 2010

# The Bismarck Tribune

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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:  
10/28 Signed Calvin Gumb  
sworn and subscribed to before me this  
day of NOVEMBER 2010  
Notary Public in and for the State of North Dakota

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

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

#### NOTICE OF HEARING

**N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION**  
The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, November 18, 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, who notice: **PERSONS WITH DISABILITIES:** If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, November 05, 2010.  
**STATE OF NORTH DAKOTA TO:** Case No. 13546: Proper spacing for the development of the Leaf Mountain-Bakken Pool, Burke County, ND, redefine the field limits, and enact such special field rules as may be necessary. Oasis Petroleum North America LLC  
Case No. 13546: (Continued) Proper spacing for the development of the Gros Ventre-Bakken Pool, Burke and Mountrail Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Oasis Petroleum North America LLC  
Case No. 13547: Temporary spacing to develop an oil and/or gas pool discovered by the Hess Corp. #0211H-1, AV-Schwartz-162 93, Lot 1, Section 2, T.163N., R.93W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.  
Case No. 13548: Temporary spacing to develop an oil and/or gas pool discovered by the Hess Corp. #107H-1, AV-Kimball-162-95, SWSE Section 11, T.162N., R.95W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.  
Case No. 13549: Application of Hess Corp. for an order pursuant allowing a well to be drilled to and completed in the Lodgepole Formation at a location approximately 2000 feet from the south line and 750 feet from the west line of Section 12, T.158N., R.95W., Williams County, ND as an exception to the requirements of NDAC §43-02-03-18, and such other relief as is appropriate.  
Case No. 13550: Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-08, pooling all interests in a spacing unit for the Bakken-Notman-Bakken Pool described as Sections 18 and 19, T.162N., R.95W., Divide County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.  
Case No. 13551: Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-08, pooling all interests in a spacing unit for the Big Butte-Bakken Pool described as Sections 26 and 35, T.157N., R.94W., Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.  
Case No. 13552: Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-08, pooling all interests in a spacing unit for the Robinson Lake-Bakken Pool described as Sections 15 and 22, T.154N., R.93W., Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.



**Case No. 13553:** Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Robinson Lake-Bakken Pool described as Sections 16 and 21, T.154N., R.93W., Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13554:** Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Antelope-Sanish Pool described as Sections 30 and 31, T.153N., R.94W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13555:** Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Antelope-Sanish Pool described as Sections 2 and 11, T.152N., R.95W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13556:** Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Westberg-Bakken Pool described as Sections 18 and 19, T.152N., R.96W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13557:** Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Blue Buttes-Bakken Pool described as Sections 3 and 4, T.151N., R.95W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13410:** (Continued) Application of Hess Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Pleasant Valley-Bakken Pool described as Sections 26 and 33, T.157N., R.94W., Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13558:** Application of Kodiak Oil & Gas (USA) Inc. for an order amending the applicable orders to allow up to two horizontal wells to be drilled on two drilling or spacing units described as Sections 2 and

11, T.151N., R.100W., and Sections 25 and 36, T.152N., R.100W., McKenzie County, ND, and such other relief as is appropriate.

**Case No. 13559:** Application of Cornerstone Natural Resources LLC, for an order establishing an 800-acre drilling unit consisting of Sections 28 and Section 33, T.164N., R.90W., Burke County, ND, and allowing a horizontal well to be drilled thereon in the Bakken Formation at any location not closer than 500 feet to the boundary of the spacing unit except that the toe and heel of any horizontal well should be allowed to be located as close as 200 feet to the boundary of the drilling unit, and such other relief as is appropriate.

**Case No. 13560:** Application of Cornerstone Natural Resources LLC, for an order establishing twenty-two 640-acre drilling units consisting of Sections 1, 2, 4, 5, 8, 9, 11, 12, 16, 17, 20, 21, 28 and 33, T.163N., R.90W., Sections 3, 4, 9, 10, 26 and 35, T.163N., R.91W., and Sections 2 and 11, T.162N., R.91W., all in Burke County, ND, and allowing a horizontal well to be drilled in the Bakken Formation on each such spacing unit at any location not closer than 500 feet to the boundary of the spacing unit except that the toe and heel of any horizontal well should be allowed to be located as close as 200 feet to the boundary of the drilling unit, and such other relief as is appropriate.

**Case No. 13561:** Application of Whiting Oil & Gas Corp. for an order amending the applicable orders for the Sanish-Bakken Pool, covering lands located in Mountrail County, ND, to authorize up to two horizontal wells to be drilled on two 640-acre spacing units described as that portion of Sections 11 and 12, T.152N., R.93W., McKenzie; and Mountrail Counties, ND, lying north of the Fort Berthold Indian Reservation and lots 1, 2, 3, 4, 5, and 6, the E/2 NW/4, and the NE/4 of Section 7, T.152N., R.91W., and Lots 1, 2, 3, and 4 and the NW/2 of Sections 12, T.152N., R.92W., Mountrail County, ND, and such other relief as is appropriate.

**Case No. 13562:** Application of Whiting Oil & Gas Corp. for an order amending the applicable orders for the Bicentennial-Bakken Pool to include Sections 17 and 18 and Sections 20 and 21, T.145N., R.104W., Section 30, T.145N., R.104W., and Section 25, T.145N., R.105W., and all of Sections 6, T.145N., R.104W., and Section 1, T.145N., R.105W., McKenzie County, ND, as 1280-acre spacing units within Zone VI, for which spacing has been established on the basis of 1280-acres, and such other relief as is appropriate.

**Case No. 13563:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in four spacing units for the Bicentennial-Bakken Pool described as Sections 17 and 18; Sections 20 and 21, T.145N., R.104W.; Section 30, T.145N., R.104W., and Section 25, T.145N., R.105W., and Section 6, T.145N., R.104W., and Section 1, T.145N., R.105W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13564:** Application of Whiting Oil & Gas Corp. for an order amending the applicable orders for the Elkhorn Ranch-Bakken Pool to include Sections 8 and 17, T.143N., R.101W., Billings County, ND, as a 1280-acre spacing unit within Zone V, and such other relief as is appropriate.

**Case No. 13565:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Elkhorn Ranch-Bakken Pool described as Sections 8 and 17, T.143N., R.101W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13566:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in four spacing units for the Elkhorn Ranch or Ash Coulee-Bakken Pools described as Sections 4 and 9, T.142N., R.101W.; Sections 28 and 33; and Sections 29 and 32, T.143N., R.101W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13567:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in four spacing units for the Elkhorn Ranch-Bakken Pool described as all of Sections 25 and the E/2 of Section 26, T.143N., R.102W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13568:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in two spacing units for the Ash Coulee-Bakken Pool described as Sections 7 and 18, T.142N., R.101W., and Sections 12 and 13, T.142N., R.102W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13569:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in three spacing units for the Roosevelt-Bakken Pool described as Sections 19 and 30; Sections 20 and 29; and Sections 21 and 28, T.142N., R.102W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13570:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in five spacing units for the DeMores-Bakken Pool described as Sections 26 and 35; Sections 27 and 34, T.142N., R.102W.; Sections 5 and 6; Sections 7 and 18, and Sections 8 and 17, T.141N., R.102W., Billings County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13571:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in seven proposed 1280-acre spacing units in Billings County, ND, described as Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 13 and 24; Sections 14 and 23; and Sections 16 and 21, T.140N., R.100W., as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13572:** Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in forty-four proposed 1280-acre spacing units in Stark County, ND, described as Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 5; Sections 6 and 7; Sections 8 and 9; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 30 and 31; Sections 29 and 32; Sections 28 and 33; Sections 27 and 34; Sections 26 and 35; Sections 25 and 36, T.139N., R.99W.; Sections 5 and 8; Sections 6 and 7; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 28 and 33; Sections 29 and 32; Sections 30 and 31, T.140N., R.98W.; Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 6 and 7; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 30 and 31; Sections 29 and 32; Sections 28 and 33; Sections 27 and 34; Sections 26 and 35 and Sections 25 and 36, T.140N., R.99W., as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13380:** (Continued) Application of Whiting Oil & Gas Corp. for an order amending the applicable orders for the Bicentennial-Bakken Pool to include Sections 17 and 18; Sections 20 and 21, T.145N., R.104W.; Section 30, T.145N., R.104W., and Section 25, T.145N., R.105W.; Sections 6, T.145N., R.104W., and Section 1, T.145N., R.105W., McKenzie County, ND, as 1280-acre spacing units within Zone VI, for which spacing has been established on the basis of 1280-acres, and such other relief as is appropriate.

**Case No. 13543:** (Continued) Application of Whiting Oil & Gas Corp. for an order extending the field outline and amending the applicable orders for the Elkhorn Ranch-Bakken or Ash Coulee-Bakken Pool to include all of Section 25 and the E/2 of Section 26, T.143N., R.102W., Billings County, ND, as a 960-acre spacing unit within Zone VI, and such other relief as is appropriate.

**Case No. 13373:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Whiting Oil and Gas Corp. #11-137FH Kubas, NWNW Section 13, T.140N., R.99W., Stark County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 13374:** (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Whiting Oil and Gas Corp. #44-9TFH Froehlich, SESE Section 9, T.139N., R.99W., Stark County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 13573:** Application of SM Energy Co. for an order establishing a 1280-acre drilling unit described as Sections 22 and 27, T.151N., R.100W., McKenzie County, ND, allowing the drilling of a horizontal well in the Bakken Formation at any location not closer than 500 feet, or 200 feet for the toe and heel of each horizontal well, to the boundary of each drilling unit, and such other relief as is appropriate.

**Case No. 13574:** Application of SM Energy Co. for an order amending the applicable orders for the West Ambrose Field to include Sections 5, 6, 7, 8, 17, 18, 19 and 20, T.163N., R.100W., Divide County, ND, and establishing three 1280-acre spacing units in the West Ambrose-Bakken Pool described as Sections 5 and 8, 6 and 7, 17 and 20, and 18 and 19, and such other relief as is appropriate.

**Case No. 13575:** Application of SM Energy Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in four spacing units for the West Ambrose-Bakken Pool described as Sections 5 and 8; Sections 6 and 7; Sections 17 and 20 and Sections 18 and 19, T.163N., R.100W., Divide County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13576:** Temporary spacing to develop an oil and/or gas pool discovered by the Petro-Hunt, LLC #18-94-4B-3-11-1 Holby, Lot 4, Section 4, T.158N., R.94W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 13577:** Application of Petro-Hunt, LLC, for an order allowing up to seven horizontal wells to be drilled on three spacing units for the Four Bears-Bakken Pool described as Sections 8 and 17; Sections 18 and 19 and Sections 9 and 10, T.152N., R.93W., Mountrail and McKenzie Counties, ND, without regard to the Commission's tool error policy, and such other relief as is appropriate.

**Case No. 13578:** Application of Petro-Hunt, LLC, for an order allowing up to seven horizontal wells to be drilled on a spacing unit for the Eagle Nest-Bakken Pool described as Sections 8 and 17, T.148N., R.94W., Dunn County, ND, without regard to the Commission's tool error policy, and such other relief as is appropriate.

**Case No. 13579:** Application of Petro-Hunt, LLC, for an order extending the field limits for the Antelope Field to include Sections 3 and 10, T.150N., R.94W., and allowing up to seven horizontal wells to be drilled on six spacing units for the Antelope-Bakken Pool described as Sections 3 and 10, T.150N., R.94W.; Sections 26 and 35; Sections 27 and 34, T.151N., R.94W.; Sections 11 and 14; Sections 13 and 24, and Sections 15 and 22, T.152N., R.94W., all in McKenzie County, ND, without regard to the Commission's tool error policy, and such other relief as is appropriate.

**Case No. 13580:** Application of Petro-Hunt, LLC, for an order extending the field limits for the McGregory Buttes Field to include Sections 4 and 9, T.148N., R.94W., and allowing up to seven horizontal wells to be drilled on seven spacing units for the McGregory Buttes-Bakken Pool described as Sections 4 and 9; Sections 22 and 27; Sections 25 and 36; Sections 26 and 35, T.148N., R.94W.; Sections 1 and 12; Sections 2 and 11, and Sections 3 and 10, T.147N., R.94W., all in Dunn County, ND, without regard to the Commission's tool error policy, and such other relief as is appropriate.

**Case No. 13581:** Application of Petro-Hunt, LLC, for an order extending the field limits for the Bailey, Antelope, McGregory Buttes, Eagle Nest, Corral Creek, or Grail Fields to include Sections 18, 19, 28, 29, 30, 31, 32 and 33, T.148N., R.94W., and Sections 3, 10, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T.148N., R.95W., Dunn County, ND, and allowing up to seven horizontal wells to be drilled on eleven Bakken spacing units described as Sections 18 and 19; Sections 28 and 33; Sections 29 and 32; Sections 30 and 31, T.148N., R.94W.; Sections 3 and 10; Sections 13 and 24; Sections 14 and 23; Sections 15 and 22; Sections 25 and 36; Sections 26 and 35 and Sections 27 and 34, T.148N., R.95W., all in Dunn County, ND, without regard to the Commission's tool error policy, and such other relief as is appropriate.

**Case No. 13582:** Application of Helis Oil and Gas Co., LLC, for an order amending the applicable orders for the Blue Buttes-Bakken Pool to include Sections 15 and 22, T.150N., R.95W., McKenzie County, ND, in Zone II, for which spacing has been established on the basis of 1280-acres, and such other relief as is appropriate.

**Case No. 13583:** Application of Helis Oil & Gas Co., LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Blue Buttes-Bakken Pool described as Sections 15 and 22, T.150N., R.95W., McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13584:** Application of Helis Oil and Gas Co., LLC, for an order amending the applicable orders for the Grail-Bakken Pool to include Sections 28 and 33, T.150N., R.95W.; Sections 5 and 8; Sections 15 and 22; and Sections 27 and 34, T.149N., R.95W., all in McKenzie County, ND, in Zone II, for which spacing has been established on the basis of 1280-acres, and such other relief as is appropriate.

Bismarck Tribune November 18, 2010

**Case No. 13585:** Application of Helis Oil & Gas Co., LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in four spacing units for the Grail Bakken Pool described as Sections 28 and 33, T.150N., R.95W.; Sections 5 and 8; Sections 15 and 22, and Sections 27 and 34, T.149N., R.95W., all in McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

**Case No. 13586:** Application of Marathon Oil Co. for an order amending the applicable orders for the Deep Water Bay or Parshall-Bakken Pools to establish four 1280-spacing units consisting of Sections 13 and 24; Sections 14 and 23; Sections 15 and 22, and Sections 16 and 21, T.150N., R.90W., McLean County, ND, and allow a horizontal well to be drilled thereon at any location not closer than 500 feet to the east and west boundaries or 200 feet to the north and south boundaries of said spacing units, and such other relief as is appropriate.

**Case No. 13587:** Application of Marathon Oil Co. for an order amending the applicable orders for the Bailey-Bakken Pool, Dunn County, ND, to allow up to four horizontal wells to be drilled on each 1280-acre or 1600-acre spacing unit included within Zones II, IV, V, and VI, and such other relief as is appropriate.

**Case No. 13588:** Application of Marathon Oil Co. for an order amending the applicable orders for the Killdeer-Bakken Pool, Dunn County, ND, to allow up to four horizontal wells to be drilled on each 1280-acre spacing unit, and such other relief as is appropriate.

**Case No. 13589:** Application of Marathon Oil Co. for an order amending the applicable orders for the Lake Ho-Bakken Pool, Dunn County, ND, to allow up to four horizontal wells to be drilled on each 1280-acre spacing unit, and such other relief as is appropriate.

**Case No. 13590:** Application of Marathon Oil Co. for an order amending the applicable orders for the Bailey-Bakken Pool, Dunn County, ND, to allow a horizontal well in a spacing unit as all of Sections 11 and 12, T.146N., R.95W., Dunn County, ND, to be completed as close as 50 feet to the south line of said Section 12, and such other relief as is appropriate.

**Case No. 13026:** (Continued) Application of Paul Rankin Inc. for an order allowing a well to be drilled to and completed in the Lodgepole Formation at a location approximately 150 feet from the north line and 500 feet from the east line of Section 29, T.152N., R.103W., Williams and McKenzie Counties, ND, as an exception to the requirements of NDAC § 43-02-03-18, or granting such other and further relief as the Commission deems appropriate.

**Case No. 13357:** (Continued) Application of Burlington Resources Oil & Gas Co. LP for an order suspending, and after hearing revoking, a permit issued to North Plains Energy, LLC for the drilling of the Hellandsaas #16-8H well in the SESE of Section 8 on a spacing unit consisting of Sections 5 and 8, T.153N., R.97W., McKenzie County, ND; alternatively, designating Burlington Resources Oil & Gas Co. LP as operator of said well, and such other relief as is appropriate.

**Case No. 13591:** Temporary spacing to develop an oil and/or gas pool discovered by the QEP Energy Co. #1-4H450-90 Ruppel, SESE Section 4, T.150N., R.90W., McLean County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 13592:** Temporary spacing to develop an oil and/or gas pool discovered by the QEP Energy Co. #1-06-31H-181472 MHA, SESE Section 6, T.149N., R.92W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 13593:** Application of QEP Energy Co. for an order amending the field rules of the Deep Water Creek Bay-Bakken Pool, located in Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, and 18, T.149N., R.90W.; Sections 1 and 2, T.149N., R.91W.; Sections 17, 18, 19, 20, 29, 30, 31, 32, T.150N., R.90W.; and Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T.150N., R.91W.; in Dunn and McLean Counties, ND, authorizing the drilling of up to two horizontal wells within each spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 13460:** (Continued) Application of QEP Energy Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Heart Butte Bakken Pool described as the S/2 of Section 1, T.149N., R.92W. and the S/2 Section 6, T.149N., R.91W., Dunn, McLean and Mountrail Counties, ND, and such other relief as is appropriate.

**Case No. 13426:** (Continued) Application of QEP Energy Co. for an order authorizing the recovery of a risk penalty from certain nonparticipating owners as provided by NDCC § 38-08-08, in the drilling and completion of the MHA #1-06-01H-149-92 and MHA #2-06-01H-149-92 wells, located in a spacing unit described as the S/2 Section 6, T.149N., R.91W., and S/2 Section 1, T.149N., R.92W., Dunn, McLean and Mountrail Counties, ND, and such other relief as is appropriate.

**Case No. 13594:** Proper spacing for the development of the South Fork-Bakken Pool, Dunn County, ND, redefine the field limits, and enact such special field rules as may be necessary. Peak ND, LLC

**Case No. 13595:** In the matter of the petition for a risk penalty of North Plains Energy, LLC, requesting an order pursuant to NDAC § 43-02-03-88.1 authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Eide #5-13-H well, Sections 13 and 24, T.154N., R.98W., Truax-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 13596:** Application of North Plains Energy, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Eide #5-13-H well, Sections 13 and 24, T.154N., R.98W., Truax-Bakken Pool, Williams County, ND, and such other relief as is appropriate.

**Case No. 13597:** Application of Peak Grasslands, LLC, for an order pursuant to NDAC § 43-02-03-88.1 authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Schilke #8-24H well, Sections 5 and 8, T.149N., R.98W., Pembroke-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 13598:** Application of Peak Grasslands, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interest in a spacing unit for the Schilke #8-24H well, Sections 5 and 8, T.149N., R.98W., Pembroke-Bakken Pool, McKenzie County, ND, and such other relief as is appropriate.

**Case No. 13599:** Application of Peak Grasslands, LLC, for an order pursuant to NDAC § 43-02-03-88.1 authorizing the recovery of a risk penalty from certain non-participating owners in the drilling and completion of the Wisness #21-34H well, Sections 16 and 21, T.149N., R.98W., Pembroke-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 13600:** Application of Peak Grasslands, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interest in a spacing unit for the Wisness #21-34H well, Sections 16 and 21, T.149N., R.98W., Pembroke-Bakken Pool, McKenzie County, ND, and such other relief as is appropriate.

**Case No. 13601:** Application of Zenith Produced Water for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion to saltwater disposal into the Dakota Group of the Archie S. Peterson #1 well, SWNW Section 31, T.163N., R.97W., Fillmore Field, Divide County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

**Case No. 13602:** Application of Marathon Oil Co. for an order allowing the TAT USA #13-23H well to be completed in and produce from a spacing unit in the Reunion Bay-Bakken Pool described as all of Sections 23 and 24, T.151 N., R.94 W. and the W/2 of Section 19, T.151 N., R.93 W., Mountrail and McKenzie Counties, ND, in such a manner that the portion of the well bore within the Bakken Pool and not isolated by cement is located approximately 15 feet from the west line and 1668 feet from the south line of said Section 23, as an exception to the applicable spacing orders, and such other relief as is appropriate.

Signed by:  
John Hoeven, Governor  
Chairman, ND Industrial Commission  
10/28 - 606053