

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 16428  
ORDER NO. 18694

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  
AUTHORIZING THE FLARING OF GAS FROM  
THE HANSEN #18-19-162-99H WELL, NENE OF  
SECTION 18, T.162N., R.99W., DIVIDE  
COUNTY, ND, AMBROSE-BAKKEN POOL, AS  
AN EXCEPTION TO THE PROVISIONS OF  
NDCC § 38-08-06.4 AND SUCH OTHER RELIEF  
AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 15th day of December, 2011.
- (2) Baytex Energy USA Ltd (Baytex), succeeded by SM Energy Company, provided exhibits and testimony in this matter by sworn affidavit.
- (3) Pursuant to NDAC Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, flaring exemptions under NDCC Section 38-08-06.4 and under NDAC Section 43-02-03-60.2.
- (4) At the time of this hearing, NDCC Section 38-08-06.4 stated:

As permitted under rules of the industrial commission, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well. Thereafter, flaring of gas from the well must cease and the well must be capped, connected to a gas gathering line, or equipped with an electrical generator that consumes at least seventy-five percent of the gas from the well. An electrical generator and its attachment units to produce electricity from gas must be considered to be personal property for all purposes. For a well operated in violation of this section, the producer shall pay royalties to royalty owners upon the

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

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

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
19461	Hansen 18-19-162-99H	NENE Section 18-T162N-R99W

(6) The Hansen 18-19-162-99H well was completed in the Ambrose-Bakken Pool on or around January 22, 2011. Pursuant to NDCC Section 38-08-06.4, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well.

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

(8) The well is not connected to a gas gathering facility and evidence presented to the Commission indicates that the well currently produces approximately 125 MCF per day of surplus gas.

(9) The well is located approximately 6.5 miles to the nearest gas gathering system with sufficient capacity to market the surplus gas.

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

(11) Baytex has investigated the possibility of equipping the well with an electrical generator. It is not economic to purchase, install, connect and operate an electric generator fueled by produced casinghead gas. The Commission concludes that equipping the well with an electrical generator to produce electricity from the gas is economically infeasible.

(12) If Baytex's request is not granted, taxes and royalties must be paid on flared gas which will increase operating costs, raise the economic limit and cause premature abandonment of the well; or the well must be connected to a gas pipeline or an electrical generator at an economic loss which would also cause premature abandonment, or flaring must cease and the well must be

"capped," resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the well and the State of North Dakota.

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

(14) Baytex has entered into a contract with a gas gatherer that plans to install a new 270-mile gas gathering system in Divide County that should be operational in 2013. The Commission notes the well was connected to such gas gathering system in September 2013.

(15) In order to prevent waste, and protect correlative rights this application should be granted, although limited in duration.

IT IS THEREFORE ORDERED:

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

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
19461	Hansen 18-19-162-99H	NENE Section 18-T162N-R99W

(2) This order is effective as of November 14, 2011 and shall remain in full force and effect until October 1, 2013.

Dated this 12th day of May, 2015.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN 5729

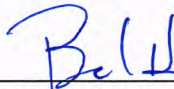
STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 18th day of May, 2015 enclosed in separate envelopes true and correct copies of the attached Order No. 18694 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. 16428:

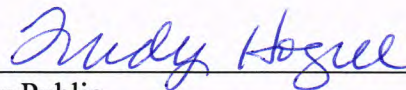
LAWRENCE BENDER  
FREDRIKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502



Belinda Dickson  
Oil & Gas Division

On this 18th day of May, 2015 before me personally appeared Belinda Dickson 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 June 19, 2020



Notary Public  
State of North Dakota, County of Burleigh

**Kadrmass, Bethany R.**

---

**From:** Entzi-Odden, Lyn <lodden@fredlaw.com>  
**Sent:** Tuesday, January 17, 2012 1:53 PM  
**To:** Hicks, Bruce E.  
**Cc:** Bender, Lawrence; Kadrmass, Bethany R.  
**Subject:** Letter RE: Baytex flaring cases  
**Attachments:** Baytex letter\_20120117130219.pdf

Bruce,

Please see the attached.

Thanks.

*Lyn Entzi-Odden*

*Legal Assistant to William P. Pearce and Lawrence Bender*

**Fredrikson & Byron, P.A.**

**200 North Third Street, Suite 150**

**Bismarck, ND 58502**

**Ph: 701-221-4020**

**Fx: 701-221-4040**

**[lodden@fredlaw.com](mailto:lodden@fredlaw.com)**

\*\*This is a transmission from the law firm of Fredrikson & Byron, P.A. and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (612) 492-7000. The name and biographical data provided above are for informational purposes only and are not intended to be a signature or other indication of an intent by the sender to authenticate the contents of this electronic message.\*\*



January 17, 2012

**VIA EMAIL**

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

**RE: Baytex Energy USA Ltd.  
Cases 16428 and 16429**

Dear Bruce:

In follow-up to your Memo dated January 5, 2012, please be advised that we have contacted Bakken Express, LLC and Blaise Energy, Inc. We will supplement the record with regard to the captioned matters after we hear from Bakken and Blaise.

Should you have any questions, please advise.

Sincerely,

  
LAWRENCE BENDER

LB/leo  
5055155\_1.DOC

Attorneys & Advisors  
main 701.221.4020  
fax 701.221.4040  
www.fredlaw.com

Fredrikson & Byron, P.A.  
200 North Third Street, Suite 150  
Bismarck, North Dakota  
58501-3879

## Kadrmas, Bethany R.

---

**From:** Hicks, Bruce E.  
**Sent:** Tuesday, January 10, 2012 3:31 PM  
**To:** Lawrence Bender  
**Cc:** lodden@fredlaw.com; Kadrmas, Bethany R.  
**Subject:** FW: Dec 2011 flaring exceptions and exemptions: Cases  
16416,16428,16429,16452,16464,16466,16468,16472,16478,16493,16494,16504,16505,16506,16507,16508,16509,16510,16512,16514,16515,16516,16577  
**Attachments:** Dec 2011 flaring exceptions and exemptions: Cases  
16416,16428,16429,16452,16464,16466,16468,16472,16478,16493,16494,16495,16504,16505,16506,16507,16508,16509,16510,16512,16514,16515,16516,16577

Lawrence,

We have not received any supplemental information regarding the attached memo for the following cases:

Baytex Cases

16428  
16429

Enerplus Case

16452

Continental Case

16472

G3 Case

16478

Slawson Cases

16493  
16494

Oxy Cases

16504  
16505  
16506  
16507  
16508  
16509  
16510

Hunt Cases

16512  
16514  
16515  
16516

Resource Drilling Case

16577

Please submit the requested information no later than January 17, 2012. Thanks.

*Bruce E. Hicks*

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



**Kadrmass, Bethany R.**

---

**From:** Hicks, Bruce E.  
**Sent:** Monday, December 05, 2011 2:42 PM  
**To:** Lawrence Bender  
**Cc:** Helms, Lynn D.; Kadrmass, Bethany R.; lodden@fredlaw.com  
**Subject:** Dec 2011 flaring exceptions and exemptions: Cases  
16416,16428,16429,16452,16464,16466,16468,16472,16478,16493,16494,16495,16504,16505,16506,16507,16508,16509,16510,16512,16514,16515,16516,16577  
**Attachments:** memo-BEH.Flaring Hearings.Alternatives.2011-12-05.pdf

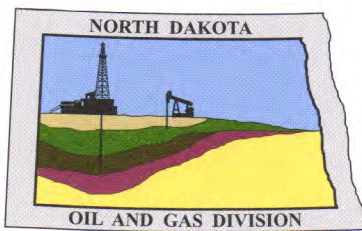
Lawrence,

Fram Operating, Baytex, Enerplus, Denbury, Continental, G3 Operating, Slawson, Arsenal, Oxy, Hunt Oil and Resource Drilling appear on the regularly scheduled December 2011 docket for exemptions to NDCC 38-08-06.4 and/or exceptions to production restrictions in field rules. The Commission desires that companies requesting flaring exceptions and exemptions consider alternatives to flaring. Please forward the attached memo to them as soon as possible. We would like them to provide an analysis of alternatives as an exhibit in the upcoming case. Thanks.

Sincerely,

*Bruce E. Hicks*

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



# 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)

# Memo

**To:** Applicants requesting flaring exceptions and exemptions  
**From:** Bruce Hicks *BEH*  
**Date:** 12/05/2011  
**Re:** Flaring Surplus Gas – Alternatives

Production in North Dakota has increased significantly over the past several years and nearly 500,000 barrels of oil per day is being produced today. Most of this oil is produced from oil reservoirs in the Bakken and Three Forks Formations, although gas is produced in association with the oil. The gas has high BTU content and is rich in liquids.

A significant amount of gas is currently being flared in North Dakota, although many projects have commenced, or will commence in the near future, to capture and process a large portion of the flared gas. The Commission desires that companies requesting flaring exceptions and exemptions consider alternatives to flaring.

The following companies have recently received grants from the North Dakota Oil & Gas Research Council for applications that provide alternatives to flaring such gas. Please contact them and provide your analysis of alternatives to utilize the flared gas as an exhibit in your upcoming case:

- Tim Maloney  
(701) 347-1602  
[tmaloney@bakkenexpress.com](mailto:tmaloney@bakkenexpress.com)  
Bakken Express, LLC  
547 South 7<sup>th</sup> St. #268  
Bismarck, ND 58504-5859  
<http://bakkenexpress.com/>
- Mark Wald  
(701) 390-7543  
[Mark@BlaiseEnergy.com](mailto:Mark@BlaiseEnergy.com)  
Blaise Energy, Inc.  
6749 Sterling Dr.  
Bismarck, ND 58504  
<http://blaiseenergy.com/>

The Commission encourages all other alternatives to flaring gas, both short-term (until connected to a gas processing plant) or long-term (where not feasible to connect to a processing plant). Please contact the Commission if you have any questions or comments.

**Fredrikson**  
& BYRON, P.A.



December 5, 2011

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

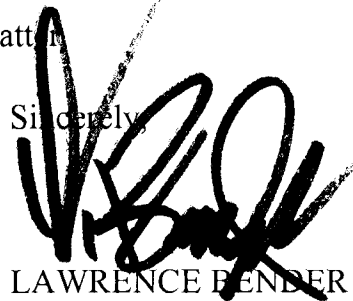
**RE: CASE NO. 16428**  
**Baytex Energy USA Ltd.**

Dear Mr. Hicks:

Please find enclosed herewith the original AFFIDAVIT OF WARD RIKALA with exhibit in regard to the captioned matter for filing.

Thank you for your attention to this matter.

Sincerely,



LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Randy Verret - (w/o enc.) *Via Email*

4962273\_1.DOC

Attorneys & Advisors  
main 701.221.4020  
fax 701.221.4040  
www.fredlaw.com

Fredrikson & Byron, P.A.  
200 North Third Street, Suite 150  
Bismarck, North Dakota  
58501-3879

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



**CASE NO. 16428**

**Application of Baytex Energy USA Ltd. for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Hansen 18-19-162-99H well located in the NE/4NE/4 of Section 18, Township 162 North, Range 99 West, Divide County, North Dakota, Ambrose-Bakken Pool, as an exception to the provisions of N.D.C.C. § 38-08-06.4 or such further and additional relief.**

**AFFIDAVIT OF WARD RIKALA**

STATE OF COLORADO    )  
                                  ) ss  
COUNTY OF DENVER    )

Ward Rikala, being first duly sworn, deposes and states as follows:

1.

That I am the Production Manager for Baytex Energy USA Ltd., 600 17th Street, Suite 1600S, Denver, CO 80202, the applicant in the above-entitled matter.

2.

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

3.

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

4.

That attached as Exhibit No. 1 is a plat showing the area around the Hansen 18-19-162-99H well. Shown on the plat is a line depicting the field limits of the Ambrose-Bakken Pool, as defined by the North Dakota Industrial Commission. Also displayed on the plat is the location of the Hansen 18-19-162-99H well located in Section 18, Township 162 North, Range 99 West, Divide County, North Dakota.

5.

That Baytex is currently the operator of the Hansen 18-19-162-99H well, said well having been completed and producing in the Ambrose-Bakken Pool.

6.

That to the best of my information, knowledge, and belief, the Hansen 18-19-162-99H well was completed as a producer on or about **January 24, 2011**.

7.

That to the best of my knowledge and belief, gas produced from the Hansen 18-19-162-99H well from the Ambrose-Bakken Pool contains minimal H<sub>2</sub>S and is considered sweet gas.

8.

That to the best of my knowledge and belief, the current average daily rate of gas being produced from the Hansen 18-19-162-99H well is approximately 145 MCFD.

9.

That the Hansen 18-19-162-99H well is currently not connected to gas gathering facility.

10.

That to the best of my knowledge, belief and information, the costs associated with the purchase, installation, connection and operation of an electric generator fueled by gas produced from the Hansen 18-19-162-99H well would include a 150KW generator (\$100,000), using approximately 125 MCF/day of gas for fuel, regulator (\$25,000) and 2.5 miles of line/poles (at \$75,000/mile) to connect to the nearest three phase power source would total approximately \$282,500.

11.

That to the best of my knowledge, belief and information, the projected revenue received from sale of electricity produced from the electric generator fueled by gas produced from the Hansen 18-19-162-99H well over a ten (10) year period would total approximately \$225,000.

12.

That requiring the installation and operation of an electric generator fueled by the gas produced from the Hansen 18-19-162-99H well would result in a discounted loss of approximately \$57,500 and would not be economically justifiable.

13.

That to the best of my knowledge and belief, the total amount of gas from the Hansen 18-19-162-99H well not being used for lease use and available for sale is approximately 125 MCFD.

14.

That gas produced in association with oil produced from the Hansen 18-19-162-99H well and not utilized for lease use is currently being flared.

15.

That Baytex estimates the ultimate recoverable gas reserves from the Hansen 18-19-162-99H well to be 170 MMCF of gas, produced over a 30 year well life.

16.

That based upon the sale of gas from other wells connected to the nearest gathering system with sufficient capacity to service the Hansen 18-19-162-99H well, if said well were connected to a gas gathering facility, it is anticipated that said gas would have a value of \$4.93/MCF.

17.

That based upon the aforementioned price of \$4.93/MCF, the gross value of the recoverable gas reserves from the Hansen 18-19-162-99H well is estimated to be \$838,100.

18.

That based upon a royalty rate for the Hansen 18-19-162-99H well of 20% and a gas production tax of \$0.115/MCF, Baytex estimates the royalty and production tax burden for the total (gross) gas produced from the well would be approximately \$167,600 and \$96,400, respectively.

19.

That the total (undiscounted) gross value of the gas reserves of the Hansen 18-19-162-99H well to the working interest owners, after deducting royalty and production taxes, is approximately \$574,100.

20.

That to the best of my knowledge and belief, the Hansen 18-19-162-99H well is located approximately 6.5 miles from the nearest connection point to a gas gathering facility.

21.

That based upon the operations of other operators in and near the area of the Hansen 18-19-162-99H well, the cost associated with the purchase and installation of a two inch pipeline from the well to the nearest connection point to a gas gathering facility is approximately \$100,000 per mile. In this case, the total cost would be approximately \$655,000 inclusive of a gas meter.

22.

That based upon the differential between the gross value of the gas and the cost to install and operate the pipeline required for delivery of gas to a gas gathering system, requiring to connect the Hansen 18-19-162-99H well to a gas gathering system with sufficient capacity would result in an undiscounted loss of approximately \$80,900.

23.

That based upon my knowledge and belief, the lower volumes of gas produced from the Hansen 18-19-162-99H well make it economically infeasible at the present time or in the foreseeable future to connect the Hansen 18-19-162-99H well to a gas gathering facility.

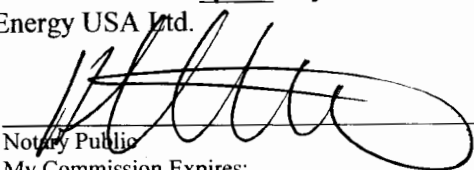
DATED this 1st day of December, 2011.

  
Ward Rikala

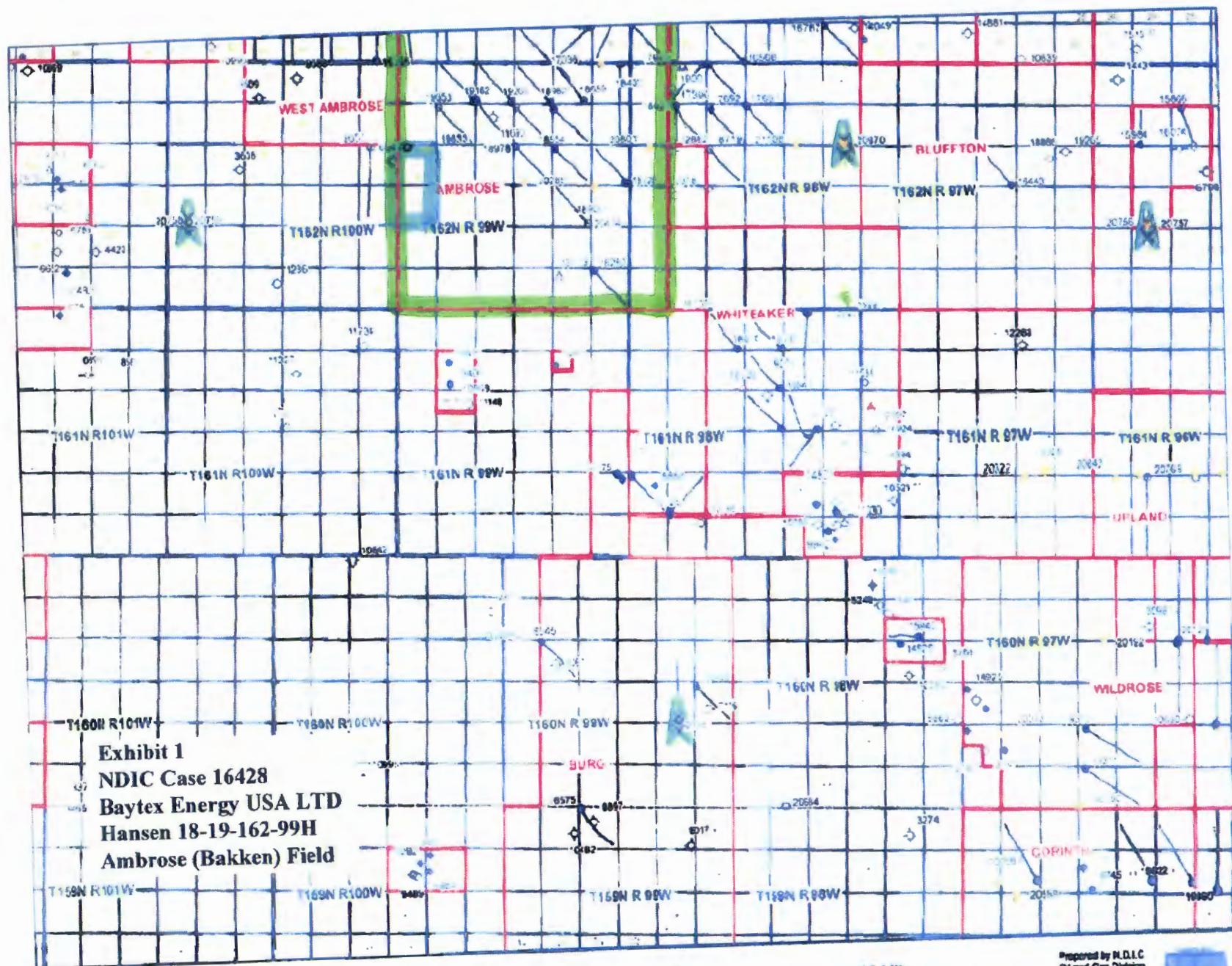
STATE OF COLORADO     )  
  )ss  
COUNTY OF DENVER     )

The foregoing instrument was acknowledged before me this 1st day of December, 2011, by Ward Rikala, Production Manager, of Baytex Energy USA Ltd.



  
Notary Public  
My Commission Expires:





**Exhibit 1**  
**NDIC Case 16428**  
**Baytex Energy USA LTD**  
**Hansen 18-19-162-99H**  
**Ambrose (Bakken) Field**

Customer: Neither the State of North Dakota nor any agency, officer or employee of the State of North Dakota warrants the accuracy or reliability of this product and shall not be held responsible for any losses caused by reliance on this product. Portions of the information may be incorrect or out of date. Any person or entity that relies on any information obtained from this product does so at his or her own risk.



Prepared by N.D.L.C.  
 Oil and Gas Division  
 DATE 7/15/2011  
 Time 8:58:43 AM



**Kadrmass, Bethany R.**

---

**From:** Hicks, Bruce E.  
**Sent:** Monday, December 05, 2011 2:42 PM  
**To:** Lawrence Bender  
**Cc:** Helms, Lynn D.; Kadrmass, Bethany R.; lodden@fredlaw.com  
**Subject:** Dec 2011 flaring exceptions and exemptions: Cases  
16416,16428,16429,16452,16464,16466,16468,16472,16478,16493,16494,16495,16504,16505,16506,16507,16508,16509,16510,16512,16514,16515,16516,16577  
**Attachments:** memo-BEH.Flaring Hearings.Alternatives.2011-12-05.pdf

Lawrence,

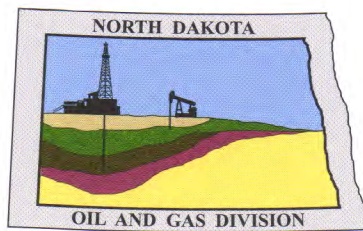
Fram Operating, Baytex, Enerplus, Denbury, Continental, G3 Operating, Slawson, Arsenal, Oxy, Hunt Oil and Resource Drilling appear on the regularly scheduled December 2011 docket for exemptions to NDCC 38-08-06.4 and/or exceptions to production restrictions in field rules. The Commission desires that companies requesting flaring exceptions and exemptions consider alternatives to flaring. Please forward the attached memo to them as soon as possible. We would like them to provide an analysis of alternatives as an exhibit in the upcoming case. Thanks.

Sincerely,

*Bruce E. Hicks*

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





# 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)

# Memo

**To:** Applicants requesting flaring exceptions and exemptions  
**From:** Bruce Hicks *BEH*  
**Date:** 12/05/2011  
**Re:** Flaring Surplus Gas – Alternatives

Production in North Dakota has increased significantly over the past several years and nearly 500,000 barrels of oil per day is being produced today. Most of this oil is produced from oil reservoirs in the Bakken and Three Forks Formations, although gas is produced in association with the oil. The gas has high BTU content and is rich in liquids.

A significant amount of gas is currently being flared in North Dakota, although many projects have commenced, or will commence in the near future, to capture and process a large portion of the flared gas. The Commission desires that companies requesting flaring exceptions and exemptions consider alternatives to flaring.

The following companies have recently received grants from the North Dakota Oil & Gas Research Council for applications that provide alternatives to flaring such gas. Please contact them and provide your analysis of alternatives to utilize the flared gas as an exhibit in your upcoming case:

- Tim Maloney  
(701) 347-1602  
[tmaloney@bakkenexpress.com](mailto:tmaloney@bakkenexpress.com)  
Bakken Express, LLC  
547 South 7<sup>th</sup> St. #268  
Bismarck, ND 58504-5859  
<http://bakkenexpress.com/>
- Mark Wald  
(701) 390-7543  
[Mark@BlaiseEnergy.com](mailto:Mark@BlaiseEnergy.com)  
Blaise Energy, Inc.  
6749 Sterling Dr.  
Bismarck, ND 58504  
<http://blaiseenergy.com/>

The Commission encourages all other alternatives to flaring gas, both short-term (until connected to a gas processing plant) or long-term (where not feasible to connect to a processing plant). Please contact the Commission if you have any questions or comments.

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

CASE NO. 16428

Application of Baytex Energy USA Ltd. for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Hansen 18-19-162-99H well located in the NE/4NE/4 of Section 18, Township 162 North, Range 99 West, Divide County, North Dakota, Ambrose-Bakken Pool, as an exception to the provisions of N.D.C.C. § 38-08-06.4 or such further and additional relief.



**APPLICATION OF BAYTEX ENERGY USA LTD.**

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

1.

That Baytex is the owner of an interest in the oil and gas leasehold estate in portions of Section 18, Township 162 North, Range 99 West, Divide County, North Dakota.

2.

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

3.

That Baytex is currently the operator of the Hansen 18-19-162-99H well located in the Northeast Quarter of the Northeast Quarter (NE/4NE/4) of Section 18, completed as a producing well in the Ambrose-Bakken Pool.

4.

That the Hansen 18-19-162-99H well is currently not connected to a gas gathering facility.

5.

That because of the location of the well and low volumes of gas produced from the Hansen 18-19-162-99H well, it is economically infeasible to connect said well to a gas gathering facility at the present time, or in the foreseeable future.

6.

That gas produced in association with oil produced from the Hansen 18-19-162-99H well is currently being flared.

7.

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

8.

That in the opinion of the applicant, it is economically infeasible at the present time or in the foreseeable future to connect the Hansen 18-19-162-99H well to a gas gathering facility and/or there is no market for the gas. As such, applicant should be allowed to continue to flare such gas as an exception to Section 38-08-06.4 of the North Dakota Century Code should be granted for said well.

**WHEREFORE**, Baytex requests the following:

(a) That this matter be set for the regularly scheduled December 2011 hearings of the Commission;

(b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, 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 14th day of November, 2011.

FREDRIKSON & BYRON, P.A.

By 

LAWRENCE BENDER, ND Bar #03908

*Attorneys for Applicant*

*Baytex Energy USA Ltd.*

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

Post Office Box 1855

Bismarck, North Dakota 58502-1855

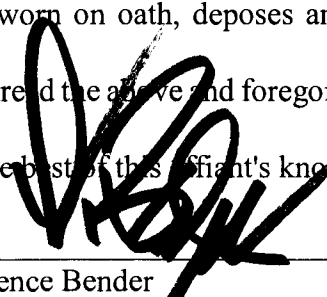
701-221-4020

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 herein named, that he has read the above and foregoing application, knows the contents thereof, and that the same is true to the best of this Affiant's knowledge, and belief.

  
Lawrence Bender

Subscribed and sworn to before me this 14th day of November, 2011.



  
Notary Public

My Commission Expires: \_\_\_\_\_

5015561\_1.DOC

# Fredrikson

& BYRON, P.A.

November 14, 2011

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  
DECEMBER 2011 HEARINGS

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF BAYTEX ENERGY USA LTD.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Baytex requests that its witnesses be allowed to participate at the hearing by telephonic means.**

Should you have any questions, please advise.

Sincerely,

  
LAWRENCE BENDER

LB/leo  
Enclosure

cc: Ms. Karlene Fine - (w/enc.)  
Mr. Lynn Helms - (w/enc.)  
Ms. Hope Hogan - (w/enc.)  
Mr. Randy Verret - (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

## 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, December 15, 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 02, 2011.

STATE OF NORTH DAKOTA  
TO:

Case No. 16407: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Wildrose or Hamlet-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 25 and 36, T.160N., R.97W., Divide County, ND, authorizing the drilling of seven horizontal wells on said spacing unit and such other relief as is appropriate.

Case No. 15949: (Continued) Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Juno, Upland, and/or Wildrose-Bakken Pools to create and establish seven 1280-acre spacing units comprised of Sections 25 and 36; Sections 26 and 35; Sections 27 and 34, T.161N., R.97W.; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; and Sections 6 and 7, T.161N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 16412: Temporary spacing to develop an oil and/or gas pool discovered by the Baytex Energy USA Ltd #1PB Moe 19-18-162-100H, SWSE Section 19, T.162N., R.100W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 16413: Temporary spacing to develop an oil and/or gas pool discovered by the Samson Resources Co. #32-29-163-95H Blue Jay, Lot 3, Section 5, T.162N., R.95W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 16427: Application of R360 Environmental Solutions, Inc. for a treating plant permit to operate a portable oil and gas waste treating plant for the treatment of pit waste at various oil and gas production sites throughout the State of North Dakota and such other relief as is appropriate.

Case No. 16428: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Hansen #18-19-162-99H well, NENE of Section 18, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 16429: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Hansen #6-7-162-99H well, NENE of Section 18, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.



## 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 ND INDUSTRIAL COMMISSION OIL AND GAS DIVISION

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

November 23, 2011 ..... 239 lines @ .63 = 150.57

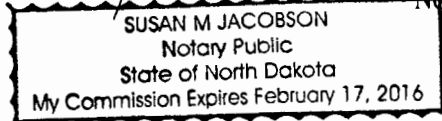
TOTAL CHARGE.....\$150.57

Signed

Steven J. Andrist, Publisher

Subscribed and sworn to before me November 25, 2011

Notary Public, State of North Dakota





Case No. 16430: 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 Geralyn Marie 34-63-99H #1DQ well located in a spacing unit described as Section 34, T.163N., R.99W., Ambrose-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16431: 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 14 and 23, T.162N., R.100W., West Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16432: 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 29 and 32, T.162N., R.100W., West Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16433: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 26 and 35, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 16434: 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 25 and 36, T.162N., R.98W.,

Whiteaker-Bakken Pool, Divide County, ND, as provided NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16435: 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 2 and 11, T.161N., R.99W., Garnet-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16436: 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 30 and 31, T.161N., R.99W., Musta-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16437: 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 1 and 12, T.161N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16438: 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 1 and 12, T.160N., R.100W., Smokey Butte-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16439: 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 25 and 36, T.160N., R.100W., Smokey Butte-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16473: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 6 and 7, 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. 16474: 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 17 and 20, T.160N., R.97W., Wildrose-Bakken Pool, Divide County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman,  
ND Industrial Commission  
(11-23)

# The Bismarck Tribune

www.bismarcktribune.com

## The Finder

### Classified Advertising Invoice

Bismarck Tribune

PO BOX 4001

LaCrosse, WI 54602-4001

In State 701-250-8218

Toll free 800-472-2273

OIL & GAS DIVISION

600 E BLVD AVE #405  
BISMARCK ND 58505

Customer: 60010203

Phone: (701) 328-8020

Date: 11/24/2011

#### CREDIT CARD PAYMENT (circle one)



Card #: \_\_\_\_\_

Exp Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Credit card users: Fax to 701-223-6584

CashAmt

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
11/24/11	11/24/11	1	607405/Case No 16406 Bismarck Tribune PO:Notice of Hearing	200.00	Legals	1,308.72	1,308.72

#### 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:  
11/24 Signed Calvin Brund  
sworn and subscribed to before me this 30th  
day of November 2011

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.

Remarks

Total Due:

1,308.72

Bismarck Tribune

www.bismarcktribune.com

PO BOX 4001

LaCrosse, WI 54602-4001

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

**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, December 15, 2011, at the N.D. Oil & Gas Division, 1015 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 02, 2011.

**STATE OF NORTH DAKOTA TO:**

**Case No. 16406:** Proper spacing for the development of the Brooklyn-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.

**Case No. 16407:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Wildrose or Hamlet-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 25 and 36, T.160N., R.97W., Divide County, ND, authorizing the drilling of seven horizontal wells on said spacing unit and such other relief as is appropriate.

**Case No. 16408:** Application of Continental Resources, Inc. for an order amending the field rules for the Medicine Pole Hills West-Red River Unit, and the Medicine Pole Hills-Red River "B" Unit, Bowman County, ND, authorizing the drilling of a boundary horizontal well at a surface location approximately 370 feet from the north line and 870 feet from the west line of Section 9, T.130N., R.104W., Bowman County, ND, allowing the well to be drilled at an approximate azimuth of south 45°W., with the terminus of the horizontal well bore at a location 600 feet from the north line and 1900 feet from the east line of Section 10, T.130N., R.104W., such that the horizontal displacement in the open hole portion of the well bore in the Red River "B" porosity will be approximately 3916 feet in the Medicine Pole Hills West-Red River Unit and approximately 3404 feet in the Medicine Pole Hills-Red River "B" Unit, and such other relief as is appropriate.

**Case No. 15224: (Continued)** Application of Continental Resources, Inc. for an order suspending and, after hearing, revoking the permit issued to Hess Corp. to drill the 2WX #7-1H well (File No. 20123), with a surface location in the SESE of Section 7, T.152N., R.99W., McKenzie County, ND, and such other relief as is appropriate.

**Case No. 15491: (Continued)** Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-14H Montpelier, NENE Section 14, T.153N., R.101W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 15949: (Continued)** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Juno, Upland, and/or Wildrose-Bakken Pools to create and establish seven 1280-acre spacing units comprised of Sections 25 and 36; Sections 26 and 35; Sections 27 and 34, T.161N., R.97W.; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; and Sections 6 and 7, T.161N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

**Case No. 16195: (Continued)** Application of Continental Resources, Inc. for an order amending the field rules for the Medicine Pole Hills West-Red River Unit, and the Medicine Pole Hills-Red River "B" Unit, Bowman County, ND, authorizing the drilling of a boundary horizontal well at a surface location approximately 2250 feet from the north line and 2400 feet from the east line of Section 10, T.130N., R.104W., Bowman County, ND, allowing the well to be drilled at an approximate azimuth of south 45°W., with the terminus of the horizontal well bore at a location 2150 feet from the south line and 700 feet from the west line of Section 10, T.130N., R.104W., such that the horizontal displacement in the open hole portion of the well bore in the Red River "B" porosity will be approximately 3500 feet in the Medicine Pole Hills West-Red River Unit and approximately 3900 feet in the Medicine Pole Hills-Red River "B" Unit, and such other relief as is appropriate.

**Case No. 16409:** Temporary spacing to develop an oil and/or gas pool discovered by the Prima Exploration, Inc. #41-23H Gunnison, NWNE Section 23, T.161N., R.91W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16410:** Temporary spacing to develop an oil and/or gas pool discovered by the Prima Exploration, Inc. #31-25H Fortification, NWNE Section 25, T.162N., R.91W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16411:** Temporary spacing to develop an oil and/or gas pool discovered by the XTO Energy Inc. #13X-34 Haugen, NWSW Section 34, T.149N., R.102W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16412:** Temporary spacing to develop an oil and/or gas pool discovered by the Baytex Energy USA Ltd #1PB Moe 19-18-162-100H, SWSE Section 19, T.162N., R.100W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16413:** Temporary spacing to develop an oil and/or gas pool discovered by the Samson Resources Co. #32-29-163-95H Blue Jay, Lot 3, Section 5, T.162N., R.95W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16414:** Application of Zenergy, Inc. for an order amending the field rules for the Todd-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 29 and 30; and Sections 31 and 32, T.154N., R.101W., Williams and McKenzie Counties, ND, authorizing the drilling of one horizontal well on each 1280-acre spacing unit and such other relief as is appropriate.

**Case No. 16415:** Application of Denbury Onshore, LLC for an order authorizing the completion of the Thorlackson #26-3 well at a location approximately 600 feet

from the north line and 1650 feet from the west line of Section 26, T.153N., R.95W., McKenzie County, ND, as an exception to the field rules for the Charlson-Madison Pool and such other relief as is appropriate.

**Case No. 16416:** Application of Fram Operating LLC for an order amending the field rules for the South Greene-Madison Pool, Renville County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

**Case No. 16417:** Application of EOG Resources, Inc. for an order extending the field boundaries and amending the field rules for the Clarks Creek-Bakken Pool to create and establish a 1920-acre spacing unit comprised of Sections 13, 24 and 25, T.151N., R.95W., McKenzie County, ND, authorizing the drilling of a total of not more than eight wells on said 1920-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 16418:** Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool to create and establish a 1920-acre spacing unit comprised of Sections 27, 28 and 34, T.153N., R.90W., Mountrail County, ND, authorizing the drilling of one horizontal well on said 1920-acre spacing unit and such other relief as is appropriate.

**Case No. 15494: (Continued)** Temporary spacing to develop an oil and/or gas pool discovered by the EOG Resources, Inc. #13-3526H Hardscrabble, SWSE Section 35, T.153N., R.103W., Williams County, ND, define the field limits, and enact such special field rules as may be necessary.

**Case No. 16419:** Application of Enerplus Resources (USA), Inc. for an order extending the field boundaries and amending the field rules for the Antelope-Sanish Pool, McKenzie County, ND, to create and establish a 320-acre spacing unit comprised of the E72 of Section 19, T.152N., R.94W., authorizing the drilling of a total of not more than two wells on said 320-acre spacing unit; to create and establish a 1280-acre spacing unit comprised of Sections 28 and 29, T.152N., R.94W., authorizing the drilling of a total of not more than four wells on said 1280-acre spacing unit; and to create and establish a 640-acre spacing unit comprised of Section 33, T.151N., R.94W., authorizing the drilling of a total of not more than four wells on said 640-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 16420:** Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Catwalk-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 16 and 21; and Sections 17 and 20, T.154N., R.100W., Williams County, ND, authorizing the drilling of a total of not more than eight wells on each 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 16421:** Application of Dakota-3 E&P Co., LLC for an order amending the field rules for the Mandaree-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 17 and 20, T.149N., R.93W., Dunn County, ND, authorizing the drilling of a total of not more than seven wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 16422:** Application of Slawson Exploration Co., Inc. for an order amending the field rules for the MonDak-Bakken Pool to create and establish a 640-acre spacing unit comprised of two irregular sections, being Sections 15 and 22, T.147N., R.105W., McKenzie County, ND, authorizing the drilling of a total of not more than three wells on said 640-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16423: Application of Stawson Exploration Co., Inc. for an order extending the field boundaries and amending the field rules for the Ellsworth-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 6 and 7, T.149N., R.99W., McKenzie County, ND, authorizing the drilling of a total of not more than seven wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16424: Application of Chimney Sweep Oil & Gas Co. for an order creating a 320-acre drilling unit comprised of the S/2 S/2 of Section 16 and the N/2 N/2 of Section 21, T.139N., R.96W., Stark County, ND, authorizing the drilling of a vertical well to the Lodgepole Formation anywhere within said drilling unit not less than 660 feet from the boundary of the said 320-acre drilling unit and such other relief as is appropriate.

Case No. 16425: Application of Zavanna, LLC for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Koufax #3-10 IH well, located in Lot 3 of Section 3, T.149N., R.102W., McKenzie County, ND, define the field limits, enact such special field rules as may be necessary and such further and additional relief.

Case No. 16426: Application of Zavanna, LLC for an order amending the field rules for the Stockyard Creek-Bakken Pool to create and establish four 1280-acre spacing units comprised of Sections 13 and 14; Sections 14 and 15; Sections 22 and 23; and Sections 23 and 24, T.154N., R.99W., Williams County, ND, authorizing the drilling of one horizontal well on each 1280-acre spacing unit with 500 foot setbacks from the spacing unit except for the heel and toe where the setbacks should be 200 feet from the "heel and toe" of the well to each spacing unit boundary, and/or such other and further relief as appropriate.

Case No. 16188: (Continued) Application of Silver Oak Energy, LLC for an order authorizing the drilling, completing and producing of the Rankin #1-35H well with a beginning location of the lateral approximately 728 feet from the south line and 621 feet from the west line of Section 35, T.133N., R.106W., Slope County, ND, as an exception to the provisions of NDAC § 43-02-03-18 and such other relief as is appropriate.

Case No. 15754: (Continued) Application of Newfield Production Co. for an order extending the field boundaries and amending the field rules for the Cartwright-Bakken Pool, or in the alternative to establish Bakken spacing in the Hay Creek, Estes, and/or Yellowstone Fields, to create and establish ten 1280-acre spacing units comprised of Sections 14 and 23; Sections 15 and 22; Sections 16 and 21; Sections 17 and 20; Sections 18 and 19; Sections 26 and 35; Sections 27 and 34; Sections 28 and 33; Sections 29 and 32; and Sections 30 and 31, T.150N., R.104W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 15755: (Continued) Application of Newfield Production Co. for an order extending the field boundaries and amending the field rules for the Todd or Williston-Bakken Pools, or in the alternative to establish Bakken spacing in the Springbrook Field, to create and establish a 1280-acre spacing unit comprised of Sections 30 and 31, T.155N., R.100W., Williams County, ND, authorizing the drilling of a total of not more than seven wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15496: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Renegade Petroleum (ND) Ltd. #6H 3-14 A Trout, Lot 3, Section 6, T.162N., R.84W., Renville County, ND, define the field limits, and enact such special

field rules as may be necessary.

Case No. 15747: (Continued) Application of Credo Petroleum Corp. for an order suspending, and after hearing, revoking the permit issued to Hells Oil & Gas Co., LLC., to drill the Linseath #13-1312H well (File No. 21217), with a surface location in Lot 4 of Section 13, T.149N., R.95W., McKenzie County, ND, and such other relief as is appropriate.

Case No. 16427: Application of R360 Environmental Solutions, Inc. for a treating plant permit to operate a portable oil and gas waste treating plant for the treatment of pit waste at various oil and gas production sites throughout the State of North Dakota and such other relief as is appropriate.

Case No. 16428: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Hansen #18-19-162-99H well, NENE of Section 18, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 16429: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Hansen #6-7-162-99H well, NENE of Section 18, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 16430: 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 Gerylal Marie 34-163-99H #1DQ well located in a spacing unit described as Section 34, T.163N., R.99W., Ambrose-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16431: 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 14 and 23, T.162N., R.100W., West Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16432: 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 29 and 32, T.162N., R.100W., West Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16433: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 26 and 35, T.162N., R.99W., Ambrose-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 16434: 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 25 and 36, T.162N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16435: 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 30 and 31, T.161N., R.99W., Garnet-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16436: 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 30 and 31, T.161N., R.99W., Musta-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16437: 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 1 and 12, T.161N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16438: 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 1 and 12, T.160N., R.100W., Smokey Butte-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16439: 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 25 and 36, T.160N., R.100W., Smokey Butte-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16440: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 1280-acre spacing unit described as Sections 5 and 8, T.151N., R.94W., Antelope-Sanish Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16441: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 16 and 21, T.153N., R.103W., Lake Trenton-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 16442: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.152N., R.95W., and Section 1, T.151N., R.95W., Clarks Creek-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16443: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on each 1280-acre spacing unit described as Sections 19 and 30; Sections 29 and 32, T.158N., R.90W.; Sections 5 and 6; and Sections 7 and 18, T.157N., R.90W., Clear Water-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16444: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 1280-acre spacing unit described as Sections 1 and 12, T.157N., R.91W., Kittleson Slough-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16445: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on each 1280-acre spacing unit described as Section 25, T.157N., R.91W., and Section 30, T.157N., R.90W.; Section 32, T.157N., R.90W., and the W/2 of Section 1 and the E/2 of Section 2, T.156N., R.91W.; and Sections 18 and 19, T.156N., R.90W., Ross-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such further and additional relief.

Case No. 16446: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on each 1280-acre spacing unit described as Sections 15 and 22, T.154N., R.103W.; and Sections 6

and 7, T.153N., R.103W., Painted Woods-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such further and additional relief.

Case No. 16447: Application of Enerplus Resources (U.S.A.) Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 640-acre spacing unit described as Section 34, T.148N., R.94W.; and a total of not more than two wells on each 320-acre spacing unit described as the E/2 and the W/2 of Section 32, T.148N., R.93W., McGregory Buttes-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16448: Application of Enerplus Resources (U.S.A.) Inc. for an order authorizing the drilling, completing and producing of a total of not more than five wells on a 640-acre spacing unit described as Section 36, T.150N., R.94W., Spotted Horn-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16449: Application of Enerplus Resources (U.S.A.) Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 640-acre spacing unit described as Section 12, T.148N., R.95W., Eagle Nest-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16450: Application of Enerplus Resources (U.S.A.) Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 1280-acre spacing unit described as Sections 5 and 8, T.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16451: Application of Enerplus Resources (U.S.A.) Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 640-acre spacing unit described as Section 35, T.149N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16452: Application of Enerplus Resources (U.S.A.) Inc. for an order amending the field rules for the Eagle Nest-Bakken Pool, Dunn and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and providing such further and additional relief.

Case No. 16453: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of not more than eight wells on a 1280-acre spacing unit described as Sections 30 and 31, T.156N., R.100W., East Fork-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16454: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of horizontal increase density wells on a 1280-acre spacing unit described as Sections 32 and 33, T.158N., R.91W., and on each 1280-acre spacing unit within Zones II, IV and V of the Kittleson Slough-Bakken Pool, Mountrail County, ND, so as not to exceed a total of eight horizontal wells on each such 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16455: Application of Brigham Oil & Gas, L.P. in accordance with NDAC § 43-02-03-88.1 for an order authorizing the conversion of the LM #1 well, located in the NESE of Section 9, T.152N., R.98W., McKenzie County, ND, to a saltwater disposal well in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16456: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 26 and 35, T.155N., R.103W., Squires-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.



Case No. 16457: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.155N., R.101W., Todd-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16458: Application of Brigham Oil & Gas, L.P. 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.154N., R.103W., Painted Woods-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16459: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 4 and 9, T.154N., R.100W., Williston-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16460: Application of Brigham Oil & Gas, L.P. 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.153N., R.100W., Last Chance-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16461: Application of Brigham Oil & Gas, L.P. 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.151N., R.101W., Alexander-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16462: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 26 and 35, T.151N., R.101W., Alexander-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16463: Application of Brigham Oil & Gas, L.P. 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.151N., R.100W., Poe-Bakken Pool and Patent Gate-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16464: Application of Denbury Onshore, LLC for an order amending the field rules for the Charlson-Bakken Pool, Williams and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16465: Application of Denbury Onshore, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 4, T.149N., R.97W., Siverston-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16466: Application of Denbury Onshore, LLC for an order amending the field rules for the Indian Hill-Bakken Pool, Williams and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16467: Application of Denbury Onshore, LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion to saltwater disposal into the Dakota Group of the Silurian Unit #56-1 well, NVSE Section 16, T.153N., R.95W.,

Charlson Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16468: Application of Continental Resources, Inc. for an order amending the field rules for the Indian Hill-Bakken Pool, Williams and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16469: In the matter of the petition for a risk penalty of Continental Resources, Inc. 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 Shafer #1-21H well located in a spacing unit described as Sections 16 and 21, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16470: In the matter of the petition for a risk penalty of Continental Resources, Inc. 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 Barney #1-29H well located in a spacing unit described as Sections 29 and 32, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16471: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total of not more than four wells on a 1280-acre spacing unit described as Sections 29 and 32, T.153N., R.93W., Elm Tree-Bakken Pool, Mountrail and McKenzie Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16472: Application of Continental Resources, Inc. for an order amending the field rules for the Bell-Bakken Pool, Stark County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16473: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 6 and 7, 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. 16474: 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 17 and 20, 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. 16475: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 6, T.160N., R.94W., Stoneview-Bakken Pool, Burke County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16476: 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 5 and 8, T.151N., R.100W., Poe and Sakakwea-Bakken Pools, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16477: 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.146N., R.95W., Jim Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16478: Application of G3 Operating, LLC for an order amending the field rules for the Strandahl-Bakken Pool, Williams County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16479: In the matter of the petition for a risk penalty of G3 Operating, LLC 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 Muller #1-21-16H well located in a spacing unit described as Sections 16 and 21, T.158N., R.103W., Climax-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16480: Application of G3 Operating, LLC pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a salt water disposal well to be located in the SENW of Section 21, T.158N., R.103W., Climax Field, Williams County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16481: Application of G3 Operating, LLC pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the SWSW of Section 1, T.157N., R.103W., Strandahl Field, Williams County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16482: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on a 1280-acre spacing unit described as Sections 25 and 36, T.151N., R.99W., North Tobacco Garden-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16483: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.151N., R.99W., North Tobacco Garden-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16484: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 30 and 31, T.156N., R.101W., Tyrone-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16485: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.154N., R.104W., Painted Woods-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16486: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.153N., R.101W., Baker-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16487: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 22, T.147N., R.105W., MonDak-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16488: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 26, T.147N., R.105W., MonDak and/or Squaw Gap-Bakken Pools, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16489: Application of Slawson

Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 27, T.147N., R.105W., MonDak and/or Squaw Gap-Bakken Pools, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16490: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 34, T.147N., R.105W., MonDak and/or Squaw Gap-Bakken Pools, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16491: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 35, T.147N., R.105W., MonDak and/or Squaw Gap-Bakken Pools, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16492: Application of Slawson Exploration Co., Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 10, T.144N., R.97W., Cabernet-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16493: Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Alger-Bakken Pool, Mountrail County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16494: Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Murphy Creek-Bakken Pool, Dunn County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16495: Application of Arsenal Energy USA Inc. for an order amending the field rules for the Stanley-Bakken Pool, Mountrail County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 16496: In the matter of the petition for a risk penalty of Arsenal Energy USA Inc. 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 Brenlee #100-19H well located in a spacing unit described as Section 19, T.155N., R.90W., Stanley-Bakken Pool, Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 16497: Application of Arsenal Energy USA, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 12, T.155N., R.91W., Stanley-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16498: Application of OXY USA Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.143N., R.95W., Murphy Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16499: Application of OXY USA 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.142N., R.95W., Murphy Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16500: Application of OXY USA Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.142N., R.95W., Murphy Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16547: Application of Zenergy, Inc. for an Order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.15N., R.103W., Glass Bluff-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16548: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 30 and 31, T.151N., R.102W., Glass Bluff-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16549: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 22 and 27, T.149N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16550: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.149N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16551: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a

spacing unit described as Sections 28 and 33, T.149N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16552: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the E/2 of Section 31, T.149N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16553: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 2, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16554: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 9 and 16, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16555: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 13, T.148N., R.92W., and Section 18, T.148N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16556: Application of XTO Energy Inc. 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.148N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16557: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 19 and 30, T.148N., R.97W., Haystack Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16558: Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of not more than three wells on a 1280-acre spacing unit described as Sections 18 and 19, T.154N., R.96W., Grinnell-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16559: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 32, T.151N., R.101W., Ragged Butte-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16560: Application of Triangle USA Petroleum Corp. 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.149N., R.101W., Antelope Creek-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16561: 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 5 and 8, T.161N., R.92W., Black Slough-Bakken Pool, Burke County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16562: 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 17 and 20, T.161N., R.92W., Foothills-Bakken Pool, Burke County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16563: Application of Zavanna, LLC 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.150N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16564: Application of Zavanna, LLC 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.149N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16565: 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 Sections 3 and 10, T.156N., R.99W., East Fork-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16566: 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 Sections 14 and 23, T.156N., R.99W., East Fork-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16567: 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 Sections 18 and 19, T.156N., R.99W., East Fork-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16568: 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 Sections 26 and 35, T.156N., R.99W., East Fork-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16569: 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 Sections 29 and 32, T.156N., R.99W., East Fork-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16570: 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 Sections 5 and 8, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16571: 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 Sections 6 and 7, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16572: 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 Sections 17 and 20, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16573: 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 Sections 18 and 19, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 16574: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than six wells on an overlapping 1280-acre spacing unit described as Sections 25 and 36, T.152N., R.97W., Westberg-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such further and additional relief.

Case No. 16575: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than six wells on an overlapping 1280-acre spacing unit described as Sections 21 and 28, T.153N., R.96W., Sand Creek-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such further and additional relief.

Case No. 15859: (Continued) Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on a 1280-acre spacing unit described as Sections 6 and 7, T.154N., R.100W., Williston-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15860: (Continued) Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on a 1280-acre spacing unit described as Sections 1 and 12, T.155N., R.100W., Stony Creek-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 15861: (Continued) Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on each 1280-acre spacing unit described as Sections 5 and 8; Sections 6 and 7; Sections 14 and 23; Sections 17 and 20; and Sections 18 and 19, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16576: Application of Dakota-3 E&P Co., LLC for an order authorizing the drilling, completing and producing of a total of not more than seven wells on each 1280-acre spacing unit described as Sections 13 and 24 and Sections 27 and 34, T.150N., R.94W., Spotted Horn-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such further and additional relief.

Case No. 16577: Application of Resource Drilling, LLC for an order amending the field rules for the Clear Water-Bakken Pool (Burke and Mountrail Counties, ND) so as to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and providing such further and additional relief.

Case No. 16578: Application of Resource Drilling, LLC, pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the SW1/4 NW1/4 NW1/4 of Section 14, T.157N., R.90W., Clear Water Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 16579: Application of ProWater Inc. pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the NENE of Section 25, T.151N., R.104W., Assiniboine Field, McKenzie County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16580: Application of ProWater Inc. pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the SWNE of Section 11, T.152N., R.104W., Buford Field, Williams County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 16581: Application of Missouri Basin Well Service, Inc. pursuant to NDAC § 43-02-03-88.1 for an order authorizing the conversion of the Hiepler #1 SWD well, 1/k/a Hiepler #31-22 well, SENW of Section 31, T.156N., R.99W., Williams County, ND, to a saltwater disposal well in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 16582: Application of Frontier Venture, LLC pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the NWNW of Section 24, T.158N., R.100W., Williams County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
11/24 - 607405