

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 19857  
ORDER NO. 22164

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE APPLICATION OF MUREX  
PETROLEUM CORP. 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.161N.,  
R.101W., DIVIDE COUNTY, ND, AS PROVIDED  
BY NDCC § 38-08-08, AND SUCH OTHER  
RELIEF AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 27th day of March, 2013.
- (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) Murex Petroleum Corporation applied for an order pooling all interests in a spacing unit described as Sections 3 and 10, Township 161 North, Range 101 West, Divide County, North Dakota, as provided by NDCC Section 38-08-08, and such other relief as is appropriate.
- (4) Such land was established as a spacing unit in the Writing Rock-Bakken Pool by Commission Order No. 22101. The terms and conditions contained in Commission pooling orders are not affected by the field in which the spacing unit lies, therefore, to protect correlative rights, the Commission concludes the 1280-acre spacing unit for the Writing Rock-Bakken Pool should be pooled.
- (5) 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.
- (6) The Commission makes no findings with regard to the specific acreage or percentage attributed to separately owned tracts or interests.
- (7) Counsel for applicant requests an order of the Commission pooling all interests in the spacing unit.
- (8) There were no objections to this application.

(9) 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.

(10) 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 3 and 10, Township 161 North, Range 101 West, Writing Rock-Bakken Pool, Divide County, North Dakota, are hereby pooled for the development and operation of the spacing unit.

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

(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 14th day of June, 2013.

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

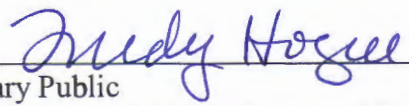
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 28th day of June, 2013 enclosed in separate envelopes true and correct copies of the attached Order No. 22164 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 19857:

JOHN MORRISON  
CROWLEY FLECK PLLP  
PO BOX 2798  
BISMARCK ND 58502



Belinda Dickson  
Oil & Gas Division

On this 28th day of June, 2013 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

## Kadrmass, Bethany R.

---

**From:** Lisa Herberholz <lherberholz@crowleyfleck.com>  
**Sent:** Thursday, March 21, 2013 11:25 AM  
**To:** Hicks, Bruce E.  
**Cc:** Kadrmass, Bethany R.; C. Dave Elder; John W. Morrison  
**Subject:** Pooling Affidavits  
**Attachments:** Murex Filing Ltr - Elder Pooling Affs 19844-19865.pdf; Murex - Elder Pooling Affs 19844-19865.pdf

Attached please find pooling affidavits in Case Nos. 19844-19865. Thank you.

Lisa

CROWLEY | FLECK PLLP  
ATTORNEYS

*Lisa Herberholz*

Administrative Assistant  
Crowley Fleck PLLP  
400 East Broadway Avenue, Suite 600  
P.O. Box 2798  
Bismarck, ND 58502  
Direct 701.224.7538  
Fax 701.222.4853  
✉ [lherberholz@crowleyfleck.com](mailto:lherberholz@crowleyfleck.com)

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John W. Morrison  
400 East Broadway, Suite 600  
P.O. Box 2798  
Bismarck, ND 58502-2798  
Office: 701.223.6585  
Direct: 701.224.7534  
jmorrisson@crowleyfleck.com

March 21, 2013

***Via Electronic Mail***

Mr. Bruce Hicks  
Oil & Gas Division  
ND INDUSTRIAL COMMISSION  
600 E. Blvd. Ave., Dept. 405  
Bismarck, ND 58505-0840

**In re: Murex Petroleum Corp.  
Case Nos. 19844-19865**

Dear Mr. Hicks:

Pursuant to Section 43-02-03-88.1 of the North Dakota Administrative Code, please find enclosed affidavits of Dave Elder in the captioned matters.

If you have any questions, please let me know. Thank you.

Sincerely,



John W. Morrison

lh  
enc.

cc (via e-mail w/enc.): Dave Elder  
Bethany Kadrmas

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

Application of Murex Petroleum Corp. 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.161N., )  
R.101W., Divide County, ND, as provided )  
by NDCC § 38-08-08, and such other relief )  
as is appropriate. )

Case No. 19857

**AFFIDAVIT OF DAVE ELDER**

STATE OF TEXAS )  
 )SS.  
COUNTY OF HARRIS )

Dave Elder, being duly sworn, states as follows:

1. I am a landman employed by Murex Petroleum Corporation with responsibilities in the State of North Dakota and I have personal knowledge of the matters set forth in this affidavit.

2. Murex Petroleum Corp. has requested that temporary spacing be established for the Lori Ann 4-9H well and in that matter intends to request that Sections 3 and 10, T.161N., R.101W., Divide County, ND, be designated as a spacing unit. There are separately owned tracts and separately owned interests within tracts in the spacing unit.

3. There is no voluntary pooling agreement or declaration of pooling which covers all interests within the spacing unit for the above-described well.

Dated this 20th day of March, 2013.

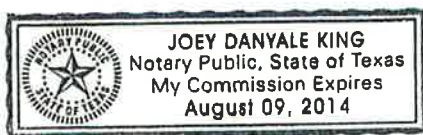
Dave Elder  
Dave Elder

STATE OF TEXAS )  
 )SS.  
COUNTY OF HARRIS )

Subscribed to and sworn before me this 20th day of March, 2013.

Joey D. King  
Notary Public  
State of North Dakota  
My Commission Expires: 8/9/2014

( S E A L )



BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA



Application of Murex Petroleum )  
Corporation 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.161N., R.101W., Divide County, ND, as )  
provided by NDCC § 38-08-08, and such )  
other relief as is appropriate. )

**APPLICATION**

COMES NOW the applicant, Murex Petroleum Corporation, and respectfully alleges as follows:

1. It is the owner of an interest in the oil and gas leasehold estate underlying all or portions of Sections 3 and 10, Township 161 North, Range 101 West, Divide County, North Dakota.

2. By separate application, applicant has requested that temporary spacing be established for the Lori Ann 4-9H well and in that matter applicant intends to request that said lands be designated as a spacing unit.

3. There are separately owned tracts and separately owned interests within tracts within the proposed spacing unit.

4. There is no voluntary pooling agreement covering all interests within the proposed spacing unit.

5. Applicant requests that it be allowed to present testimony by telephone pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code.

WHEREFORE, applicant respectfully requests that this matter be set for hearing at the regularly scheduled hearings in February, 2013 and that thereafter the Commission enter its order granting the relief requested.

Dated this 22<sup>nd</sup> day of February, 2013.

MUREX PETROLEUM CORPORATION



CROWLEY FLECK PLLP  
Attorneys for the Applicant  
Suite 600, 400 East Broadway  
P.O. Box 2798  
Bismarck, ND 58502

By:   
JOHN W. MORRISON

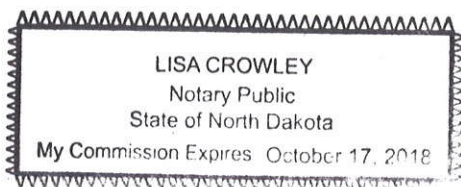
STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF BURLEIGH     )

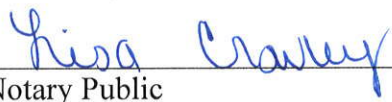
John W. Morrison, being first duly sworn on oath, deposes and says that he is the attorney for the applicant herein named, that he has read the above and foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge, information and belief.

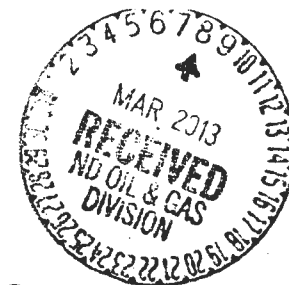
  
JOHN W. MORRISON

Subscribed and sworn to before me this 22<sup>nd</sup> day of February, 2013.

(SEAL)



  
Notary Public  
Burleigh County, North Dakota  
My Commission Expires: \_\_\_\_\_



# Affidavit of Publication

State of North Dakota, County of Divide, ss:  
I, Cecile L. Krimm, 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:

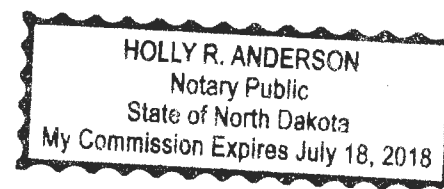
March 6, 2013 .....257 lines @ .63 = \$161.91

**TOTAL CHARGE** .....\$161.91

Signed Cecile L. Krimm  
Cecile L. Krimm, Publisher

Subscribed and sworn to before me March 6, 2013

Holly R. Anderson  
Notary Public, State of North Dakota



## 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, March 27, 2013, 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 Thursday, March 14, 2013.

STATE OF NORTH DAKOTA  
TO:

Case No. 19792: Application of SM Energy Co. for an amending the applicable orders for the Ambrose, West Ambrose, and Colgan-Bakken Pools (1) to allow up to eight horizontal wells to be drilled on some or all of the 1280-acre spacing units within said pools; (2) to establish twenty-two overlapping 2560-acre spacing units in one or more of said pools and allow one or more horizontal wells to be drilled thereon, said overlapping spacing units described as Sections 16, 17, 20 and 21; Sections 17, 18, 19 and 20; Sections 28, 29, 32 and 33; Sections 29, 30, 31 and 32; T.163N., R.99W.; Sections 18 and 19; T.163N., R.99W.; and Sections 13 and 24; T.163N., R.100W.; and Sections 30 and 31; T.163N., R.99W., and Sections 25 and 36; T.163N., R.100W.; Sections 1, 2, 11 and 12; Sections 2, 3, 10 and 11; Sections 3, 4, 9, and 10; Sections 4, 5, 8 and 9; Sections 5, 6, 7 and 8; Sections 13, 14, 23 and 24; Sections 14, 15, 22 and 23; Sections 15, 16, 21 and 22; Sections 16, 17, 20 and 21; Sections 17, 18, 19 and 20; Sections 25, 26, 35 and 36; Sections 26, 27, 34 and 35; Sections 27, 28, 33 and 34; T.163N., R.100W.; Sections 18 and 19; T.163N., R.100W., and Sections 13 and 24; T.163N., R.101W.; and Sections 13, 14, 23 and 24; and Sections 14, 15, 22 and 23; T.163N., R.101W.; Divide County, ND; and (3) granting such other relief as may be appropriate.

Case No. 19794: Application of Murex Petroleum Corp. to consider the temporary spacing to develop an oil and/or gas pool discovered by the Lori Ann #4-9H well located in Lot 2 of Section 4, T.161N., R.101W., Divide County, ND, define the limits of the field, and enact such special field rules as may be necessary.

Case No. 19823: Application of

Hess Corp. for an order pursuant to NDAC 43-02-03-88.1 authorizing the flaring of gas produced from the AV-Kimball-162-95-1102H-1 well, SWSE, Section 11, T.162N., R.95W., Divide County, ND, pursuant to the provisions of NDCC 38-08-06.4, and such other relief as is appropriate.

Case No. 19844: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19845: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is appropriate.

Case No. 19846: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is appropriate.

Case No. 19847: Application of Murex Petroleum Corp. 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.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19848: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19849: Application of Murex 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19850: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 18 and 19; T.162N., R.101W., Divide County,

ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19851: Application of Murex Petroleum Corp. 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.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19852: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19853: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 32; T.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19854: Application of Murex Petroleum Corp. 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.162N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19855: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12; T.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19856: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11; T.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19857: Application of Murex Petroleum Corp. 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.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19858: Application of Murex Petroleum Corp. 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.161N., R.101W., Divide County,

ND, as provided by NDCC 38-08-08, and such other relief as is appropriate.

Case No. 19859: Application of Murex Petroleum Corp. 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.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is appropriate.

Case No. 19860: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 24; T.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19861: Application of Murex Petroleum Corp. for an order pursuant to NDAC 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 14 and 23; T.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19862: Application of Murex Petroleum Corp. 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.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19863: Application of Murex 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.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19864: Application of Murex Petroleum Corp. 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.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Case No. 19865: Application of Murex Petroleum Corp. 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.161N., R.101W., Divide County, ND, as provided by NDCC 38-08-08, and such other relief as is

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial  
(3-6)

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#### Affidavit of Publication

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Before me, a Notary Public for the State of North Dakota  
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Bismarck Tribune on the following dates:  
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sworn and subscribed to before me this 15th  
day of March 20 13  
Notary Public in and for the State of North Dakota

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Notary Public  
State of North Dakota  
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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, March 27, 2013, 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 Thursday, March 14, 2013.

**STATE OF NORTH DAKOTA TO:**

Case No. 19790: Proper spacing for the development of the Willow Creek-Bakken Pool, McKenzie and Williams Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.; Oasis Petroleum North America LLC

Case No. 19791: Proper spacing for the development of the Baker-Bakken Pool, McKenzie and Williams Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Oasis Petroleum North America LLC; Slawson Exploration Co., Inc.; SM Energy Co.

Case No. 19792: Application of SM Energy Co. for an amending the applicable orders for the Ambrose, West Ambrose, and Colgan-Bakken Pools (1) to allow up to eight horizontal wells to be drilled on some or all of the 1280-acre spacing units within said pools; (2) to establish twenty-two overlapping 2560-acre spacing units in one or more of said pools and allow one or more horizontal wells to be drilled thereon, said overlapping spacing units described as Sections 16, 17, 20 and 21; Sections 17, 18, 19 and 20; Sections 28, 29, 32 and 33; Sections 29, 30, 31 and 32; T.163N., R.99W.; Sections 18 and 19; T.163N., R.99W., and Sections 13 and 24; T.163N., R.100W.; and Sections 30 and 31; T.163N., R.99W., and Sections 25 and 36; T.163N., R.100W.; Sections 1, 2, 11 and 12; Sections 2, 3, 10 and 11; Sections 3, 4, 9, and 10; Sections 4, 5, 8 and 9; Sections 5, 6, 7 and 8; Sections 13, 14, 23 and 24; Sections 14, 15, 22 and 23; Sections 15, 16, 21 and 22; Sections 16, 17, 20 and 21; Sections 17, 18, 19 and 20; Sections 25, 26, 35 and 36; Sections 26, 27, 34 and 35; Sections 27, 28, 33 and 34; T.163N., R.100W.; Sections 18 and 19; T.163N., R.100W., and Sections 13 and 24; T.163N., R.101W., and Sections 13, 14, 23 and 24; and Sections 14, 15, 22 and 23; T.163N., R.101W.; Divide County, ND; and (3) granting such other relief as may be appropriate.

Case No. 19793: Proper spacing for the development of the Rawson-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Murex Petroleum Corp.; Petro-Hunt, L.L.C.; Triangle USA Petroleum Corp.; Zenergy, Inc.

Case No. 19794: Application of Murex Petroleum Corp. to consider the temporary spacing to develop an oil and/or gas pool discovered by the Lori Ann #4-9H well located in Lot 2 of Section 4, T.161N., R.101W., Divide County, ND, define the limits of the field, and enact such special field rules as may be necessary.

Case No. 19583: (Continued) Application of Petro-Hunt, L.L.C. for an order amending the applicable orders for the Charlson-Bakken Pool and the Keene-Bakken/Three Forks Pool to establish one overlapping

2560-acre spacing unit consisting of Sections 20, 21, 28 and 29, T.153N., R.95W., McKenzie County, ND, and authorize one additional horizontal well to be drilled on such overlapping 2560-acre spacing unit and such other relief as is appropriate.

Case No. 19408: (Continued) Application of Petro-Hunt, L.L.C. for an order amending the applicable orders for the Phelps Bay-Bakken Pool, the Charlson-Bakken Pool and the Keene-Bakken/Three Forks Pool to establish three overlapping 2560-acre spacing units consisting of Sections 13, 14, 23 and 24; Sections 14, 15, 22 and 23; T.153N., R.95W.; and Sections 18 and 19; T.153N., R.95W. and 13 and 24, T.153N., R.96W., McKenzie County, ND, and authorize one additional horizontal well to be drilled on each such overlapping 2560-acre spacing unit and such other relief as is appropriate.

Case No. 19408: (Continued) Application of Petro-Hunt, L.L.C. for an order amending the applicable orders for the Charlson-Bakken Pool, McKenzie and Williams Counties, ND, to alter the definition of the stratigraphic limits of the pool and such other and such other relief as is appropriate.

Case No. 14935: (Continued) Application of Hess Corp. for an order suspending, and after hearing revoking, a permit issued to Continental Resources, Inc. for the drilling of the Foster #1-28H well on a drilling unit consisting of Sections 28 and 33, T.153N., R.99W., Williams and McKenzie Counties, ND; and such other relief as is appropriate.

Case No. 19795: Application of Hess Corp. for an order extending the outline and amending the applicable orders for the White Earth-Bakken Pool to include Section 11, T.157N., R.94W., within the field and to establish a 1280-acre spacing unit consisting of Sections 2 and 11, T.157N., R.94W., Mountrail County, ND, and authorize up to six horizontal wells to be drilled on such spacing unit, and such other relief as is appropriate.

Case No. 19796: Application of Hess Corp. for an order amending the applicable orders for the Manitou-Bakken and Big Butte-Bakken Pools to establish two overlapping 2560-acre spacing units consisting of Sections 15, 16, 21 and 22; and Sections 16, 17, 20 and 21, T.156N., R.94W., Mountrail County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19797: Application of Hess Corp. for an order amending the applicable orders for the Truxa-Bakken Pool to establish six overlapping 2560-acre spacing units consisting of Sections 3, 4, 9 and 10; Sections 5, 6, 7 and 8; Sections 17, 18, 19 and 20; and Sections 29, 30, 31 and 32, T.154N., R.98W., Williams County, ND and Sections 14, 15, 22 and 23, T.153N., R.98W., Williams and McKenzie Counties; and Sections 17, 18, 19 and 20, T.153N., R.98W., Williams County, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19798: Application of Hess Corp. for an order amending the applicable orders for the Westberg-Bakken Pool to establish an overlapping 2560-acre spacing unit consisting of Sections 17, 18, 19, and 20, T.152N., R.96W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19799: Application of Hess Corp. for an order amending the applicable orders for the Hawkeye-Bakken Pool to establish an overlapping 2560-acre spacing unit consisting of Sections 16, 17, 20, and 21, T.152N., R.95W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19800: Application of Hess Corp. for an order amending the applicable orders for the Hawkeye-Bakken Pool to establish two overlapping 2560-acre spacing units consisting of Sections 28, 29, 32 and 33; and Sections 27, 28, 33 and 34, T.152N., R.95W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19801: Application of Hess Corp. for an order amending the applicable orders for the Blue Butte-Bakken Pool to establish an overlapping 2560-acre spacing unit consisting of Sections 5 and 6, T.150N., R.95W., and Sections 31 and 32, T.151N., R.95W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19802: Application of Hess Corp. for an order amending the applicable orders for the Timber Creek-Bakken and South Tobacco Garden-Bakken Pools to establish an overlapping 2560-acre spacing unit consisting of Sections 30 and 31, T.150N., R.99W., and Sections 25 and 36, T.150N., R.100W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19803: Application of Hess Corp. for an order amending the applicable orders for the Cherry Creek-Bakken Pool or such other pool as may be established by the Commission to establish two overlapping 2560-acre spacing units consisting of Sections 1, 2, 11 and 12; and Sections 13, 14, 23 and 24, T.149N., R.99W., McKenzie County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19804: Application of Hess Corp. for an order amending the applicable orders for the Sather Lake-Bakken Pool, McKenzie County, ND, to allow all wells to produce oil at an unrestricted rate and flare gas produced in association therewith until December 31, 2013, or such other time as may be established by the Commission, and such other relief as is appropriate.

Case No. 19805: Application of OXY USA, Inc. for an order amending the applicable orders for the Snow-Bakken Pool to extend the field outline to include Sections 13 and 36, T.142N., R.98W., Billings County, ND; establishing 1280-acre spacing units consisting of Sections 13 and 24; and Sections 25 and 36; and allowing up to six horizontal wells to be drilled on each such spacing unit and such other relief as is appropriate.

Case No. 19806: Application of OXY USA, Inc., to amend the applicable orders for the Murphy Creek-Bakken Pool, Dunn County, ND, to amend the stratigraphic limits for the pool to include from 50 feet above the top of the upper Bakken shale to the top of the Birdbear Formation, and such other relief as is appropriate.

Case No. 19807: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Cabernet-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19808: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Crooked Creek-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19809: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Hungry Man Butte-Bakken Pool, Billings County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19810: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Little Knife-Bakken Pool, Billings, Dunn and McKenzie Counties, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19811: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Manning-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other

Case No. 19812: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Russian Creek-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19813: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Saddle Butte-Bakken Pool, Billings County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19814: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Simon Butte-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19815: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the St. Anthony-Bakken Pool, Dunn County, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19816: Application of OXY USA, Inc. for an order amending the applicable orders to allow wells completed in the Willmen-Bakken Pool, Billings and Dunn Counties, ND, to produce at a maximum efficient rate and flare gas produced in association with oil until December 31, 2013, and such other relief as is appropriate.

Case No. 19817: Application of Kodiak Oil & Gas (USA) Inc. for an order amending the applicable orders for the Poe-Bakken Pool to designate a 2560-acre spacing unit consisting of Sections 5 and 6, T.151N., R.99W., and Sections 31 and 32, T.152N., R.99W., McKenzie County, ND and authorize up to two horizontal wells to be drilled on such spacing unit, eliminating any tool error requirement; and such other relief as is appropriate.

Case No. 19818: Application of Kodiak Oil & Gas (USA) Inc. for an order amending the applicable orders for the Moccasin Creek-Bakken Pool to (i) authorize up to three wells to be drilled on the 320-acre spacing units consisting of the E/2 and W/2 of Section 34, T.148N., R.93W., and the W/2 of Section 2 and E/2 of Section 3, T.147N., R.93W.; (ii) establish two overlapping 640-acre spacing units consisting of all of Section 34, T.148N., R.93W., and the W/2 of Section 2 and E/2 of Section 3, T.147N., R.93W., for the purpose of drilling two or more horizontal wells between the existing 320-acre spacing units; (iii) authorize up to eight horizontal wells to be drilled on 1280-acre spacing units described as Sections 26 and 27; and Sections 28 and 33, T.148N., R.93W.; and Sections 2 and 11, T.147N., R.93W.; (iv) authorize up to six horizontal wells to be drilled on a 1280-acre spacing unit described as Sections 3 and 10, T.147N., R.93W., Dunn County, ND; and (v) granting such other and further relief as may be appropriate.

Case No. 19819: Application of Marathon Oil Co. for an order amending the applicable orders for the Bailey-Bakken Pool to establish two overlapping 2560-acre spacing units consisting of Sections 16, 17, 20, and 21; and Sections 17, 18, 19, and 20, T.146N., R.94W., Dunn County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.

Case No. 19820: Application of Marathon Oil Co. for an order amending the applicable orders for the Bailey-Bakken Pool to establish an overlapping 2560-acre spacing unit consisting of Sections 16, 17, 20, and 21, T.146N., R.93W., Dunn County, ND, for the purpose of drilling one or more horizontal wells between the existing 1280-acre spacing units; and such other relief as is appropriate.



No. 19871: Application of Kodiak Oil  
as (USA) Inc. for an order pursuant to  
AC § 43 02-03-88.1 pooling all interests  
spacing unit described as Sections 17  
20, T.159N., R.97W., Corinth-Bakken,  
Williams County, ND, as provided by  
C. 6 3A-08-08 and such other

Case No. 19872: Application of Petro-Hunt, LLC for an order amending the applicable orders for the Elm Tree-Bakken Pool, McKenzie and Mountrail Counties, ND, to authorize up to seven horizontal wells to be drilled on each 1280-acre spacing unit within the pool, and such other relief as is appropriate.

Case No. 19873: Application of Petro-Hunt, LLC for an order amending the applicable orders for the Charlson-Bakken Pool, McKenzie, Mountrail and Williams Counties, ND, to authorize up to seven horizontal wells to be drilled on each 640-acre and 1280-acre spacing unit within the pool, and such other relief as is appropriate.

Case No. 19874: Application of Petro-Hunt, LLC 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.153N., R.95W., and Sections 6 and 7, T.153N., R.94W., Charlson-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 19875: Application of Petro-Hunt, LLC for an order pursuant to NDAC § 43 02-03-88.1 pooling all interests in a spacing unit described as Section 18, T.153N., R.95W., Charlson-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 19876: Application of Whiting Oil and Gas Corp., for an order amending the applicable orders for the Sanish-Bakken Pool, to authorize the drilling of up to 10 horizontal wells on a spacing unit described as Sections 1 and 2, T.153N., R.93W., Mountrail County, ND, and such other relief as is appropriate.

Case No. 19877: Application of OXY USA Inc. for an order pursuant to NDAC § 43 02-03-88.1 pooling all interests in a spacing unit described as Sections 18 and 19, T.143N., R.97W., Crooked Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 19878: Application of OXY USA Inc. for an order pursuant to NDAC § 43 02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, T.143N., R.97W., Willmen-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 19879: Application of Sequel Energy, LLC for an order allowing production from the Hay Draw-Red River, Hay Draw-Birdbear and Hay Draw-Duperow Pools to be commingled in the well bore of the Hay Draw #32-33 well, located in the SWNE of Section 33, T.147N., R.102W., McKenzie County, ND, and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
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