BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 14034 ORDER NO. 16310

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF BAYTEX ENERGY USA LTD. FOR AN ORDER PURSUANT TO NDAC § 43-02-03-88.1 POOLING ALL INTERESTS IN A SPACING UNIT DESCRIBED AS SECTION 8, 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 13th day of January, 2011.
- (2) Pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, pooling under North Dakota Century Code (NDCC) Section 38-08-08.
- (3) The applicant is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Ambrose-Bakken Pool described as all of Section 8, 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

Case No. 14034 Order No. 16310

required to pay a risk penalty of 200 percent and unleased mineral interest owners may be required to pay a risk penalty of 50% of their share of the reasonable actual cost of drilling and completing the well. This application is not a petition for a risk penalty, therefore the Commission makes no findings with regard to whether any particular owner with an interest in the spacing unit at issue in this application may impose a risk penalty against any other owner. The requirements for imposition of a risk penalty are set forth in NDCC Section 38-08-08 and NDAC Section 43-02-03-16.3.

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

IT IS THEREFORE ORDERED:

- (1) All oil and gas interests in a spacing unit for the Ambrose-Bakken Pool described as all of Section 8, 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 20th day of January, 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 24th day of January, 2011 enclosed in separate envelopes true and correct copies of the attached Order No. 16310 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. 14034:

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

> Jeanette Bean Oil & Gas Division

On this 24th day of January, 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.

TRUDY HOGUE Notary Public State of North Dakota My Commission Expires March 4, 2014

Notary Public

State of North Dakota, County of Burleigh



January 14, 2011

HAND DELIVERED

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



RE: CASE NO. 14034

LAWRENCE BENDER

Baytex Energy USA Ltd.

Dear Mr. Hicks:

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

Thank you for your attention to this matter

LB/leo

Enclosure

cc: Mr. Lee Zink - (w/o enc.) Via Email

4610690 I.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. 14034

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 8, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND; as provided by NDCC § 38-08-08 and such other relief as is appropriate.

JAN 2011 GEORGE SELZ92 SLTV

AFFIDAVIT OF LEE ZINK

STATE OF COLORADO) ss COUNTY OF DENVER)

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

1.

That I am a Landman for Baytex Energy USA Ltd., 600 17th Street, Suite 1600 South, Denver, Colorado 80202, the applicant in the above-entitled matter.

2.

That in the course of my work as Landman for Baytex, I have become familiar with the mineral ownership and leasehold ownership in Section 8, Township 162 North, Range 99 West, Divide County, North Dakota ("Section 8").

3.

That Baytex is the owner of an interest in the oil and gas leasehold estate in portions of Section 8.

That Section 8 has been established 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 Section 8.

6.

That a voluntary pooling in Section 8 has not been accomplished.

DATED this \ day of January, 2011.

Lee L

STATE OF COLORADO

)ss)

COUNTY OF DENVER

The foregoing instrument was acknowledged before me this day of January, 2011

by Lee Zink, Landman, of Baytex Energy USA Ltd.

Notary Public

My Commission Expires:

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December 13, 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 JANUARY 2011 HEARINGS

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF BAYTEX ENERGY USA LTD. to be placed on the January 2011 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.

LAWRENCE BENDER

LB/mpg 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 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. 14034

Application of Baytex Energy USA Ltd. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Section 8, Township 162 North, Range 99 West, Ambrose-Bakken Pool, Divide County, North Dakota; as provided by NDCC Section 38-08-08 and such other relief as is appropriate.



APPLICATION OF BAYTEX ENERGY USA LTD.

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

1.

That Baytex is an owner of an interest in the oil and gas leasehold estate in Section 8, 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 Section 8 constitutes a spacing unit for the Ambrose-Bakken Pool.

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 Section 8, 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 January 2011 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 13th day of December, 2010.

Fredrikson & Byron, P.A

By

LAWRENCE BENDER, ND Bar #03898

Attorneys for Applicant, Baytex Energy USA Ltd. 200 North 3rd 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 this affilints knowledge and belief.

LAWRENCE SENDER

Subscribed and sworn to before me this 13th day of December, 2010.

SHEILA A. LARSON Notary Public State of North Dakota My Commission Expires April 3, 2012 Sheila A. Larson, Notary Public Burleigh County, North Dakota

My Commission Expires: April 3, 2012

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PO:Notice of Hearing

Affidavit of Publication State of North Dakota) SS County of Burleigh Before me, a Notary Public for the State of North Dakota personally appeared who being duly swom, depo 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 bismore Tribu me 90 the following da

sworm and subscribed to before me this 2. day of DECEMMEN

Notary Public In a 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.

Remarks

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N.D. INDUSTRIAL COMMISSION

appropriate.

ase No. 14008:Application of Brigham Oil County. ND. and Such other relief as is Gas, LP for an order amending the field appropriate.

ase No. 14014: In the matter of a hearing rules for the Kittleson Slough-Bakken Pool County. ND. and Such other relief as is appropriate.

30. T.158N., R.91W.; and Section 31 and T.158N., R.91W., and Section 31. T.158N., R.91W., and Section 31. T.158N., R.91W., and Section 6. T.157N. T.158N., R.91W., and Section 31. T.158N., R.91W., and Section 31. T.158N. R.91W., and Section 32. T.158N. R.91W., and Section 34. T.158N. R.91W., and T.158N. R.

681.00 Legals 517.56

NOTICE OF HEARING
D. INDUSTRIAL COMMISSION
OIL AND GAS DIVISION
North Dakota Industrial Commission rules for the Williston-Bakken Pool to reate and average at 9.00 am The North Dakota Industrial Commission rules for the Williston-Bakken Pool to will hold a public hearing at 9:00 a.m. Create and establish a 1280-acre spacing Thursday, January 13, 2011, at the N.D. Oil Roas Division, 1016 East Calgary Ave. T. 154N., R. 100W. Williams County, NID. 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 of assistance, contact the Oil and Gas Division at 701-328-8038 by Friday.

December 31, 2010.

STATE OF NORTH DAKOTA TG:

Case No. 14006: Proper spacing for the Such special field rules as may be necessary.

STATE OF NORTH DAKOTA TG:

County, ND define the field limits, and enact such special field rules as may be necessary.

Asse No. 14025: Proper spacing for the such special field rules as may be necessary.

McKenzie and Williams Counties, ND develop aft oil and/or gas pool discovered by the Zenergy, Inc. #10-15th. R. 104W., Brigham Oil & Gas. LP. Zenergy, Inc.

Asse No. 14007: Application of Brigham Oil & Gas. LP. Zenergy, Inc.

Asse No. 14007: Application of Brigham May be necessary.

McKenzie County, ND, define the field limits, and anact such special field rules as may be necessary.

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McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

McKenzie no

se No. 14008 Application of Brigham Oil County, ND, and such other relief as is

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to a gas gathering facility until the same can production Co.

Production Co.

Application and Suct other relief as to production and 21.7.149N., R.101W, McKenzie County Research County Research Resear be connected and such other relief as is appropriate. XTO Energy Inc.

LLC for an order creating four 640-ac petition for a risk penalty of XTO Energy of Newfield Production Co. for an order drilling units comprised of Sections 10, I linc. requesting an order authorizing the amending the field rules for the Fertile 21, and 28, T.151N. R.100W. McKenz recovery of a risk penalty from certain Valley-Bakken Pool to create and establish a County, ND, authorizing the drilling of non-participating owners, as provided by 1280-acre spacing unit comprised of horizontal well within each drilling unit at NDCC § 38 08 08 in the drilling and Sections 30 and 31, T.160N., R.102W, such other relief as is appropriate.

Case No. 14017: Application of Continent located in a spacing unit described as of a total of not more than four wells on Resources, Inc. for an order amending th Sections 3 and 10.T.157N., R.96W. Midway-said spacing unit, and such other relief as is field rules for the Murphy Creek-Bakke Bakken Pool. Williams. County. ND. appropriate.

Pool to create a 2560-acre spacing un pursuant to NDAC § 43-02-03-881, and Lase No. 13840: (Continued) Application of Continued wells from said well pad with field boundaries and amending the field Williams County, ND, authorizing the horizontal wells from said well pad with field boundaries and amending the field Williams County, ND, authorizing the said 2560-acre spacing unit, eliminating an rules for the Van Hook and/or Parshall-drilling of a total of not more than five wells tool error requirements and such other Bakken Pools to create and establish a within said drilling unit, eliminating an rules for the Van Hook and/or Parshall-drilling of a total of not more than five wells tool error requirements and such other relief as is appropriate.

1920-acre spacing unit comprised of error requirements, and such other relief as is appropriate.

tool error requirements and such othe Bakken Pools to create and establish a within said drilling unit, eliminating any tool relief as is appropriate.

1920-acre spacing unit comprised of error requirements, and such other relief as ase No. 14018; Application of Continent Sections 25 and 36, T.151N., R.91W, and three ase No. 13841; (Continued) Application field boundaries and amending the fiel 1280-acre spacing units comprised of Newfield Production Co. for an order rules for the Westberg-Bakken Pool to Sections 21 and 28; Sections 28 and 33; and creating a 1280-acre drilling unit comprised create and establish a 1280-acre spacing Sections 32 and 33, T.151N., R.90W., of Sections 28 and 33, T.154N., R.100W., unit comprised of Sections 2 and 11 Mountrail County, ND, authorizing the Williams County, ND, authorizing the T.152N., R.97W., McKenzie County, ND drilling of one horizontal well on each drilling of a total of not more than three authorizing the drilling of one horizontal spacing unit and such other relief as is wells within said drilling unit, eliminating any tool error requirements, and such other places.

authorizing the drilling of one horizontal spacing unit and such other relief as is wells within said drilling unit, eliminating any tool error requirements, and such other relief as is appropriate.

23e No. 1310: (Continued) Temporary relief as is appropriate.

23e No. 14019: Application of Continental spacing to develop an oil and/or gas pool as No. 13669: (Continued) Application of Sawson 27 as No. 14019: Application of Sawson 28e No. 13669: (Continued) Application of Sawson 27e No. 14032: Application of No. 14032: Application of No. 14032: Application of No. 14032: Application 27e No. 14032: Applica

Section 17, T.147N., R.93W., Dunn County, appropriate.

ND, define the field limits, and enact such Case No. 14034; Application of Baytex special field rules as may be necessary.

Energy USA Ltd. for an order pursuant to

and establish a 1280-acre spacing united Section 8, T155N, R90W, Sandery, Compressed of Sections 5 and 8, T155N, Balkken Pool, Mountain County, ND, Ambrosse-Balken Pool, Mountain County, ND, Ambrosse-Balken Pool, Proper extending the field with the Proper extending the field boundaries and amountain the design of the design of the design of the County, ND, Ambrosse-Balken Pool to create and establish Pool to County, ND, Ambrosse-Balken Pool, Branch Pool St. Vision Pool to County, ND, Ambrosse-Balken Pool to create and establish Pool to make the pool to create and establish Pool to create a

creating a 1260-tere dealing unit comprises feet, eliminate all tool error requirements, of Sections 17 and 20, T.156N. 100W, allow 180 day flaring of gas or until Williams County, ND, authorizing theinstallation of gathering system, and enact drilling of a total of not more than four such special field rules as may be necessary.

Case No. 14029: Application of XTO Energy Case No. 14049: Application of Zenergy Inc. for an order authorizing the drilling Operating Co., LLC for an order pursuant completing and producing of a total of not to NOAC § 43-02-03-88.1 pooling all more than two wells on a 640-acre spacing interests in a spacing unit described as unit described as the W/2 of Section 36. Section 26 and 35, T.150N., R.94W... unit described as the W/Z of Section 36, Sections 26, and 35, 1.13uN, 1.72VN, 1.149N, R.92W, and the E/Z of Section 4, Spotted Horn-Blakken, McKenzie County, T.148N, R.92W, and on a 320-acre spacing ND, as provided by NDCC § 38-08-08 and unit described as the E/Z of Section 31, such other relief as is appropriate.

T.149N, R.91W, Heart Butte-Bakken Pool, Case No. 14041: Application of Zenergy Dunn County, ND, eliminating any tool Operating Co., LLC for an order pursuant error requirements and such other relief as to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as interests in a spacing unit described as

Fase No. 14030; Application of Samson Resources Co. for an order pursuant to Sections 27 and 34, T.150N. R.94W. NDAC § 43.02-03-88. I pooling all interests Sported Horn-Bakken, McKenzie County, in a spacing unit described as Sections 13 ND, as provided by NDCC § 38-08-08 and and 24, T.163N. R.98W. Bloothing Prairies such other relief as is appropriate. Bakken Pool, Divide County, ND as Zase No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Brigham Oil provided by NDCC § 38-08-08 and such a Case No. 14042: Application of Bright NDCC § 38-08-08 and such a Case No. 14042: Application of Bri Case No. 14030: Application of Samson

provided by NDCC § 38-08-08 and such drilling, completing and producing of a otal other relief as is appropriate.

drilling, completing and producing of a otal other relief as is appropriate.

drilling, completing and producing of a otal other relief as Sections 15 and 25, T. 155N., R.101W., Todd-Baldken Pool, in a spacing unit described as Sections 15 williams County, ND, eliminating any tool and 22, T.163N., R.98W., Blooming Prairies error requirements and such other relief as Bakken Pool, Divide County, ND as is appropriate.

Drovided by NDCC § 38-08-08 and such case No. 14043; Application of Slawson other relief as is appropriate.

NDAC § 43-02-03-88.1 pooling all

Case No. 13692: (Contined) Application of EOC Resources, Inc. for an order authorizing the drilling completing and producing of a watal of not more than three producing of a watal of not more than three producing of a watal of not more than three producing of a watal of not more than three producing of a watal of not more than three producing of a watal of not more than three productions. wells an two 1280 acre spacing units described at Sections 26 and 35, T.1581N R.91W.; and Sections 1 and 12, T.157N R. FIW. Kittleson Slough-Bakten Pool Mountrall County, NC, eliminating any tool error requirements, and such other relief at error requirements, and such other

is necessary: Case No: 14050: Application of Sinclair Oil 8 (Sas Co. for an order pursuant to NOAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8. T. 146N. R. 97W., Little Knife-Bakken Pool. Durin County, NO as provided by NiDCC § 38-98-98 and such other relief as is

30-acre spacing units comprised of the trecevery of a risk penalty from certain and the F22 of Section 31, T.161N, R.94W. Burke County, ND, authorizing the defining of one horizontal well on each spacing unit, and such other relief as is appropriate.

See No. 13815; (Continued) Proper Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules or the development of the Lindahl-lakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules for the development of the Lindahl-lakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. No. 13815; (Continued) Proper appropriate.

Section 8, T.161N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.161N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.161N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.162N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.162N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field rules for the feel limits as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.162N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field rules as may be necessary. No. 13818; (Continued) Proper appropriate.

Section 8, T.162N, R.99W. Ambross-creek-Bakken Pool, Williams County, ND, redefine the field rules for the feel limits, and enact such other relief as is appropriate.

See No. 14028; App

of Newheld Production Co. for an order ND; setting spacing unit boundaries at 200 wells within said trilling unit mirri nating any

Cese No. 14051: Application of Sinclair Oil & Gas Co. 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.146N., R.97W., Little Knife-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as

NDCC § 38-08-08 and such other relief as is appropriate.

Also No. 14052: Application of Sinclair Oil

A Gas Co. 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.146N., R.97W., Little Knife-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

is appropriate.

Ase No. 14053: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than three wells on each 640acre spacing unit described as Sections I and I2, T.150N., R.100W., Sandrocks-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 14054; Application of Newfield Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 1, T.150N., R.100W., Sandrocks-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as appropriate.

Case No. 14055; Application of Newfield Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 12, T.150N., R.100W., Sandrocks-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as

is appropriate.

Care No. 14056: Application of Ward

Villiston Co. in accordance with NDAC § 43-02-03-88.1 for an order allowing the production from the Kveum #1 well, located in Section 17, T.163N., R.79W., and the Kveum #2 well, located in Section 17, T.163N., R.79W., to be commingled into Kveum Central Tank Battery Central Tank Battery or production facility, Scotia-Madison Pool, Bottineau County, ND, as an exception to the provisions of NDAC § 43-02-03-48 and such other relief as is

appropriate.

Case No. 13940: (Continued) Application of Hunt Oil Co. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 640-acre spacing unit and each 1280-acre spacing unit within the Clear Water-Bakken Pool, Burke and Mountrail Counties, ND, not to exceed a total of three horizontal wells on each such spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Jack Dalrymple, Governor Chairman, ND Industrial Commission 12/22 - 606207

Smarck Tribune Jan 13, 2011

NOTICE OF HEARING AL COMMISSION OIL AND GAS DIVISION

30 and 31, T.160N., R.102W., Divide County, ND, authorizing the drilling of a total of not more than four wells on said spacing unit, and such other relief as is appropriate.

Case No. 14030; 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 13 and 24, 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. 14031: 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.98W., Blooming Prairie-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 14032: 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 27 and 34, T.163N., R.98W.,

Blooming Prairie-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other relief as is ap-

Case No. 14033: 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. 14034: 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 8, 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. 14035: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 14 and 23, T.161N., R.96W., Upland-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 14036: 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 3 and 10, T.160N., R.97W., Wildrose-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 14037: 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 18 and 19, 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. 14038; 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.

Signed by, Jack Dalrymple, Gover-

Chairman, ND Industrial Commission (12-22)

nor

Jan 13, 201

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:

TOTAL CHARGE.....\$102.30

Signed

Steven J. Andrist, Publisher

Subscribed and sworn to before me December 22, 2010

Vani d. anderson

Vonni L. Anderson

Notary Public, State of North Dakota

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

Case # 14024, 14027, 13839 on back.

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, January 13, 2011, 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, December 31, 2010.

STATE OF NORTH DAKOTA

TO:

Case No. 14024: Application of Crescent Point Energy U.S. Corp. for an order extending the field boundaries and amending the field rules for the West Ambrose-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 29 and 32, T.163N., R.100W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate.

Case No. 14027: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38 08 08 in the drilling and completing of the Larsen #8-162-99H well located in a spacing unit described as Section 8, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Application of Newfield Production Co. for an order amending the field rules for the Fertile Valley-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections