

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 25717
ORDER NO. 28128

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF PETRO HARVESTER OPERATING CO., LLC FOR AN ORDER ESTABLISHING (I) TWO STANDUP 640-ACRE DRILLING UNITS CONSISTING OF THE W/2 OF SECTIONS 3 AND 10; AND THE E/2 OF SECTIONS 3 AND 10, T.163N., R.93W.; (II) FOUR STANDUP 400-ACRE DRILLING UNITS CONSISTING OF THE W/2 OF SECTIONS 27 AND 34; THE E/2 OF SECTIONS 27 AND 34; THE W/2 OF SECTIONS 26 AND 35; AND THE E/2 OF SECTIONS 26 AND 35, T.164N., R.93W., BURKE COUNTY, ND; (III) AND AUTHORIZING A HORIZONTAL WELL TO BE DRILLED IN THE MADISON FORMATION ON EACH SUCH SPACING UNIT WITH 200 FOOT SETBACKS FOR THE TOE AND HEEL OF EACH HORIZONTAL WELL; OR (IV) GRANTING SUCH OTHER RELIEF AS MAY BE 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 April, 2017.
- (2) The witnesses for Petro Harvester Operating Company, LLC (Petro Harvester) provided telephonic testimony in this matter pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.2. Telephonic Communication Affidavits were received on May 8, 2017; therefore, such testimony may be considered evidence.
- (3) Petro Harvester made application to the Commission for an order establishing two standup 640-acre drilling units consisting of the E/2 of Sections 3 and 10; and the W/2 of Sections 3 and 10, Township 163 North, Range 93 West (Sections 3 and 10); four standup 400-acre drilling units consisting of the E/2 of Sections 26 and 35; the W/2 of Sections 26 and 35; the E/2 of Sections 27 and 34; and the W/2 of Sections 27 and 34, Township 164 North, Range 93 West (Sections 26, 35, 27, and 34), Burke County, North Dakota; and authorizing a horizontal well to be drilled in the Madison Formation on each such spacing unit with 200 foot

setbacks for the toe and heel of each horizontal well; or granting such other relief as may be appropriate.

(4) Petro Harvester withdrew the standup 640-acre drilling units described as the E/2 of Sections 3 and 10; and the W/2 of Sections 3 and 10 from the application.

(5) Sections 26, 34, and 35 are adjacent to the Short Creek Field and Section 27 is one section removed from the Short Creek Field. There are no wells currently permitted to or producing from said sections.

(6) Order No. 28240 entered in Case No. 25824, the most recent spacing order for the Short Creek-Madison Pool, established proper spacing for the development of Zone I at one well per 160 acres, and Zone II at one horizontal well per 800 acres.

(7) Petro Harvester presented evidence the Short Creek-Madison Pool underlies Sections 26, 27, 34, and 35; therefore, the boundary of the Short Creek Field should be extended to include such land.

(8) Section 26; and Section 27 are short sections adjacent to the North Dakota-Canada border containing approximately 149.2 acres and 149.76 acres, respectively.

(9) Petro Harvester's idealized development plan for each standup 400-acre spacing unit described as the E/2 of Sections 26 and 35; the W/2 of Sections 26 and 35; the E/2 of Sections 27 and 34; and the W/2 of Sections 27 and 34 is to drill two horizontal wells parallel to the long axis targeting the lower Midale subinterval of the Mission Canyon Formation. Utilization of horizontal drilling technology as proposed would result in the wells being completed at a location or locations not in compliance with current applicable spacing orders for the Short Creek-Madison Pool. The horizontal well design proposed may be preliminary and could be changed for various reasons which is permissible as long as the horizontal well design still justifies the spacing unit.

(10) Petro Harvester plans to drill the two horizontal wells in the E/2 of Sections 26 and 35 depicted in paragraph (9) above from the Hess Bakken Investments II, LLC (Hess) #0211H-1 AV-Schwartz-163-93 well (File No. 19347) pad in the NE/4 NE/4 of Section 2, Township 163 North, Range 93 West, Burke County, North Dakota (Section 2), which they are acquiring from Hess. Petro Harvester plans to drill the two horizontal wells in the W/2 of Sections 26 and 35 depicted in paragraph (9) above from a common drilling pad in the NW/4 of Section 2. Petro Harvester plans to drill the four horizontal wells in Sections 27 and 34 depicted in paragraph (9) above from a common drilling pad in the SE/4 SW/4 of Section 34.

(11) The Commission enforces a policy which requires measurement inaccuracies in the directional survey equipment be considered when the angle between the horizontal lateral and the corresponding spacing unit boundary is ten degrees or less. Waiving potential tool error in the directional survey equipment when calculating the bottom hole location of any horizontal lateral in spacing units which allow multiple horizontal wells will allow said spacing units to be more efficiently developed.

(12) Petro Harvester prefers to develop standup 400-acre spacing units to reduce the number of drilling pads and well bore count and allow for more reservoir access with longer laterals from a single pad. The relatively shallow target depth of approximately 6000 feet reduces the ability to deviate well bore trajectories due to a lack of weight on the bit. Petro Harvester believes standup 400-acre spacing units allow adjustment of the inter-lateral distance to minimize drilling and completion risks such as existing vertical wells and enhances their anti-collision strategy to maintain a 100-foot offset, and allow Petro Harvester to maintain a 50 feet to 100 feet offset from a spacing unit setback boundary to avoid trespass.

(13) Construction of common drilling pads will reduce surface impact and the expenditure of funds on surface facilities and enhance the economics of production, thereby preventing economic waste and promoting the greatest ultimate recovery of oil and gas from the Short Creek-Madison Pool. Utilization of such common drilling pads will improve the timing and economics of connecting wells to gas gathering systems thereby reducing gas flaring and will minimize surface disturbance and enhance the aesthetic values resulting from fewer production facilities.

(14) Petro Harvester plans to complete the horizontal wells with cemented liners and multi-stage fracture stimulations.

(15) Petro Harvester testified a 200-foot setback will allow additional fracture stimulation stages per well. Petro Harvester testified it gathered microseismic data during the hydraulic fracture stimulation of its FLX1 #22-15 163-91 B well (File No. 32423) and FLX1 #22-15 163-91 D well (File No. 32424), which recorded noise events at an average maximum distance of 521 feet from the lateral. Petro Harvester believes the propped fracture half-length is 100 to 150 feet and the effective propped fracture half-length is approximately 103 feet based upon modeling and history matching. Petro Harvester testified they will set the production casing 50 feet across the setback requirement and terminate the well 50 feet from the setback requirement, and they do not fracture stimulate out the liner shoe or at the casing shoe, but instead the deepest fracture stimulation perforation is located 150 feet from the total depth of the well and the shallowest fracture stimulation perforation is located 100 feet from the casing shoe. Petro Harvester estimates the induced fracture orientation is north 65 degrees east. Petro Harvester testified the additional fracture stimulation stages will result in the incremental recovery of oil.

(16) There were no objections to this application.

(17) If Petro Harvester's activities are successful, greater ultimate recovery of oil and gas from the pool will be achieved which will prevent waste and the drilling of unnecessary wells in a manner which will not have a detrimental effect on correlative rights.

IT IS THEREFORE ORDERED:

(1) The E/2 of Sections 26 and 35; the W/2 of Sections 26 and 35; the E/2 of Sections 27 and 34; and the W/2 of Sections 27 and 34, Township 164 North, Range 93 West, Burke County, North Dakota, are hereby established as standup 400-acre spacing units for the exclusive purpose of drilling up to two horizontal wells within each said spacing unit within the Short Creek-Madison Pool and Zone II is hereby redefined to include said spacing units. Existing and future vertical and directional wells drilled within the spacing units herein established shall

conform to the applicable spacing requirements providing for the orderly development of Zone I in the Short Creek-Madison Pool.

(2) The Director is hereby authorized to exercise continuing jurisdiction in this matter to determine whether a horizontal well proposed or drilled upon the 400-acre spacing units herein established has justified the creation of such unit, to require amendments or modifications to the permit to drill for such horizontal well, and to deny a permit to drill in the event a well is proposed to be drilled in a manner inconsistent with the evidence that justified such spacing unit.

(3) The Short Creek Field is hereby redefined as the following described tracts of land in Burke County, North Dakota:

TOWNSHIP 164 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 25, 26, 27, 34, 35 AND 36,

TOWNSHIP 163 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 1, 2, 3, 4, 5, 8, 9, 10, 11 AND 12.

(4) The Short Creek-Madison Pool is hereby redefined as the following described tracts of land in Burke County, North Dakota:

ZONE I (160V-CSE QQ)

TOWNSHIP 164 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 25, 26, 27, 34, 35 AND 36,

TOWNSHIP 163 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 1, 2, 3, 4, 5, 8, 9, 10, 11 AND 12.

ZONE II (2/400H-STANDUP)

TOWNSHIP 164 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 26, 27, 34 AND 35.

ZONE III (800H-STANDUP)

TOWNSHIP 164 NORTH, RANGE 93 WEST, 5TH PM
ALL OF SECTIONS 25 AND 36.

(5) The Short Creek-Madison Pool is hereby defined as that accumulation of oil and gas found in the interval from below the base of the Last Charles Salt to above the top of the Lodgepole Formation within the limits of the field as set forth above.

(6) The proper spacing for the development of Zone I in the Short Creek-Madison Pool is hereby set at one vertical well per 160-acre spacing unit.

(7) All wells in Zone I in the Short Creek-Madison Pool shall be located in the approximate center of the northwest quarter of each quarter section unless granted an exception by the Commission after due notice and hearing.

(8) Spacing units in Zone I in the Short Creek-Madison Pool shall consist of a governmental quarter section or governmental lots corresponding thereto.

(9) Zone I in the Short Creek-Madison Pool shall not be extended except by further order of the Commission after due notice and hearing.

(10) Provisions established herein for Zone II in the Short Creek-Madison Pool are for the exclusive purpose of drilling horizontal wells. Existing and future vertical and directional wells drilled within the area defined as Zone II in paragraph (4) above shall conform to the applicable spacing requirements for the orderly development of Zone I in the Short Creek-Madison Pool.

(11) The proper spacing for the development of Zone II in the Short Creek-Madison Pool is hereby set at up to two horizontal wells per standup 400-acre spacing unit.

(12) All portions of the well bore not isolated by cement of any horizontal well in Zone II in the Short Creek-Madison Pool shall be no closer than 500 feet to the east or west boundary and 200 feet to the north or south boundary of the spacing unit. Measurement inaccuracies in the directional survey equipment when calculating the bottom hole location in a horizontal well need not be considered.

(13) The E/2 of Sections 26 and 35; the W/2 of Sections 26 and 35; the E/2 of Sections 27 and 34; and the W/2 of Sections 27 and 34, Township 164 North, Range 93 West, Burke County, North Dakota, are hereby designated standup 400-acre spacing units in Zone II in the Short Creek-Madison Pool.

(14) Spacing units hereafter created in Zone II in the Short Creek-Madison Pool shall be standup spacing units designated by the Commission.

(15) Zone II in the Short Creek-Madison Pool shall not be extended except by further order of the Commission after due notice and hearing.

(16) Provisions established herein for Zone III in the Short Creek-Madison Pool are for the exclusive purpose of drilling horizontal wells. Existing and future vertical and directional wells drilled within the area defined as Zone III in paragraph (4) above shall conform to the applicable spacing requirements for the orderly development of Zone I in the Short Creek-Madison Pool.

(17) The proper spacing for the development of Zone III in the Short Creek-Madison Pool is hereby set at one horizontal well per standup 800-acre spacing unit.

(18) All portions of the well bore not isolated by cement of any horizontal well in Zone III in the Short Creek-Madison Pool shall be no closer than 500 feet to the east or west boundary and 200 feet to the north or south boundary of the spacing unit. Measurement inaccuracies in the directional survey equipment need not be considered except when deemed necessary by the Director.

(19) Sections 25 and 36, Township 164 North, Range 93 West, Burke County, North Dakota, are hereby designated a standup 800-acre spacing unit in Zone III in the Short Creek-Madison Pool.

(20) Spacing units hereafter created in Zone III in the Short Creek-Madison Pool shall be standup spacing units designated by the Commission.

(21) Zone III in the Short Creek-Madison Pool shall not be extended except by further order of the Commission after due notice and hearing.

(22) The operator of any horizontally drilled well in the Short Creek-Madison Pool shall cause to be made a directional survey of the well bore. The directional survey contractor shall file a certified survey with the Commission within 30 days after completion of the well in accordance with NDAC Section 43-02-03-25. The survey shall be of sufficient quality to enable the Commission to determine the entire completion location of the well and its terminus.

(23) The Director is hereby authorized to exercise continuing jurisdiction to determine whether any well proposed or drilled upon any spacing unit herein established has justified the creation of such unit, to require amendments or modifications to the permit to drill for such well, and to deny a permit to drill in the event a well is proposed to be drilled in a manner inconsistent with the evidence that justified the spacing requirements in the Short Creek-Madison Pool.

(24) The Commission shall have continuing jurisdiction in this matter and specifically reserves the authority, upon its own motion or the motion of any interested party, to: (1) review the spacing requirements for the Short Creek-Madison Pool; (2) determine whether the separate zones of spacing established herein are warranted; and, (3) make such further amendments or modifications to the spacing requirements for the Short Creek-Madison Pool as the Commission deems appropriate.

(25) No well shall be hereafter drilled or produced in the Short Creek-Madison Pool, as defined herein, except in conformity with the regulations above without special order of the Commission after due notice and hearing.

(26) The following rules concerning the casing, tubing and equipping of wells shall apply to the subsequent drilling and operation of wells in the Short Creek-Madison Pool:

- (a) The surface casing shall consist of new or reconditioned pipe that has been previously tested to 1000 pounds per square inch. The casing shall be set and cemented at a point not less than 50 feet below the base of the Fox Hills Formation. Sufficient cement shall be used to fill the annular space outside the pipe to the surface of the ground, or the bottom of the cellar, and sufficient scratchers and centralizers shall be used to assure a good cement job. Cement shall be allowed to stand a minimum of 12 hours before drilling the plug or initiating tests. The quality of cement shall conform to the standards provided under NDAC Section 43-02-03-21. After cementing, the casing shall be tested by application of pump pressure of at least 1000 pounds per square inch. If, at the end of 30 minutes this pressure has dropped 100 pounds per square inch or more,

the casing shall be repaired. Thereafter, the casing shall again be tested in the same manner. Further work shall not proceed until a satisfactory test has been obtained;

- (b) The producing or oil string shall consist of new or reconditioned pipe that has been previously tested to 2000 pounds per square inch. Casing shall be set and cemented at a point not higher than the top of the producing formation, or at a point approved by the Director. Sufficient cement shall be used and applied in such manner to protect and isolate all formations containing oil and/or gas, protect the pipe through salt sections encountered, and to isolate the Dakota-Lakota Series. The cement shall be allowed to stand a minimum of 15 hours before drilling the plug or initiating tests. The quality of cement shall conform to the standards provided under NDAC Section 43-02-03-21. After cementing, the casing shall be tested by application of pump pressure of at least 1500 pounds per square inch. If, at the end of 30 minutes this pressure has dropped 150 pounds per square inch or more, the casing shall be repaired. Thereafter, the casing shall again be tested in the same manner. Further work shall not proceed until a satisfactory test has been obtained;
- (c) All well-head fittings and connections shall have a working pressure in excess of that to which they are expected to be subjected; and,
- (d) All wells shall be equipped with tubing; a tubing packer must also be utilized in flowing wells unless a waiver is obtained from the Director after demonstrating the casing will not be subjected to excessive pressure or corrosion; all tubing shall be of sufficient internal diameter to allow the passage of a bottom hole pressure gauge for the purpose of obtaining bottom hole pressure measurements.

(27) The gas-oil ratio of all wells not connected to a gas gathering system shall be measured annually during the month of May. The reservoir pressure shall be measured in any well completed in the Short Creek-Madison Pool if deemed necessary by the Director. Drill stem test pressures are acceptable for determining reservoir pressure. Pressure measurements shall be made at or adjusted to a subsea datum of 4000 feet. All gas-oil ratio and reservoir pressure determinations shall be made by methods approved by the Director and reported to the Director within 15 days following the end of the month in which they are determined. The Director is authorized to waive these requirements if the necessity therefor can be demonstrated to his satisfaction. All additional gas-oil ratio and reservoir pressure determinations conducted on any well but not specifically required herein, shall be reported to the Director within 15 days following the end of the month in which they are determined.

(28) No saltwater, drilling mud, crude oil, or waste oil shall be stored in pits in this field, except in an emergency, and approved by the Director.

(29) All wells in the Short Creek-Madison Pool shall be allowed to produce at a maximum efficient rate.

(30) If the flaring of gas produced with crude oil from the Short Creek-Madison Pool is determined by the North Dakota Department of Health as causing a violation of the North

Dakota Air Pollution Control Rules (NDAC Article 33-15), production from the pool may be restricted.

(31) This order shall cover all of the Short Creek-Madison Pool, common source of supply of crude oil and natural gas, as herein defined, and continues in full force and effect until further order of the Commission or until the last well in the pool has been plugged and abandoned.

Dated this 14th day of August, 2017.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN 5729

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

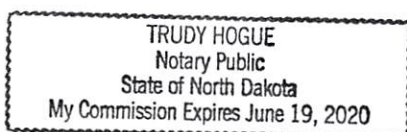
I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 16th day of August, 2017 enclosed in separate envelopes true and correct copies of the attached Order No. 28128 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 25717:

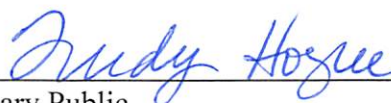
CROWLEY FLECK PLLP
PO BOX 2798
BISMARCK ND 58502



Jeanette Bean
Oil & Gas Division

On this 16th day of August, 2017 before me personally appeared Jeanette Bean to me known as the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.





Notary Public
State of North Dakota, County of Burleigh

Kadrmass, Bethany R.

From: Lisa Herberholz <lherberholz@crowleyfleck.com>
Sent: Monday, May 08, 2017 9:56 AM
To: Hicks, Bruce E.
Cc: Kadrmass, Bethany R.
Subject: Telephonic Affidavits
Attachments: Petro Harvester - Radovanovic Telephonic Aff 25717-25718.pdf; Petro Harvester - Willis Telephonic Aff 25717-25718.pdf

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Attached please find telephonic affidavits in Case Nos. 25717 and 25718. Thank you.

Lisa

CROWLEY | FLECK PLLP
ATTORNEYS

Lisa Herberholz

Administrative Assistant
Crowley Fleck PLLP
100 West Broadway Avenue, Suite 250
P.O. Box 2798
Bismarck, ND 58502
Direct 701.224.7538
Fax 701.222.4853
✉ lherberholz@crowleyfleck.com

Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling Crowley Fleck PLLP, so that our address record can be corrected.

NOTICE: THIS ELECTRONIC MAIL TRANSMISSION MAY CONSTITUTE AN ATTORNEY-CLIENT COMMUNICATION THAT IS PRIVILEGED AT LAW. IT IS NOT INTENDED FOR TRANSMISSION TO, OR RECEIPT BY, ANY UNAUTHORIZED PERSONS. IF YOU HAVE RECEIVED THIS ELECTRONIC MAIL TRANSMISSION IN ERROR, PLEASE DELETE IT FROM YOUR SYSTEM WITHOUT COPYING IT, AND NOTIFY THE SENDER BY REPLY E-MAIL OR BY CALLING CROWLEY FLECK PLLP AT 406-252-3441, SO THAT OUR ADDRESS RECORD CAN BE CORRECTED.

This email has been scanned for email related threats and delivered safely by Mimecast. For more information please visit <http://www.mimecast.com>

TELEPHONIC COMMUNICATION AFFIDAVIT
Industrial Commission of North Dakota
Oil and Gas Division
600 East Boulevard, Dept. 405
Bismarck, ND 58505-0840

This affidavit is made to comply with North Dakota Administrative Code Section 43-02-03-88.2.

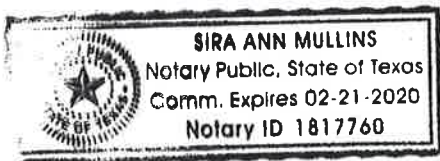
I, Peter Radovanovic, do hereby confirm that I presented testimony under oath in North Dakota Industrial Commission Case Numbers 25717 and 25718 on April 26, 2017. My testimony was presented by telephone from (214) 618-7522, Petro Harvester Operating Co., LLC, 5851 Legacy Circle, Suite 500, Plano, TX 75024.

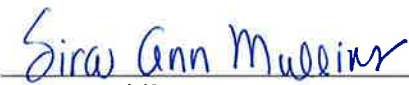

(Affiant's Signature)

STATE OF TEXAS)
) ss.
COUNTY OF COLLIN)

On May 8, 2017, Peter Radovanovic, known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that he executed the same as a free act and deed.

(S E A L)





Notary Public
State of Texas, County of Collin
My Commission Expires: 2/21/20

TELEPHONIC COMMUNICATION AFFIDAVIT
Industrial Commission of North Dakota
Oil and Gas Division
600 East Boulevard, Dept. 405
Bismarck, ND 58505-0840

This affidavit is made to comply with North Dakota Administrative Code Section 43-02-03-88.2.

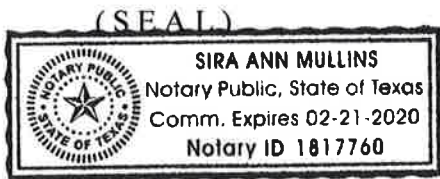
I, Sam Willis, do hereby confirm that I presented testimony under oath in North Dakota Industrial Commission Case Numbers 25717 and 25718 on April 26, 2017. My testimony was presented by telephone from (214) 618-7522, Petro Harvester Operating Co., LLC, 5851 Legacy Circle, Suite 500, Plano, TX 75024.



(Affiant's Signature)

STATE OF TEXAS)
) ss.
COUNTY OF COLLIN)

On May 8, 2017, Sam Willis, known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that he executed the same as a free act and deed.





Notary Public

State of Texas, County of Collin

My Commission Expires: 2/21/20



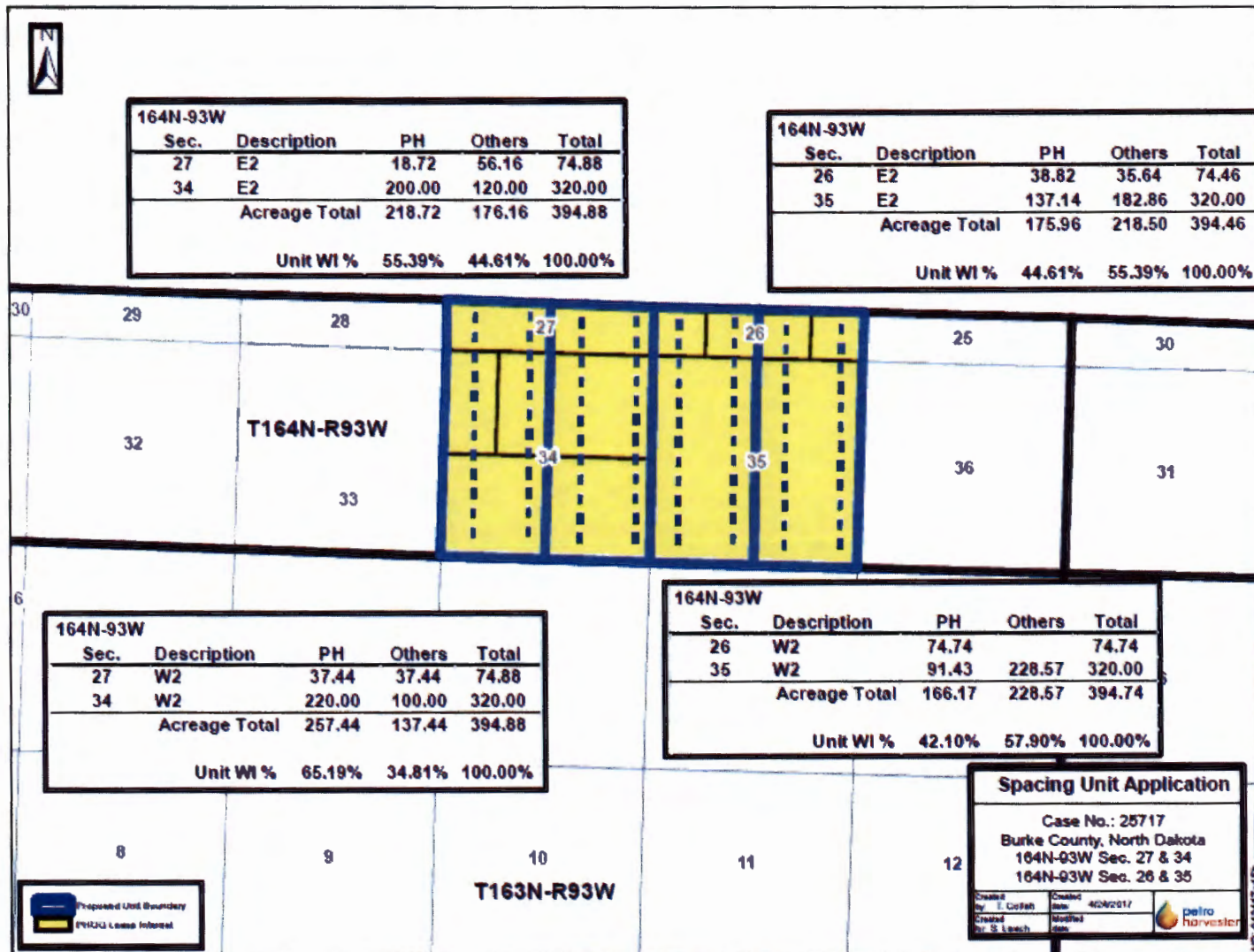
Spacing Unit Applications – Burke Co., ND

Case Number: 25717

APRIL 26, 2017



Land Plat – Case No.25717 Sections 27/34 & 26/35 T164N R93W



INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

DATE 4-26-17 CASE NO. 25717
Introduced By Petro Harvester
Exhibit 1
Identified By Willis

Exhibit 1



Application for Four 400 ac Spacing Units – Madison Pools

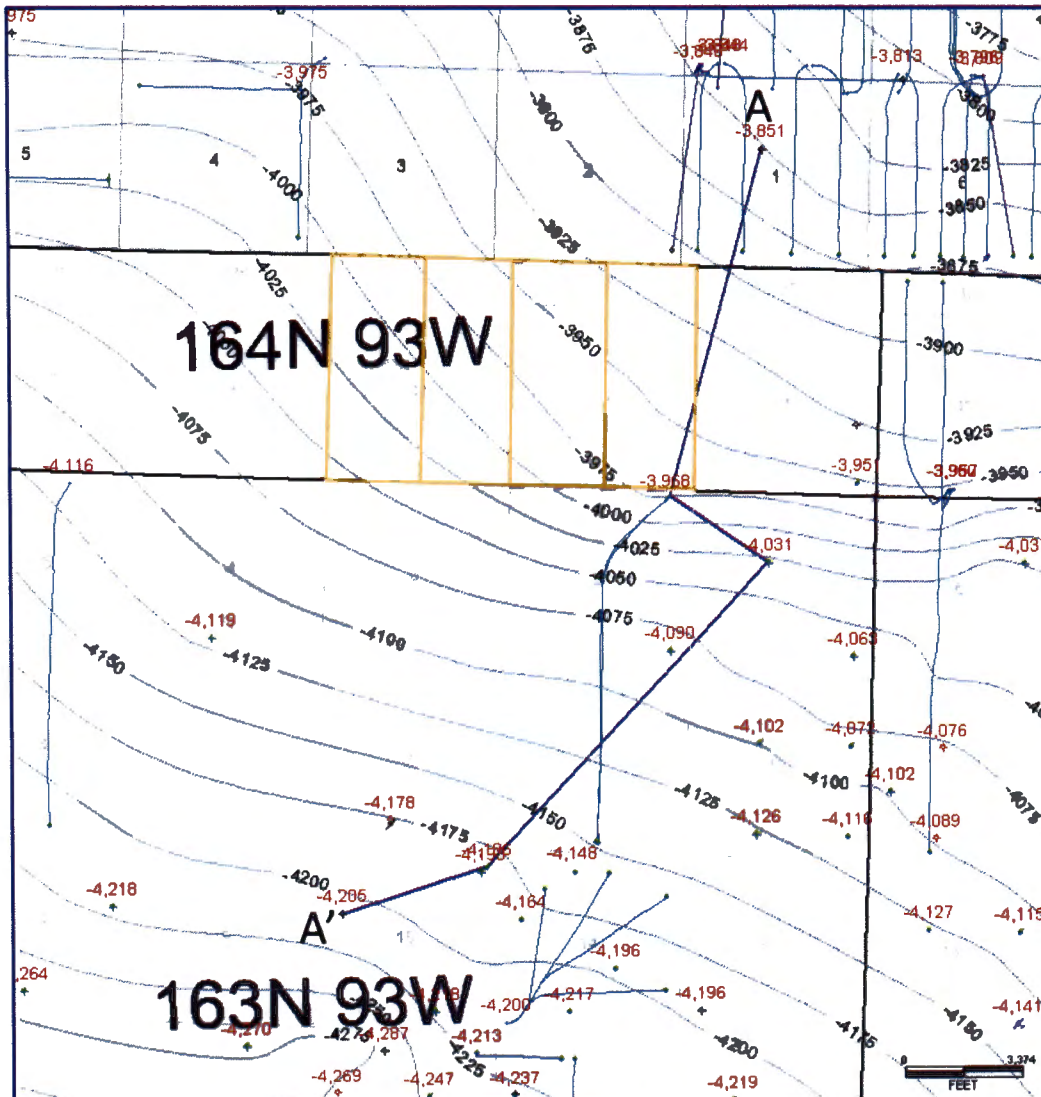
- Drilling Spacing Units – 400 ac Standups – Up to two (2) wells per DSU
 - Request 200' heel and toe setback
-
1. Developmental Flexibility and Operations Consolidation
 - a) Reduces the drilling pad and wellbore count while allowing for effective drainage of DSUs
 - Consolidates operations and infrastructure – minimized footprint
 - b) Allows for adjusting inter-well spacing within DSU to minimize drilling and completion risks
 - Existing vertical wellbores pose a drilling and completion risk
 - Petro Harvester designs for a 100' offset from existing wellbores as part of anti-collision strategy
 - Petro Harvester designs for a 50 – 100' offset from setback boundary
 2. Incremental DSU Oil Recovery
 - a) Reduced setback allows longer laterals to be drilled
 - b) Additional frac stages can be included, resulting in incremental oil recovery

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-26-17 CASE NO. 25117
Introduced By Petro Harvester
Exhibit 2
Identified By Radovanovic

Exhibit 2



Structure Map – T/Midale (CI=25 ft)– Case No.25717
Sections 27/34 & 26/35 T164N R93W

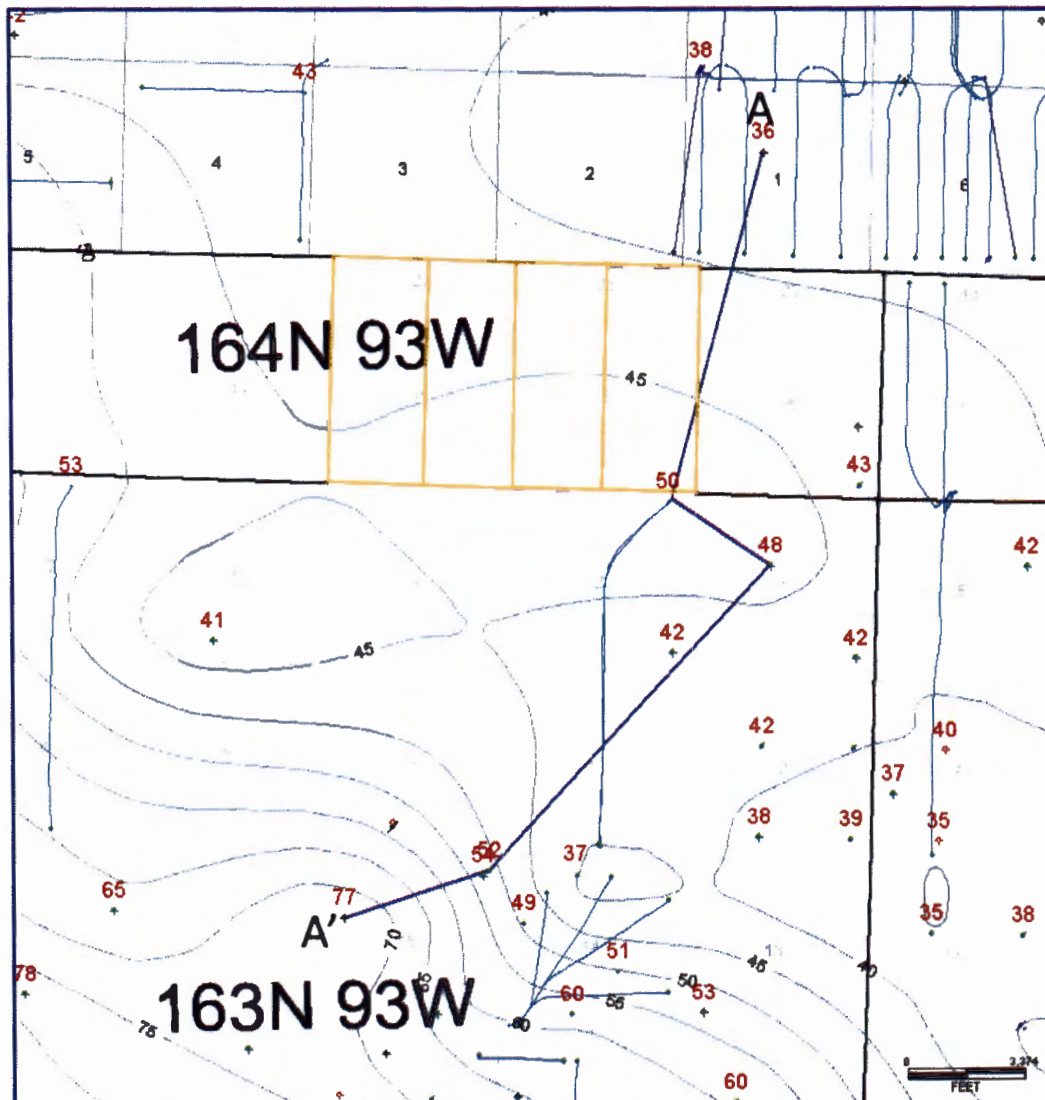


INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-26-17 CASE NO. 25717
Introduced By Petro Harvester
Exhibit 3
Identified By Radevanovic

Exhibit 3



Midale-Nesson Gross Thickness (CI=5 ft) –Case No.25717
Sections 27/34 & 26/35 T164N R93W



INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-20-17 CASE NO. 25717
Introduced By Petro-Harvester
Exhibit 4
Identified By Radovanovic

Exhibit 4

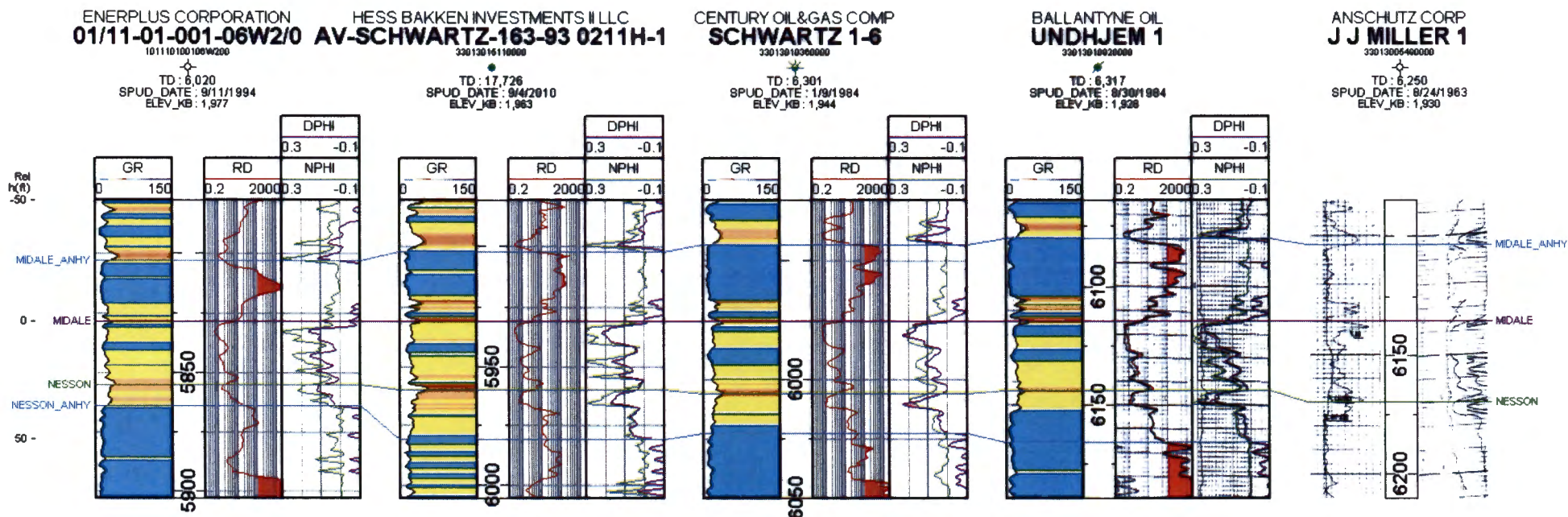


Cross Section – Midale/Nesson - Case No.25717

Sections 27/34 & 26/35 T164N R93W

A

A'

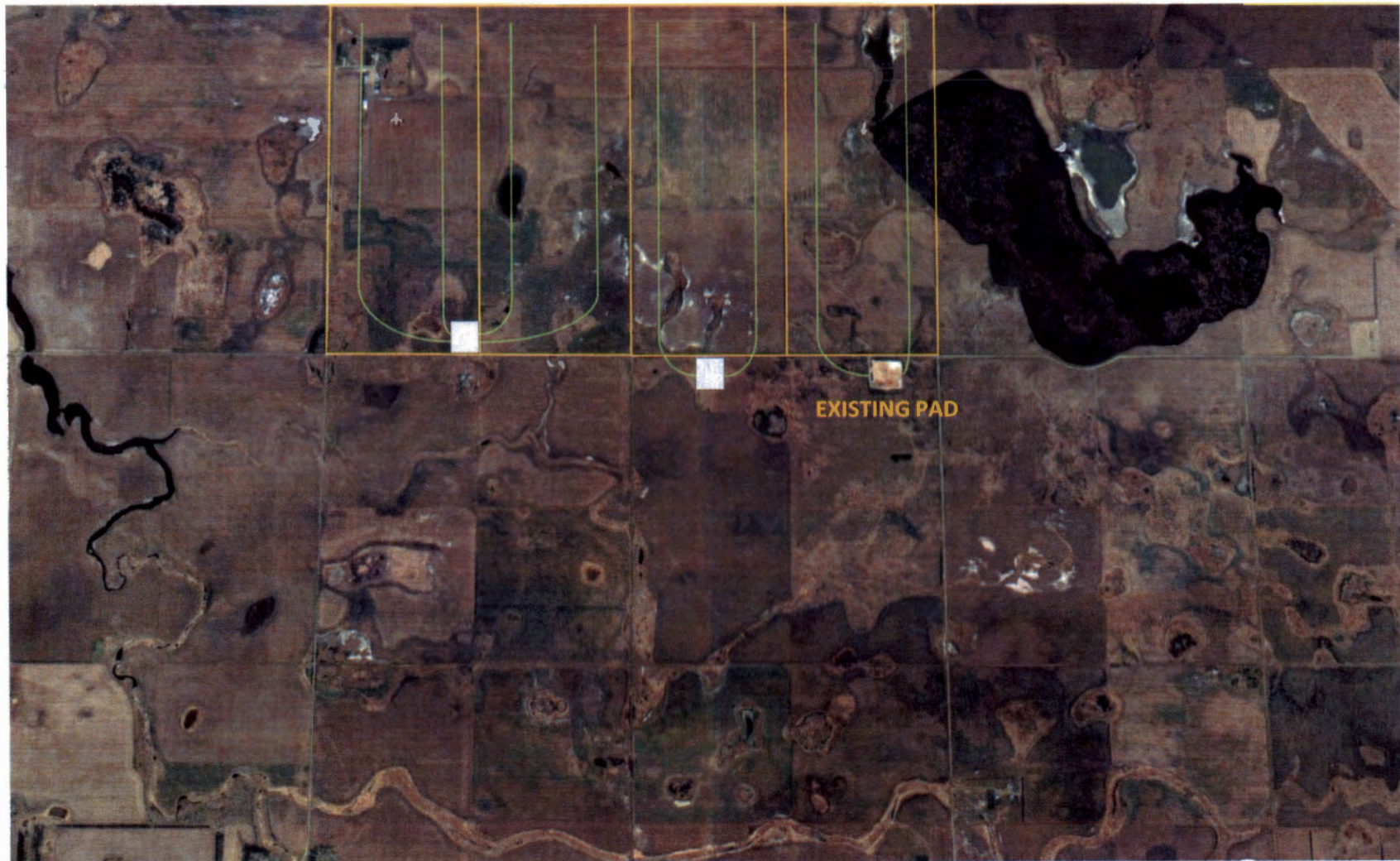


INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-26-17 CASE NO. 25717
Introduced By PetroHarvester
Exhibit 5
Identified By Radovanovic

Exhibit 5



Pad Location & Future 8 Well Development Program Case No.25717
Sections 27/34 & 26/35 T164N R93W



INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-26-17 CASE NO. 25717
introduced By Petro Harvester
Exhibit 6
Identified By Radovanovic

Exhibit 6



Reservoir Data Sheet – Case No.25717

Sections 27/34 & 26/35 T164N R93W

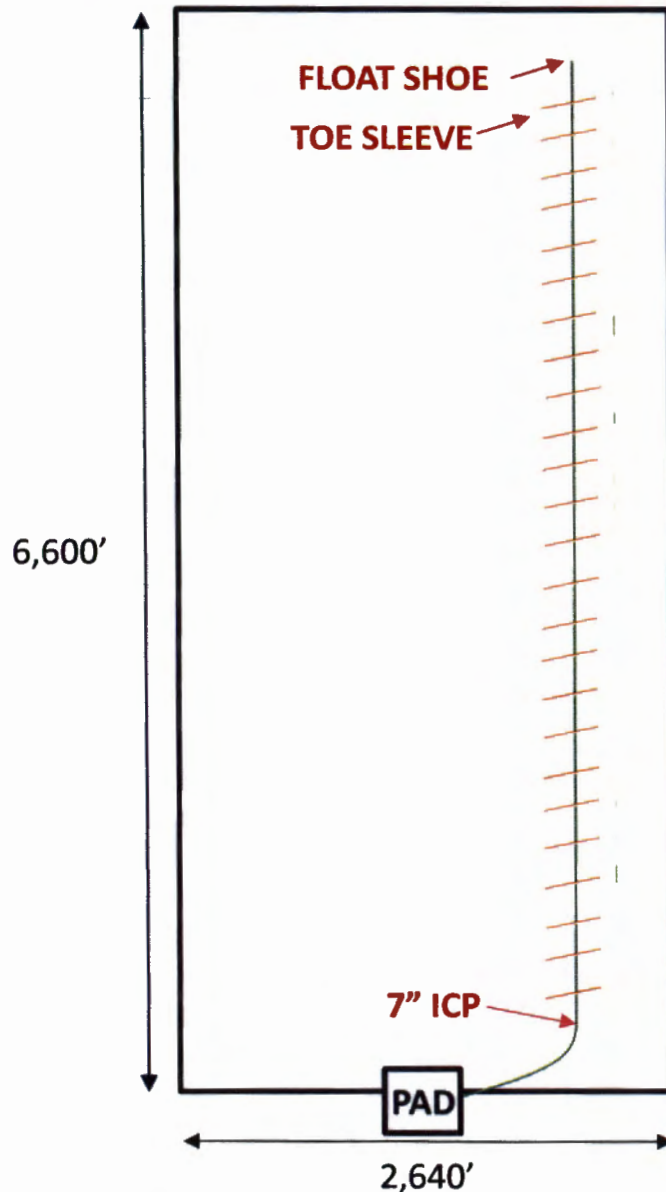
Madison Pooling Hearing North Dakota Industrial Commission Short Creek Madison Field Spacing Madison Reservoir Data Sheet		
Location	Sections 27/34 & 26/35 of T164-R93W Burke County, ND	
Drilling Unit	400	AC
TVD	6,000	ft
Net Thickness	30	feet
Porosity	18	fraction
Oil Saturation	0.5	fraction
Oil Gravity	39	° API
Bottom Hole Temperature	165	° F
Gas-Oil Ratio	1,000	scf/bbl
Gas Properties	0.9	specific gravity
Reservoir Pressure	2598	psia
Oil Formation Volume Factor	1.4	b/b
Oil-In-Place Spacing Unit	5,985	mbo
Single well EUR Model	340	mbo
Wells Required for Spacing Unit	2	well count
Unit Recoverable Reserves	680	mbo
Recovery Factor	0.11	fraction
Well Cost (Single Well D&C)	3.3	\$MM
Well Economics	28%	ROR
	3.7	Years Payout

INDUSTRIAL COMMISSION
 STATE OF NORTH DAKOTA
 DATE 4-26-17 CASE NO. 25717
 Introduced By Petroharvester
 Exhibit 7
 Identified By Radovanovic

Exhibit 7



Completion Configuration – Stand-Up 400 Acre Unit



STANDARD DOWNHOLE CONFIGURATION

- Set 7" intermediate casing 50' within DSU (250' from section line)
- Terminate well 50' within DSU (250' from section line)
- 150' from float shoe (toe of well) to toe sliding sleeve (1st frac port)
- Last frac (heel) no closer than 100' from intermediate casing shoe

FRAC HALF LENGTH AND ORIENTATION

- Downhole microseismic monitoring conducted during hydraulic fracture operations on FLX1 22-15 163-91B & D – Flaxton Field
- Average maximum distance of microseismic events: in the Midale/Nesson interval is ~ 521'
- Reservoir simulation history matching indicates only 103' of propped half length
- Average Orientation of Microseismic Events: 65° deg NE-SW

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA
DATE 4-26-17 CASE NO. 25717
introduced By Petro-Harvester
Exhibit 8
Identified By Radovanovic

Exhibit 8

Kadrmass, Bethany R.

From: Lisa Herberholz <lherberholz@crowleyfleck.com>
Sent: Monday, April 24, 2017 1:39 PM
To: Kadrmass, Bethany R.
Cc: Sam Willis; John W. Morrison
Subject: Partial Withdrawal Request
Attachments: NDIC Ltr - Case 25717 Partial Withdrawal.pdf

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Please see the attached request in Case No. 25717. Thank you.

Lisa

CROWLEY | FLECK
ATTORNEYS PLLP

Lisa Herberholz

Administrative Assistant
Crowley Fleck PLLP
100 West Broadway Avenue, Suite 250
P.O. Box 2798
Bismarck, ND 58502
Direct 701.224.7538
Fax 701.222.4853
✉ lherberholz@crowleyfleck.com

Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling Crowley Fleck PLLP, so that our address record can be corrected.

NOTICE: THIS ELECTRONIC MAIL TRANSMISSION MAY CONSTITUTE AN ATTORNEY-CLIENT COMMUNICATION THAT IS PRIVILEGED AT LAW. IT IS NOT INTENDED FOR TRANSMISSION TO, OR RECEIPT BY, ANY UNAUTHORIZED PERSONS. IF YOU HAVE RECEIVED THIS ELECTRONIC MAIL TRANSMISSION IN ERROR, PLEASE DELETE IT FROM YOUR SYSTEM WITHOUT COPYING IT, AND NOTIFY THE SENDER BY REPLY E-MAIL OR BY CALLING CROWLEY FLECK PLLP AT 406-252-3441, SO THAT OUR ADDRESS RECORD CAN BE CORRECTED.

This email has been scanned for email related threats and delivered safely by Mimecast. For more information please visit <http://www.mimecast.com>

John W. Morrison
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58502-2798
Office: 701.223.6585
Direct: 701.224.7534
jmorrisson@crowleyfleck.com

April 24, 2017

Via Electronic Mail

Bethany Kadrmas
Oil & Gas Division
ND INDUSTRIAL COMMISSION
600 E. Blvd. Ave., Dept. 405
Bismarck, ND 58505-0840

In re: Petro Harvester Operating Co., LLC
Case No. 25717

Dear Bethany:

Petro Harvester Operating Co., LLC, respectfully requests that its application in the captioned case be withdrawn as to the following request:

- 1) To establish two stand-up 640-acre spacing units consisting of the W/2 of Sections 3 and 10, and the E/2 of Sections 3 and 10, T.163N., R.93W., in Burke County, North Dakota.

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

Very truly yours,



John W. Morrison

lh

cc (via e-mail): Sam Willis

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

Received

MAR 27 2017

ND Oil & Gas Comm.

Application of Petro Harvester Operating)
Company, LLC, for an order establishing (i))
two standup 640-acre drilling units consisting)
of the W/2 of Sections 3 and 10, and the E/2)
of Sections 3 and 10, T.163N., R.93W.; (ii))
four standup 400-acre drilling units)
consisting of the W/2 of Sections 27 and 34,)
the E/2 of Sections 27 and 34, the W/2 of)
Sections 26 and 35, and the E/2 of Sections)
26 and 35, T.164N., R.93W., Burke County,)
ND; (iii) and authorizing a horizontal well to)
be drilled in the Madison formation on each)
such spacing unit with 200 foot setbacks for)
the toe and heel of each horizontal well; or)
(iv) granting such other relief as may be)
appropriate.)

APPLICATION

COMES NOW the applicant, Petro Harvester Operating Company, LLC, and respectfully alleges as follows:

1. It is the owner of an interest in the oil and gas leasehold estate underlying all or portions of Sections 26, 27, 34 and 35, Township 164 North, Range 93 West, and Sections 3 and 10, Township 163 North, Range 93 West, Burke County, North Dakota.
2. Said lands are not currently spaced for Madison production.
3. Applicant intends to develop the Madison formation underlying said lands through horizontal drilling, and believes that the flexibility afforded by standup 640-acre spacing and standup 400-acre spacing is essential to its development plans. Applicant therefore requests that two standup 640-acre drilling units consisting of the W/2 of Sections 3 and 10 and the E/2 of Sections 3 and 10, and four standup 400-acre drilling units consisting of the W/2 of Sections 27 and 34, the E/2 of Sections 27 and 34, the W/2 of Sections 26 and 35, and the E/2 of Sections 26 and 35 be established, and that a horizontal well be authorized for each unit with 200 foot setbacks for the toe and heel of each horizontal well

Wade C. Mann
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58502-2798
Office: 701.223.6585
Direct: 701.224.7530
wmann@crowleyfleck.com

March 24, 2017

Via U.S. Mail

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

Received

MAR 27 2017

ND Oil & Gas

In re: Petro Harvester Operating Company, LLC Applications

Dear Mr. Hicks:

Please find enclosed for filing two applications for the April, 2017 regular docket.

Thank you.

Sincerely,



Wade C. Mann

lh
enc.

cc (via e-mail w/enc.): Sam Willis

RECEIVED

APR 10 2017

ND Oil & Gas Div.

OIL & GAS DIVISION

600 E BLVD AVE #405
BISMARCK ND 58505

Customer: 60010203
Phone: (701) 328-8020
Date: 04/05/2017

CREDIT CARD PAYMENT (circle one)



Card #: _____

Exp Date: _____

Signature: _____

Credit card users: Fax to 319-291-4014

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Lee Enterprises no longer accepts credit card payments sent via e-mail. Emails containing credit card numbers will be blocked. Please use the coupon above to send a credit card payment to remittance address located in the upper right corner. You may also send the coupon to a secure fax at 319-291-4014.

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
04/05/17	04/05/17	1	April 26, 2017 - Case No. 2570 Bismarck Tribune	526.00	Legals	436.58	436.58

Affidavit of Publication

State of North Dakota) SS. County of Burleigh
Before me, a Notary Public for the State of North Dakota
personally appeared JLC 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:
4/5 Signed Out Lindsay
sworn and subscribed to before me this 7
day of April 2017.
Elizabeth A. Simes
Notary Public in and for the State of North Dakota

ELIZABETH A. SIMES
Notary Public
State of North Dakota
My Commission Expires May 13, 2017

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

Remarks: _____ Total Due: 436.58

Bismarck Tribune
www.bismarcktribune.com
PO BOX 540
Waterloo, IA 50704-0540

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

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

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Wednesday, April 26, 2017, at the N.D. Oil & Gas Division, 1000 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Thursday, April 13, 2017.

STATE OF NORTH DAKOTA TO:

Case No. 25709: Temporary spacing to develop an oil and/or gas pool discovered by the White Rock Oil & Gas, LLC #16-28 Federal well (File No. 14876), SESE Section 28, T.148N., R.104W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 25660: (Continued) Application of QEP Energy Co. for an order suspending, and after hearing revoking, a permit issued to EOG Resources, Inc. for the drilling of the Bear Den 29-3130H (File No. 33303), Bear Den 30-3130H (File No. 33301), Bear Den 31-3130H (File No. 33300), Bear Den 32-3130H (File No. 33306), Bear Den 34-3130H (File No. 33310), Bear Den 109-3130H (File No. 33309), Bear Den 110-3130H (File No. 33308), Bear Den 111-3130H (File No. 33302), Bear Den 113-3130H (File No. 33307), Bear Den 115-3130H (File No. 33299), Bear Den 116-3130H (File No. 33298), Bear Den 117-3130H (File No. 33304), and Bear Den 118-3130H (File No. 33305) wells on a spacing unit for the Spotted Horn-Bakken Pool consisting of Sections 30 and 31, T.150N., R.94W., McKenzie County, ND, and for such other and further relief as may be appropriate.

Case No. 25689: (Continued) Application of Marathon Oil Co. for an order suspending, and after hearing revoking, a permit issued to EOG Resources, Inc. for the drilling of the Clarks Creek 129-0805H well (File No. 33334) on a spacing unit for the Antelope-Sanish Pool consisting of Sections 4, 5, 8 and 9, T.151N., R.94W., McKenzie County, ND, and for such other relief as is Case No. 25710.

Case No. 25710: Application of Marathon Oil Co. for an order amending the applicable orders for the Four Bears-Bakken Pool to (i) establish a 2560 acre spacing unit described as Sections 15, 16, 21 and 22, T.152N., R.93W., Mountrail and McKenzie Counties, ND, and allow up to two horizontal wells to be drilled on such spacing unit; (ii) authorize up to nine wells to be drilled on a 1280-acre spacing unit described as Sections 15 and 16, T.152N., R.93W.; (iii) authorize up to ten wells to be drilled on a 1600-acre spacing unit described as the E/2 of Section 20 and all of Sections 21 and 22, T.152N., R.93W.; and (iv) granting such other relief as may be appropriate.

Case No. 25648: (Continued) Application of Marathon Oil Co. for an order authorizing the flaring of gas from certain wells completed in the Antelope-Sanish Pool, McKenzie and Mountrail Counties, ND, for a temporary period of time and exclude the volumes from its calculations of statewide, county-wide and field-wide flare volumes as an exception to the provisions of Commission Order No. 24665 and such other relief as may be appropriate.

Case No. 25649: (Continued) Application of Marathon Oil Co. for an order authorizing the applicant to flare gas produced from certain wells completed in the Bailey-Bakken Pool, Dunn County, ND, for a temporary period of time and exclude the volumes from its calculations of statewide, county-wide, and field-wide flare volumes as an exception to the provisions of Commission Order No. 24665, and granting such other relief as may be appropriate.

Case No. 25650: (Continued) Application of Marathon Oil Co. for an order authorizing the applicant to flare gas produced from certain wells completed in the Chimney Butte-Bakken Pool, Dunn County, ND, for a temporary period of time and exclude the volumes from its calculations of statewide, county-wide, and field-wide flare volumes as an exception to the provisions of Commission Order No. 24665 and granting such other relief as may be appropriate.

Case No. 25651: (Continued) Application of Marathon Oil Co. for an order authorizing the applicant to flare gas produced from certain wells completed in the Killdeer-

Bakken Pool, Dunn County, ND, for a temporary period of time and exclude the volumes from its calculations of statewide, county-wide, and field-wide flare volumes as an exception to the provisions of Commission Order No. 24665 and granting such other relief as may be appropriate.

Case No. 25711: Application of Whiting Oil and Gas Corp. for an order amending the applicable orders for the Heart Butte and/or South Fork-Bakken Pools to establish an overlapping 2560-acre spacing unit described as Sections 1 and 12, T.148N., R.93W. and Sections 6 and 7, T.148N., R.92W., Dunn County, ND, and authorize one horizontal well to be drilled on the common spacing unit boundary, and granting such other relief as may be appropriate.

Case No. 25712: Application of Whiting Oil and Gas Corp. for an order amending the applicable orders for the Moccasin Creek-Bakken Pool to establish an overlapping 2560-acre spacing unit described as Sections 1, 2, 11 and 12, T.147N., R.93W., Dunn County, ND, and authorize one horizontal well to be drilled on the common spacing unit boundary, and granting such other relief as may be appropriate.

Case No. 25713: Application of Hess Bakken Investments II, LLC, for an order amending the applicable orders for the Wheelock-Bakken Pool to establish a 2560-acre spacing unit consisting of Sections 16, 21, 28 and 33, T.156N., R.98W., Williams County, ND, and authorize up to twenty horizontal wells to be drilled on the unit, and granting such other relief as may be Case No. 25714.

Case No. 25714: Application of Hess Bakken Investments II, LLC, for an order amending the applicable orders for the Beaver Lodge-Bakken Pool to establish an overlapping 2560-acre spacing unit consisting of Sections 25, 26, 35 and 36, T.156N., R.96W., Williams County, ND, and authorize one horizontal well to be drilled on the unit, and granting such other relief as may be appropriate.

Case No. 25715: Application of Hess Bakken Investments II, LLC, for an order amending the applicable orders for the Capa and/or Beaver Lodge-Bakken Pools to establish an overlapping 2560-acre spacing unit consisting of Sections 17, 18, 19 and 20, T.155N., R.95W., Williams County, ND, and authorize one horizontal well to be drilled on the unit, and granting such other relief as may be appropriate.

Case No. 25716: Application of Hess Bakken Investments II, LLC, for an order amending the applicable orders for the Capa and/or West Capa-Bakken Pools to establish an overlapping 2560-acre spacing unit consisting of Sections 26, 27, 34 and 35, T.155N., R.96W., Williams County, ND, and authorize one horizontal well to be drilled on the unit, and granting such other relief as may be appropriate.

Case No. 25014: (Continued) Proper spacing for the development of the Big Stone-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. Hess Bakken Investments II, LLC; Whiting Oil and Gas Corp.

Case No. 24831: (Continued) Proper spacing for the development of the Cherry Creek-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Hess Bakken Investments II LLC

Case No. 25717: Application of Petro Harvester Operating Co., LLC, for an order establishing (i) two standup 640-acre drilling units consisting of the W/2 of Sections 3 and 10, and the E/2 of Sections 3 and 10, T.163N., R.93W.; (ii) four standup 400-acre drilling units consisting of the W/2 of Sections 27 and 34, the E/2 of Sections 27 and 34, the W/2 of Sections 26 and 35, and the E/2 of Sections 26 and 35, T.164N., R.93W., Burke County, ND; (iii) and authorizing a horizontal well to be drilled in the Madison Formation on each such spacing unit with 200 foot setbacks for the toe and heel of each horizontal well; or (iv) granting such other relief as may be appropriate.

Case No. 25718: Application of Petro Harvester Operating Co., LLC, for an order extending the boundaries and amending the applicable orders for the Flaxton, Portal, and/or Lignite-Madison Pools, Burke County, ND, to establish four 640-acre spacing units consisting of the W/2 of Sections 16 and 21; the E/2 of Sections 16 and 21; the W/2 of Sections 27 and 34; and the E/2 of Sections 27 and 34, T.163N., R.91W., and authorize up to two horizontal wells to be drilled on each such spacing unit with 200 foot setbacks for the toe and heel of each horizontal well, and granting such other relief as may be appropriate.

Case No. 25719: Application of HRC Operating, LLC, for an order amending the applicable orders for the Pembroke and/or Haystack Butte-Bakken Pools to establish an overlapping 2560-acre spacing unit consisting of Sections 25, 26, 35 and 36, T.149N., R.98W., McKenzie County, ND, and authorize one horizontal well to be drilled on the unit, and granting such other relief as may be appropriate.

Case No. 25656: (Continued) Application of HRC Operating, LLC, for an order allowing an injectivity test to be conducted in the Antelope-Sanish Pool utilizing the Fort Berthold 151-94-26B-35-1H (File No. 20328), located in the NENW of Section 26, T.151N., R.94W., McKenzie County, ND, and the Fort Berthold 151-94-26B-35-2H (File No. 22708) and the Fort Berthold 151-94-26B-35-3H (File No. 22707) wells, located in the NWNV of Section 26, T.151N., R.94W., McKenzie County, ND, and granting such other relief as may be appropriate.

Case No. 25720: Application of Petro-Hunt, LLC, for an order authorizing the flaring of gas from the USA 153-96-24C-13-2H (File No. 28461), USA 153-96-24C-13-3H (File No. 28462), USA 153-96-24C-13-4H (File No. 28463), USA 153-96-24C-13-5H (File No. 28464), and USA 153-96-24D-13-6H (File No. 28465) wells completed in the Keene-Bakken Pool, McKenzie County, ND, for a temporary period of time as an exception to the provisions of Commission Order No. 24665 and such other relief as may be appropriate.

Case No. 25654: (Continued) Application of Foundation Energy Management, LLC, for an order allowing an injectivity test to be conducted in the Beach-Red River Pool utilizing the Davidson 44-31H well (File No. 25676), located in the SESE of Section 31, T.142N., R.105W., Golden Valley County, ND, and granting such other relief as may be appropriate.

Case No. 25655: (Continued) Application of Foundation Energy Management, LLC, for an order allowing an injectivity test to be conducted in the Camel Hump-Red River Pool utilizing the Wirtzfeld 21-24H well (File No. 25792), located in the NENW of Section 24, T.141N., R.104W., all in Golden Valley County, ND, and granting such other relief as may be appropriate.

Case No. 25570: (Continued) Application of Burlington Resources Oil & Gas Co. LP for an amending the applicable orders for the Twin Valley-Bakken Pool to (i) terminate an existing stand-up 2560-acre spacing unit consisting of Sections 5, 8, 17 and 20, T.152N., R.97W., McKenzie County, ND; (ii) authorize up to seven horizontal wells to be drilled on two 1280-acre spacing units consisting of Sections 5 and 8; and Sections 17 and 20, T.152N., R.97W.; and (iii) granting such other and further relief as may be appropriate.

Case No. 24889: (Continued) Application of Secure Energy Services USA, LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Sorenson SWD #2 well, NENW Section 15, T.152N., R.96W., Berg Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 25721: Application of NP Resources, LLC for an order amending the applicable orders for the North Elkhorn Ranch-Bakken Pool, Billings County, ND, to establish three 1280-acre spacing units consisting of Sections 15 and 22; Sections 16 and 21; and Sections 27 and 34, T.144N., R.101W., and to authorize up to four horizontal wells to be drilled on each such spacing units and for such other relief as may be appropriate.

Case No. 25722: Application of NP Resources, LLC for an order amending the applicable orders for the Rough Rider-Bakken Pool, McKenzie County, ND, to establish two 1280-acre spacing units consisting of Sections 14 and 23; and Sections 26 and 35, T.145N., R.102W., and to authorize up to four horizontal wells to be drilled on each such spacing units and for such other relief as may be appropriate.

Case No. 25463: (Continued) Proper spacing for the development of the Whiskey Joe-Bakken Pool, Billings County, ND, redefine the field limits, and enact such special field rules as may be necessary. NP Resources, LLC

Case No. 25321: (Continued) Application of SHD Oil and Gas, LLC and Spotted Hawk Development, LLC for an order not allowing WPX Energy Williston, LLC to assess a risk penalty for certain wells drilled in the spacing units consisting of Sections 4, 5, 6; and Sections 7, 8, 9, T.150N., R.91W., McLean County ND and such other relief as is appropriate.

Case No. 25723: On a motion of the Commission to review the authorization and permit under Order No. 23963 for Earthworks, Inc. to operate a treating plant located in the NESE of Section 1, T.146N., R.96W., Dunn County, ND, known as the Corral Creek Treating Plant #1 (Facility No. 700105-01) and such other relief as is appropriate.

Case No. 25725: Application of Hess Bakken Investments II, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25, 26, 35 and 36, T.156N., R.96W., Beaver Lodge-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25726: Application of Hess Bakken Investments II, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 26, 27, 34 and 35, T.155N., R.96W., Capa and/or West Capa-Bakken Pools, Williams County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25727: Application of Hess Bakken Investments II, LLC, for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 17, 18, 19 and 20, T.155N., R.95W., Capa and/or Beaver Lodge-Bakken Pools, Williams County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25728: Application of Lime Rock Resources III-A, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 24, T.155N., R.92W., and Sections 18 and 19, T.155N., R.91W., Alger-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25729: Application of Lime Rock Resources III-A, L.P. 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.143N., R.97W., and Sections 6 and 7, T.143N., R.96W., Cabernet-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25730: Application of Lime Rock Resources III-A, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5, 6, 7 and 8, T.143N., R.96W., Cabernet-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25731: Application of Lime Rock Resources III-A, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all inter-

ests in a spacing unit described as Sections 13 and 24, T.143N., R.97W., and Sections 18 and 19, T.143N., R.96W., Fayette-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25732: Application of Lime Rock Resources III-A, L.P. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 17, 18, 19 and 20, T.143N., R.96W., Fayette-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25733: Application of Marathon Oil Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25, 26, 35 and 36, T.151N., R.93W., Reunion Bay-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25734: Application of Marathon Oil Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5, 6, 7 and 8, T.150N., R.92W., Van Hook-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25735: Application of Marathon Oil Co. for an order amending the applicable orders for the Reunion Bay-Bakken Pool to authorize up to eight wells to be drilled on a 1280-acre spacing unit described as Sections 1 and 12, T.150N., R.93W., Mountrail County, ND, and granting such other relief as may be appropriate.

Case No. 25736: Application of Marathon Oil Co. for an order amending the applicable orders for the Van Hook-Bakken Pool to authorize up to eight wells to be drilled on a 1280-acre spacing unit described as Sections 6 and 7, T.150N., R.92W., Mountrail County, ND, and granting such other relief as may be appropriate.

Case No. 25737: Application of Marathon Oil Co. pursuant to NDAC § 43-02-03-88.1 for an order allowing oil and gas produced from the Clive Pelton 34-23H (File No. 17318), Eckelberg 14-23H (File No. 20402), and Eckelberg 14-23TFH (File No. 21970) wells, Sections 14 and 23, T.146N., R.93W., Dunn County, ND, to be commingled in a central production facility located in the SW/4 SW/4 of Section 23, T.146N., R.93W., pursuant to NDAC § 43-02-03-48.1 or granting such other and further relief as may be appropriate.

Case No. 25738: Application of Whiting Oil and Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 26, 27, 34 and 35, T.148N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25739: Application of Whiting Oil and Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27, 28, 33 and 34, T.148N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25740: Application of Whiting Oil and Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 34, T.148N., R.93W., and Section 3, T.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25741: Application of Whiting Oil and Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 34, T.148N., R.93W., and Sections 3 and 10, T.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25742: Application of Whiting Oil and Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Section 35 and E/2 of Section 34, T.148N., R.93W., and the W/2 of Sections 2 and 11, and E/2 of Sections 3 and 10, T.147N., R.93W., Moccasin Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08, and such other relief as is appropriate.

Case No. 25744: Application of Whiting Oil & Gas Corp. for an order pursuant to NDAC § 43-02-03-88.1 authorizing a permit modification for saltwater disposal into the Swift Formation in the P Evitt 12-12 SWD (File No. 90281), NWSW Section 12, T.154N., R.98W., Truax Field, Williams County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 25743: Application of Petro Harvester Operating Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the RNLI SWD 1 well, NENW Section 14, T.162N., R.91W., Lignite Field, Burke County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Signed by, Doug Burgum, Governor
Chairman, NDIC

4/5 - 20887980

THE BURKE COUNTY TRIBUNE
AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
COUNTY OF BURKE)

Kristi M. Bohl of said County and State, being first duly sworn, on her oath, says that she is the owner of The Burke County Tribune, a weekly newspaper of general circulation, printed at Bowbells, in said County and State, and that she has been during the time hereinafter mentioned, and that the The Notice of Publication of

Notice of Hearing

a printed copy of which is hereto annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the Notice was published in the newspaper proper and not in supplement, once each week for 1 successive weeks, to wit:

4-5 2017 20 20
20 20 20

Kristi M. Bohl

Kristi M. Bohl, Publisher

Subscribed and sworn to before me this 5th day of April, 2017

Lyann Olson

Notary Public in and for
Burke County, North Dakota

1st time 64 lines at .74 per line 47.36

2nd time _____ lines at _____ per line _____

3rd time _____ lines at _____ per line _____

1st time _____ column inches at _____ per line _____

2nd time _____ column inches at _____ per line _____

TOTAL _____

Notice of Hearing

N.D. INDUSTRIAL COMMISSION
OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Wednesday, April 26, 2017, at the N.D. Oil & Gas Division, 1000 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Thursday, April 13, 2017.

STATE OF NORTH DAKOTA TO:

Case No. 25717: Application of Petro Harvester Operating Co., LLC, for an order establishing (i) two standup 640-acre drilling units consisting of the W/2 of Sections 3 and 10, and the E/2 of Sections 3 and 10, T.163N., R.93W.; (ii) four standup 400-acre drilling units consisting of the W/2 of Sections 27 and 34, the E/2 of Sections 27 and 34, the W/2 of Sections 26 and 35, and the E/2 of Sections 26 and 35, T.164N., R.93W., Burke County, ND; (iii) and authorizing a horizontal well to be drilled in the Madison Formation on each such spacing unit with 200 foot setbacks for the toe and heel of each horizontal well; or (iv) granting such other relief as may be appropriate.

LYANN OLSON
Notary Public
State of North Dakota
My Commission Expires Aug. 6, 2020

RECEIVED

APR 07 2017

ND Oil & Gas Div.

Case No. 25718: Application of Petro Harvester Operating Co., LLC, for an order extending the boundaries and amending the applicable orders for the Flaxton, Portal, and/or Lignite-Madison Pools, Burke County, ND, to establish four 640-acre spacing units consisting of the W/2 of Sections 16 and 21; the E/2 of Sections 16 and 21; the W/2 of Sections 27 and 34; and the E/2 of Sections 27 and 34, T.163N., R.91W., and authorize up to two horizontal wells to be drilled on each such spacing unit with 200 foot setbacks for the toe and heel of each horizontal well, and granting such other relief as may be appropriate.

Case No. 25743: Application of Petro Harvester Operating Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the RNL1 SWD 1 well, NENW Section 14, T.162N., R.91W., Lignite Field, Burke County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Signed by,
Doug Burgum, Governor
Chairman, NDIC
April 5, 2017