

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 18318  
ORDER NO. 20587

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE 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 13 AND 24,  
T.140N., R.97W., STARK COUNTY, ND,  
DICKINSON-BAKKEN POOL, AS PROVIDED  
BY NDCC § 38-08-08 AND SUCH OTHER  
RELIEF AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 26th day of July, 2012.
- (2) Pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, pooling under North Dakota Century Code (NDCC) Section 38-08-08.
- (3) The applicant is the owner of an interest in an oil and gas leasehold estate in a spacing unit described as all of Sections 13 and 24, Township 140 North, Range 97 West, Dickinson-Bakken Pool, Stark County, North Dakota.
- (4) Said spacing unit is created in accordance with an order of the Commission and there are separately owned tracts and/or separately owned interests in the spacing unit, and some of the owners thereof have not voluntarily pooled their interests for the development and operation of said spacing unit.
- (5) The Commission makes no findings with regard to the specific acreage or percentage attributed to separately owned tracts or interests.
- (6) Counsel for applicant requests an order of the Commission pooling all interests in the spacing unit.
- (7) There were no objections to this application.
- (8) NDCC Section 38-08-08 requires the Commission to enter a pooling order upon application when two or more separately owned tracts are embraced within a spacing unit, or there are separately owned interests in all or a part of a spacing unit, in the absence of voluntary pooling. The section further provides that working interest owners in the spacing unit shall pay their share of the reasonable actual cost of drilling and operating the well plus a reasonable

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

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

IT IS THEREFORE ORDERED:

(1) All oil and gas interests in a spacing unit described as all of Sections 13 and 24, Township 140 North, Range 97 West, Dickinson-Bakken Pool, Stark County, North Dakota, are hereby pooled for the development and operation of the spacing unit.

(2) This pooling shall not determine or establish the specific acreage to be attributed to separately owned tracts, or specific interests attributed to separately owned interests.

(3) The operator of the well(s) for the spacing unit shall conduct operations in a manner so as to protect correlative rights of all interested parties.

(4) All owners of interests shall recover or receive, without unnecessary expense, their just and equitable share of production from the spacing unit in the proportion as their interests may appear in the spacing unit.

(5) The working interest owners shall reimburse the operator for their proportionate share of the reasonable actual cost of drilling and operating said well(s), plus a reasonable charge for supervision.

(6) In the event of any dispute as to such costs the Commission shall determine the proper cost.

(7) In the event the size of the spacing unit pooled herein is modified by the Commission, this order shall terminate as of the date of such order.

(8) This order shall be effective from the date of first operations within the spacing unit, and shall remain in full force and effect until further order of the Commission.

Dated this 15th day of August, 2012.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

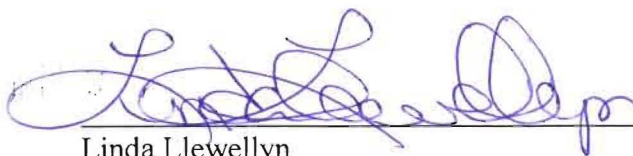
STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

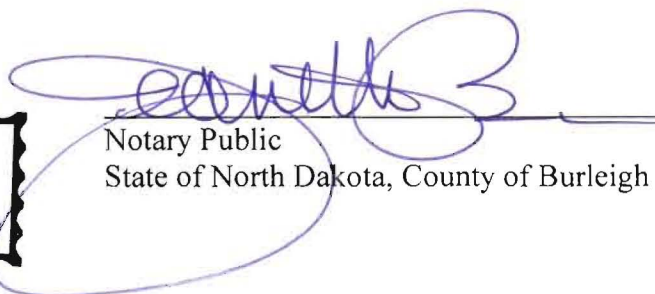
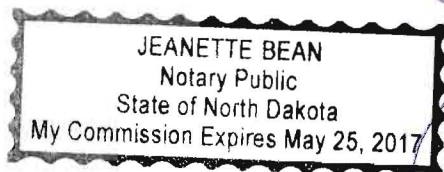
I, Linda Llewellyn, being duly sworn upon oath, depose and say: That on the 31st day of August, 2012 enclosed in separate envelopes true and correct copies of the attached Order No. 20587 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 18318:

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



Linda Llewellyn  
Oil & Gas Division

On this 31st day of August, 2012 before me personally appeared Linda Llewellyn 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

July 12, 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. 18318**  
**Fidelity Exploration & Production**  
**Company**

Dear Mr. Hicks:

Please find enclosed herewith the original AFFIDAVIT OF BARBARA A. HINMAN in the captioned matter.

Should you have any questions, please advise.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Bender", written over the word "Sincerely,".

LAWRENCE BENDER

LB/leo

Enclosure

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. 18318**

**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 13 and 24, Township 140 North, Range 97 West, Stark County, North Dakota, Dickinson-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.**

**AFFIDAVIT OF JAMES KENNEDY**

STATE OF COLORADO     )  
                                      ) ss  
COUNTY OF DENVER     )

James Kennedy, being first duly sworn, deposes and states as follows:

1.

That I am a Senior Landman for Fidelity Exploration & Production Co., 1700 Lincoln, Suite 2800, Denver, Colorado 80203, the applicant in the above-entitled matter.

2.

That in the course of my work as a Senior Landman for Fidelity, I have become familiar with the mineral ownership and leasehold ownership in Sections 13 and 24, Township 140 North, Range 97 West, Stark County, North Dakota ("Sections 13 and 24").

3.

That Fidelity is an owner of an interest in the oil and gas leasehold estate in Sections 13 and 24.

4.

That Sections 13 and 24 have been established as a spacing unit in the Dickinson-Bakken Pool.

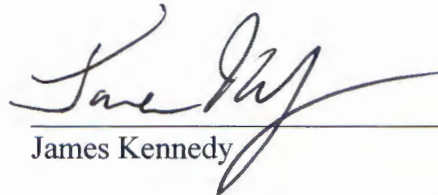
5.

That there are separately owned tracts or interests in the mineral estate and/or leasehold estate in Sections 13 and 24.

6.

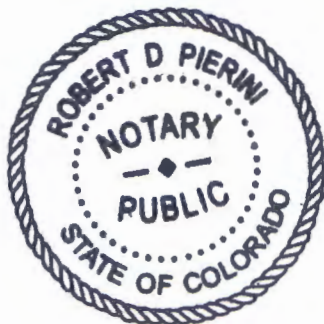
That a voluntary pooling of Sections 13 and 24 for the Dickinson-Bakken Pool has not been accomplished.

Dated this 9<sup>th</sup> day of July, 2012.

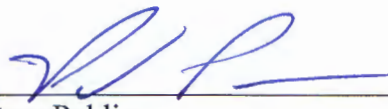
  
James Kennedy

STATE OF COLORADO    )  
  )ss  
COUNTY OF DENVER    )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of July, 2012, by James Kennedy, Senior Landman, of Fidelity Exploration & Production Company.



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Notary Public  
My Commission Expires: 3/6/16

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



CASE NO. 18318

**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 13 and 24, Township 140 North, Range 97 West, Stark County, North Dakota, Dickinson-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.**

**APPLICATION OF FIDELITY EXPLORATION & PRODUCTION CO.**

Fidelity Exploration & Production Co. ("Fidelity"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Fidelity is an owner of an interest in the oil and gas leasehold estate in Sections 13 and 24, Township 140 North, Range 97 West, Stark County, North Dakota ("the Subject Lands").

2.

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

3.

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

4.

That Sections 13 and 24 constitute a spacing unit in the Dickinson-Bakken Pool.

5.

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

6.

That Fidelity therefore requests that the Commission enter its order pooling all interests in the proposed spacing unit described as Sections 13 and 24, Township 140 North, Range 97 West, Stark County, North Dakota, Dickinson-Bakken Pool as provided by N.D.C.C. Section 38-08-08.

**WHEREFORE**, Fidelity requests the following:

(a) That this matter be set for the regularly scheduled July 2012 hearings of the Commission;


(b) That pursuant to N.D.A.C. Section 43-02-03-88.2, Fidelity'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 18<sup>th</sup> day of June, 2012.

FREDRIKSON & BYRON, P.A.


By   
LAWRENCE BENDER, ND Bar #03908  
*Attorneys for Applicant Fidelity*  
*Exploration & Production Company*  
200 North 3rd Street, Suite 150  
Post Office Box 1855  
Bismarck, North Dakota 58502-1855

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

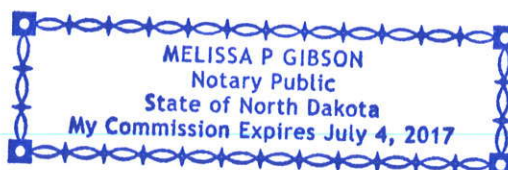
LAWRENCE BENDER, being first duly sworn on oath, deposes and says that he is the attorney for the applicant named herein, that he has read the foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge and belief.

  
LAWRENCE BENDER

Subscribed and sworn to before me this 18<sup>th</sup> day of June, 2012.

  
Notary Public

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June 18, 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 FIDELITY  
EXPLORATION & PRODUCTION  
COMPANY FOR JULY 2012  
HEARINGS**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF FIDELITY EXPLORATION & PRODUCTION COMPANY to be placed on the July 2012 docket.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Fidelity 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/mpg  
Enclosure

cc: Ms. Karlene Fine - (w/enc.)  
Mr. Lynn Helms - (w/enc.)  
Ms. Hope Hogan - (w/enc.)  
Mr. Jim Kennedy - (w/enc.)  
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Attorneys & Advisors  
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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 CL who being duly sworn, deposes  
and says that he (she) is the Clerk of Bismarck Tribune Co.,  
and that the publication(s) were made through the  
Bismarck Tribune on the following dates:  
7/6 Signed Colma Bunt  
sworn and subscribed to before me this 17th  
day of July 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. Thursday, July 26, 2012, at the N.D. Oil & Gas Division, 1000 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, July 13, 2012.

**STATE OF NORTH DAKOTA TO:**

Case No. 18271: Proper spacing for the development of the Climax-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. G3 Operating, LLC

Case No. 18272: Proper spacing for the development of the Grenora-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. G3 Operating, LLC

Case No. 18273: Proper spacing for the development of the Strandahl-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. G3 Operating, LLC; Marathon Oil Co.; Oasis Petroleum North America LLC

Case No. 18274: Application of G3 Operating, LLC for an order amending the field rules for the Good Luck-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. 18275: Proper spacing for the development of the Werner-Bakken Pool, Dunn County, ND, redefine the field limits, and enact such special field rules as may be necessary. Hunt Oil Co.; Marathon Oil Co.

Case No. 18276: Proper spacing for the development of the Gooseneck-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Crescent Point Energy U.S. Corp.

Case No. 18277: Application of XTO Energy Inc. for an order extending the field boundaries and amending the field rules for the Four Eyes-Bakken Pool or St. Demetrius-Bakken Pool, or in the alternative establish Bakken spacing in the St. Jacobs Field, to create and establish a 1280-acre spacing unit comprised of Sections 15 and 22, T.143N., R.100W., Billings County, ND, authorizing the drilling of a horizontal well on said 1280-acre spacing unit, and such other relief as is appropriate.

Case No. 18278: Application of XTO Energy Inc. for an order amending the field rules for the Lost Bridge-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. 18279: Proper spacing for the development of the Last Chance-Bakken Pool, McKenzie and Williams Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.

Case No. 18280: Application of Continental Resources, Inc. for an order amending the field rules for the Sauk-Bakken Pool and Northwest McGregor-Bakken Pool to create an overlapping 2560-acre spacing unit comprised of all of Sections 6, 7, 18 and 19, T.159N., R.95W., Williams County, ND, authorizing the drilling of multiple wells from said well pad within said overlapping 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18281: Application of Continental Resources, Inc. for an order amending the field rules for the Hebron and/or Squires-Bakken Pools to create and establish two overlapping 1920-acre spacing units comprised of all of irregular governmental Sections 10, 15, 22, 27, W/2 W/2 of Section 11, W/2 W/2 of Section 14, W/2 W/2 of Section 23, and W/2 W/2 of Section 26; and E/2 W/2 of Section 11, E/2 W/2 of Section 14, E/2 W/2 of Section 23, E/2 W/2 of Section 26, E/2 of Section 11, E/2 of Section 14, E/2 of Section 23, and E/2 of Section 26, T.155N., R.104W.; authorizing the drilling of a total of not more than six wells on said overlapping 1920-acre spacing units; an overlapping 1920-acre spacing unit comprised of the E/2 of Section 18, E/2 of Section 19, E/2 of Section 30, W/2 of Section 17, W/2 of Section 20, and W/2 of Section 29, T.155N., R.103W., authorizing the drilling of a horizontal well in said overlapping 1920-acre spacing unit; an overlapping 3840-acre spacing unit comprised of all of irregular governmental Sections 10, 11, 14, 15, 22, 23, 26 and 27, T.155N., R.104W.; authorizing the drilling of a total of not more than four wells on said 3840-acre spacing unit; two overlapping 2560-acre spacing units comprised of the E/2 of Section 11, E/2 of Section 14, E/2 of Section 23, E/2 of Section 26, W/2 of Section 12, W/2 of Section 13, W/2 of Section 24, and W/2 of Section 25, T.155N., R.104W.; the E/2 of Section 12, E/2 of Section 13, E/2 of Section 24, E/2 of Section 25, T.155N., R.104W., W/2 of Section 7, W/2 of Section 18, W/2 of Section 19, and W/2 of Section 30, T.155N., R.103W., authorizing the drilling of a total of not more than two wells on said overlapping 2560-acre spacing units; an overlapping 2560-acre spacing unit comprised of all of Sections 12, 13, 24 and 25, T.155N., R.104W.; authorizing the drilling of a total of not more than seven wells on said overlapping 2560-acre spacing unit; two overlapping 2560-acre spacing units comprised of all of Sections 7, 18, 19 and 30 and all of Sections 17, 20, 29 and 32, T.155N., R.103W., authorizing the drilling of a total of not more than six wells on said overlapping 2560-acre spacing units; and an overlapping 2240-acre spacing unit comprised of all of irregular governmental Sections 34, 35 and 36, T.155N., R.104W., and all of Section 31, T.155N., R.103W., authorizing the drilling of a total of not more than six wells on said overlapping 2240-acre spacing unit Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18282: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Corinth-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 29 and 32, T.159N., R.97W., Williams County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate.

Case No. 18283: Application of Continental Resources, Inc. for an order amending the field rules for the Cabernet-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. 15224: (Continued) Application of Continental Resources, Inc. for an order suspending and, after hearing, revoking the permit issued to Hess Corp. to drill the 2VX #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. 17557: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Antelope-Sanish Pool to create and establish a 1280-acre spacing unit comprised of Sections 20 and 21, T.152N., R.94W., McKenzie County, ND, authorizing the drilling of one horizontal well on said 1280-acre spacing unit and such other relief as is appropriate.

Case No. 17566: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Hebron-Bakken Pool to create an overlapping 1280-acre spacing unit comprised of the following irregular governmental sections: 10, 15, 22 and 27, T.155N., R.104W.; two overlapping 2560-acre spacing units comprised of Sections 11, 14, 23 and 26; and Sections 12, 13, 24 and 25, T.155N., R.104W.; and an overlapping 2240-acre spacing unit comprised of the following irregular governmental sections: 34, 35 and 36, T.155N., R.104W., and Section 31, T.155N., R.103W., Williams County, ND, authorizing the drilling of multiple horizontal wells in each spacing unit from well pads within each overlapping 1280, 2560 and 2240-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18101: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Rattlesnake Point-Bakken Pool to create an overlapping 2560-acre spacing unit comprised of Section 31, T.147N., R.96W. and Sections 6, 7 and 18, T.146N., R.96W., Dunn County, ND, authorizing the drilling of multiple horizontal wells from said well pad within said overlapping 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18102: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Jim Creek-Bakken Pool to create two overlapping 2560-acre spacing units comprised of Sections 12, 13, 24 and 25, T.146N., R.96W.; and Sections 7, 18, 19 and 30, T.145N., R.96W., Dunn County, ND, authorizing the drilling of multiple wells from each well pad within each overlapping 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18284: Application of WPX Energy Williston, LLC for an order amending the field rules for the Reunion Bay-Bakken Pool to create and establish a 320-acre spacing unit comprised of the S/2 of Section 28, T.150N., R.93W., Dunn County, ND, authorizing the drilling of one horizontal well on said 320-acre spacing unit and such other relief as is appropriate.

Case No. 18285: Application of WPX Energy Williston, LLC for an order amending the field rules for the Van Hook-Bakken Pool, Mountrail and Dunn 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. 18286: Application of WPX Energy Williston, LLC for an order amending the field rules for the Moccasin 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. 18287: Application of GMX Resources Inc. for an order amending the field rules for the Tree Top-Bakken Pool, Billings County, ND, to alter the definition of the stratigraphic limits of the pool and such other relief as is appropriate.

Case No. 18288: Application of GMX Resources Inc. for an order extending the field boundaries and amending the field rules for the Bennett Creek-Bakken Pool to create and establish a 1840-acre spacing unit comprised of the W/2, W/2 NE/4 and SE/4 of Section 22 and all of Sections 27 and 34, T.147N., R.99W., McKenzie County, ND, authorizing the drilling of a total of not more than four wells on said 1840-acre spacing unit, to alter the definition of the stratigraphic limits of the pool, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 18289: Application of Newfield Production Co. for an order authorizing the recompletion of the Arkadios #1-18H well in to the Tyler Formation at a location approximately 250 feet from the south line and 1320 feet from the east line of Section 18, T.148N., R.97W., Dunn County, ND, as an exception to the provisions of NDAC § 43-02-03-18 and such other relief as is appropriate.

Case No. 18290: Application of Newfield Production Co. for an order amending the field rules for the Pembroke-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. 18291: Application of Samson Resources Co. for an order amending the field rules for the Blooming Prairie-Bakken Pool to create and establish two overlapping 2560-acre spacing units comprised of Sections 1, 12, 13 and 24; and Sections 2, 11, 14 and 23, T.162N., R.98W., Divide County, ND, authorizing the drilling of a total of not more than 14 wells on each overlapping 2560-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18292: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool to create and establish five overlapping 2560-acre spacing units comprised of Sections 13, 24, 25 and 36; Sections 14, 23, 26 and 35; and Sections 15, 22, 27 and 34, T.163N., R.99W.; Sections 18, 19, 30 and 31, T.163N., R.98W.; and Sections 6, 7, 18 and 19, T.162N., R.98W., Divide County, ND, authorizing the drilling of a total of not more than 14 wells on each overlapping 2560-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18293: Application of Samson Resources Co. for an order amending the field rules for the Black Slough-Bakken Pool, Burke 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. 18294: Application of Strike Oil, Inc. for an order extending the field boundaries and amending the field rules for the Elmore-Madison Pool or South Antler Creek-Madison Pool to create a 480-acre spacing unit comprised of the N/2 and SE/4 of Section 36, T.164N., R.84W., Renville County, ND, authorizing the drilling of a multi-lateral horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate.

Case No. 18295: Application of Strike Oil, Inc. for an order extending the field boundaries and amending the field rules for the Wheaton-Madison Pool to create a 320-acre spacing unit comprised of the SE/4 of Section 34 and SW/4 of Section 35, T.164N., R.83W., Bottineau County, ND, authorizing the drilling of a multi-lateral horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate.

Case No. 18296: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of the Magnum #2-36-25H well with a beginning lateral location in the Baker-Bakken Pool approximately 647 feet from the south line and 452 feet from the east line of Section 36, T.153N., R.101W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-18 and such other relief as is appropriate.

Case No. 18297: Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Trailside-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. 17549: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Slawson Exploration Co., Inc., #1-36-25H Condor, SWSE Section 36, T.149N., R.103W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary



Case No. 17856: (Continued) Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Poker Jim-Bakken Pool to create and establish a 640-acre spacing unit comprised of Section 18, T.146N., R.103W., McKenzie County, ND, authorizing the drilling of one horizontal well on said 640-acre spacing unit and such other relief as is appropriate.

Case No. 18109: (Continued) Application of Resource Drilling, LLC for an order amending the field rules for the Ross-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 32 and 33, T.156N., R.90W., Mountrail County, ND, authorizing the drilling of a total of not more than eight wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18110: (Continued) Application of Resource Drilling, LLC for an order amending the field rules for the Stanley-Bakken Pool to create and establish a 320-acre spacing unit comprised of the W/2 of Section 9, T.155N., R.90W., Mountrail County, ND, authorizing the drilling of a total of not more than two wells on said 320-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17848: (Continued) A motion of the Commission to determine the volume and value of the gas flared in violation of NDCC § 38-08-06.4 from the Baytex Energy USA Ltd. #3-161-98H Hall, SESE, Section 3, T.161N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, or for such relief as is appropriate.

Case No. 17849: (Continued) A motion of the Commission to determine the volume and value of the gas flared in violation of NDCC § 38-08-06.4 from the Baytex Energy USA Ltd. #4-161-98H Lindsey, SESE, Section 4, T.161N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, or for such relief as is appropriate.

Case No. 18298: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Rosebud-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. 18299: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Ragged Butte-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. 18300: Application of Brigham Oil & Gas, L.P. for an order amending the field rules for the Bull Butte-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. 18301: Application of Enerplus Resources (U.S.A.) Inc. for an order amending the field rules for the Four Bears-Bakken Pool, McKenzie and Mountrail 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. 18302: Application of Enerplus Resources (U.S.A.) Inc. for an order amending the field rules for the Mondak-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. 18303: Application of Enerplus Resources (U.S.A.) Inc. for an order amending the field rules for the McGregor Buttes-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. 18304: Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Heart River-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. 18305: Application of Liberty Resources LLC for an order amending the field rules for the Tyrone-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. 18306: Application for an order amending the field rules for the Todd-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. Brigham Oil & Gas, L.P., Continental Resources, Inc., Zenergy, Inc.

Case No. 18307: Application for an order amending the field rules for the Kittleson Slough-Bakken Pool, Burke and Mountrail 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. Brigham Oil & Gas, L.P., EOG Resources, Inc., Slawson Exploration Co., Inc.

Case No. 18308: Application for an order amending the field rules for the Alkali Creek-Bakken Pool, Mountrail, McKenzie and Williams 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. Continental Resources, Inc., XTO Energy Inc.

Case No. 18309: Application for an order amending the field rules for the Little Muddy-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. Crescent Point Energy U.S. Corp., G3 Operating, LLC.

Case No. 18310: Application for an order amending the field rules for the Mandaree-Bakken Pool, McKenzie and Dunn 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. Enerplus Resources (U.S.A.) Inc., WPX Energy Williston, LLC

Case No. 18311: Application for an order amending the field rules for the Heart Butte-Bakken Pool, Mountrail, McLean and Dunn 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. Enerplus Resources (U.S.A.) Inc., WPX Energy Williston, LLC

Case No. 18312: Application for an order amending the field rules for the Clear Water-Bakken Pool, Burke and Mountrail 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. EOG Resources, Inc.; Hunt Oil Co.; Resource Drilling, LLC

Case No. 18313: Application for an order amending the field rules for the Spotted Horn-Bakken Pool, McKenzie and Mountrail 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. EOG Resources, Inc.; Enerplus Resources (U.S.A.) Inc.; WPX Energy Williston, LLC

Case No. 18314: Application of Woodside Processing Facility for an order pursuant to NDAC § 43-02-03-51 authorizing the construction of a treating plant to be located in the E/2 NW/4 of Section 19, T.155N., R.96W., Williams County, ND and such other relief as is appropriate.

Case No. 17372: (Continued) Application of Continental Resources, Inc. for an order suspending, and after hearing, revoking the permit issued to Liberty Resources, LLC to drill the Jackman #156-100-11-2-1H well (NDIC File No. 20736), with a surface location in the SESE of Section 11, T.156N., R.100W., Williams County, ND, for the spacing unit consisting of Sections 2 and 11, T.156N., R.100W., Williams County, ND and for such other relief as is appropriate.

Case No. 17830: (Continued) Application of QEP Energy Co. for an order amending the field rules for the Heart Butte-Bakken Pool by (1) modifying the 640-acre spacing units described as the E/2 and W/2 of Sections 6 and 7 of T.147N., R.92W., to one 1280-acre spacing unit designated as Sections 6 and 7, T.147N., R.92W., allowing up to two horizontal wells to be drilled within the spacing unit, (2) modifying the 1280-acre spacing unit described as Sections 30 and 31, T.148N., R.92W., from allowing up to seven wells to be drilled to allowing up to two horizontal wells to be drilled within the spacing unit, and (3) creating one overlapping 2560-acre spacing unit in the Bakken Pool described as Sections 30 and 31, T.148N., R.92W., and Sections 6 and 7, T.147N., R.92W., Dunn County, ND, allowing up to twelve horizontal wells to be drilled within the spacing unit; all wells to be at any location not closer than 500 feet to the boundary of the spacing unit except that the toe and heel of any horizontal well should be allowed to be as close as 200 feet to the boundary of the spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 17588: (Continued) Application of GADECO, LLC for an order allowing the Golden #25-13H well to be completed in and produce at a location approximately 190 feet from the south line of Section 24, T.155N., R.99W., Williams County, ND, as an exception to the applicable field set back rules, or for such other relief as is appropriate.

Case No. 18315: Application of Fidelity Exploration & Production Co. 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 14, 15, 22 and 23, T.155N., R.91W., Mountrail County, ND, Stanley-Bakken Pool, 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. 18316: Application of Fidelity Exploration & Production Co. 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 15, 16, 21 and 22, T.155N., R.91W., Mountrail County, ND, Stanley-Bakken Pool, 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. 18317: Application of Fidelity Exploration & Production Co. 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 27, 28, 33 and 34, T.155N., R.91W., Mountrail County, ND, Stanley-Bakken Pool, 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. 18318: 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 13 and 24, T.140N., R.97W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18319: 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.140N., R.97W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18320: 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 6 and 7, T.140N., R.96W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18321: In the matter of the petition for a risk penalty of Fidelity Exploration & 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 Kuchynski #12-1H well located in a spacing unit described as Sections 1 and 12, T.140N., R.97W., Stark County, ND, Dutch Henry Butte-Bakken Pool, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 18322: In the matter of the petition for a risk penalty of Fidelity Exploration & 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 Hansen #18-19H well located in a spacing unit described as Sections 18 and 19, T.155N., R.91W., Stanley-Bakken Pool, Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 18323: Application of Fidelity Exploration & Production Co. for an order, authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 5 and 8, T.139N., R.97W., Heart River-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18324: Application of Fidelity Exploration & Production Co. for an order authorizing the drilling, completing and producing of a total of four wells on each existing 1280-acre spacing unit described as Sections 14 and 23; and Sections 15 and 22, T.140N., R.98W., New Hradec-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18325: Application of Fidelity Exploration & Production Co. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 19 and 20, T.140N., R.97W., Dutch Henry Butte-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18148: (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Wock #14-11H well located in the SWSW of Section 11, T.140N., R.97W., Stark County, ND, Dutch Henry Butte-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

**Case No. 18149:** (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Oukrop #34-34H well located in the SWSE of Section 34, T.139N., R.97W., Stark County, ND, Heart River-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

**Case No. 18150:** (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Kostecky #31-6H well located in Lot 2 of Section 6, T.139N., R.97W., Stark County, ND, Heart River-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

**Case No. 18326:** 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 Seven #1-4-9H well located in a spacing unit described as Sections 4 and 9, T.157N., R.103W., Williams County, ND, Strandahl-Bakken Pool, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

**Case No. 18327:** Application of Corinthian Exploration (USA) Corp. 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 26 and the W/2 of Section 25, T.164N., R.77W., Bottineau County, ND, North Souris-Spearfish Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18328:** Application of Corinthian Exploration (USA) Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the SE/4 of Section 35, T.164N., R.77W., Bottineau County, ND, North Souris-Spearfish Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18329:** Application of Corinthian Exploration (USA) Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the NE/4 of Section 2, T.163N., R.77W., Bottineau County, ND, North Souris-Spearfish Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18330:** Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 4 and 9, Township 161 North, Range 96 West, Divide County, North Dakota, Upland-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18331:** 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, Township 161 North, Range 96 West, Divide County, North Dakota, Upland-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18332:** 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, Township 161 North, Range 96 West, Divide County, North Dakota, Upland-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18333:** 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 1, 12, 13 and 24, Township 159 North, Range 96 West, Williams County, North Dakota, Northwest McGregor-Bakken Pool, 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. 18334:** 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 15, 22, 27 and 34, Township 159 North, Range 95 West, Williams County, North Dakota, Lindahl-Bakken Pool, 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. 18335:** 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 28 and 33, T.156N., R.99W., Williams County, ND, East Fork-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18336:** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total of seven wells on an existing 1280-acre spacing unit described as Sections 14 and 23, T.155N., R.99W., Epping-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18337:** 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 Gerhardsen #1-10H well located in a spacing unit described as Sections 3 and 10, T.160N., R.97W., Divide County, ND, Wildrose-Bakken Pool, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

**Case No. 17220:** (Continued) 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 Lakewood #1-20H well located in a spacing unit described as Sections 17 and 20, T.161N., R.96W., Upland-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

**Case No. 18338:** 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 25 and 36, T.148N., R.96W., Dunn County, ND, Bear Creek-Bakken Pools, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18339:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on an existing 1280-acre spacing unit described as Sections 29 and 32, T.148N., R.95W., Corral Creek-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18340:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on an existing 1280-acre spacing unit described as Sections 19 and 20, T.150N., R.95W., Blue Buttes-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18341:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on an existing 1280-acre spacing unit described as Sections 16 and 21, T.153N., R.99W., Crazy Man Creek-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18342:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit described as Sections 4 and 9; and Sections 16 and 21, T.155N., R.96W., Beaver Lodge-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18343:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit described as Sections 5 and 8; Sections 17 and 20; Sections 18 and 19, T.155N., R.96W.; Sections 2 and 11; Sections 13 and 24; Sections 14 and 23, T.155N., R.97W.; Sections 5 and 8; and Sections 28 and 33, T.156N., R.96W., Dollar Joe-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18344:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit described as Section 36, T.155N., R.95W. and Section 1, T.154N., R.95W.; Sections 30 and 31, T.155N., R.94W.; Sections 2 and 11; and Sections 12 and 13, T.154N., R.95W.; and Sections 17 and 18, T.154N., R.94W., Alkali Creek-Bakken Pool, Williams and Mountrail Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18345:** Application of XTO Energy Inc. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit described as Section 36, T.155N., R.96W. and Section 1, T.154N., R.96W.; Sections 9 and 10; Sections 11 and 14; Sections 12 and 13; Sections 15 and 16; Sections 22 and 23; Sections 23 and 26; Sections 24 and 25; Sections 33 and 34, T.155N., R.95W.; and Sections 2 and 11, T.154N., R.96W., Capa-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18346:** 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 3, 4, and 10, T.151N., R.90W., Mountrail County, ND, Parshall-Bakken Pool, 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. 18347:** Application of EOG Resources, Inc. for an order authorizing a total of three wells on each existing 1280-acre spacing unit described as Sections 9 and 10; Sections 15 and 16; and Sections 16 and 17, T.149N., R.94W., Squaw Creek-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18348:** Application of EOG Resources, 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 NWSW of Section 9, T.156N., R.92W., Alger Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

**Case No. 18349:** Application of GMX Resources Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2, W/2 NE/4 and SE/4 of Section 22 and all of Sections 27 and 34, T.147N., R.99W., McKenzie County, ND, Bennett Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18350:** Application of GMX Resources Inc. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 2 and 11, T.142N., R.100W., Tree Top-Bakken Pool, Billings County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18351:** Application of Samson Resources Co. 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 13, 24, 25 and 36, T.163N., R.99W., Divide County, ND, Ambrose-Bakken Pool, 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. 18352:** Application of Samson Resources Co. 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 14, 23, 26 and 35, T.163N., R.99W., Divide County, ND, Ambrose-Bakken Pool, 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. 18353:** Application of Samson Resources Co. 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 15, 22, 27 and 34, T.163N., R.99W., Divide County, ND, Ambrose-Bakken Pool, 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. 18354:** Application of Samson Resources Co. 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 18, 19, 30 and 31, T.163N., R.98W., Divide County, ND, Ambrose-Bakken Pool, 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. 18355:** 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 6, 7, 18 and 19, T.162N., R.98W., Divide County, ND, Ambrose-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18356:** Application of Samson Resources Co. 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 1, 12, 13 and 24, T.162N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, 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. 18357:** Application of Samson Resources Co. 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 2, 11, 14 and 23, T.162N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, 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. 18358:** Application of Samson Resources Co. for an order authorizing the drilling, completing and producing of a total of seven wells on each existing 1280-acre spacing unit described as Sections 13 and 24; and Sections 14 and 23, T.162N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18359:** Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 13, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18360:** Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 14, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 18361:** Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 15, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18362: Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 22, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18363: Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 23, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18364: Application of Zavanna, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 24, T.154N., R.99W., Williams County, ND, Stockyard Creek-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18365: 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 26 and 35, T.150N., R.102W., McKenzie County, ND, Foreman Butte-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18366: 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 28 and 33, T.150N., R.102W., McKenzie County, ND, Foreman Butte-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18367: 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 6 and 7, T.149N., R.101W., McKenzie County, ND, Foreman Butte-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18368: Application of Abraxas Petroleum Corp. 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.150N., R.96W., McKenzie County, ND, Pershing-Bakken Pool, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 18369: Application of Abraxas Petroleum Corp. for an order authorizing the drilling, completing and producing of a total of eight wells on an existing 1280-acre spacing unit described as Sections 17 and 20, T.150N., R.96W., Pershing-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18370: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Enns 28-21 #1-H well located in the SESE of Section 28, T.158N., R.91W., Mountrail County, ND, Kittleson Slough-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 18371: Application of Brigham Oil & Gas, L.P. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Art 6-7 #1-H well located in Lot 2 of Section 6, T.152N., R.103W., Williams County, ND, Sugar Beet-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 18372: Application of Brigham Oil & Gas, L.P. 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 35, T.151N., R.101W., Alexander Field, McKenzie County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 18373: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Glass Bluff-Bakken Pool, Williams and McKenzie Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18374: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Last Chance-Bakken Pool, Williams and McKenzie Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18375: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Catwalk-Bakken Pool, Williams and McKenzie Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18376: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Rosebud-Bakken Pool, McKenzie and Williams Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18377: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Squires-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18378: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit within the Bull Butte-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18379: In the matter of the petition for a risk penalty of Hunt Oil 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 Halliday 1-25-36H #1 well located in a spacing unit described as Sections 25 and 36, T.146N., R.93W., Werner-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 18380: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of a total of seven wells on an existing 1280-acre spacing unit described as Sections 16 and 21, T.150N., R.99W., South Tobacco Garden-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 17036: (Continued) 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. 18381: Application of Sinclair Oil & Gas Co. for an order authorizing the drilling, completing and producing of a total of three wells on an existing 1280-acre spacing unit described as Sections 27 and 34, T.154N., R.93W., Robinson Lake-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 18382: 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 NWSW of Section 2, T.154N., R.91W., Sanish Field, Mountrail County, ND, in the Dakota Formation pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 18383: Application of American Eagle Energy Corp. for an order authorizing up to four wells to be drilled on each existing 800-acre standup spacing unit described as Sections 26 and 35; Sections 27 and 34; and Sections 28 and 33, T.164N., R.101W., Divide County, ND, in the Colgan-Bakken Pool, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 18384: Application of Wisco for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Wisco #1 well, NENW Section 26, T.154N., R.104W., Round Prairie Field, Williams County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 18385: Application of Buckhorn Energy Services for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Zimmerman SWD #1 well, SENE Section 9, T.152N., R.104W., Buford Field, Williams County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 18386: Application of Maverick Brothers Operating, Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the David #1-12 SWD well, SESE Section 12, T.156N., R.95W., Pleasant Valley Field, Williams County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 17883: (Continued) Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Geralyn Marie 34-163-99H #1DQ well located in the NWNW of Section 34, T.163N., 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. 17884: (Continued) Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Lystad 23-162-99 #1QD well located in the SESE of Section 23, 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. 17885: (Continued) Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Sinclair #24-162-99H well located in the NWNW of Section 24, 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. 17886: (Continued) Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Colby 23-14-160-99H #1PB well located in the SWSE of Section 23, T.160N., R.99W., Divide County, ND, Burg-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
716 - 608293



**Affidavit of Publication**  
**The Dickinson Press**  
Dickinson, North Dakota



STATE OF NORTH DAKOTA )  
County of Stark ) ss

Sonya Sacks being first duly sworn, on my oath,  
say that I am the bookkeeper of The Dickinson Press, a daily  
newspaper of general circulation, printed and published at Dickinson,  
in said county and state, and the advertisement headed:

July 26 Hearing

a printed copy of which is hereunto annexed, was printed and published  
in The Dickinson Press, and in the regular and entire issue of each  
and every number for 1 consecutive weeks, commencing on the  
5 day of July A.D. 2012 and ending on the  
5 day of July A.D. 2012, both inclusive.

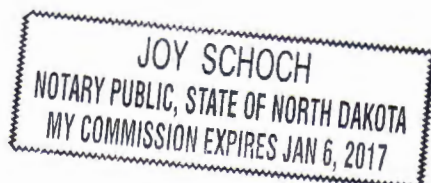
Straight Matter Lines	<u>129</u>	<u>                    </u> , 2012
First Time Line Rates	<u>0.73</u>	<u>                    </u> 5-Jul, 2012
Subsequent Line Rates	<u>0.73</u>	<u>                    </u> , 2012
Column Inches	<u>                    </u>	<u>                    </u> , 2012
First Time Inch Rate	<u>\$8.00</u>	<u>                    </u> , 2012
Subsequent Inch Rate	<u>\$8.00</u>	<u>                    </u> , 2012
Total Cost of Legal	\$ <u>94.17</u>	

Subscribed and sworn to before me this 18th day of  
July A.D. 2012

(Seal)

Notary Public, State Of North Dakota

My Commission Expires                     



**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, July 26, 2012, at the N.D. Oil & Gas Division, 1000 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, July 13, 2012.

**STATE OF NORTH DAKOTA TO:**

**Case No. 18304:** Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Heart River-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. 18318:** 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 13 and 24, T.140N., R.97W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC 43-08-08 and such other relief as is appropriate.

**Case No. 18319:** 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.140N., R.97W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC 43-08-08 and such other relief as is appropriate.

**Case No. 18320:** 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 6 and 7, T.140N., R.96W., Stark County, ND, Dickinson-Bakken Pool, as provided by NDCC 43-08-08 and such other relief as is appropriate.

**Case No. 18321:** In the matter of the petition for a risk penalty of Fidelity Exploration & Production Co. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC 43-08-08 in the drilling and completing of the Kuchynski #12-1H well located in a spacing unit described as Sections 1 and 12, T.140N., R.97W., Stark County, ND, Dutch Henry Butte-Bakken Pool, pursuant to NDAC 43-02-03-88.1, and such other relief as is appropriate.

**Case No. 18323:** Application of Fidelity Exploration & Production Co. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 5 and 8, T.139N., R.97W., Heart River-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18324:** Application of Fidelity Exploration & Production Co. for an order authorizing the drilling, completing and producing of a total of four wells on each existing 1280-acre spacing unit described as Sections 14 and 23; and Sections 15 and 22, T.140N., R.98W., New Hradec-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18325:** Application of Fidelity Exploration & Production Co. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 19 and 20, T.140N., R.97W., Dutch Henry Butte-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 18148:** (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC 43-02-03-88.1 authorizing the flaring of gas from the Wock #14-11H well located in the SWS of Section 11, T.140N., R.97W., Stark County, ND, Dutch Henry Butte-Bakken Pool, pursuant to the provisions of NDCC 43-08-06.4 and such other relief as is appropriate.

**Case No. 18149:** (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC 43-02-03-88.1 authorizing the flaring of gas from the Oukrop #34-34H well located in the SWSE of Section 34, T.139N., R.97W., Stark County, ND, Heart River-Bakken Pool, pursuant to the provisions of NDCC 43-08-06.4 and such other relief as is appropriate.

**Case No. 18150:** (Continued) Application of Fidelity Exploration & Production Co. for an order pursuant to NDAC 43-02-03-88.1 authorizing the flaring of gas from the Kostelecky #31-6H well located in Lot 2 of Section 6, T.139N., R.97W., Stark County, ND, Heart River-Bakken Pool, pursuant to the provisions of NDCC 43-08-06.4 and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
(Published July 5, 2012)