

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 17165
ORDER NO. 19433

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 LARSEN #8-162-99H WELL LOCATED IN
THE NWNW OF SECTION 8, T.162N., R.99W.,
DIVIDE COUNTY, ND, AMBROSE-BAKKEN
POOL, PURSUANT TO THE PROVISIONS OF
NDCC § 38-08-06.4 AND SUCH OTHER RELIEF
AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 29th day of February, 2012.
- (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) NDCC Section 38-08-06.4 states:

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

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

(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 & Number</u>	<u>Location</u>
19653	Larsen 8-162-99H	NWNW Section 8-T162N-R99W

(6) The Larsen 8-162-99H well was completed in the Ambrose-Bakken Pool on or around April 27, 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 50 MCF per day of surplus gas.

(9) The well is located approximately 14.5 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 July 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 & Number</u>	<u>Location</u>
19653	Larsen 8-162-99H	NWNW Section 8-T162N-R99W

(2) This order is effective as of January 27, 2012 and shall remain in full force and effect until August 1, 2013.

Dated this 8th 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

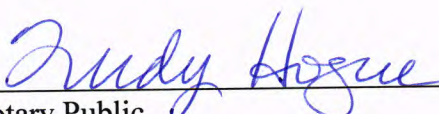
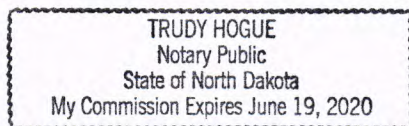
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 13th day of May, 2015 enclosed in separate envelopes true and correct copies of the attached Order No. 19433 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 17165:

LAWRENCE BENDER
FREDRIKSON & BYRON
PO BOX 1855
BISMARCK ND 58502



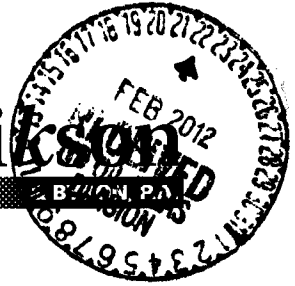
Belinda Dickson
Oil & Gas Division

On this 13th 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.



Notary Public
State of North Dakota, County of Burleigh

Fredrikson



February 20, 2012

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

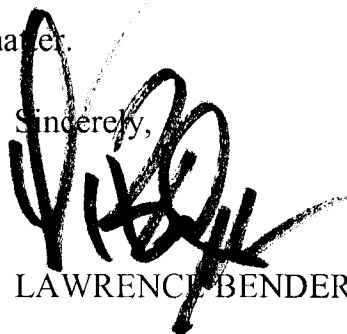
RE: CASE NO. 17165
Baytex Energy USA Ltd.

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.
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Bismarck, North Dakota
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**BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA**

CASE NO. 17165

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 Larsen 8-162-99H well located in the NW/4NW/4 of Section 8, 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 Larsen 8-162-99H 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 Larsen 8-162-99H well located in Section 8, Township 162 North, Range 99 West, Divide County, North Dakota.

5.

That Baytex is currently the operator of the Larsen 8-162-99H 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 Larsen 8-162-99H well was completed as a producer on or about April 27, 2011.

7.

That to the best of my knowledge and belief, gas produced from the Larsen 8-162-99H well from the Ambrose-Bakken Pool does not contain any H₂S and is considered sweet gas.

8.

That to the best of my knowledge and belief, the current average daily rate of gas being produced from the Larsen 8-162-99H well is approximately 70 MCFD.

9.

That the Larsen 8-162-99H 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 Larsen 8-162-99H would include a 100KW generator (\$70,000) using approximately 50 MCF/day of gas for fuel, regulator (\$25,000) and four miles of line/poles (at \$75,000/mile) to connect to the nearest three phase power source for a total cost of approximately \$395,000.

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 Larsen 8-162-99H well over a ten (10) year period would total approximately \$150,000.

12.

That requiring the installation and operation of an electric generator fueled by the gas produced from the Larsen 8-162-99H well would result in a discounted loss of approximately \$245,000 and would not be economically justifiable.

13.

That to the best of my knowledge and belief, the total amount of gas from the Larsen 8-162-99H well not being used for lease use and available for sale is approximately 50 MCFD.

14.

That gas produced in association with oil produced from the Larsen 8-162-99H well and not utilized for lease use is currently being flared.

15.

That Baytex estimates the ultimate recoverable gas reserves from the Larsen 8-162-99H 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 Larsen 8-162-99H 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 Larsen 8-162-99H well is estimated to be \$838,100.

18.

That based upon a royalty rate for the Larsen 8-162-99H 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 \$167,000 and \$96,400, respectively.

19.

That the total (undiscounted) gross value of the gas reserves of the Larsen 8-162-99H well to the working interest owners, after deducting royalty & production taxes, is approximately \$574,000.

20.

That to the best of my knowledge and belief, the Larsen 8-162-99H well is located approximately 14.5 miles from the nearest connection point to a gas gathering facility with sufficient capacity to market the gas.

21.

That based upon the operations of other operators in and near the area of the Larsen 8-162-99H 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 \$1,455,000 inclusive of a gas meter.

22.

That based upon the differential between the value of the gas and the cost to install and operate the pipeline required for delivery of gas to a gas gathering system, requiring to connect the Larsen 8-162-99H well to gas gathering system with sufficient capacity would result in an undiscounted loss of approximately \$881,000.

23.

That based upon my knowledge and belief, the low volumes of gas produced from the Larsen 8-162-99H well make it economically infeasible at the present time or in the foreseeable future to connect the Larsen 8-162-99H well to a gas gathering facility.

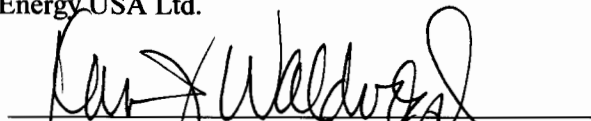
DATED this 15th day of February, 2012.


Ward Rikala

STATE OF COLORADO)
)ss
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 15th day of February, 2012, by Ward Rikala, Production Manager, of Baytex Energy USA Ltd.




Notary Public
My Commission Expires: 1/18/2014

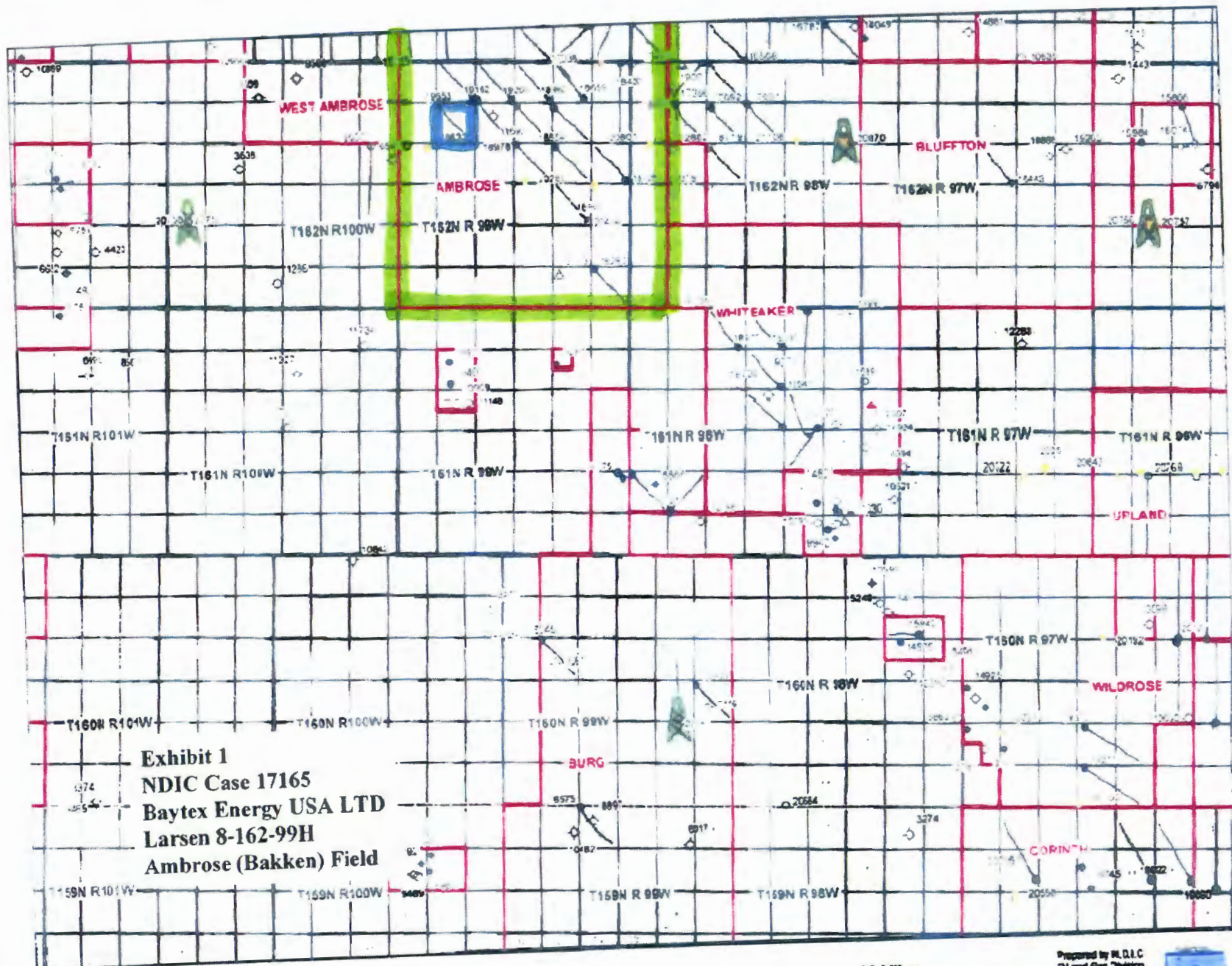


Exhibit 1
NDIC Case 17165
Baytex Energy USA LTD
Larsen 8-162-99H
Ambrose (Bakken) Field

Disclaimer: 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.

0 2.5 5 10 Miles

Prepared by M.D.L.C.
 Oil and Gas Division
 DATE: 7/15/2011
 Time: 9:55:43 AM



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

CASE NO. 17165

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 Larsen 8-162-99H well located in the NW/4NW/4 of Section 8, 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 8, 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 Larsen 8-162-99H well located in the Northwest Quarter of the Northwest Quarter (NW/4NW/4) of Section 8, completed as a producing well in the Ambrose-Bakken Pool.

4.

That the Larsen 8-162-99H 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 Larsen 8-162-99H 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 Larsen 8-162-99H 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 Larsen 8-162-99H 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 February 2012 hearings of the Commission;

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

FREDRIKSON & BYRON, P.A.
By 
LAWRENCE BENDER, ND Bar #03908
Attorneys for Applicant
Baytex Energy USA Ltd.
200 North 3rd 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 the affiant's knowledge, and belief.

Lawrence Bender

Subscribed and sworn to before me this 27 day of January, 2012.





 Notary Public
 My Commission Expires: _____
 5058828 1.DOC

Fredrikson

& BYRON, P.A.

January 27, 2012



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
FEBRUARY 2012 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.
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Affidavit of Publication

State of North Dakota) SS. County of Burleigh
Before me, a Notary Public for the State of North Dakota
personally appeared CK who being duly sworn, deposes
and says that he (she) is the Clerk of Bismarck Tribune Co.,
and that the publication(s) were made through the
Bismarck Tribune on the following dates:
2/9 Signed Carrie Hunte
sworn and subscribed to before me this 15th
day of FEBRUARY 20 12

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.

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**NOTICE OF HEARING
N.D. INDUSTRIAL COMMISSION
OIL AND GAS DIVISION**

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Wednesday, February 29, 2012, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Thursday, February 16, 2012.

STATE OF NORTH DAKOTA TO:

Case No. 16999: Temporary spacing to develop an oil and/or gas pool discovered by the Slawson Exploration Co., Inc. #1-25-36H Taboo, NENW Section 25, T.147N., R.100W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 17000: Application of Brigham Oil & Gas, L.P. for an order to establish temporary spacing for the development of an oil and/or gas pool discovered by the Margaret #5-8 1H well, Lot 4, Section 5, T.150N., R.100W., McKenzie County, ND, define the field limits, enact such special field rules as may be necessary and such other relief as is appropriate.

Case No. 17001: Temporary spacing to develop an oil and/or gas pool discovered by the G3 Operating, LLC #1-28-33H Doris, NENW Section 28, T.158N., R.102W., Williams County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 17002: Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-4H Running, Lot 3, Section 4, T.161N., R.94W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 17003: Application of Continental Resources, Inc. for an order amending the field rules for the Chimney Butte and Murphy Creek-Bakken Pools to create two 2560-acre spacing units comprised of Sections 28 and 33, T.146N., R.95W., and Sections 4 and 9, T.145N., R.95W.; and Sections 29 and 32, T.146N., R.95W., and Sections 5 and 8, T.145N., R.95W., Dunn County, ND, authorizing the drilling of multiple wells from said well pad within each 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17004: Application of Continental Resources, Inc. for an order amending the field rules for the Chimney Butte-Bakken Pool to create a 2560-acre spacing unit comprised of Sections 5, 8, 17 and 20, T.146N., R.95W., Dunn County, ND, authorizing the drilling of multiple wells from said well pad within said 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17005: Application of Continental Resources, Inc. for an order amending the field rules for the Rattlesnake Point and Jim Creek-Bakken Pools to create a 2560-acre spacing unit comprised of Sections 8, 17, 20 and 29, T.146N., R.96W., Dunn County, ND, authorizing the drilling of multiple wells from said well pad within said 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17006: Application of Continental Resources, Inc. for an order amending the field rules for the Cedar Coulee and Rattlesnake Point-Bakken Pools to create a 2560-acre spacing unit comprised of Sections 21, 28 and 33, T.147N., R.96W., and Section 4, T.146N., R.96W., Dunn County, ND, authorizing the drilling of multiple wells from said well pad within said 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17007: Application of Continental Resources, Inc. for an order amending the field rules for the Corral Creek and Jim Creek-Bakken Pools to create a 2560-acre spacing unit comprised of Sections 24, 25 and 36, T.147N., R.96W., and Section 1, T.146N., R.96W., Dunn County, ND, authorizing the drilling of multiple wells from said well pad within said 2560-acre spacing unit; eliminating any tool error requirements 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. 17008: Application of Newfield Production Co. for an order extending the field boundaries and amending the field rules for the Banks-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 16 and 21, T.153N., R.97W., 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. 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. 17009: Application of Fidelity Exploration & Production Co. for an order extending the field boundaries and amending the field rules for the Dutch Henry Butte-Bakken Pool to create and establish two 1280-acre spacing units comprised of Section 2 and 11, T.140N., R.97W., and Sections 6 and 7, T.140N., R.96W., Stark County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 17010: Application of Fidelity Exploration & Production Co. for an order creating field rules for the Dickinson-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 13 and 24 and Sections 14 and 23, T.140N., R.97W., Stark County, ND, authorizing the drilling of a horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 17011: Application of WPX Energy Williston, LLC for an order amending the field rules for the Mandaree-Bakken Pool to create and establish two 320-acre spacing units comprised of the W/2 and E/2 of Section 24, T.149N., R.94W., McKenzie County, ND, authorizing the drilling of a total of not more than two wells on each 320-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16765: (Continued) Application of Dakota-3 E&P Co., LLC for an order extending the field boundaries and amending the field rules for the Van Hook or Deep Water Creek Bay-Bakken Pools to create and establish a 3840-acre spacing unit comprised of Sections 4, 5, 6, 7, 8 and 9, T.150N., R.91W., McLean County, ND, authorizing the drilling of a total of not more than 22 wells on said 3840-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17012: Application of Encore Energy Partners Operating, LLC for an order amending the field rules for the Horse Creek-Red River Pool to create and establish two 640-acre spacing units comprised of the E/2 of Section 11 and the W/2 of Section 12, T.129N., R.105W., and the S/2 of Section 19 and the N/2 of Section 30, T.129N., R.104W., Bowman County, ND, authorizing the drilling of one horizontal well on each 640-acre spacing unit not less than 500 feet to the spacing unit boundary and such other relief as is appropriate.

Case No. 17013: Application of Enerplus Resources (U.S.A.) Inc. for an order extending the field boundaries and amending the field rules for the Antelope-Sanish Pool to create and establish a 640-acre spacing unit comprised of Section 19, T.152N., R.94W., McKenzie County, ND, 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. 17014: Application of Corinthian Exploration (USA) Corp. for an order amending the field rules for the North Souris-Spearfish Pool to create and establish the following 160-acre spacing units comprised of the SE/4 of Section 35, T.164N., R.77W.; the SE/4 of Section 2; and the NE/4 of Section 2, T.163N., R.77W., Bottineau County, ND, authorizing the drilling of a total of not more than six wells on each spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17015: Application of Legacy Oil & Gas ND, Inc. for an order extending the field boundaries and amending the field rules for the North Souris Spearfish Pool,

Bottineau County, ND, to create and establish the following 320 spacing units: S/2 and N/2 of Section 4; S/2 and N/2 of Section 5; S/2 and N/2 of Section 6; S/2 and N/2 of Section 7; S/2 and N/2 of Section 8; S/2 and N/2 of Section 9; S/2 and N/2 of Section 16; S/2 and N/2 of Section 17; S/2 and N/2 of Section 18; S/2 and N/2 of Section 19; S/2 and N/2 of Section 20; S/2 and N/2 of Section 21, T.163N., R.76W.; S/2 and N/2 of Section 1; S/2 and N/2 of Section 11; S/2 and N/2 of Section 12; S/2 and N/2 of Section 13; and S/2 and N/2 of Section 14, T.163N., R.77W., S/2 and N/2 of Section 31; S/2 and N/2 of Section 32; and S/2 and N/2 of Section 33, T.164N., R.76W., and S/2 and N/2 of Section 36, T.164N., R.77W., authorizing the drilling of a total of not more than four wells on said 320-acre spacing units; and to create and establish the following approximate 180-acre spacing units: Lots 1, 2, 3 and 4 of Section 28; Lots 1, 2, 3 and 4 of Section 29; Lots 1, 2, 3 and 4 of Section 30, T.164N., R.76W., authorizing the drilling of a total of not more than two wells on said 180-acre spacing units, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17016: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool, Divide County, ND, to create and establish a 1280-acre spacing unit comprised of Sections 15 and 22, T.163N., R.99W., 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. 16777: (Continued) Application of Missouri River Royalty Corp. for an order authorizing the recompletion of the Henry Torstenson #1 well (NDIC Well File No. 7631) to the Duperow Formation at a location approximately 550 feet from the north line and 660 feet from the east line of Section 33, T.151N., R.99W., McKenzie County, ND, as an exception and such other relief as is appropriate.

Case No. 16425: (Continued) 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 1H 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. 15747: (Continued) Application of Credo Petroleum Corp. for an order suspending, and after hearing, revoking the permit issued to Helis Oil & Gas Co., L.L.C., to drill the Linesth #13-13/12H 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. 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. 16184: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Crescent Point Energy U.S. Corp. #2-11-162N-102W CPEC Lancaster, NWNE Section 2, T.162N., R.102W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 17017: On the application of Debra K. Ganske for an order pursuant to NDCC § 38-08-11(2) against Golden Eye Resources, L.L.C. (Golden Eye) and Liberty Resources, L.L.C. (Liberty) requiring Liberty to withdraw an invitation to participate served upon Golden Eye and prohibiting Liberty from extending any invitations to participate under NDAC 43-02-03-16.3 in the Sylte #156-101-10-3-1H (File No. 22067) and Sylte #156-101-15-22-1H (File No. 22068) wells relative to Debra Ganske's mineral interests until Liberty secures a pooling order and the title dispute between Debra Ganske and Golden Eye is resolved in Williams County, ND Civil File No. 53-10-C-0536.

Case No. 17018: Application of Newalta Environmental Services, Inc. for an order pursuant to NDAC § 43-02-03-51 authorizing the construction of a treating plant to be located in the NW/4 of the SE/4 of Section 19, T.154N., R.102W., Williams County, ND and such other relief as is appropriate.

Case No. 17019: Application of Dakota Maxum Partners, LLP for a permit to operate water recycling plants in ND to process contaminated frac and production water for reuse as frac water or potable water for other uses, and such other relief as is appropriate.

Case No. 17020: 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.90W., Ross-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17021: 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 15 and 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. 17022: 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 the W/2 of Section 20, T.151N., R.94W., Antelope-Sanish Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17023: Application of Slawson Exploration Co., 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 17, T.156N., R.90W., Ross-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17024: 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 16 and 21, T.149N., R.100W., Ellsworth-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16785: (Continued) 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 20 and 29, T.152N., R.92W., Big Bend-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17025: Application of Samson Resources Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11, T.158N., R.99W., Rainbow-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17026: 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 4 and 9, T.158N., R.99W., Rainbow-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17027: Application of Samson Resources Co. for an order authorizing the drilling, completing and producing of not more than a total of seven wells on each 1280-acre spacing unit described as Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 13 and 24; and Sections 14

and 23, T.163N., R.99W.; Sections 6 and 7; Sections 18 and 19, T.163N., R.98W.; Sections 1 and 12, T.162N., R.99W.; Sections 6 and 7; and Sections 18 and 19, T.162N., R.98W., Ambrose-Bakken Pool, Divide County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 16840: (Continued) Application of Samson Resources Co. for an order in accordance with NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Nova #4-9-163-98H well located in the NWNE of Section 4, T.163N., R.98W., Divide County, ND, Candak-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 16841: (Continued) Application of Samson Resources Co. for an order in accordance with NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Woodpecker #27-34-163-95H well located in the SESE of Section 22, T.163N., R.95W., Divide County, ND, Fortun-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17028: 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 Sections 3 and 10, T.151N., R.100W., Poe-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17029: 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 Sections 14 and 23, T.145N., 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. 17030: In the matter of the petition for a risk penalty of Denbury Onshore, 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 Satter #24-35SEH well located in a spacing unit described as Sections 2 and 11, T.150N., R.98W., Siverston-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17031: In the matter of the petition for a risk penalty of Denbury Onshore, 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 Loomer #24-34NEH well located in a spacing unit described as Sections 27 and 34, T.151N., R.99W., Tobacco Garden-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other and further relief as is appropriate.

Case No. 17032: 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 30 and 31, T.151N., R.98W.; Sections 13 and 24; Sections 25 and 36, T.150N., R.99W.; and Sections 18 and 19, T.150N., R.98W.; and authorizing the drilling, completing and producing of a total of not more than seven wells on a 640-acre spacing unit described as Section 13, T.149N., R.98W., Siverston-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17033: 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 14 and 23, T.153N., R.96W., Sand Creek-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17034: 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 14 and 23, T.153N., R.96W., Keene-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17035: 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 2 and 11, T.150N., R.100W., Sandrocks-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17036: In the matter of the petition for a risk penalty of Newfield Production Co. 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 Sand Creek Federal #1-23H well located in a spacing unit described as Sections 14 and 23, T.153N., R.96W., Keene-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, 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. 17037: 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 30 and 31, T.157N., R.98W., Oliver-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17038: Application of Continental 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 29 and 32, T.153N., R.94W., Antelope-Sanish Pool, McKenzie 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. 17039: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 3 and 10, T.152N., R.94W., Antelope-Sanish Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17040: Application of Continental 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 20, 29 and 32, T.147N., R.96W. and Section 5, T.146N., R.96W., Cedar Coulee-Bakken Pool, Dunn 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. 17041: Application of Continental Resources for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Lodgepole Formation in the Lonesome Dove #42-17 SWD well, SENE Section 17, T.131N., R.106W., Cedar Hills Field, Bowman County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 17042: 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 Meldahl #1-23H well located in a spacing unit described as Sections 14 and 23, T.152N., R.95W., Hawkeye-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17043: 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 Sandie #1-28H well located in a spacing unit described as Sections 28 and 33, T.151N., R.97W., Eldah-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17044: 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 Goodson #1-28H well located in a spacing unit described as Sections 28 and 33, T.160N., R.96W., Hamlet-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17045: 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 Obert #1-13H well located in a spacing unit described as Sections 12 and 13, T.155N., R.104W., Hebron-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17046: 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 Horob #1-14H well located in a spacing unit described as the E/2 W/2 and E/2 of Sections 11 and 14, T.155N., R.104W., Hebron-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17047: 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 Charlotte #1-22H well located in a spacing unit described as Sections 15 and 22, T.152N., R.99W., Banks-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17048: 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 Sections 3 and 10, 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. 17049: Application of Fidelity Exploration & Production Co. 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.140N., R.98W., Green River-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17050: Application of Fidelity Exploration & Production Co. 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.140N., R.97W., Dutch Henry Butte-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17051: Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 2, T.140N., R.97W., Dutch Henry Butte-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17052: Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11, T.139N., R.98W., Zenith-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17053: Application of Fidelity Exploration & 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.139N., R.98W., Zenith-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17054: Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.139N., R.98W., Zenith-Bakken Pool, Stark County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17055: 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 30 and 31, T.157N., R.92W., Cottonwood-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17056: 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 7 and 18, T.157N., R.91W., Kittleson Slough-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17057: 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 Section 13, T.157N., R.91W., Kittleson Slough-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17058: 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 14 and 15, T.157N., R.91W., Kittleson Slough-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17059: 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 23 and 26, T.157N., R.90W., Clear Water-Bakken Pool, Mountrail County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17060: 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 6 and 7, T.156N., R.103W., Bull Butte-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17061: 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 29 and 32, T.156N., R.103W., Bull Butte-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17062: 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 30 and 31, T.156N., R.103W., Bull Butte-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17152: 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 21 and 28, T.152N., R.104W., Briar Creek-Bakken Pool, Williams and McKenzie Counties, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17153: 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 Section 31, T.152N., R.104W. and Section 6, T.151N., R.104W., Briar Creek-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17154: 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 27 and 34, T.151N., R.102W., Nameless Field or Elk-Bakken Pool, McKenzie County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17155: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of horizontal increase density wells on each 1280-acre spacing unit within Zones II and III of the Williston-Bakken Pool, Williams County, ND, not to exceed a total of eight horizontal wells on each such spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17156: 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 15 and 22, T.162N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17157: 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 26 and 35, 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. 17158: 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 27 and 34, 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. 17159: 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 13 and 24, 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. 17160: 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 5 and 8, T.161N., R.98W., Plumer-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17161: 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 17 and 20, T.161N., R.98W., Plumer-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17162: 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.161N., R.98W., Moraine-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17163: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Grundstad #10-162-99H well located in the NWNW of Section 10, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17164: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Haugenoe #22-162-99H well located in the SESE of Section 15, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17165: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Larsen #8-162-99H well located in the NWNW of Section 8, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17166: Application of Enerplus Resources (U.S.A.) 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.148N., R.93W., McGregory Buttes-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17167: Application of Enerplus Resources (U.S.A.) 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.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17168: Application of Enerplus Resources (U.S.A.) 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.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17169: Application of Enerplus Resources (U.S.A.) Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 16 and 21, T.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17170: Application of Enerplus Resources (U.S.A.) 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.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17171: Application of Zenergy, Inc. for an order amending the field rules for the Dore-Bakken Pool, McKenzie 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. 17172: Application of Hunt Oil 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.145N., R.93W., Bailey-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17173: Application of Hunt Oil Co. pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the S/2 of Section 31, T.149N., R.100W., Ellsworth

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

Case No. 17174: Application of Hunt Oil Co. 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 11, T.156N., R.90W., Ross Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 17175: Application of Borejaks Energy Services pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the SWSE of Section 14, T.150N., R.101W., Rawson Field, McKenzie County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 17176: Application of Missouri Basin Well Service, 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 SENE of Section 13, T.152N., R.96W., Union Center Field, McKenzie County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 17177: Application of Missouri Basin Well Service, Inc. in accordance with NDAC § 43-02-03-88.1 for an order authorizing the conversion of the Jeglum #1 SWD well, 11/4 Jeglum 32 well, located in the NWNW of Section 32, T.163N., R.100W., Gooseneck Field, Divide County, ND, to a saltwater disposal well in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 17178: Application of OXY USA 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 SESE of Section 31, T.143N., R.95W., Manning Field, Dunn County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 17179: Application of CCS Midstream Services, L.L.C. 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 7, T.156N., R.94W., Big Butte Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 17180: Application of CCS Midstream Services, L.L.C. pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the SENE of Section 7, T.156N., R.94W., Big Butte Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 17181: Application of CCS Midstream Services, L.L.C. 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 7, T.156N., R.94W., Big Butte Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 17182: Application of Ballantyne Oil in accordance with NDAC § 43-02-03-88.1 for an order allowing the production from the Brandy #9-21 well, located in Section 21, T.159N., R.83W., and the Cunningham #12-22 well located in Section 22, T.159N., R.83W., and any other well drilled and completed in the Spring Coulee-Madison Pool; to be commingled into a Central Tank Battery or production facility to be located in the field in Bottineau County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 17183: Application of Legacy Oil & Gas ND, Inc. for an order allowing the production from the following wells: Legacy et al Wunderlich #5-6H well SWNW Section 6; Legacy et al Berge #13-6H well SWSW Section 6; Legacy et al Berge #5-7H well SWNW Section 7; Legacy et al Bernstein #13-7H well SWSW Section 7; Legacy et al Seter #13-16H well SWSW Section 16; Legacy et al Bernstein #13-17H well SWSW Section 17; Bernstein #5-17H well SWNW Section 17; Legacy et al Bernstein 4-18H #1-H well NWNW Section 18; Legacy et al Fett 12-18 #1-H well NWSW Section 18; Legacy et al Fett 12-19H #1-H well NWSW Section 19, T.163N., R.76W.; Legacy et al Berge #1-1H well NENE Section 1; Legacy et al Berge 9-1H #1-H well NESE Section 1; Legacy et al Berge #1-12H well NENE Section 12; Legacy et al Berge 12-12H #1-H well NWSW Section 12, T.163N., R.77W.; Legacy et al Berge #5-31H well SWNW Section 31; Legacy et al Berge #12-31H well NWSW Section 31; Klingbeil #13-30H well SWSW Section 30, T.164N., R.76W.; Bottineau County, ND, to be produced into the Legacy Bottineau 4-18-163N-76W Central Tank Battery or production facility located in the NW/4 of Section 18, T.163N., R.76W., Bottineau County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Signed by,
Jack Dalrymple, Governor
Chairman, ND Industrial Commission
2/9 - 607648

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Wednesday, February 29, 2012, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Thursday, February 16, 2012.

STATE OF NORTH DAKOTA TO:

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. 17016: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool, Divide County, ND, to create and establish a 1280-acre spacing unit comprised of Sections 15 and 22, T.163N., R.99W., 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. 16184: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Crescent Point Energy U.S. Corp. #2-11-162N-102W CPEC Lancaster, NWNE Section 2, T.162N., R.102W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 17019: Application of Dakota Maxum Partners, LLP for a permit to operate water recycling plants in ND to process contaminated frac and production water for reuse as frac water or potable water for other uses, and such other relief as is appropriate.

Case No. 17027: Application of Samson Resources Co. for an order authorizing the drilling, completing ~~and producing of not more than a total~~ of seven wells on each 1280-acre spacing unit described as Sections 1 and 12; Sections 2 and 11; Sections 3 and 10; Sections 4 and 9; Sections 5 and 8; Sections 13 and 24; and Sections 14 and 23, T.163N., R.99W.; Sections 6 and 7; Sections 18 and 19, T.163N., R.98W.; Sections 1 and 12, T.162N., R.99W.; Sections 6 and 7; and Sections 18 and 19, T.162N., R.98W., Ambrose-Bakken Pool, Divide County, ND, eliminating an tool error requirements and such other relief as is appropriate.

Case No. 16840: (Continued) Application of Samson Resources Co for an order in accordance with NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Nova #4-9-163-98H well located in the NWNE of Section 4, T.163N., R.98W., Divide County, ND, Candak-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 16841: (Continued) Application of ~~Samson~~ Resources Co for an order in accordance with NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Woodpecker #27-34-163-95H well located in the SESW of Section 22, T.163N., R.95W., Divide County, ND, Forthun-Bakken Pool, pursuant 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 HEARING N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

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

February 08, 2012..... 243 lines @ .63 = \$153.09

TOTAL CHARGE.....\$153.09

Signed

Steven J. Andrist, Publisher

Subscribed and sworn to before me February 08, 2012

Notary Public, State of North Dakota

JENNIFER SPENCER
Notary Public
State of North Dakota
My Commission Expires Jan. 27, 2018

Case No. 17044: 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 Goodson #1-28H well located in a spacing unit described as Sections 28 and 33, T.160N., R.96W., Hamlet-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 17156: 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 15 and 22, T.162N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17157: 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 26 and 35, 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. 17158: 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 27 and 34, 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. 17159: 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 13 and 24, 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. 17160: 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 5 and 8, T.161N., R.98W., Plumer-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17161: 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 17 and 20, T.161N., R.98W., Plumer-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17162: 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.161N., R.98W., Moraine-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 17163: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Grundstad #10-162-99H well located in the NWNW of Section 10, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17164: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Haugenoe #22-162-99H well located in the SESW of Section 15, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17165: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Larsen #8-162-99H well located in the NWNW of Section 8, T.162N., R.99W., Divide County, ND, Ambrose-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 17177: Application of Missouri Basin Well Service, Inc. in accordance with NDAC § 43-02-03-88.1 for an order authorizing the conversion of the Jeglum #1 SWD well, f/k/a Jeglum 32 well, located in the NWNW of Section 32, T.163N., R.100W., Gooseneck Field, Divide County, ND, to a saltwater disposal well 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
(2-8)