

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 20950  
ORDER NO. 23256

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE IN THE MATTER OF THE PETITION FOR A RISK PENALTY OF BAKKEN HUNTER, 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 COMPLETION OF THE TUNDRA 3130 #3H WELL LOCATED IN A SPACING UNIT CONSISTING OF SECTIONS 30 AND 31, T.164N., R.98W., AMBROSE-BAKKEN POOL, DIVIDE COUNTY, ND, PURSUANT TO NDAC § 43-02-03-88.1, 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 September, 2013.
- (2) Bakken Hunter, LLC (Bakken Hunter) filed a petition for a risk penalty before the North Dakota Industrial Commission (Commission) requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by North Dakota Century Code (NDCC) Section 38-08-08 in the drilling and completing of the Tundra 3130 #3H well located in a spacing unit described as Sections 30 and 31, Township 164 North, Range 98 West (Sections 30 and 31), Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, and such other relief as is appropriate.
- (3) Bakken Hunter is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Ambrose-Bakken Pool described as all of Sections 30 and 31.
- (4) The Commission makes no findings with regard to the specific acreage or percentage attributed to separately owned tracts or interests.
- (5) NDCC Section 38-08-08 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.

(6) Bakken Hunter requests an order of the Commission allowing the recovery of a risk penalty from the American Eagle Energy Corp. (American Eagle), the Crescent Point Energy US Corp (Crescent Point) and the Samson Resources (Samson) interests.

(7) American Eagle, Crescent Point and Samson, leasehold interest owners within the spacing unit, did not appear in this matter or object to the risk penalty being assessed against their leasehold interests.

(8) Pursuant to NDAC Section 43-02-03-16.3, Bakken Hunter sent an invitation to participate in the drilling and completion of the Tundra 3130 #3H well. Bakken Hunter provided evidence that the invitations to participate were complete and properly served on American Eagle, Crescent Point and Samson.

(9) Pursuant to NDAC Section 43-02-03-16.3, American Eagle, Crescent Point and Samson had 30 days from the date of receiving the invitation to elect to participate in the Tundra 3130 #3H well. Bakken Hunter provided evidence that American Eagle and Crescent Point declined Bakken Hunter's invitation and Samson failed to respond to Bakken Hunter's invitation within the 30-day deadline.

(10) The Commission concludes Bakken Hunter has complied with NDAC Section 43-02-03-16.3 and the risk penalty may be imposed against American Eagle's, Crescent Point's and Samson's leasehold interest.

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

IT IS THEREFORE ORDERED:

(1) A risk penalty may be imposed on American Eagle Energy Corp.'s, Crescent Point Energy US Corp.'s and Samson Resources' leasehold interests for the drilling and completion of the Tundra 3130 #3H well on a spacing unit described as Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDCC Section 38-08-08 and NDAC Section 43-02-03-16.3.

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

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

Dated this 5th day of March, 2014.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN 5729

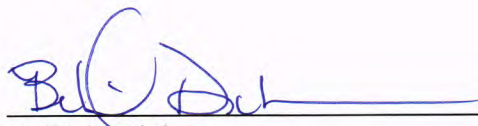
STATE OF NORTH DAKOTA

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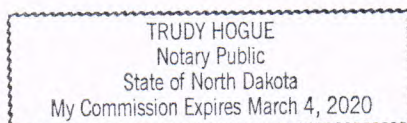
COUNTY OF BURLEIGH

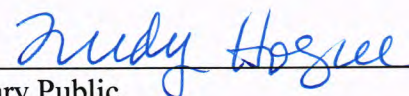
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 13th day of March, 2014 enclosed in separate envelopes true and correct copies of the attached Order No. 23256 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 20950:

S THOMAS THRONE  
THRONE LAW OFFICE PC  
PO BOX 6590  
SHERIDAN WY 82801

  
\_\_\_\_\_  
Belinda Dickson  
Oil & Gas Division

On this 13th day of March, 2014 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

SFN 5729

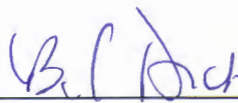
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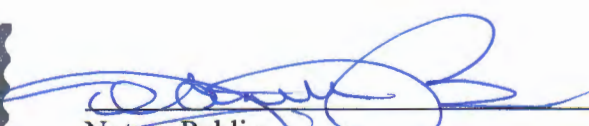
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THRONE LAW OFFICE PC  
PO BOX 6590  
SHERIDAN WY 82801

  
\_\_\_\_\_  
Belinda Dickson  
Oil & Gas Division

On this 9th day of April, 2014 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.

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**From:** Jennifer Schulenberg <JSchulenberg@thronelaw.com>  
**Sent:** Wednesday, February 12, 2014 11:54 AM  
**To:** McCusker, David J.  
**Cc:** James L. Mowry; Kadrmass, Bethany R.  
**Subject:** Re: Case No. 20950  
**Attachments:** Exhibit F.pdf

David,  
Attached is a replacement for Exhibit F. Please let me know if this won't work for you. Thank you.

*Jennifer Schulenberg*

[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)



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**From:** <McCusker>, "David J." <[dmccusker@nd.gov](mailto:dmccusker@nd.gov)>  
**Date:** Wednesday, February 12, 2014 8:00 AM  
**To:** Jennifer Schulenberg <[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)>  
**Cc:** "James L. Mowry" <[jmowry@thronelaw.com](mailto:jmowry@thronelaw.com)>, Bethany Kadrmass <[brkadrmass@nd.gov](mailto:brkadrmass@nd.gov)>  
**Subject:** RE: Case No. 20950

Jennifer,  
Could you provide a better copy of Exhibit F (part of Kyle Dollars attached affidavit), the email from Hannah Curtis w/ Samson apparently indicating the date the invitation and AFE were received? It appears to me there is a highlighted section of the email which I'm assuming states the date but I cannot make it out. Thanks.

*Dave McCusker*  
State of North Dakota  
North Dakota Industrial Commission  
Department of Mineral Resources  
Oil & Gas Division  
Street Address: 1016 East Calgary Avenue  
Mailing Address: 600 East Boulevard  
Bismarck, ND 58505  
Office: (701) 328-8046  
Fax: (701) 328-8022  
<https://www.dmr.nd.gov/oilgas/>

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**From:** Jennifer Schulenberg [<mailto:JSchulenberg@thronelaw.com>]  
**Sent:** Monday, February 10, 2014 10:53 AM  
**To:** McCusker, David J.  
**Cc:** James L. Mowry; Kadrmas, Bethany R.  
**Subject:** Case No. 20950

David,

Attached is the signed Affidavit of Kyle Dollar for Case No. 20950.

*Jennifer Schulenberg*  
[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)



**Stephanie Groff**

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**From:** Hannah Curtis <hcurtis@samson.com>  
**Sent:** Thursday, August 08, 2013 8:49 AM  
**To:** Stephanie Groff  
**Subject:** RE: Question...

I have some stuff for you, too. So, if you'd like I can meet you downstairs at somepoint..? And then I can have Adam sign the document and leave it at the desk before I leave at 2pm today.

As for the Tundra's, it doesn't look like they were scanned in with received date stamps, but they were received 6/5/13.

*Hannah Curtis*  
Land Tech-Rockies Division  
Samson Resources Company  
Direct: 303.222.0993



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**From:** Stephanie Groff [mailto:sgroff@willistonhunter.com]  
**Sent:** Thursday, August 08, 2013 8:44 AM  
**To:** Hannah Curtis  
**Subject:** RE: Question...

Cool...thanks! Should I drop it with the receptionist on the 30<sup>th</sup> floor? Could you get Adam or Larry to sign? Then let me know when it's ready? Sorry so many questions! ☺

Also, is there any way you could email me copies of the Tundra 3130-3H & 4H AFE's showing the "dated received" by Samson?

Thank you!  
Stephanie Groff  
Office Administrator  
Williston Hunter, Inc.  
410 17<sup>th</sup> Street, Suite 1000  
Denver, CO 80202  
Office: (720) 443-6574  
Email: [sgroff@willistonhunter.com](mailto:sgroff@willistonhunter.com)



**WILLISTON HUNTER, INC.**



**Kadrmass, Bethany R.**

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**From:** McCusker, David J.  
**Sent:** Wednesday, February 12, 2014 9:00 AM  
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***Dave McCusker***

State of North Dakota  
North Dakota Industrial Commission  
Department of Mineral Resources  
Oil & Gas Division  
Street Address: 1016 East Calgary Avenue  
Mailing Address: 600 East Boulevard  
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***Jennifer Schulenberg***

[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)





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*Jennifer Schulenberg*

[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)



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

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

CASE NO. \_\_\_\_\_

**AFFIDAVIT OF KYLE DOLLAR**

STATE OF COLORADO     )  
                                      ) ss.  
COUNTY OF DENVER     )

I, Kyle Dollar, being duly sworn, upon my oath state as follows:

1. I am a Landman for Bakken Hunter, LLC ("Bakken Hunter"), 410 17<sup>th</sup> Street, Suite 1000, Denver, Colorado 80202.
2. I am familiar with the mineral ownership and leasehold interest in the Sections 30 and 31, Township 164 North, Range 98 West, Divide County, North Dakota ("Sections 30 and 31").
3. Sections 30 and 31 comprise an approximate 800-acre spacing unit for the Tundra 3130-3H well in the Ambrose-Bakken Pool.
4. Bakken Hunter is an owner of an interest in the leasehold estate in Sections 30 and 31, and I am familiar with Bakken Hunter's operations on the spacing unit comprised of Sections 30 and 31.

5. Order No. 20164 dated July 23, 2012 in Case No. 17895 pooled all interests in the spacing unit comprised of Sections 30 and 31 for the Ambrose-Bakken Pool.

6. The following working interest owners elected not to participate in the drilling and completion operations of the Tundra 3130-3H well:

- a. American Eagle Energy Corp.;
- b. Crescent Point Energy US Corp.; and,
- c. Samson Resources.

7. Bakken Hunter sent via FedEx a well proposal and AFE for the Tundra 3130-3H well to American Eagle Energy Corporation, successor to Eternal Energy Corp., on May 28, 2013. Attached as Exhibit A is a true and correct copy of the well proposal that Bakken sent to American Eagle Energy Corporation.

8. American Eagle Energy Corporation received the well proposal and AFE on May 29, 2013. Attached as Exhibit B is the proof of delivery showing that American Eagle Energy Corporation received the well proposal on May 29, 2013 at 2539 W. Main St., Littleton, CO 80120.

9. The well proposal indicated that American Eagle Energy Corporation had thirty days from the date of receipt of the well proposal to accept or reject the well proposal, that Bakken Hunter would seek a risk penalty against nonparticipating owners as provided by North Dakota law, and that any nonparticipating owner may object to the risk penalty by either responding in opposition to a petition for a risk penalty or requesting a hearing with the Commission. See Exhibit A.

10. American Eagle Energy Corporation responded to the well proposal and elected not to participate in the Tundra 3130-3H well. See Page 2 Exhibit A. Therefore, Bakken Hunter seeks and is entitled to assess a risk penalty against the interest of American Eagle Energy Corporation.

11. Bakken Hunter delivered via hand delivery a well proposal and AFE for the

**Tundra 3130-3H well to Crescent Point Energy Corp. on May 28, 2013. Attached as Exhibit C is a true and correct copy of the well proposal that Bakken delivered to Crescent Point Energy Corp.**

**12. Crescent Point Energy Corp. received the well proposal and AFE on June 13, 2013. See Exhibit C, which is stamped "Received Jun 13 2013 CPE U.S. Corp" on Page 1.**

**13. The well proposal indicated that Crescent Point Energy Corp. had thirty days from the date of receipt of the well proposal to accept or reject the well proposal, that Bakken Hunter would seek a risk penalty against nonparticipating owners as provided by North Dakota law, and that any nonparticipating owner may object to the risk penalty by either responding in opposition to a petition for a risk penalty or requesting a hearing with the Commission. See Exhibit C.**

**14. Crescent Point Energy Corp. responded on June 27, 2013 to the well proposal and elected not to participate in the Tundra 3130-3H well. See Exhibit C. See also the Letter from Elizabeth Fink, Land Administrator for Crescent Point Energy Corp. indicating Crescent Point Energy Corp.'s election not to participate which is attached as Exhibit D. Therefore, Bakken Hunter seeks and is entitled to assess a risk penalty against the interest of Crescent Point Energy Corp.**

**15. Bakken Hunter delivered via hand delivery a well proposal and AFE for the Tundra 3130-3H well to Samson Resources Company on May 28, 2013. Attached as Exhibit E is a true and correct copy of the well proposal and AFE that Bakken Hunter delivered to Samson Resources Company.**

**16. Samson Resources Company received the well proposal and AFE on June 5, 2013. See e-mail attached as Exhibit F from Hannah Curtis, Land Tech-Rockies Division for Samson Resources Company, indicating the well proposal and AFE were received June 5, 2013.**

**17. The well proposal indicated Samson Resources Company had thirty days from the date of receipt of the well proposal to accept or reject the well proposal, that**

Bakken Hunter would seek a risk penalty against nonparticipating owners as provided by North Dakota law, and that any nonparticipating owner may object to the risk penalty by either responding in opposition to a petition for a risk penalty or requesting a hearing with the Commission. See Exhibit E.

18. Samson Resources Company did not respond to Bakken Hunter's well proposal within 30 days of June 5, 2013 and as such elected not to participate in the Tundra 3130-3H well. Therefore, Bakken Hunter seeks and is entitled to assess a risk penalty against the interest of Samson Resources Company.

19. The Tundra 3130-3H well was spud on July 23, 2013.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Kyle Dollar

Subscribed and sworn to before me this 21<sup>st</sup> day of August 2013.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 6/25/16





## Bakken Hunter, LLC

May 28, 2013

### DELIVERED VIA FEDEX

American Eagle Energy Corp., Successor to Eternal Energy Corp.  
 Attn: Land Manager  
 2549 West Main Street, Suite 202  
 Littleton, CO 80120

RE: Well Proposal  
 Tundra 3130-3H  
 Sections 31 and 30, T164N-R98W  
 Divide County, North Dakota

Gentlemen:

Per Joint Operating Agreement dated effective January 1, 2010, Bakken Hunter, LLC proposes the drilling and completion of the above referenced well on 764.38 acre spacing in Divide County, North Dakota as follows:

1. The Well will be drilled at a surface location 220 feet from the South line and 2,220 feet from the West line of Section 31, Township 164 North, Range 98 West, Divide County, North Dakota. The Well will be drilled as a single horizontal lateral well to test the Middle Bakken Pool as defined in the North Dakota Industrial Commission at an approximate true vertical depth of 13,000 feet. The lateral will have a terminus bottom hole location 200 feet from the North line and 2,640 feet from the West line of Section 30, Township 164 North, Range 98 West. A copy of the plat has been included for your convenience.
2. As set forth in the enclosed AFE for the Well, the estimated dryhole costs for this operation are \$2,026,000 and the estimated completion costs are \$2,393,000. Your estimated WI in the well is 1.002224%. This is subject to final title verification and NOT the working interest you are electing on as you are agreeing to pay your actual 8/8ths of your WI in the subject well.
3. Bakken Hunter has secured a rig and plans to spud the Well on or about June 15, 2013.
4. Per the Joint Operating Agreement, each working interest owner has thirty (30) days from receipt of this letter to accept or reject this well proposal. If you accept

May 28, 2013  
Tundra 3130-3H Well Proposal  
Page 2

this well proposal and elect to participate in the drilling of the Well, please so indicate by executing the enclosed AFE and returning a copy of the AFE along with an executed copy of this election letter to the undersigned.

5. In the event you elect NOT to participate in the drilling of the Well. Bakken Hunter, LLC plans to impose a risk penalty as provided by North Dakota law. Any non-participating owner may object to the risk penalty by either responding in opposition to the petition for a risk penalty, or if no such petition has been filed, by filing an application or request for hearing with the North Dakota Industrial Commission.

6. Given the current insurance environment, we are no longer able to offer well control insurance to you. Please make your own arrangements accordingly. If you have any questions, please do not hesitate to contact the undersigned at (720) 443-6571.

Sincerely,



Christina Hunt  
Land Manager

Tundra 3130-3H Well Election

\_\_\_\_ We elect to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H.

X We elect NOT to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H.

Eternal Energy Corp.

By: Thomas J. Lantz

Title: COO

Date: 5/28/13



# Bakken Hunter, LLC

1000, 410 - 17th Street, Denver, CO, 80202

# Authorization for Expenditure

Date

AFE Number

Apr 26, 2013

33658

Tundra 3130 3MBH DCE

## Description of Expenditure

Drill, complete, and equip a horizontal well in the Mid-Bakken formation located in section 31-164N 98W, Divide Co. ND. The horizontal section will have a liner with 27 ported sleeves and packers. A 27 stage gelled water frac with 33,000 pounds of 20/40 sand each will be performed. The well will be equipped as a single well battery with a pumpjack, tanks, and a treater. This is one of two wells on a common pad.

Cost Details	Original	Supplement	Total	Depth (ft)	Area	State
<b>Intangible Drilling</b>					<b>Divide</b>	<b>ND</b>
204/108 LOCATION SURVEY & PLAT	10,000		10,000	Surface	31, 164 N 98, W	
204/108 ENVIRONMENTAL SITE ASSESS	5,000		5,000	Downhole	30, 164 N 98, W	
204/110 DRILLSITE TITLE OPINION	5,000		5,000	Op AFE		Operator
204/112 PERMITS AND DAMAGES	12,000		12,000			<b>Bakken Hunter, LLC</b>
204/114 BUILD LOCATION, PITS & ROAD	40,000		40,000	Originator		CC
204/116 M/RU/RD/MO	20,000		20,000	BI		96670
204/122 DAYWORK CONTRACT - DRILLING	495,000		495,000	Timing		Overhead
204/125 DIRECTIONAL DRILLING SVCS	140,000		140,000	Year 2013		on the first 50,000
204/128 DRILLING FLUIDS MUD	75,000		75,000	Start June 2013		on the next 100,000
204/127 FLUIDS AND SOLIDS DISPOSAL	125,000		125,000	Finish July 2013		thereafter
204/128 WATER	25,000		25,000	Operations		
204/130 POWER/FUEL/SURCHARGES	100,000		100,000	Engineering		
204/132 BITS	45,000		45,000	Geology		
204/134 PUMP/VACUUM TRUCK	20,000		20,000	Land		
204/136 CEMENT AND CEMENT SERVICES	52,000		52,000	Finance		
204/138 CASING CREW	50,000		50,000	President		
204/140 OPEN HOLE LOGS	5,000		5,000			
204/144 EQUIPMENT & TOOL RENTAL	235,000		235,000	Participants		
204/152 TRUCKING & TRANSPORTATION	50,000		50,000	Bakken Hunter, LLC	45.761009%	1,939,123
204/172 SUPERVISION	60,000		60,000	Williston Hunter, Inc.	8.033596%	340,424
204/174 LABOR & WELDING - CONTRACT	40,000		40,000	Samson Resources Company	28.541354%	1,124,690
205/112 SURFACE CASING	25,000		25,000	Northern Oil & Gas Inc.	9.641801%	408,571
205/114 SURFACE CASING ACCESSORIES	2,500		2,500	Crescent Point Energy	9.020016%	382,223
205/115 CASING HEAD	7,500		7,500	Eternal Energy Corp.	1.002224%	42,469
205/117 INTERMEDIATE CASING	180,000		180,000		100.000000%	4,237,500
204/118 RAT & MOUSE HOLE & WATER WELL	15,000		15,000			
204/180 MISCELLANEOUS	100,000		100,000			
204/176 ADMIN OVERHEAD - DRILLING	7,000		7,000			
<b>Production Casing</b>	1,926,000		1,926,000			
206/114 PROD CASING ACCESSORIES	255,000		255,000			
207/115 PRODUCTION CASING	110,000		110,000			
<b>Intangible Completion</b>	365,000		365,000			
206/122 COMPLETION RIG DAY WORK	75,000		75,000			
206/127 FLUIDS AND SOLIDS DISPOSAL	10,000		10,000			
206/128 WATER	50,000		50,000			
206/130 POWER/FUEL	15,000		15,000			
206/142 Cased Hole Logs/GR NEUTRO	7,500		7,500			
206/144 RENTAL TOOLS & EQUIPMENT	250,000		250,000			
206/152 TRANSPORTATION	125,000		125,000			
206/154 FLOWBACK TESTING	85,000		85,000			
206/158 COIL TUBING UNIT	75,000		75,000			
206/164 FRACTURING/STIMULATION	715,000		715,000			
206/172 SUPERVISION	40,000		40,000			
206/176 OVERHEAD - COMPLETION	3,600		3,600			
<b>Wellhead and Subsurface Equipment</b>	1,431,000		1,431,000			
207/120 TUBING	55,000		55,000			
207/125 ROOS	50,000		50,000			
207/130 WELLHEAD & TREE	8,500		8,500			
207/140 DOWNHOLE EQUIP	15,000		15,000			
207/180 MISCELLANEOUS	30,000		30,000			
<b>Plant and Battery</b>	158,500		158,500			
208/110 RIGHT OF WAY - STAKE & SURVEY	10,000		10,000			
208/145 ARTIFICIAL LIFT EQUIPMENT	120,000		120,000			
208/155 SEPARATION EQUIPMENT	85,000		85,000			
208/165 TANK BATTERY & INSTALL	80,000		80,000			
208/175 METER RUN AND GAS LINES	12,000		12,000			
208/176 CONTRACT LABOR AND SERVICE	25,000		25,000			
208/185 NON-SALVAGEABLE EQUIPMENT	10,000		10,000			
208/190 RETIRE L&W EQUIPMENT	10,000		10,000			
208/195 ELECTRICAL	20,000		20,000			
208/300 MISCELLANEOUS	25,000		25,000			
<b>Overhead</b>	0		0			
	4,237,500		4,237,500			

**Participant Approval**

Company	Signature	Date

APP RC AFE DOI OH CC

8/12/13

Track your package or shipment with FedEx Tracking



799863867871

Shipper Address

Tues 5/28/2013 5:59 pm

Bakken Hunter, LLC

410 17th Street  
Suite 1000  
DENVER CO 80202  
720 443 6574

  
Delivered

Receiver Address

Wed 5/29/2013 2:40 pm

Bernal Energy Corp.

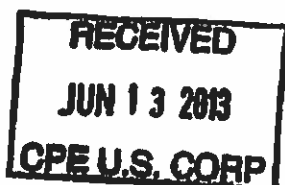
2530 W WAT ST  
LITTLETON CO US 80120  
888 776-2842

## Travel History

▲ Date/Time	Activity	Location
- 5/29/2013 - Wednesday		
2:40 pm	Delivered	LITTLETON CO
8:30 am	On FedEx vehicle for delivery	LITTLETON CO
7:42 am	At local FedEx facility	LITTLETON CO
- 5/28/2013 - Tuesday		
10:00 pm	At local FedEx facility	DENVER CO
8:17 pm	At destination sort facility	DENVER CO
7:46 pm	Left FedEx origin facility	DENVER CO
5:59 pm	Picked up	DENVER CO
5:50 pm	Shipment information sent to FedEx	
Local Scan Time		

## Shipment Facts

Tracking number	799863867871	Service	FedEx Standard Overnight
Weight	0.5 lbs	Delivery attempts	1
Delivered To	Recycling Front Desk	Total pieces	1
Total shipment weight	0.5 lbs / 0.2 kgs	Terms	Not Available
Packaging	FedEx Envelope	Special handling section	Deliver Weekday



# **Bakken Hunter, LLC**

May 28, 2013

## **HAND DELIVERED**

### **Crescent Point Energy Corp.**

Attn: Land Manager  
555 17<sup>th</sup> Street, Suite 555  
Denver, CO 80202

RE: Well Proposal  
Tundra 3130-3H  
Sections 31 and 30, T164N-R98W  
Divide County, North Dakota

Gentlemen:

Per Joint Operating Agreement dated effective January 1, 2010, Bakken Hunter, LLC proposes the drilling and completion of the above referenced well on 764.38 acre spacing in Divide County, North Dakota as follows:

1. The Well will be drilled at a surface location 220 feet from the South line and 2,220 feet from the West line of Section 31, Township 164 North, Range 98 West, Divide County, North Dakota. The Well will be drilled as a single horizontal lateral well to test the Middle Bakken Pool as defined in the North Dakota Industrial Commission at an approximate true vertical depth of 13,000 feet. The lateral will have a terminus bottom hole location 200 feet from the North line and 2,640 feet from the West line of Section 30, Township 164 North, Range 98 West. A copy of the plat has been included for your convenience.

2. As set forth in the enclosed AFE for the Well, the estimated dryhole costs for this operation are \$2,026,000 and the estimated completion costs are \$2,393,000. Your estimated WI in the well is 9.020016%. This is subject to final title verification and NOT the working interest you are electing on as you are agreeing to pay your actual 8/8ths of your WI in the subject well.

3. Bakken Hunter has secured a rig and plans to spud the Well on or about June 15, 2013.

4. Per the Joint Operating Agreement, each working interest owner has thirty (30) days from receipt of this letter to accept or reject this well proposal. If you accept

May 28, 2013  
Tundra 3130-3H Well Proposal  
Page 2

this well proposal and elect to participate in the drilling of the Well. please so indicate by executing the enclosed AFE and returning a copy of the AFE along with an executed copy of this election letter to the undersigned.

5. In the event you elect NOT to participate in the drilling of the Well. Bakken Hunter, LLC plans to impose a risk penalty as provided by North Dakota law. Any non-participating owner may object to the risk penalty by either responding in opposition to the petition for a risk penalty, or if no such petition has been filed , by filing an application or request for hearing with the North Dakota Industrial Commission.

6. Given the current insurance environment, we are no longer able to offer well control insurance to you . Please make your own arrangements accordingly.  
If you have any questions, please do not hesitate to contact the undersigned at (720) 443-6571.

Sincerely,



Christina Hunt  
Land Manager

**Tundra 3130-4TFH Well Election**

\_\_\_\_\_ We elect to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H.

RF We elect NOT to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H.

**Crescent Point Energy Corp.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

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

# Bakken Hunter, LLC

1000, 410 - 17th Street, Denver, CO, 80202

# Authorization for Expenditure

Date AFE Number

Apr 26, 2013 33658

Tundra 3130 3MBH DCE

## Description of Expenditure

Drill, complete, and equip a horizontal well in the Mid-Bakken formation located in section 31-164N 98W, Divide Co. ND. The horizontal section will have a liner with 27 ported sleeves and packers. A 27 stage gelled water frac with 33,000 pounds of 20/40 sand each will be performed. The well will be equipped as a single well battery with a pumpjack, tanks, and a treater. This is one of two wells on a common pad

Cost Details	Original	Supplement	Total	Depth (ft)	Area	State
<b>Intangible Drilling</b>					<b>Divide</b>	<b>ND</b>
204/106 LOCATION SURVEY & PLAT	10,000		10,000	Surface	31,164 N 98 W	
204/108 ENVIRONMENTAL SITE ASSESS	5,000		5,000	Downhole	30,164 N 98 W	
204/110 DRILLSITE TITLE OPINION	5,000		5,000	Op AFE		Operator
204/112 PERMITS AND DAMAGES	12,000		12,000			<b>Bakken Hunter, LLC</b>
204/114 BUILD LOCATION, PITS & ROAD	40,000		40,000	Originator		CC
204/116 M/R/U/R/D/M/O	20,000		20,000	BI		98670
204/122 DAYWORK CONTRACT - DRILLING	495,000		495,000	Timing		Overhead
204/125 DIRECTIONAL DRILLING SVCS	140,000		140,000	Year 2013		on the first 50,000
204/128 DRILLING FLUIDS MUD	75,000		75,000	Start June 2013		on the next 100,000
204/127 FLUIDS AND SOLIDS DISPOSAL	125,000		125,000	Finish July 2013		thereafter
204/128 WATER	25,000		25,000	Operations		Date
204/130 POWER/FUEL/SURCHARGES	100,000		100,000	Engineering		April 26, 2013
204/132 BITS	45,000		45,000	Geology		Apr 26, 2013
204/134 PUMP/VACUUM TRUCK	20,000		20,000	Land		Apr 26 /13
204/136 CEMENT AND CEMENT SERVICES	52,000		52,000	Finance		
204/138 CASING CREW	50,000		50,000	President		26/4/13
204/140 OPEN HOLE LOGS	5,000		5,000	Participants		Percentage Net Amount
204/144 EQUIPMENT & TOOL RENTAL	235,000		235,000	Bakken Hunter, LLC		45.761009% 1,939,123
204/152 TRUCKING & TRANSPORTATION	50,000		50,000	Williston Hunter, Inc.		8.033596% 340,424
204/172 SUPERVISION	60,000		60,000	Samson Resources Company		26.541354% 1,124,690
204/174 LABOR & WELDING - CONTRACT	40,000		40,000	Northern Oil & Gas Inc.		9.841801% 408,571
205/112 SURFACE CASING	25,000		25,000	Crescent Point Energy		9.020016% 382,223
205/114 SURFACE CASING ACCESSORIES	2,500		2,500	Eternal Energy Corp.		1.002224% 42,469
205/115 CASING HEAD	7,500		7,500			100.000000% 4,237,500
205/117 INTERMEDIATE CASING	160,000		160,000			
204/118 RAT & MOUSE HOLE & WATER WELL	15,000		15,000			
204/180 MISCELLANEOUS	100,000		100,000			
204/178 ADMIN OVERHEAD - DRILLING	7,000		7,000			
<b>Production Casing</b>	<b>1,926,000</b>		<b>1,926,000</b>			
206/114 PROD CASING ACCESSORIES	255,000		255,000			
207/115 PRODUCTION CASING	110,000		110,000			
<b>Intangible Completion</b>	<b>366,000</b>		<b>366,000</b>			
206/122 COMPLETION RIG DAY WORK	75,000		75,000			
206/127 FLUIDS AND SOLIDS DISPOSAL	10,000		10,000			
206/128 WATER	50,000		50,000			
206/130 POWER/FUEL	15,000		15,000			
206/142 Cased Hole Logs/GR NEUTRO	7,500		7,500			
206/144 RENTAL TOOLS & EQUIPMENT	250,000		250,000			
206/152 TRANSPORTATION	125,000		125,000			
206/154 FLOWBACK TESTING	85,000		85,000			
206/156 COIL TUBING UNIT	75,000		75,000			
206/164 FRACTURING/STIMULATION	715,000		715,000			
206/172 SUPERVISION	40,000		40,000			
206/178 OVERHEAD - COMPLETION	3,500		3,500			
<b>Wellhead and Subsurface Equipment</b>	<b>1,431,000</b>		<b>1,431,000</b>			
207/120 TUBING	55,000		55,000			
207/125 RODS	50,000		50,000			
207/130 WELLHEAD & TREE	8,500		8,500			
207/140 DOWNHOLE EQUIP	15,000		15,000			
207/180 MISCELLANEOUS	30,000		30,000			
<b>Plant and Battery</b>	<b>158,500</b>		<b>158,500</b>			
208/110 RIGHT OF WAY - STAKE & SURVEY	10,000		10,000			
208/145 ARTIFICIAL LIFT EQUIPMENT	120,000		120,000			
208/155 SEPARATION EQUIPMENT	85,000		85,000			
208/165 TANK BATTERY & INSTALL	80,000		80,000			
208/175 METER RUN AND GAS LINES	12,000		12,000			
208/178 CONTRACT LABOR AND SERVICE	25,000		25,000			
208/185 NON-SALVAGEABLE EQUIPMENT	10,000		10,000			
208/190 RETIRE L&W EQUIPMENT	10,000		10,000			
208/195 ELECTRICAL	20,000		20,000			
208/300 MISCELLANEOUS	25,000		25,000			
<b>Overhead</b>	<b>0</b>		<b>0</b>			
	<b>4,237,500</b>		<b>4,237,500</b>			

Participant Approval	
Company	
Signature	Date
Position	

APP RC AFE DOI OH CC



June 27, 2013

Bakken Hunter, L.L.C.  
410 17<sup>th</sup> Street, Suite 1000  
Denver, CO 80202

Attention: Christina Hunt

RE: Tundra 3130-311  
Sections 30 & 31, T164N-R98W  
Divide County, North Dakota

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Please find enclosed one signed original copy of the above captioned Well Proposal Notice and AFE, indicating Crescent Point Energy US Corp.'s election not to participate in the operation described therein. If you have any questions or concerns please contact the undersigned directly at (720) 880-3626.

Sincerely,  
CRESCENT POINT ENERGY US CORP

A handwritten signature in black ink, appearing to read "E. Fink", with a long horizontal line extending to the right.

Elizabeth Fink  
AFE Administrator, Land

Encl.



## Bakken Hunter, LLC

May 28, 2013

### Hand Delivered

**Samson Resources**  
 Attn: Adam Pressnall  
 370 17<sup>th</sup> Street, Suite 3000  
 Denver, CO 80202

RE: Well Proposal  
 Tundra 3130-3H  
 Sections 31 and 30, T164N-R98W  
 Divide County, North Dakota

Gentlemen:

Per Joint Operating Agreement dated effective January 1, 2010, Bakken Hunter, LLC proposes the drilling and completion of the above referenced well on 764.38 acre spacing in Divide County, North Dakota as follows:

1. The Well will be drilled at a surface location 220 feet from the South line and 2,220 feet from the West line of Section 31, Township 164 North, Range 98 West. Divide County, North Dakota. The Well will be drilled as a single horizontal lateral well to test the Middle Bakken Pool as defined in the North Dakota Industrial Commission at an approximate true vertical depth of 13,000 feet. The lateral will have a terminus bottom hole location 200 feet from the North line and 2,640 feet from the West line of Section 30, Township 164 North, Range 98 West. A copy of the plat has been included for your convenience.
2. As set forth in the enclosed AFE for the Well, the estimated dryhole costs for this operation are \$2,026,000 and the estimated completion costs are \$2,393,000. Your estimated WI in the well is 22.616604%. This is subject to final title verification and NOT the working interest you are electing on as you are agreeing to pay your actual 8/8ths of your WI in the subject well.
3. Bakken Hunter has secured a rig and plans to spud the Well on or about June 15, 2013.
4. Per the Joint Operating Agreement, each working interest owner has thirty (30) days from receipt of this letter to accept or reject this well proposal. If you accept



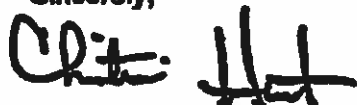
May 28, 2013  
Tundra 3130-3H Well Proposal  
Page 2

this well proposal and elect to participate in the drilling of the Well, please so indicate by executing the enclosed AFE and returning a copy of the AFE along with an executed copy of this election letter to the undersigned.

5. In the event you elect NOT to participate in the drilling of the Well, Bakken Hunter, LLC plans to impose a risk penalty as provided by North Dakota law. Any non-participating owner may object to the risk penalty by either responding in opposition to the petition for a risk penalty, or if no such petition has been filed, by filing an application or request for hearing with the North Dakota Industrial Commission.

6. Given the current insurance environment, we are no longer able to offer well control insurance to you. Please make your own arrangements accordingly. If you have any questions, please do not hesitate to contact the undersigned at (720) 443-6571.

Sincerely,



Christina Hunt  
Land Manager

**Tundra 3130-3H Well Election**

\_\_\_\_\_ We elect to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H and take our proportionate share of Non Consent and Unleased Mineral interest.

\_\_\_\_\_ We elect to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H and decline to take our proportionate share of Non Consent and Unleased Mineral interest.

\_\_\_\_\_ We elect NOT to participate in Bakken Hunter's Well Proposal of the Tundra 3130-3H.

**Samson Resources**

By: \_\_\_\_\_

Title: \_\_\_\_\_

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

# Bakken Hunter, LLC

1000, 410 - 17th Street, Denver, CO, 80202

# Authorization for Expenditure

Date

AFE Number

Apr 26, 2013

33658

Tundra 3130 3MBH DCE

## Description of Expenditure

Drill, complete, and equip a horizontal well in the Mid-Bakken formation located in section 31-164N 98W, Divide Co. ND. The horizontal section will have a liner with 27 ported sleeves and packers. A 27 stage gelled water frac with 33,000 pounds of 20/40 sand each will be performed. The well will be equipped as a single well battery with a pumpjack, tanks, and a treater. This is one of two wells on a common pad.

## Cost Details

	Original	Supplement	Total
<b>Intangible Drilling</b>			
204/108 LOCATION SURVEY & PLAT	10,000		10,000
204/108 ENVIRONMENTAL SITE ASSESS	5,000		5,000
204/110 DRILLSITE TITLE OPINION	5,000		5,000
204/112 PERMITS AND DAMAGES	12,000		12,000
204/114 BUILD LOCATION, PITS & ROAD	40,000		40,000
204/118 MI/RU/RD/MO	20,000		20,000
204/122 DAYWORK CONTRACT - DRILLING	485,000		485,000
204/125 DIRECTIONAL DRILLING SVCS	140,000		140,000
204/128 DRILLING FLUIDS MUD	75,000		75,000
204/127 FLUIDS AND SOLIDS DISPOSAL	125,000		125,000
204/128 WATER	25,000		25,000
204/130 POWER/FUEL/SURCHARGES	100,000		100,000
204/132 BITS	45,000		45,000
204/134 PUMP/VACUUM TRUCK	20,000		20,000
204/136 CEMENT AND CEMENT SERVICES	52,000		52,000
204/138 CASING CREW	50,000		50,000
204/140 OPEN HOLE LOGS	5,000		5,000
204/144 EQUIPMENT & TOOL RENTAL	235,000		235,000
204/152 TRUCKING & TRANSPORTATION	50,000		50,000
204/172 SUPERVISION	60,000		60,000
204/174 LABOR & WELDING - CONTRACT	40,000		40,000
205/112 SURFACE CASING	25,000		25,000
205/114 SURFACE CASING ACCESSORIES	2,500		2,500
205/115 CASING HEAD	7,500		7,500
205/117 INTERMEDIATE CASING	160,000		160,000
204/116 RAT & MOUSE HOLE & WATER WELL	15,000		15,000
204/180 MISCELLANEOUS	100,000		100,000
204/178 ADMIN OVERHEAD - DRILLING	7,000		7,000
<b>Production Casing</b>	<b>1,926,000</b>		<b>1,926,000</b>
206/114 PROD CASING ACCESSORIES	255,000		255,000
207/115 PRODUCTION CASING	110,000		110,000
<b>Intangible Completion</b>	<b>368,000</b>		<b>368,000</b>
208/122 COMPLETION RIG DAY WORK	75,000		75,000
208/127 FLUIDS AND SOLIDS DISPOSAL	10,000		10,000
208/128 WATER	50,000		50,000
208/130 POWER/FUEL	15,000		15,000
208/142 Cased Hole Logs/GR NEUTRO	7,500		7,500
208/144 RENTAL TOOLS & EQUIPMENT	250,000		250,000
208/152 TRANSPORTATION	125,000		125,000
208/154 FLOWBACK TESTING	65,000		65,000
208/158 COIL TUBING UNIT	75,000		75,000
208/164 FRACTURING/STIMULATION	715,000		715,000
208/172 SUPERVISION	40,000		40,000
208/176 OVERHEAD - COMPLETION	3,500		3,500
<b>Wellhead and Subsurface Equipment</b>	<b>1,431,000</b>		<b>1,431,000</b>
207/120 TUBING	55,000		55,000
207/125 RODS	50,000		50,000
207/130 WELLHEAD & TREE	8,500		8,500
207/140 DOWNHOLE EQUIP	15,000		15,000
207/180 MISCELLANEOUS	30,000		30,000
<b>Plant and Battery</b>	<b>158,500</b>		<b>158,500</b>
208/110 RIGHT OF WAY - STAKE & SURVEY	10,000		10,000
208/145 ARTIFICIAL LIFT EQUIPMENT	120,000		120,000
208/155 SEPARATION EQUIPMENT	65,000		65,000
208/165 TANK BATTERY & INSTALL	60,000		60,000
208/175 METER RUN AND GAS LINES	12,000		12,000
208/176 CONTRACT LABOR AND SERVICE	25,000		25,000
208/185 NON-SALVAGEABLE EQUIPMENT	10,000		10,000
208/190 RETIRE L&W EQUIPMENT	10,000		10,000
208/195 ELECTRICAL	20,000		20,000
208/300 MISCELLANEOUS	25,000		25,000
	<b>367,000</b>		<b>367,000</b>
<b>Overhead</b>	<b>0</b>		<b>0</b>
	<b>4,237,500</b>		<b>4,237,500</b>

Depth (ft)	Area	State
	<b>Divide</b>	<b>ND</b>
Surface	31 164 N 98 W	
Downhole	30 164 N 98 W	
Op AFE	Operator <b>Bakken Hunter, LLC</b>	
Originator	CC	
BI	96670	
Timing	Overhead	
Year 2013	on the first	50,000
Start June 2013	on the next	100,000
Finish July 2013	thereafter	

Operations	<i>W. H. H.</i>	Date April 26, 2013
Engineering	<i>J. H. H.</i>	Apr 26, 2013
Geology	<i># T. R. H.</i>	Apr 26 / 13
Land		
Finance		
President	<i>[Signature]</i>	26/4/13

Participants	Percentage	Net Amount
Bakken Hunter, LLC	45.761009%	1,939,123
Williston Hunter, Inc.	8.033596%	340,424
Samson Resources Company	28.541354%	1,124,690
Northern Oil & Gas Inc.	9.641801%	408,571
Crescent Point Energy	9.020016%	382,223
Eternal Energy Corp.	1.002224%	42,469
	100.000000%	4,237,500

Participant Approval	
Company	
Signature	Date
Position	

APP RC AFE DOI OH CC

**Stephanie Groff**

---

**From:** Hannah Curtis <hcurtis@samson.com>  
**Sent:** Thursday, August 08, 2013 8:49 AM  
**To:** Stephanie Groff  
**Subject:** RE: Question...

I have some stuff for you, too. So, if you'd like I can meet you downstairs at somepoint..? And then I can have Adam sign the document and leave it at the desk before I leave at 2pm today.

~~As for the Tundra's, it doesn't look like they were scanned in with received date stamps, but they were received 8/8/13.~~

*Hannah Curtis*  
 Land Tech-Rockies Division  
 Samson Resources Company  
 Direct: 303.222.0993



**From:** Stephanie Groff [mailto:sgroff@willistonhunter.com]  
**Sent:** Thursday, August 08, 2013 8:44 AM  
**To:** Hannah Curtis  
**Subject:** RE: Question...

Cool...thanks! Should I drop it with the receptionist on the 30<sup>th</sup> floor? Could you get Adam or Larry to sign? Then let me know when it's ready? Sorry so many questions! ☺

Also, is there any way you could email me copies of the Tundra 3130-3H & 4H AFE's showing the "dated received" by Samson?

Thank you!  
 Stephanie Groff  
 Office Administrator  
 Williston Hunter, Inc.  
 410 17<sup>th</sup> Street, Suite 1000  
 Denver, CO 80202  
 Office: (720) 443-6574  
 Email: [sgroff@willistonhunter.com](mailto:sgroff@willistonhunter.com)



**WILLISTON HUNTER, INC.**

## Kadrmass, Bethany R.

---

**From:** McCusker, David J.  
**Sent:** Monday, February 10, 2014 10:56 AM  
**To:** Kadrmass, Bethany R.  
**Subject:** FW: Case 20950 Risk Penalty

***Dave McCusker***

State of North Dakota  
North Dakota Industrial Commission  
Department of Mineral Resources  
Oil & Gas Division  
Street Address: 1016 East Calgary Avenue  
Mailing Address: 600 East Boulevard  
Bismarck, ND 58505  
Office: (701) 328-8046  
Fax: (701) 328-8022  
<https://www.dmr.nd.gov/oilgas/>

---

**From:** James L. Mowry [<mailto:JMowry@thronelaw.com>]  
**Sent:** Friday, February 07, 2014 12:09 PM  
**To:** McCusker, David J.  
**Subject:** Re: Case 20950 Risk Penalty

Will get right on it. Thx and have a good weekend. Jim

Sent from my iPhone

On Feb 7, 2014, at 11:05 AM, "McCusker, David J." <[dmccusker@nd.gov](mailto:dmccusker@nd.gov)> wrote:

Jim,

Case 20950 is a petition of Bakken Hunter, LLC requesting an order authorizing the recovery of a risk penalty. In beginning to review the case, I noticed the exhibits refer to an affidavit of Kyle Dollar. However, the affidavit of Kyle Dollar has not been submitted. Please submit the affidavit of Kyle Dollar for Case 20950. Thanks.

***Dave McCusker***

State of North Dakota  
North Dakota Industrial Commission  
Department of Mineral Resources  
Oil & Gas Division  
Street Address: 1016 East Calgary Avenue  
Mailing Address: 600 East Boulevard  
Bismarck, ND 58505  
Office: (701) 328-8046  
Fax: (701) 328-8022  
<https://www.dmr.nd.gov/oilgas/>

## Kadrmass, Bethany R.

---

**From:** Jennifer Schulenberg <[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)>  
**Sent:** Thursday, September 12, 2013 10:24 AM  
**To:** Kadrmass, Bethany R.  
**Cc:** [jmowry@thronelaw.com](mailto:jmowry@thronelaw.com)  
**Subject:** Case No. 20950  
**Attachments:** Affidavit of Mailing.pdf

Bethany,

Attached is an Affidavit of Mailing to be filed in Case No. 20950. Thank you.

*Jennifer Schulenberg*

[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)



**\*\*CONFIDENTIALITY NOTICE\*\***

This electronic transmission and any accompanying documents contain information belonging to the sender which may be confidential and/or legally privileged. This information is intended only for the use of the individual or entity to whom this transmission was sent. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained herewith is strictly prohibited.

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

CASE NO. 20950

AFFIDAVIT OF MAILING

I, James Mowry, of lawful age, after having first duly sworn upon my oath, depose and state:

1. On August 22, 2013, I caused to be mailed by certified postage prepaid, return receipt requested, copies of the Application, Affidavit of Kyle Dollar and Notice of Hearing filed in this matter, to Crescent Point Energy US Corp., Samson Resources Company, and American Eagle Energy Corp. *See* Certificate of Service attached hereto as Exhibit "A."

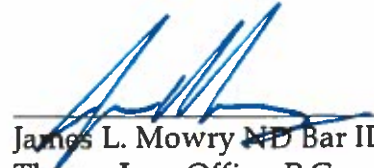
2. Proof of service upon Crescent Point Energy US Corp. is attached hereto as Exhibit "B."

3. Proof of service upon Samson Resources Company is attached hereto as Exhibit "C."

4. Proof of service upon American Eagle Energy Corp. is not available from

the USPS because it did not obtain a signature upon delivery. However, I have confirmed with Britton James, Senior Landman for American Eagle Energy Corp., that American Eagle Energy Corp. did receive the Application, Affidavit of Kyle Dollar and Notice of Hearing, as indicated in the copy of emails attached hereto as Exhibit "D."

DATED this 12<sup>th</sup> day of September 2013.

  
James L. Mowry ND Bar ID# 06901  
Throne Law Office, P.C.  
Attorney for Applicant  
P. O. Drawer 6590  
Sheridan, WY 82801  
(307) 672-5858 Telephone  
(307) 674-6104 Facsimile

STATE OF WYOMING     )  
                                      ) SS  
COUNTY OF SHERIDAN    )

The foregoing Affidavit was subscribed and sworn to before me by James Mowry this 12 day of September 2013.

Witness my hand and official seal.



  
Notary Public

My commission expires: Jan. 31, 2016



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

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

CASE NO. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the following documents:

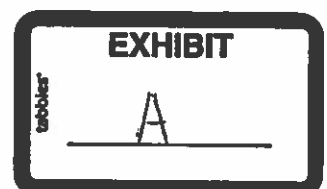
1. Application of Bakken Hunter, LLC for Risk Penalty
2. Notice of Hearing; and
3. Affidavit of Kyle Dollar

was on the 22<sup>nd</sup> day of August, 2013 served by placing the same in the United States mail, with postage prepaid, certified mail, return receipt requested, at Sheridan, Wyoming, properly addressed to the following:

American Eagle Energy Corp.  
2549 West Main Street, Suite 202  
Littleton, CO 80120

Crescent Point Energy US Corp.  
555 17<sup>th</sup> Street, Suite 555  
Denver, CO 80202


Samson Resources Company  
370 17<sup>th</sup> Street, Suite 3000  
Denver, CO 80202



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

BAKKEN HUNTER, LLC

By:



---

S. Thomas Throne, ND Bar ID# 06679  
James L. Mowry, ND Bar ID# 06901  
Throne Law Office, P.C.  
Attorneys for Bakken Hunter, LLC  
P. O. Drawer 6590  
Sheridan, WY 82801  
(307) 672-5858 Telephone  
(307) 674-6104 Facsimile



Date Produced: 09/02/2013

THRONE LAW OFFICE P.C.:

The following is the delivery information for Certified Mail™ item number 7199 9991 7033 2820 7099. Our records indicate that this item was delivered on 08/26/2013 at 12:32 p.m. in DENVER, CO 80202. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	<i>[Handwritten Signature]</i>
Printed Name	Richelle Martin

Address of Recipient :

Delivery Address	555 / 7
------------------	---------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
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Date Produced: 09/02/2013

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The following is the delivery information for Certified Mail™ item number 7199 9991 7033 2820 7082. Our records indicate that this item was delivered on 08/26/2013 at 08:50 a.m. in DENVER, CO 80202. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section  
L.R. Law  
L.R. Law

Address of Recipient :

370 - 17th Ave

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Sincerely,  
United States Postal Service

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Customer Reference Number: 2000498 4880245813.329



Zimbra

jmowry@thronelaw.com

---

**RE: Bakken Hunter Risk Penalty NDIC Case No. 20950 (Tundra 3130-3H well)**

---

**From :** Britton James <BrittonJames@amzqcorp.com>

Wed, Sep 11, 2013 03:50 PM

**Subject :** RE: Bakken Hunter Risk Penalty NDIC Case No. 20950 (Tundra 3130-3H well) 1 attachment**To :** James Mowry <jmowry@thronelaw.com>

Mr. Mowry,

American Eagle Energy is in receipt the documents described below.

Thank you,

**Britton L. James****Senior Landman | American Eagle Energy Corporation**

2549 W. Main Street, Suite 202 | Littleton, CO 80120

Office 303-798-5235 | Cell 303-453-9584

[brittonjames@amzqcorp.com](mailto:brittonjames@amzqcorp.com)

---

**From:** James Mowry [mailto:jmowry@thronelaw.com]**Sent:** Wednesday, September 11, 2013 10:13 AM**To:** Britton James**Cc:** Ron Kubicki; Kyle Dollar**Subject:** Bakken Hunter Risk Penalty NDIC Case No. 20950 (Tundra 3130-3H well)

Mr. James,

As you are aware Bakken Hunter, LLC seeks to assess a risk penalty against American Eagle Energy, LLC for the drilling and completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Divide County, ND. Accordingly, Bakken Hunter has filed its Application with the NDIC which has been assigned case number 20950.

On August 22, 2013, this office on behalf of Bakken Hunter, LLC, mailed to American Eagle Energy, LLC, via USPS certified mail number 91 7199 991 7033 2820 7105, a copy of the Application filed in NDIC Case No. 20950, together with an Affidavit of Kyle Dollar, and a Notice of Hearing. The USPS online records do not indicate that these materials have been delivered, however during our telephone conversation this morning you indicated American Eagle



has received the Application, Affidavit and Notice of Hearing for Case No. 20950. If you would, please respond to this email confirming you have received the Application, Affidavit and Notice of Hearing so that I may provide proof to the NDIC that these documents were delivered to American Eagle.

I appreciate your assistance in this matter.

Best regards,

*James L. Mowry*  
[jmowry@thronelaw.com](mailto:jmowry@thronelaw.com)




**THRONE LAW OFFICE P.C.**  
**WWW.THRONELAW.NET**  
P.O. DRAWER 6590  
424 N. MAIN, SUITE 201  
SHERIDAN, WY 82801  
(307) 672-5858 (OFFICE)  
(307) 674-6104 (FAX)

*Natural Resource Lawyers for the Rockies*

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SHERIDAN, WY 82801  
(307) 672-5858 (OFFICE)  
(307) 674-6104 (FAX)

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32 KB

*Natural Resource Lawyers for the Rockies*

---

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA



CASE NO. 20950

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

APPLICATION OF BAKKEN HUNTER, LLC  
FOR RISK PENALTY

Bakken Hunter, LLC ("Bakken Hunter") by and through its Attorneys, S. Thomas Throne and James Mowry, respectfully shows the North Dakota Industrial Commission ("Commission") as follows:

1. That Bakken Hunter is an owner of an interest in the oil and gas leasehold estate in Sections 30 and 31, Township 164 North, Range 98 West, Divide County, North Dakota ("Sections 30 and 31").

2. Bakken Hunter is the operator of the Tundra 3130-3H well, drilled in SE¼SW¼ of Section 31, Township 164 North, Range 98 West, Divide County, North Dakota.

3. Sections 30 and 31 constitute an approximate 800-acre standup spacing unit for the Tundra 3130-3H well in the Ambrose-Bakken Pool. The Tundra 3130-3H was spud on July 23, 2013.

4. Order No. 20164 dated July 23, 2012 in Case No. 17895 pooled all interests



in the spacing unit comprised of Sections 30 and 31 for the Ambrose-Bakken Pool.

5. That Section 38-08-08(3) of the North Dakota Century Code ("NDCC") provides that if an owner of an interest in a spacing unit elects not to participate in the risk and cost of drilling a well, the owner paying for the nonparticipating owner's share of the drilling and operation of a well may recover from the nonparticipating owner a risk penalty involved in drilling the well.

6. Bakken Hunter submits this Application seeking a risk penalty from the following parties who elected not to participate in the drilling and completion operations of the Tundra 3130-3H well:

- a. American Eagle Energy Corp.;
- b. Crescent Point Energy US Corp.; and,
- c. Samson Resources Company.

7. Bakken Hunter submitted invitations to participate together with an AFE to each of the above listed working interest owners and each elected not to participate in the Tundra 3130-3H well.

8. Bakken Hunter has undertaken the following activities:

- a. Notified each nonparticipating owner of its intention to impose a risk penalty;
- b. Notified each nonparticipating owner that they may object to the petition. In each invitation to participate, Bakken Hunter notified each nonparticipating party of their right to file an application before the Commission; and,
- c. Invited each nonparticipating owner to participate in the well, if a working interest owner.

9. Bakken Hunter has complied with all of the Commission's rules and regulations.

10. Bakken Hunter therefore requests that the Commission enter its order authorizing the recovery of a risk penalty from the nonparticipating owners indicated above, as provided by N.D.C.C. § 38-08-08 in the drilling and completion of the Tundra 3130-3H well located in a spacing unit described as Sections 30 and 31, Township 164 North, Range 98 West, Divide County, North Dakota, pursuant to Section 43-02-03-88.1, and such further relief as is appropriate.

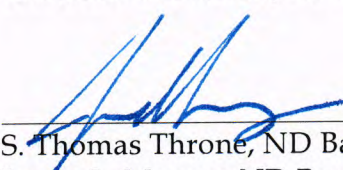
11. Bakken Hunter further requests that it be allowed to present testimony by telephone pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code.

WHEREFORE, Bakken Hunter, LLC respectfully requests that this matter be set for hearing at the regularly scheduled hearings in September 2013, that its witnesses in this matter be allowed to participate by telephone, and that thereafter the Commission enter its order granting the relief requested, and such further relief as the Commission may deem appropriate.

Dated this 21<sup>st</sup> day of August 2013.

BAKKEN HUNTER, LLC

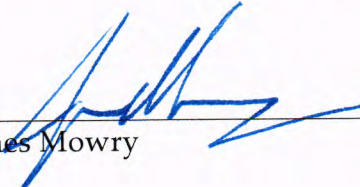
By:

  
S. Thomas Throne, ND Bar ID# 06679  
James L. Mowry, ND Bar ID# 06901  
Throne Law Office, P.C.  
Attorneys for Applicant  
P. O. Box 1056  
Sheridan, WY 82801  
(307) 672-5858 Telephone  
(307) 674-6104 Facsimile

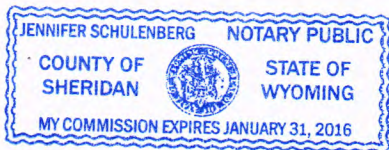


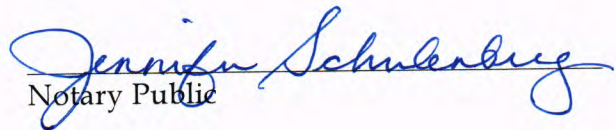
STATE OF WYOMING                    )  
  ) ss.  
COUNTY OF SHERIDAN                )

James Mowry, being first duly sworn on oath, deposes and says that he is the attorney for Applicant, 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.

  
\_\_\_\_\_  
James Mowry

Subscribed and sworn to before me this 21 day of August 2013.



  
\_\_\_\_\_  
Notary Public

My Commission Expires: Jan. 31, 2016

## Kadrmass, Bethany R.

---

**From:** Jennifer Schulenberg <jschulenberg@thronelaw.com>  
**Sent:** Thursday, August 22, 2013 2:15 PM  
**To:** Kadrmass, Bethany R.  
**Cc:** James L. Mowry  
**Attachments:** Signed Certificate of Service.pdf; Signed Notice of Hearing.pdf

Bethany, attached is a Certificate of Service and Notice of Hearing the Risk Penalty Application we filed for Bakken Hunter, LLC.

*Jennifer Schulenberg*  
[jschulenberg@thronelaw.com](mailto:jschulenberg@thronelaw.com)



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BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

CASE NO. \_\_\_\_\_

NOTICE OF HEARING

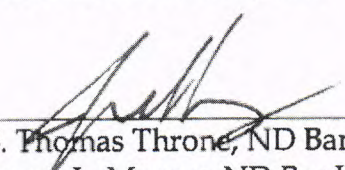
PLEASE TAKE NOTICE that Bakken Hunter, LLC filed the application in this matter with the North Dakota Industrial Commission.

*A hearing will be held at 9:00 a.m. on September 26, 2013 at the Department of Mineral Resources Conference Room, Oil and Gas Division, 1000 East Calgary Avenue, Bismarck, North Dakota to consider the request of Bakken Hunter, LLC*

As noted in the attached application, the applicant is requesting the authority to impose a risk penalty against any nonparticipating owner electing not to participate in the drilling of the contemplated well. Any nonparticipating owner may object to the risk penalty by responding in opposition to the application. In the event a nonparticipating owner objects, the applicant reserves the right to request a continuance to the next regularly scheduled hearing to allow sufficient time to respond to the objection.

BAKKEN HUNTER, LLC

By:



S. Thomas Throne, ND Bar ID# 06679  
James L. Mowry, ND Bar ID# 06901  
Throne Law Office, P.C.  
Attorneys for Bakken Hunter, LLC  
P. O. Drawer 6590  
Sheridan, WY 82801  
(307) 672-5858 Telephone  
(307) 674-6104 Facsimile



BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130-3H well located in a spacing unit consisting of Sections 30 and 31, Township 164 North, Range 98 West, Ambrose-Bakken Pool, Divide County, North Dakota, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

CASE NO. \_\_\_\_\_

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the following documents:

1. Application of Bakken Hunter, LLC for Risk Penalty
2. Notice of Hearing; and
3. Affidavit of Kyle Dollar

was on the 22<sup>nd</sup> day of August, 2013 served by placing the same in the United States mail, with postage prepaid, certified mail, return receipt requested, at Sheridan, Wyoming, properly addressed to the following:

American Eagle Energy Corp.  
2549 West Main Street, Suite 202  
Littleton, CO 80120

Crescent Point Energy US Corp.  
555 17<sup>th</sup> Street, Suite 555  
Denver, CO 80202

Samson Resources Company  
370 17<sup>th</sup> Street, Suite 3000  
Denver, CO 80202

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

BAKKEN HUNTER, LLC

By: 

S. Thomas Throne, ND Bar ID# 06679

James L. Mowry, ND Bar ID# 06901

Throne Law Office, P.C.

Attorneys for Bakken Hunter, LLC

P. O. Drawer 6590

Sheridan, WY 82801

(307) 672-5858 Telephone

(307) 674-6104 Facsimile



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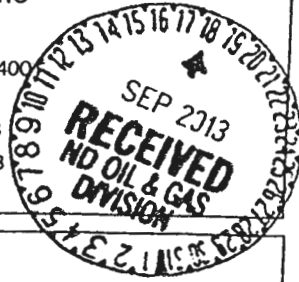
Bismarck Tribune

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LaCrosse, WI 54602-4001

In State 701-250-8218

Toll free 800-472-2273



OIL & GAS DIVISION

600 E BLVD AVE #405  
BISMARCK ND 58505

Customer: 60010203

Phone: (701) 328-8020

Date: 09/06/2013

Date	Order #	Type	Order Amt
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Amount Paid: \_\_\_\_\_ CK #: \_\_\_\_\_

CREDIT CARD PAYMENT (circle one)



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

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Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
09/06/13	09/06/13	1	Case No. 20916 Bismarck Tribune PO:Public Hearing	200.00	Legals	1,060.29	1,060.29

Affidavit of Publication

State of North Dakota, SS County of Burleigh  
Before me a Notary Public for the State of North Dakota  
personally appeared CK who being duly sworn, deposes  
and says that he (she) is the Clerk of Bismarck Tribune Co.,  
and that the publication(s) were made through the  
Bismarck Tribune on the following dates:

9/6 Signed Carmen Huntz  
sworn and subscribed to before me this 17th  
day of September 2013

Morgan Doll  
Notary Public in and for the State of North Dakota



Please return invoice or put order number on check. Thank You.

Remarks \_\_\_\_\_ Total Due: 1,060.29

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LaCrosse, WI 54602-4001

**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, September 26, 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 Friday, September 13, 2013.

**STATE OF NORTH DAKOTA TO:**

Case No. 20916: In the matter of the application of North Plains Energy, LLC for an order suspending, and after hearing, revoking the permit issued to Murex Petroleum Corp. to drill the Dwight Ludwig #13-24H well, with a surface location in the NWNE of Section 13, T.161N., R.101W., Divide County, ND, or alternatively designating applicant as the operator of said well, and such other relief as is appropriate. Case No. 20917: Application of Sakakawea Ventures LLC seeking an order authorizing the construction of an oil treating and oilfield waste treating/processing facility on the site of an existing saltwater disposal facility SV McGregor #1 (File No. 90235) NWNW Section 21, T.159N., R.95W., Williams County, ND for the purpose of salvaging, treating and recycling upstream petroleum wastes, and for such other relief as is appropriate.

Case No. 20918: Application of New Frontier Group for an order pursuant to NDAC § 43-02-03-51 authorizing the construction and operation of a treating plant in the S/2 SW/4 of Section 7, T.152N., R.101W., McKenzie County, ND, and for such other relief as is appropriate.

Case No. 20919: Proper spacing for the development of the Clarks Creek-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. EOG Resources, Inc. Case No. 20920: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 1 and 2, T.154N., R.90W.; and to create and establish two 1920-acre spacing units comprised of Sections 9, 15 and 16, T.154N., R.90W.; and Sections 34 and 35, T.154N., R.90W. and Section 2, T.153N., R.90W., Mountrail County, ND, authorizing the drilling of a total not to exceed six wells on each 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20921: Application of EOG Resources, Inc. for an order amending the field rules for Sections 1, 12, 13, 23, 26 and 35, T.159N., R.91W., Zone III of the Thompson Lake-Bakken Pool, Burke County, ND, authorizing rather than requiring the drilling of not more than a total of six wells on each 1920-acre spacing unit, and such other relief as is appropriate. Case No. 20925: (Continued) Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20926: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20927: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20928: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20929: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20930: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20931: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20932: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20933: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20934: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20935: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20936: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20937: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20938: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20939: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20940: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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. 20941: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall-Bakken Pool, McLean and untrail 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.

requirements and such other relief as is appropriate.

Case No. 20932: Application of Corinthian Exploration (USA) Corp. for an order extending the field boundaries and amending the field rules for the Northeast Landa-Spearfish/Madison Pool and/or Souris Spearfish/Madison Pool, to create and establish three 320-acre spacing units comprised of the SW/4 of Section 4 and the SE/4 of Section 5; the NW/4 of Section 3 and the NE/4 of Section 4; and, the SW/4 of Section 3 and the SE/4 of Section 4, T.163N., R.78W., Bottineau County, ND, authorizing the drilling of a total not to exceed twelve wells on each spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20933: Application of Enduro Operating LLC for an order authorizing the recompletion of the Beicegel Creek #27 42 well located in the SENE of Section 27, T.146N., R.101W., McKenzie County, ND, to authorize said well to produce from both the Flat Top Butte-Madison Pool and Duperow Pools establishing the NE/4 of said Section 27 as the spacing unit for production from the Flat Top Butte-Duperow Pool and such other relief as is appropriate.

Case No. 20934: Application of Enerplus Resources (U.S.A.) Inc. for an order amending the field rules for the Eagle Nest-Bakken Pool to create and establish an overlapping 1280-acre spacing unit comprised of Sections 1 and 12, T.148N., R.95W., Dunn County, ND, authorizing the drilling of a total of not more than four wells on said overlapping 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20935: Application of Triangle USA Petroleum Corp. for an order extending the field boundaries and amending the field rules for the Sioux and/or Ragged Butte-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 5 and 8, T.151N., R.101W., McKenzie 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. 20936: Application of XTO Energy Inc. for an order amending the field rules for the Morgan Draw-Bakken Pool to create and establish a 2560-acre spacing unit comprised of Sections 25 and 36, T.144N., R.103W. and Sections 5 and 6, T.143N., R.102W., Golden Valley and Billings Counties, ND, authorizing the drilling of multiple horizontal wells on said 2560-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 20937: Application of Slawson Exploration Co., Inc. for an order amending the field rules for the Stockyard Creek-Bakken Pool so as to create and establish two overlapping 960-acre spacing units comprised of all of Section 13 and the E/2 of Section 14; and the W/2 of Section 14 and all of Section 15, T.154N., R.99W., Williams County, ND, authorizing the drilling of a total of not more than eight wells on each overlapping 960-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20938: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of multiple multi-lateral horizontal wells in existing spacing units in the Stockyard Creek-Bakken Pool, Williams County, ND, in addition to any existing Bakken wells in said spacing units, with a portion of the vertical section of the well open to the Lodgepole Formation above the stratigraphic limits of the Bakken Pool and such other relief as is appropriate.

Case No. 20939: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of eleven wells on an existing 1280-acre spacing unit described as Sections 29 and 32, T.149N., R.94W., Eagle Nest-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20939: 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. 20940: Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Zenith-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. 20941: Application of Crescent Point Energy U.S. Corp. for an order amending the field rules for the Colgan-Bakken Pool, Divide 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. 20942: Application for an order amending the field rules for the West Ambrose-Bakken Pool, Divide 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. 20943: Application for an order amending the field rules for the Ambrose-Bakken Pool, Divide 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. 20944: Application of Newfield Production Co. for an order amending the field rules for the Tobacco Garden-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. 20945: Application of Mountain Divide, LLC for an order amending the field rules for the Fortuna-Bakken Pool, Divide 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. 20946: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on an existing 1280-acre spacing unit described as Sections 27 and 34, 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. 20947: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on an existing 1280-acre spacing unit described as Sections 29 and 32, T.149N., R.94W., Eagle Nest-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20948: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on an existing 1280-acre spacing unit described as Sections 29 and 32, T.149N., R.94W., Eagle Nest-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20949: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on an existing 1280-acre spacing unit described as Sections 29 and 32, T.149N., R.94W., Eagle Nest-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20948: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on each existing 1280-acre spacing unit described as Sections 14 and 23; Sections 27 and 34; and Sections 35 and 36, T.149N., R.93W., Mandaree-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20949: Application of WPX Energy Williston, LLC for an order amending the field rules for the Van Hook-Bakken Pool, Dunn, McLean 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. 20949: (Continued) 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. 20500: (Continued) Application for an order amending the field rules for the Eagle Nest-Bakken Pool, Dunn and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate. Enerplus Resources (U.S.A.) Inc.; G3 Operating, L.L.C.; and WPX Energy Williston, LLC

Case No. 20501: (Continued) Application for an order amending the field rules for the McGregory 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. Enerplus Resources (U.S.A.) Inc.; G3 Operating, L.L.C.; and WPX Energy Williston, LLC

Case No. 20800: (Continued) Application of Statoil Oil and Gas LP for an order amending the field rules for the Briar Creek-Bakken Pool to create and establish two 1440-acre spacing units comprised of the E/2 W/2 and E/2 of Sections 5, 8 and 17; and all of Sections 6, 7 and 18 and the W/2 W/2 of Sections 5, 8 and 17, T.152N., R.104W., McKenzie and Williams Counties, ND, authorizing the drilling of a total of not more than six wells on each 1440-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 19901: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order extending the field boundaries and amending the field rules for the Covered Edge-Bakken Pool or Pierre Creek-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 15 and 22, T.146N., R.102W., McKenzie County, ND, authorizing the drilling of a total of not more than two wells on said spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20658: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order amending the field rules for the Khorn-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 27 and 28, T.144N., R.99W., Billings County, ND, authorizing the drilling of a total not to exceed three horizontal wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20951: In the matter of the petition for a risk penalty of Bakken Hunters, 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 completion of the Hegg #21-29SEH well located in a spacing unit consisting of Sections 30 and 34N., R.98W., Ambrose-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20951: Application of BOH Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Ruud SWD #1 well, Section 26, T.154N., R.93W., on Lake Field, Mountrail County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 20952: Application of BOH Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the State SWD #1 well, Lot 3, Section 36, T.149N., R.95W., Eagle Nest Field, McKenzie, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 20953: In the matter of the petition for the risk penalty of WPX Energy Williston, 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 Edward Goodbird #9HD well located in a spacing unit described as Section 9, T.149N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20954: In the matter of the petition for the risk penalty of WPX Energy Williston, 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 Charles Blackhawk #31-30HX well located in a spacing unit described as Sections 30 and 31, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20955: In the matter of the petition for the risk penalty of WPX Energy Williston, 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 Charles Blackhawk #31-30HA well located in a spacing unit described as Sections 30 and 31, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20956: In the matter of the petition for the risk penalty of WPX Energy Williston, 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 Howling Wolf #28-33HC well located in a spacing unit described as Sections 28 and 33, T.147N., R.92W., Wolf Bay-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20957: 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.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20958: 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 15 and 22, T.154N., R.97W., Grinnell-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20959: In the matter of the petition for a risk penalty of XTO Energy 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 Ames #31X-13C well located in a spacing unit described as Sections 13 and 24, T.154N., R.97W., Grinnell-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20960: In the matter of the petition for a risk penalty of XTO Energy 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 Hegg #21-29SEH well located in a spacing unit described as Sections 29 and 32, T.150N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20961: In the matter of the petition for a risk penalty of XTO Energy 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 Hegg #21-29SH well located in a spacing unit described as Sections 29 and 32, T.150N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20962: In the matter of the petition for a risk penalty of XTO Energy 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 Wood #21X-25A well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20963: In the matter of the petition for a risk penalty of XTO Energy 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 Wood #21X-25AXB well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20964: In the matter of the petition for a risk penalty of XTO Energy 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 Wood #21X-25B well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20965: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 29 and 32, T.152N., R.97W., and Sections 5 and 8, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20966: 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 16, 21, 28 and 33, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20967: 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 5, 8, 17 and 20, T.152N., R.97W., Twin Valley-Bakken Pool and Banks-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20968: 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 16 and 21, T.153N., R.100W., Baker-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20969: 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 Hegg #1-8H well located in a spacing unit described as Sections 5 and 8, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20970: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed nine wells on an existing 1280-acre spacing unit described as Sections 27 and 34, T.154N., R.94W., Alkali Creek-Bakken Pool, McKenzie and Mountrail Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20971: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed five wells on each existing 1280-acre spacing unit described as Sections 15 and 22; and Sections 27 and 34, T.152N., R.99W., Banks-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20972: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 15 and 22, T.151N., R.96W., Camel Butte-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20973: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 2 and 11, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20974: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed fourteen wells on an existing 2560-acre spacing unit described as Sections 2, 11, 14 and 23, T.152N., R.100W., Camp-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20814: (Continued) 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 Section 31, T.147N., R.96W., and Sections 6, 7 and 18, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20815: (Continued) Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed fourteen wells on an existing overlapping 2560-acre spacing unit described as Section 31, T.147N., R.96W., and Sections 6, 7 and 18, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20816: (Continued) Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 19 and 30, T.146N., R.96W., Jim Creek-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20975: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Murphy 29-32-160-99H #1CN well located in a spacing unit described as Sections 29 and 32, T.160N., R.99W., Burg-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20976: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Moe Trust 33-28-160-98H #1BP well located in a spacing unit described as Sections 28 and 33, T.160N., R.98W., Skabo-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20977: 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 Wilson #150-99-29-32-1H well located in a spacing unit described as Sections 29 and 32, T.150N., R.99W., South Tobacco Garden-Bakken Pool, McKenzie County, ND, pursuant to NDCC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20978: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.151N., R.101W., Sioux and/or Ragged Butte-Bakken Pools, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20979: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.152N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20980: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 4 and 9, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20981: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20982: Application of Triangle USA Petroleum Corp. 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 15 and 22, T.152N., R.102W.; Sections 4 and 9; and Sections 5 and 8, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20983: Application of Emerald Oil, 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, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20984: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20985: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 16 and 27, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20986: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 17 and 20, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20987: Application of Emerald Oil, Inc. 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.149N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20988: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 30, T.149N., R.102W., Boxcar Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20989: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.149N., R.102W., Moline-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20990: Application of Emerald Oil, Inc. 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.148N., R.103W., Sheep Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20991: Application of Emerald Oil, Inc. for an order allowing the production from the Hot Rod #1-27-26H well, Hot Rod #4-27-26H well, and the Hot Rod #5-27-26H well, located or to be located in Section 27, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Hot Rod Central Tank Battery or production facility located in Section 27, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20992: Application of Emerald Oil, Inc. for an order allowing the production from the Caper #5-22-15H well, and the Caper #6-22-15H well, located in Section 22, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Caper East Central Tank Battery or production facility located in Section 22, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20993: Application of Emerald Oil, Inc. for an order allowing the production from the Excalibur #1-25-36H well, Excalibur #2-25-36H well, Excalibur #3-25-36H well, Excalibur #4-25-36H well, and the Excalibur #5-25-36H well, located or to be located in Section 25, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Excalibur Central Tank Battery or production facility located in Section 25, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20994: Application of Emerald Oil, Inc. for an order allowing the production from the Pirate #1-2-11H well, Pirate #5-2-11H well, and the Pirate #6-2-11H well, located or to be located in Section 2, T.149N., R.102W., Foreman Butte Field, McKenzie County, ND, to be produced into the Pirate Central Tank Battery or production facility located in Section 2, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20995: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.158N., R.100W., Church-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20996: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 3 and 10, T.157N., R.100W., Dublin-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20997: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 30, T.155N., R.102W., Squires-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20998: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 24, T.155N., R.101W., Cow Creek-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20999: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 31 and 32, T.154N., R.101W., Todd-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.

Case No. 21000: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 10 and 15, T.151N., R.104W., Dore-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21001: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 14, T.151N., R.104W., Assiniboine-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21002: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12, T.151N., R.101W., Camp-Bakken Pool, McKenzie County, ND, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.

Case No. 21003: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.151N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21004: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12, T.150N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21005: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 3 and 10, T.150N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21006: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, T.150N., R.101W., Rawson-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21007: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on each existing overlapping 1280-acre spacing unit comprised of Sec. 31, T.155N., R.90W.; Sec. 6, T.154N., R.90W.; Sec. 32, T.155N., R.90W.; and Sec. 5, T.154N., R.90W.; Secs. 2 and 11; Secs. 4 and 9; Secs. 5 and 8; Secs. 10 and 15; Secs. 14 and 23; Secs. 16 and 21; Secs. 17 and 20; Secs. 21 and 28; and Secs. 23 and 26, T.154N., R.90W.; Secs. 1 and 12; Secs. 5 and 6; Secs. 12 and 13; Secs. 16 and 17; Secs. 19 and 20; Secs. 19 and 30; Secs. 28 and 29; and Secs. 33 and 34, T.153N., R.90W.; Sec. 25, T.153N., R.90W.; and Sec. 30, T.155N., R.89W.; Secs. 1 and 2; Secs. 11 and 14; Secs. 14 and 15; and Secs. 25 and 26, T.152N., R.91W.; Secs. 1 and 2; Secs. 23 and 24; Secs. 27 and 28; Secs. 28 and 29; Secs. 29 and 30; Secs. 32 and 33; and Secs. 34 and 35, T.152N., R.90W.; Sec. 12, T.151N., R.91W.; and Sec. 7, T.151N., R.90W.; Secs. 17 and 18; Secs. 21 and 28; Secs. 28 and 33; Secs. 31 and 32; and Secs. 32 and 33, T.151N., R.90W.; and on each existing 1920-acre spacing unit comprised of Secs. 27, 34 and 35, T.155N., R.90W.; Secs. 32 and 33, T.155N., R.90W.; and Sec. 4, T.154N., R.90W.; Secs. 11, 13 and 14; and Secs. 19, 29 and 30; T.154N., R.90W.; Sec. 32, T.154N., R.90W.; and Secs. 4 and 5, T.153N., R.90W.; Secs. 35 and 36, T.154N., R.90W.; Sec. 1, T.153N., R.90W.; Secs. 9, 10 and 15; Secs. 9, 15 and 16; Secs. 17, 20 and 21; Secs. 21, 22 and 27; Secs. 22, 23 and 26; Secs. 26, 35 and 36; Secs. 27, 28 and 34; Secs. 29, 32 and 33; and Secs. 30, 31 and 32, T.153N., R.90W.; Secs. 25 and 36, T.153N., R.90W.; and Sec. 31, T.153N., R.89W.; Secs. 11, 12 and 13; Secs. 23, 24 and 25; and Secs. 26, 35 and 36, T.152N., R.91W.; Sec. 1, T.152N., R.91W.; and Secs. 6 and 7, T.152N., R.91W.

Case No. 21008: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of five wells on the following existing 320-acre spacing units comprised of the E/2 of Section 14 and the E/2 of Section 23; a total of seven wells on an existing 1280-acre spacing unit comprised of Sections 34 and 35; a total of seven wells on an existing 1920-acre spacing unit comprised of Sections 9, 10 and 11; and a total of seven wells on each existing 1600-acre spacing unit comprised of Sections 15, 16 and the W/2 of Section 14; Sections 21, 22 and the W/2 of Section 23; and Sections 27, 28 and the W/2 of Section 26, all in T.151N., R.91W., Van Hook-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21009: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on each existing overlapping 1280-acre spacing unit comprised of Sections 9 and 16; Sections 15 and 22; Sections 18 and 19; and Sections 22 and 27; and on each existing 1920-acre spacing unit comprised of Sections 3, 4 and 10; Sections 5, 6 and 8; Sections 6, 7 and 8; Sections 7, 17 and 18; Sections 9, 10 and 15; Sections 16, 17 and 21; Sections 19, 29 and 30; Sections 20, 21 and 28; and Sections 20, 28 and 29, all in T.155N., R.90W., Stanley-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21010: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on each 640-acre spacing unit described as Section 1 and Section 2, T.153N., R.91W.; and authorizing the drilling, completing and producing of a total of not more than nine wells on an overlapping 1280-acre spacing unit described as Sections 1 and 2, T.153N., R.91W., Mountrail County, ND; and authorizing the drilling, completing and producing of a total of not more than six wells on each 640-acre spacing unit described as the NE/4, the N/2 NW/4, Lots 1, 2, 3, and 4, plus those portions of the bed of the Missouri River and the accretions to Lots 1 and 2 lying north of the Fort Berthold Indian Reservation in Section 11; and the N/2 and Lots 1, 2, 3, and 4 of Section 12; and the SE/4, Lots 5, 6, 7, 8, and 9, plus those portions of the bed of the Missouri River and the accretions to Lots 5, 6, 8, and 9 lying within the Fort Berthold Indian Reservation in Section 11, and the S/2 S/2 and Lots 5, 6, 7, and 8 of Section 12, T.152N., R.93W., Mountrail and McKenzie Counties, ND, Sanish-Bakken Pool, eliminating any tool error requirements and other relief as is appropriate.

Continued on Pg. 7C



Case No. 21011: Application of Slawson Exploration Co., 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 15 and 22, T.151N., R.92W., Van Hook-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20839: (Continued) Application of Slawson Exploration Co., 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 1 and 12, T.148N., R.100W., Bully-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21012: Application of Arsenal Energy USA Inc. for an order allowing the production from the Amy Elizabeth #11-2H well, SESE; John Paul #11-2H-155-91 well, SESW; and the Ronald Carter #11-2H-155-91 well, SESW, all in Section 11, T.155N., R.91W., Stanley Field, Mountrail County, ND, to be produced into the Amy Elizabeth Central Tank Battery or production facility located in Section 11, T.155N., R.91W., Mountrail County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21013: Application of Enduro Operating, LLC for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Pierre Creek-Birdbear and Duperow Pools to be commingled in the well bore of the Pierre Creek Federal #11-8H well, located in the NWNW of Section 8, T.146N., R.102W., Pierre Creek Field, McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21014: Application of Enduro Operating, LLC for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Flat Top Butte-Madison and Duperow Pools to be commingled in the well bore of the Bellefleur Creek #27-12 well, located in the SENE of Section 27, T.146N., R.101W., Flat Top Butte Field, McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21015: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Cindy #14-23H well and the Albert #14-23H well, located in Section 14, T.140N., R.97W., Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Section 14, T.140N., R.97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21016: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Doloris #14-23H well and the Allan #14-23H well, located in Section 14, T.140N., R.97W., Dickinson Field, Stark County, ND, to be produced into the Doloris Central Tank Battery or production facility located in Section 14, T.140N., R.97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21017: Application of Flatirons Resources LLC pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the NENE of Section 1, T.158N., R.86W., Lake Darling Field, Renville County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 21018: Application of Armstrong Operating, Inc. for an order authorizing the drilling of the PLU #12-17, to be located in the SWNW of Section 17, T.139N., R.96W., Patterson Lake-Lodgepole Unit, Stark County, ND, for the injection of fluids in the unitized formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
9/6 - 20676841

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# 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:

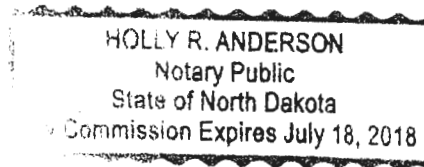
September 4, 2013.....148 lines @ 0.63 = \$93.24

TOTAL CHARGE .....\$93.24

Signed Cecile L. Krimm  
Cecile L. Krimm, Publisher

Subscribed and sworn to before me September 4, 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.

Thursday, September 26, 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 Friday, September 13, 2013.

STATE OF NORTH DAKOTA  
TO:

Case No. 20916: In the matter of the application of North Plains Energy, LLC for an order suspending, and after hearing, revoking the permit issued to Murex Petroleum Corp. to drill the Dwight Ludwig #13-24H well, with a surface location in the NWNE of Section 13, T.161N., R.101W., Divide County, ND, or alternatively designating applicant as the operator of said well, and such other relief as is appropriate.

Case No. 20938: Application of Powers Energy Corp. and/or Intervention Energy, LLC for an order prohibiting Murex Petroleum Corp. from imposing a risk penalty against Powers and/or Intervention as provided by NDCC § 38-08-08 and NDAC § 43-02-03-16.2 for the risk

of drilling the Lori Ann #4-9H well, located in Sections 4 and 9, T.161N., R.101W., Writing Rock-Bakken Pool, Divide County, ND, and such other relief as is appropriate.

Case No. 20941: Application of Crescent Point Energy U.S. Corp. for an order amending the field rules for the Colgan-Bakken Pool, Divide 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. 20942: Application for an order amending the field rules for the West Ambrose-Bakken Pool, Divide 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. Baytex Energy USA Ltd., Crescent Point Energy U.S. Corp. and Samson Resources Co.

Case 20943: Application for an order amending the field rules for the Ambrose-Bakken Pool, Divide 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. Baytex Energy USA Ltd. and Samson Resources Co.

Case No. 20795: (Continued) Application of Samson Resources Co. for an order amending the field rules for the West Ambrose-Bakken Pool to create and establish an overlapping 4160-acre spacing unit comprised of Sections 25 and 36, T.164N., R.100W., Sections 30 and 31, T.164N., R.99W., Sections 1 and 12, T.163N., R.100W., and Sections 6 and 7, T.163N., R.99W., Divide County, ND, authorizing the drilling of multiple wells on or near the section line on said spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20945: Application of Mountain Divide, LLC for an order amending the field rules for the Fortuna-Bakken Pool, Divide 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. 20950: In the matter of the petition for a risk penalty of Bakken Hunter, 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 completion of the Tundra 3130 #3H well located in a spacing unit consisting of Sections 30 and 31, T.164N., R.98W., Ambrose-Bakken

Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20975: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Murphy 29-32-160-99H #1CN well located in a spacing unit described as Sections 29 and 32, T.160N., R.99W., Burg-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20976: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Moe Trust 33-28-160-98H #1BP well located in a spacing unit described as Sections 28 and 33, T.160N., R.98W., Skabo-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

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

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