

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 26005  
ORDER NO. 28418

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE APPLICATION OF HUNT OIL  
CO. FOR AN ORDER PURSUANT TO NDAC §  
43 02-03-88.1 AUTHORIZING THE FLARING OF  
GAS FROM THE WRITING ROCK 161-101-30-  
31H-1 WELL (FILE NO. 25893) LOCATED IN  
THE NWNE OF SECTION 30, T.161N., R.101W.,  
DIVIDE COUNTY, ND, WRITING ROCK-  
BAKKEN POOL, PURSUANT TO THE  
PROVISIONS OF NDCC § 38 08-06.4 AND SUCH  
OTHER RELIEF AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 27th day of July, 2017.
- (2) Hunt Oil Company (Hunt) provided exhibits and testimony in this matter by sworn affidavits.
- (3) The Commission received an application from Hunt on June 23, 2017 for an order pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1 authorizing the flaring of gas from the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the NW/4 NE/4 of Section 30, Township 161 North, Range 101 West, Divide County, North Dakota, Writing Rock-Bakken Pool, pursuant to the provisions of North Dakota Century Code (NDCC) Section 38-08-06.4 and such other relief as is appropriate.
- (4) Pursuant to NDAC Section 43-02-03-88.1, the Director is authorized, on behalf of the Commission, to grant or deny applications relating to, inter alia, flaring exemptions under NDCC Section 38-08-06.4 and under NDAC Section 43-02-03-60.2.
- (5) NDCC Section 38-08-06.4 states:

FLARING OF GAS RESTRICTED - IMPOSITION OF TAX -  
PAYMENT OF ROYALTIES - INDUSTRIAL COMMISSION AUTHORITY.

1. As permitted under rules of the industrial commission, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well.
2. After the time period in subsection 1, flaring of gas from the well must cease and the well must be:
  - a. Capped;
  - b. Connected to a gas gathering line;
  - c. Equipped with an electrical generator that consumes at least seventy-five percent of the gas from the well;
  - d. Equipped with a system that intakes at least seventy-five percent of the gas and natural gas liquids volume from the well for beneficial consumption by means of compression to liquid for use as fuel, transport to a processing facility, production of petrochemicals or fertilizer, conversion to liquid fuels, separating and collecting over fifty percent of the propane and heavier hydrocarbons; or
  - e. Equipped with other value-added processes as approved by the industrial commission which reduce the volume or intensity of the flare by more than sixty percent.
3. An electrical generator and its attachment units to produce electricity from gas and a collection system described in subdivision d of subsection 2 must be considered to be personal property for all purposes.
4. For a well operated in violation of this section, the producer shall pay royalties to royalty owners upon the value of the flared gas and shall also pay gross production tax on the flared gas at the rate imposed under section 57-51-02.2.
5. The industrial commission may enforce this section and, for each well operator found to be in violation of this section, may determine the value of flared gas for purposes of payment of royalties under this section and its determination is final.
6. A producer may obtain an exemption from this section from the industrial commission upon application that shows to the satisfaction of the industrial commission that connection of the well to a natural gas gathering line is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available and that equipping the well with an electrical generator to produce electricity from gas or employing a collection system described in subdivision d of subsection 2 is economically infeasible.

(6) Hunt is the owner or operator of the following well in the Writing Rock-Bakken Pool, Divide County, North Dakota:

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
25893	Writing Rock 161-101-30-31H-1	NWNE Section 30-T161N-R101W

(7) The Writing Rock 161-101-30-31H-1 well was completed in the Writing Rock-Bakken Pool on or around February 7, 2014. Pursuant to NDCC Section 38-08-06.4, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well.

(8) Writing Rock-Bakken Pool is an oil reservoir, but gas is produced in association with the oil at the wellhead as a by-product of oil production.

(9) By previous order of the Commission, said well is currently authorized to flare so that all owners of interests in the well herein described may receive the maximum benefits of the oil production in such a manner that will prevent waste and protect correlative rights.

(10) The well is currently not connected to a gas gathering facility and evidence presented to the Commission indicates that the well currently produces approximately 60 MCF per day, of which 25 MCF is used for lease operations and the remainder is flared.

(11) The well is located approximately 4 miles from the nearest gas gathering system. Hunt has entered into a gas contract with ONEOK Rockies Midstream, LLC and will connect the well to a gas gathering system if it becomes economically feasible.

(12) The applicant has submitted evidence that under current market conditions the surplus casinghead gas presently being produced by the well and the estimated recoverable reserves of surplus gas from the well is insufficient to recoup the costs of installing and operating a gas gathering facility.

(13) Hunt has provided documentation that connection of the well to a natural gas gathering line is economically infeasible at the time of the application or in the foreseeable future.

(14) Hunt has investigated the possibility of equipping the well with an electrical generator. It is not economic to purchase, install, connect and operate an electric generator fueled by produced casinghead gas. The Commission concludes that equipping the well with an electrical generator to produce electricity from the gas is economically infeasible.

(15) Hunt has provided documentation that it is economically infeasible to equip the well with a collection system that intakes at least seventy-five percent of the gas and natural gas liquids volume from the well for beneficial consumption.

(16) If applicant's request is not granted, taxes and royalties must be paid on flared gas which will increase operating costs, raise the economic limit and cause premature abandonment of the well; or the well must be connected to a gas pipeline at an economic loss which would also cause premature abandonment, or flaring must cease and the well must be "capped," resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the well and the State of North Dakota.

(17) In order to prevent waste, and protect correlative rights this application should be granted.

**IT IS THEREFORE ORDERED:**

(1) Hunt Oil Company, its assigns and successors, is hereby allowed to flare surplus casinghead gas produced with crude oil from the Writing Rock-Bakken Pool through the well listed below under the exemption provided for under NDCC Section 38-08-06.4:

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
25893	Writing Rock 161-101-30-31H-1	NWNE Section 30-T161N-R101W

(2) This order is effective as of June 23, 2017 and shall remain in full force and effect until further order of the Commission.

Dated this 21st day of September, 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

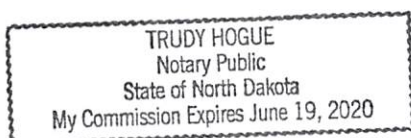
COUNTY OF BURLEIGH

I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 25th day of September, 2017 enclosed in separate envelopes true and correct copies of the attached Order No. 28418 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. 26005:

LAWRENCE BENDER  
FREDRIKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502-1855

  
Jeanette Bean  
Oil & Gas Division

On this 25th day of September, 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

July 26, 2017

**RECEIVED**

JUL 26 2017

ND Oil & Gas Div.

**HAND DELIVERED**

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

**HAND DELIVERED**

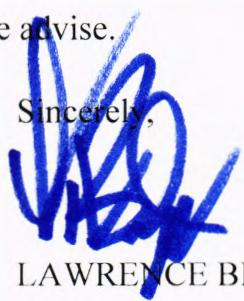
**RE: CASE NO. 26005  
Hunt Oil Company**

Dear Mr. Hicks:

Please find enclosed herewith for filing the AFFIDAVIT OF CHRISTOPHER A. LANE with exhibits in regard to the captioned matter.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/leo  
Enclosure  
4960211\_1.DOC

Attorneys & Advisors  
main 701.221.8700  
fax 701.221.8750  
fredlaw.com

Fredrikson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, North Dakota  
58501-1215

**RECEIVED**

**JUL 26 2017**

**ND Oil & Gas Div.**

**BEFORE THE INDUSTRIAL COMMISSION**

**OF THE STATE OF NORTH DAKOTA**

**CASE NO. 26005**

**Application of Hunt Oil Company for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the NWNE of Section 30, T.161N., R.101W., Divide County, ND, Writing Rock-Bakken Pool, pursuant to the provisions of N.D.C.C. § 38-08-06.4 and such other relief as is appropriate.**

**AFFIDAVIT OF CHRISTOPHER A. LANE**

STATE OF TEXAS            )  
  ) ss  
COUNTY OF DALLAS        )

Christopher Lane, being first duly sworn, deposes and states as follows:

1.

That I am a Senior Reservoir Engineer for Hunt Oil Company ("HOC"), whose address is 1900 North Akard Street, Dallas, Texas 75201-2300, the applicant in the above-entitled matter.

2.

That I have prepared or had prepared under my control and supervision the attached exhibits.

3.

That to the best of my knowledge and belief, the information contained on the attached exhibits is true and correct.

4.

That attached as Exhibit No. 1 is a plat showing the area around the Writing Rock 161-101-30-31H-1 well. Shown on the plat is a line depicting the field limits of the Writing Rock-Bakken

Pool, as defined by the North Dakota Industrial Commission. Also displayed on the plat is the location of the Writing Rock 161-101-30-31H-1 well located in Section 30, Township 161 North, Range 101 West, Divide County, North Dakota.

5.

That HOC is currently the operator of the Writing Rock 161-101-30-31H-1 well, said well having been completed and producing in the Writing Rock-Bakken Pool.

6.

That to the best of my knowledge and belief, the Writing Rock 161-101-30-31H-1 well was completed as a producer on or about February 7, 2014.

7.

That to the best of my knowledge and belief, gas produced from the Writing Rock 161-101-30-31H-1 well from the Writing Rock-Bakken Pool contains about 500 ppm H<sub>2</sub>S.

8.

That to the best of my knowledge and belief, the current average daily rate of gas being produced from the Writing Rock 161-101-30-31H-1 well is approximately 60 MCF per day.

9.

That to the best of my knowledge and belief, the total amount of gas from the Writing Rock 161-101-30-31H-1 well being used for lease use is about 25 MCFD. The amount of gas available for sale is approximately 35 MCFD.

10.

That the Writing Rock 161-101-30-31H-1 well is currently not connected to a gas gathering facility.



11.

That gas produced in association with oil produced from the Writing Rock 161-101-30-31H-1 well and not utilized for lease use is currently being flared.

12.

That to the best of my knowledge and belief, the Writing Rock 161-101-30-31H-1 well is located approximately 4 miles from the nearest connection point to a gas gathering system, as shown in Exhibit No. 2.

13.

HOC has signed a gas gathering and sales agreement with Oneok Rockies Midstream, LLC (Oneok) which provides for connecting the Writing Rock 161-101-30-31H-1 to Oneok's gas gathering system if it becomes economically feasible.

14.

That based upon my knowledge and belief, the low volumes of gas produced from the Writing Rock 161-101-30-31H-1 well make it economically infeasible at the present time, or in the foreseeable future, to connect the Writing Rock 161-101-30-31H-1 well under the Oneok gas gathering and sales agreement. See attached Exhibit No. 3 for economics.

15.

That to the best of my knowledge and belief, there is no electrical grid in proximity to the Writing Rock 161-101-30-31H-1 well that could accept any electricity that might be generated by the purchase, installation and operation of an electric generator fueled by gas produced from the Writing Rock 161-101-30-31H-1 well. Therefore, the generation and sale of electricity using gas from this field is not a viable option at this time.

16.

That information on gas production from wells in this field area was provided to a Gas Capture and NGL Recovery Vendor with multiple systems already deployed in the Bakken area of North Dakota. The vendor provided cost and other information about equipment leasing and NGL yields expected when flowing the gas from this field area through the NGL recovery process equipment. An inlet gas rate of 50 MCF per day is the minimum flow rate needed to operate this system. The Writing Rock 161-101-30-31H-1 is currently producing a volume of gas available for processing below the minimum inlet flow rate.

17.

That to the best of my knowledge and belief, requiring the installation and operation of a system to strip natural gas liquids from gas produced by the Writing Rock 161-101-30-31H-1 is unfeasible at current and projected gas rates.

DATED this 25 day of July, 2017.

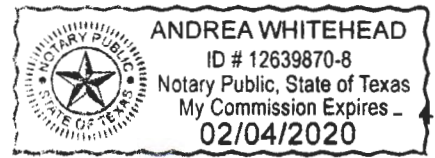
*C. Lane*

STATE OF TEXAS            )  
  ) ss  
COUNTY OF DALLAS        )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 2017 by Christopher A. Lane, Engineer of Hunt Oil Company.

*Andrea Whitehead*  
Notary Public  
My Commission Expires:

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# Writing Rock Field– Bakken Pool

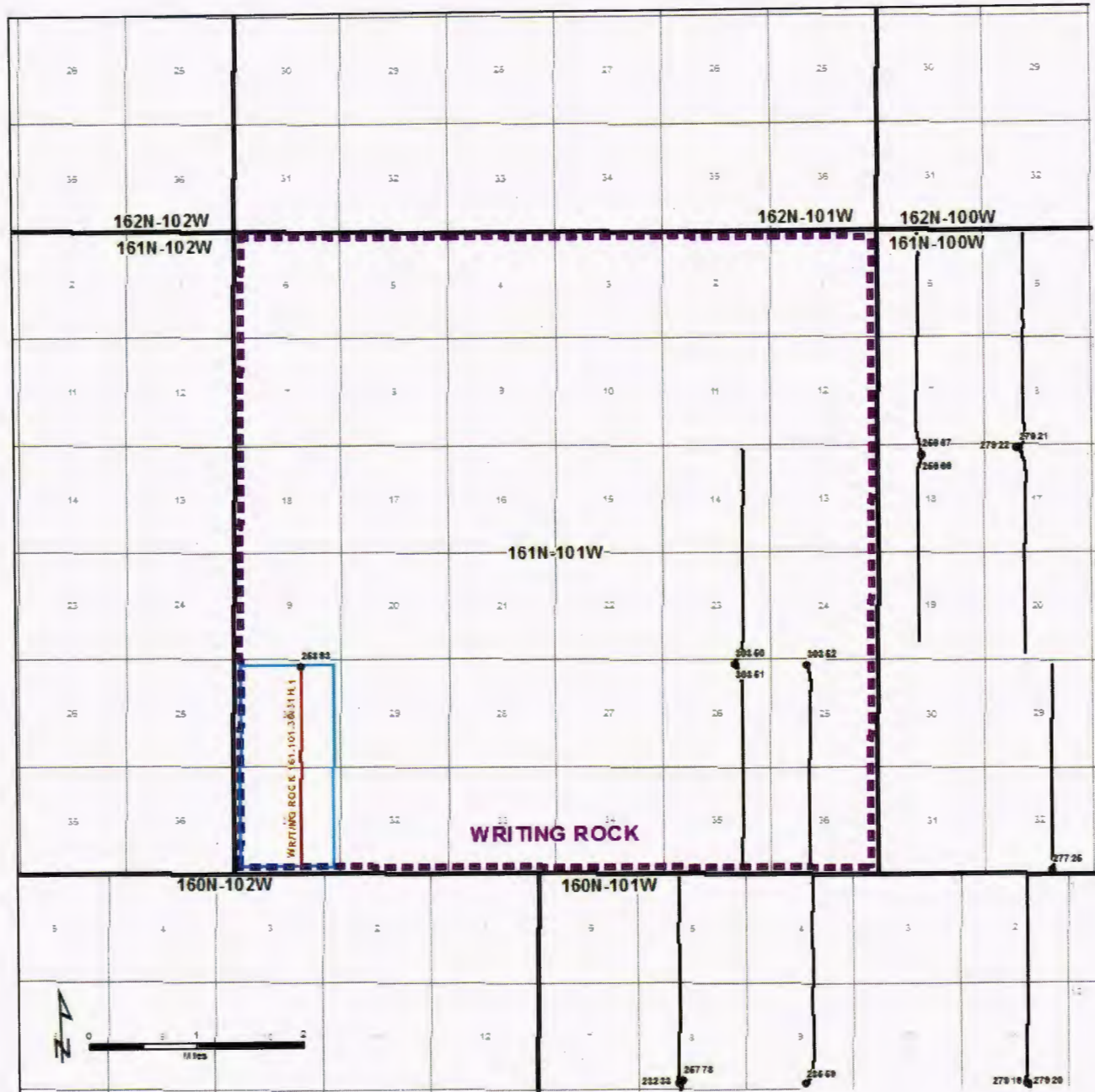


Exhibit 1  
Hunt Oil Company  
Case # 26005  
07-27-2017



# FIELD MAP w/ PROPOSED AND EXISTING INFRASTRUCTURE

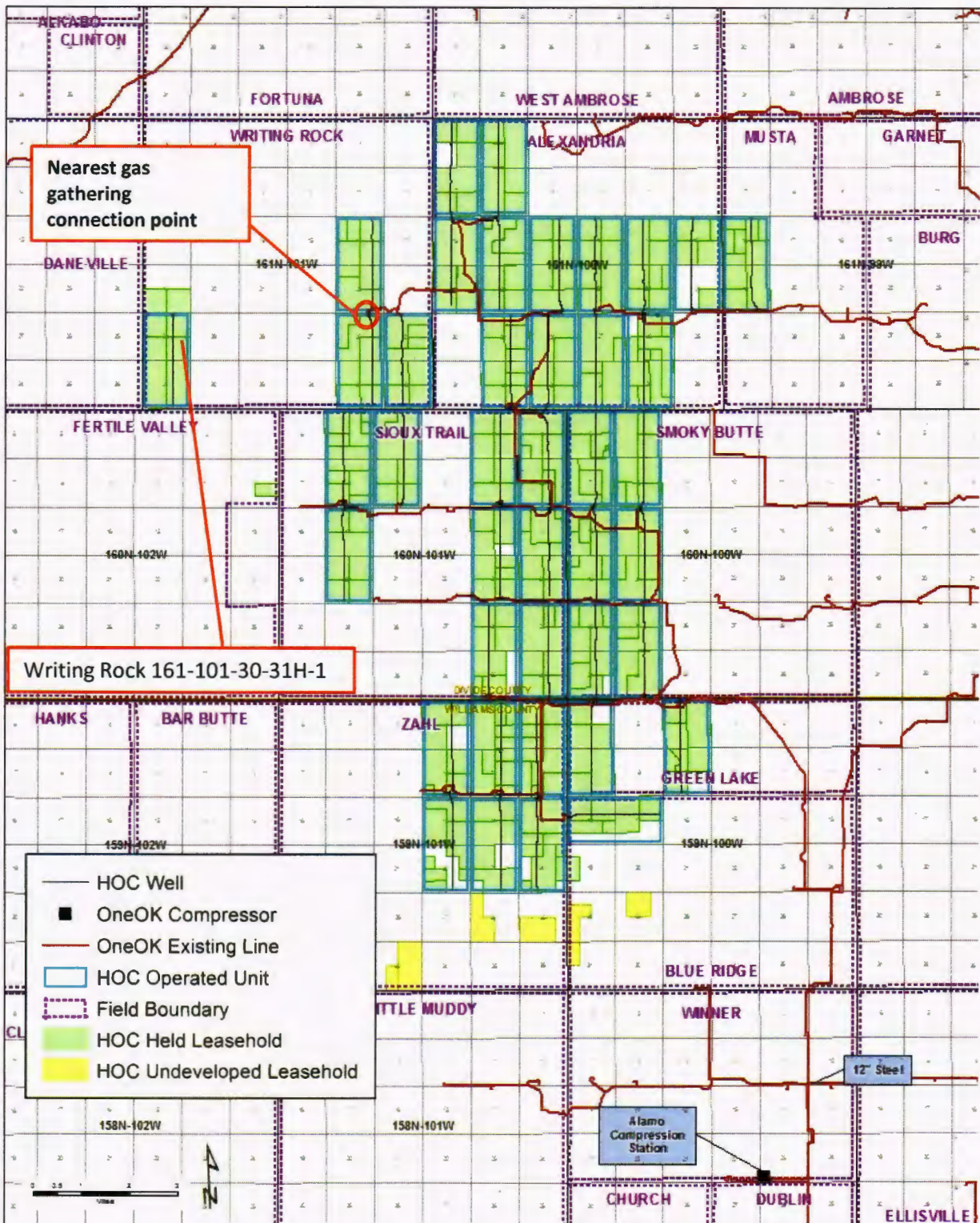


Exhibit 2  
Hunt Oil Company  
Case # 26005  
07-27-2017

**Hunt Oil Company - Writing Rock 161-101-30-31H-1**  
**Wellsite Economics for Gas Pipeline**  
**One Well Pad**

COST DETAILS		
Pipeline Cost	2,000,000	\$
Total Gathering/Processing	3.90	\$/mcf
Royalty	18.62%	%
Base Gas Price	2.5	\$/MMBTU
BTU Content	1.7	MMBTU/mcf
Adjusted Gas Price	4.25	\$/mcf

OneOk estimate to connect the Writing Rock 161-101-30-31H-1  
Total Estimated Fee  
Based on recent plant statements  
Used to establish adjusted gas price  
BTU content \* Base Gas Price

Date	Production, MCF (1)	Fuel Gas, MCF	Flare Gas, MCF	Sales Gas, MCF	Gross Revenue	Royalty, \$	Severance Tax (2)	OPEX, \$	CAPEX, \$	Net Cash Flow, \$	Cum Net Cash Flow, \$
2017	10,324	4,563	519	5,243	22,283	-4,149	-315	-20,448	-2,000,000	-2,002,629	-2,002,629
2018	17,334	9,125	739	7,470	31,748	-5,912	-448	-29,134	0	-3,745	-2,006,374
2019	14,254	9,125	462	4,667	19,836	-3,694	-280	-18,203	0	-2,340	-2,008,714
2020	12,127	9,125	270	2,732	11,610	-2,162	-164	-10,654	0	-1,370	-2,010,083
2021	10,571	9,125	130	1,316	5,592	-1,041	-79	-5,132	0	-660	-2,010,743
2022	0	0	0	0	0	0	0	0	0	0	-2,010,743
2023	0	0	0	0	0	0	0	0	0	0	-2,010,743
2024	0	0	0	0	0	0	0	0	0	0	-2,010,743
2025	0	0	0	0	0	0	0	0	0	0	-2,010,743
2026	0	0	0	0	0	0	0	0	0	0	-2,010,743
2027	0	0	0	0	0	0	0	0	0	0	-2,010,743
2028	0	0	0	0	0	0	0	0	0	0	-2,010,743
2029	0	0	0	0	0	0	0	0	0	0	-2,010,743
2030	0	0	0	0	0	0	0	0	0	0	-2,010,743
2031	0	0	0	0	0	0	0	0	0	0	-2,010,743
2032	0	0	0	0	0	0	0	0	0	0	-2,010,743
2033	0	0	0	0	0	0	0	0	0	0	-2,010,743
2034	0	0	0	0	0	0	0	0	0	0	-2,010,743
2035	0	0	0	0	0	0	0	0	0	0	-2,010,743
2036	0	0	0	0	0	0	0	0	0	0	-2,010,743
2037	0	0	0	0	0	0	0	0	0	0	-2,010,743
2038	0	0	0	0	0	0	0	0	0	0	-2,010,743
Totals	64,610	41,063	2,119	21,428	91,070	-16,957	-1,286	-83,570	-2,000,000	-2,010,743	

Surface Equipment Requires ~25 MCFD <sup>(3)</sup>

**Notes:**

- Assumes that production Starts July 1, 2017.
- Assumes severance tax is \$0.06/mcf
- Well ceases to produce enough gas to run surface facilities. ~25 MCFD required.

Total Gas Cash Flow Over Well Life -2,010,743

**Exhibit 3**  
Hunt Oil Company  
Case # 26005  
07-27-2017

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

**RECEIVED**  
JUN 23 2017  
ND Oil & Gas Div.  
CASE NO. 26005

Application of Hunt Oil Company for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the NW/4NE/4 of Section 30, Township 161 North, Range 101 West, Divide County, North Dakota, Writing Rock-Bakken Pool, pursuant to the provisions of N.D.C.C. § 38-08-06.4 or such further and additional relief.

APPLICATION OF HUNT OIL COMPANY

Hunt Oil Company ("Hunt"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Hunt is the owner of an interest in the oil and gas leasehold estate in portions of Section 30, Township 161 North, Range 101 West, Divide County, North Dakota.

2.

That such lands are currently within an area defined by the Commission as the field boundaries for the Writing Rock-Bakken Pool.

3.

That Hunt is currently the operator of the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the Northwest Quarter Northeast Quarter (NW/4NE/4) of Section 30, completed as a producing well in the Writing Rock-Bakken Pool.

4.

That the Writing Rock 161-101-30-31H-1 well (File No. 25893) is currently not connected to a gas gathering facility.

5.

That because of the location of the well and low volumes of gas produced from the Writing Rock 161-101-30-31H-1 well (File No. 25893), it is economically infeasible to connect said well to a gas gathering facility at the present time, or in the foreseeable future, or in the alternative a market for the gas is not available and equipping the well with an electrical generator to produce electricity from the gas or a liquid stripping unit is economically infeasible.

6.

That gas produced in association with oil produced from the Writing Rock 161-101-30-31H-1 well (File No. 25893) is currently being flared.

7.

That Section 38-08-06.4 of the North Dakota Century Code prohibits the flaring of gas produced in association with crude oil under certain circumstances but authorizes the Commission, upon application, to grant an exception to the flaring prohibition upon a showing that connection of the well to a gas gathering facility is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available.

8.

That in the opinion of the applicant, it is economically infeasible at the present time or in the foreseeable future to connect the Writing Rock 161-101-30-31H-1 well (File No. 25893) to a gas gathering facility and/or there is no market for the gas. As such, applicant should be allowed to



continue to flare such gas, and an exception to Section 38-08-06.4 of the North Dakota Century Code should be granted for said well.

**WHEREFORE**, Hunt requests the following:

- (a) That this matter be set for the regularly scheduled July 2017 hearings of the Commission;
- (b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, Hunt's witnesses in this matter be allowed to participate by telephonic means; and
- (c) That thereafter the Commission issue its order granting the relief requested and such other and further relief as the Commission may deem appropriate.

**DATED** this 23 day of June, 2017.

FREDRIKSON & BYRON, P.A.

By 

LAWRENCE BENDER, ND Bar #03908  
*Attorneys for Applicant,*  
*Hunt Oil Company*  
1133 College Drive, Suite 1010  
P. O. Box 1855  
Bismarck, ND 58502-1010  
(701) 221-8700



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

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

Lawrence Bender

Subscribed and sworn to before me this 5 day of June, 2017.



Notary Public  
Burleigh County, North Dakota  
My Commission Expires: \_\_\_\_\_  
61573368 1.DOC

June 23, 2017

**RECEIVED**

**JUN 23 2017**

**ND Oil & Gas Div.**

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

**RE: APPLICATION OF HUNT OIL  
COMPANY FOR JULY 2017  
HEARINGS**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF HUNT OIL COMPANY.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Hunt requests that its witnesses be allowed to participate at the hearing by telephonic means.**

Should you have any questions, please advise.

Sincerely,

  
LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Benjamin Germany - (w/enc.) *Via Email*

Attorneys & Advisors  
main 701.221.8700  
fax 701.221.8750  
fredlaw.com

Fredrikson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, North Dakota  
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# Classified Advertising Invoice

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ND OIL & GAS DIVISION

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Signature: \_\_\_\_\_  
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			Case No. 25976	533.00	Legals	442.39	442.39
07/03/17	07/03/17	1	Bismarck Tribune				

Affidavit of Publication  
State of North Dakota ) SS County of Burleigh  
Before me, a Notary Public for the State of North Dakota  
personally appeared JKL who being duly sworn, deposes  
and says that he (she) is the Clerk of Bismarck Tribune Co.,  
and that the publication(s) were made through the  
Bismarck Tribune on the following dates:  
7/3 Signed Joe Lindsay  
sworn and subscribed to before me this  
day of July 20 2017  
Notary Public in and for the State of North Dakota

**MORGAN DOLL**  
Notary Public  
State of North Dakota  
My Commission Expires Jan 26, 2023

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

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, July 27, 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 Friday, July 14, 2017.

### STATE OF NORTH DAKOTA TO:

Case No. 25976: Application of WPX Energy Williston, LLC for an order amending the field rules for the South Fork-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 1, 2, 11 and 12, T.148N., R.93W., Dunn County, ND, authorizing the drilling of a horizontal well on or near the section line between existing 1280-acre spacing units of the proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

Case No. 25977: Application of Liberty Resources Management Co., LLC for an order amending the field rules for the Big Meadow and/or South Meadow-Bakken Pool, Williams County, ND, to create and establish two overlapping 2560-acre spacing units comprised of Sections 15, 16, 21 and 22; and Sections 16, 17, 20 and 21, T.158N., R.96W., authorizing the drilling of a horizontal well on or near the section line between existing 1280-acre spacing units of each proposed overlapping 2560-acre spacing unit and such other relief as is appropriate.

Case No. 25978: Application of Liberty Resources Management Co., LLC for an order amending the field rules for the North Tioga-Bakken Pool to create and establish four 1920-acre spacing units comprised of Sections 25 and 36, T.160N., R.94W. and Section 1, T.159N., R.94W.; Sections 26 and 35, T.160N., R.94W. and Section 2, T.159N., R.94W.; Sections 11, 14 and 23; and Sections 12, 13 and 24, T.159N., R.94W., Burke County, ND, authorizing the drilling of a total not to exceed eight wells on each 1920-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 25979: Application of EOG Resources, Inc. for an order amending the field rules for the Alger-Bakken Pool, Mountrail County, ND, to create and establish three overlapping 2560-acre spacing units comprised of Sections 8, 9, 15 and 16; Sections 8, 9, 16 and 17; and Sections 9, 10, 15 and 16, T.156N., R.92W., authorizing the drilling of multiple wells on each proposed overlapping 2560-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

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

Remarks

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Case No. 25980: Application of EOG Resources, Inc. for an order amending the field rules for the Parshall and/or Big Bend-Bakken Pool, Mountrail County, ND, as follows: (i) create and establish an overlapping 2560-acre spacing unit comprised of Sections 5, 6, 7 and 8, T.154N., R.90W.; and (ii) create and establish an overlapping 3840-acre spacing unit comprised of Sections 2, 3, 4, 9, 10 and 11, T.151N., R.91W., authorizing the drilling of multiple horizontal wells on or near the section line between the existing 1280 and 1920-acre spacing units of the proposed overlapping 2560 and 3840-acre spacing units, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 25981: Application of EOG Resources, Inc. for an order amending the field rules for the Clarks Creek-Bakken Pool and/or Antelope-Sanish Pool, McKenzie County, ND, as follows: (i) create and establish an overlapping 960-acre spacing unit comprised of Sections 13 and 24, less Lots 1, 2, 3 and 4 in each section, T.151N., R.95W.; (ii) create and establish an overlapping 2240-acre spacing unit comprised of Sections 13 and 24, less Lots 1, 2, 3 and 4 in each section, T.151N., R.95W. and Sections 18 and 19, T.151N., R.94W.; and (iii) create and establish three overlapping 2560-acre spacing units comprised of Sections 1 and 12, T.151N., R.95W. and Sections 6 and 7, T.151N., R.94W.; Sections 5, 6, 7 and 8; and Sections 17, 18 and 19, T.151N., R.94W., authorizing the drilling of multiple horizontal wells on or near the section line between existing 320, 640, 960, 1280, 1440 and 2560-acre spacing units of said proposed overlapping 2240 and 2560-acre spacing units, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 25982: Application of Windridge Operating LLC for an order amending the field rules for the Portal-Madison Pool, Burke County, ND, as follows: (i) create and establish an 800-acre spacing unit comprised of the W/2 of Sections 29 and 32, and E/2 of Sections 30 and 31, T.164N., R.92W.; and (ii) create and establish a 1280-acre spacing unit comprised of the W/2 of Sections 5 and 8, and the E/2 of Sections 6 and 7, T.163N., R.92W., authorizing the drilling of a well on or near the section line on said proposed 800 and 1280-acre spacing units, or in the alternative, (i) create and establish a 400-acre spacing unit comprised of the W/2 of Sections 29 and 32, T.164N., R.92W.; and (ii) create and establish a 640-acre spacing unit comprised of the W/2 of Sections 5 and 8, T.163N., R.92W., authorizing the drilling of two horizontal wells on said proposed 400 and 640-acre spacing units, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 25983: Application of Samson Oil and Gas USA, Inc. for an order as follows: (i) amending the field rules for Foreman Butte-Madison Pool, McKenzie County, ND, to create and establish an overlapping 1280-acre spacing unit comprised of Sections 17 and 20, T.150N., R.102W., to facilitate an enhanced oil recovery pilot operation; and (ii) granting temporary authority to utilize the Mays 1-20H well (NDIC No. 15646), with a surface location in Section 28, T.150N., R.102W., McKenzie County, ND, as an injection well for an enhanced oil recovery pilot operation in the Foreman Butte-Madison Pool, and such other relief as is appropriate.

Case No. 25984: Application of Slawson Exploration Co., Inc. for an order authorizing the flaring of gas from certain current and future wells completed in the Big Bend-Bakken Pool, McKenzie and Mountrail Counties, ND, for a temporary period of time and to allow the volumes of flared gas to be excluded from the calculations of statewide and county wide flare volumes as an exception to the provisions of Commission Order No. 24665 and such other relief as is appropriate.

Case No. 25985: Application of DW Slate LLC for an order amending the field rules for the Eagle Nest-Bakken Pool, Dunn County, ND, to create and establish the following: (i) a 320-acre spacing unit comprised of the E/2 E/2 of Sections 4 and 9, T.148N., R.95W., authorizing the drilling of a total not to exceed two wells on said proposed 320-acre spacing unit; and (ii) an overlapping 640-acre spacing unit comprised of the W/2 W/2 of Sections 3 and 10 and the E/2 E/2 of Sections 4 and 9, T.148N., R.95W., authorizing the drilling of a total not to exceed two horizontal wells on or near the mid-section line of the proposed 640-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 25746: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order amending the field rules for the Covered Bridge and/or Pierre Creek-Bakken Pool to create and establish an

overlapping 960-acre spacing unit comprised of the S/2 of Section 22 and all of Section 27, T.146N., R.102W., McKenzie County, ND, authorizing the drilling of a total not to exceed four wells on said overlapping 960-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 25986: Application of Liberty Resources Management Co. LLC 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.160N., R.94W. and Section 1, T.159N., R.94W., North Tioga-Bakken Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25987: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 26 and 35, T.160N., R.94W. and Section 2, T.159N., R.94W., North Tioga-Bakken Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25988: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 11, 14 and 23, T.159N., R.94W., North Tioga-Bakken Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25989: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 12, 13 and 24, T.159N., R.94W., North Tioga-Bakken Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25990: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 15, 16, 21 and 22, T.158N., R.96W., Big Meadow-Bakken Pool, Williams 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. 25991: Application of Liberty Resources Management Co. LLC 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, 17, 20 and 21, T.158N., R.96W., Big Meadow and/or South Meadow-Bakken Pool, Williams 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. 25992: Application of Liberty Resources Management Co. LLC 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.158N., R.94W., East Tioga-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25993: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 32, T.158N., R.93W., East Tioga-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25994: Application of Liberty Resources Management Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 30 and 31, T.158N., R.93W., East Tioga-Bakken Pool, Mountrail County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25995: Application of Liberty Resources Management Co., LLC for an order for the Stoneview-Bakken Pool, Burke County, ND, as follows: (i) authorizing the drilling, completing and producing of a total not to exceed eight wells on an existing 1280-acre spacing unit described as Sections 18 and 19, T.161N., R.94W.; and (ii) authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 30 and 31, T.161N., R.94W., eliminating any tool error requirements and such other relief as is appropriate.

Case No. 25996: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Sections 29 and 32, and E/2 of Sections 30 and 31, T.164N., R.92W., Portal-Madison Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25997: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Sections 29 and 32, T.164N., R.92W., Portal-Madison Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25998: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Sections 5 and 8, and the E/2 of Sections 6 and 7, T.163N., R.92W., Portal-Madison Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 25999: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Sections 5 and 8, T.163N., R.92W., Portal-Madison Pool, Burke County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 26000: Application of Slawson Exploration Co., 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 32 and 33, T.152N., R.91W. and Sections 4 and 5, T.151N., R.91W., Big Bend-Bakken Pool, Mountrail 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. 26001: Application of Slawson Exploration Co., 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 25 and 36, the E/2 of Sections 26 and 35, T.151N., R.92W., Sections 30 and 31, and the W/2 of Sections 29 and 32, T.151N., R.91W., Big Bend-Bakken Pool, Mountrail 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. 26002: Application of Slawson Exploration Co., 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 25, the E/2 of Section 26, T.151N., R.92W., Section 30, and the W/2 of Section 29, T.151N., R.91W., Big Bend-Bakken Pool, Mountrail 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. 26003: 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 Moberg Federal 149-95-29-32-30HLV well (File No. 33547) located in a spacing unit described as Sections 29, 30, 31 and 32,

T.149N., R.95W., Bear Den-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 26004: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing a total not to exceed nine wells on an existing overlapping 1280-acre spacing unit described as Sections 27 and 28, T.156N., R.92W., Alger-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 26005: Application of Hunt Oil Co. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the NWNE of Section 30, T.161N., R.101W., Divide County, ND, Writing Rock-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 26006: Application of Resonance Exploration (ND) LLC as provided for in NDAC § 43-02-03-88.1 for an order allowing the production from the following wells: Resonance Ballantyne 16-19H well (File No. 33595), located in Section 19; Resonance R. E. Ballantyne 1-30 2H well (File No. 33641), located in Section 30; and Resonance Lodoen 3-32H well (File No. 33657) located in Section 32, all in T.163N., R.80W., Westhope-Spearfish/Madison Pool, Bottineau County, ND, to be produced into the Resonance Ballantyne 13-20 Central Tank Battery or production facility (CTB No. 229452) located in Section 20, T.163N., R.80W., Bottineau County, ND, pursuant to NDAC 43-02-03-88.1 and such other relief as is appropriate.

Case No. 26007: Application of Enerplus Resources (USA) Corp. for an order for the Spotted Horn-Bakken Pool, McKenzie and Mountrail Counties, ND, as follows: (i) authorizing the drilling, completing and producing of a total not to exceed nine wells on each existing 640-acre spacing unit described as Section 5; and Section 36, T.150N., R.94W.; (ii) authorizing the drilling, completing and producing of a total not to exceed five wells on an existing 640-acre spacing unit described as the W/2 of Sections 28 and 33, T.150N., R.94W.; (iii) authorizing the drilling, completing and producing of a total not to exceed eleven wells on each existing 1280-acre spacing unit described as Sections 4 and 9; and Sections 11 and 12, T.150N., R.94W.; and (iv) authorizing the drilling, completing and producing of a total not to exceed eleven wells on an existing 1920-acre spacing unit described as Sections 6, 7 and 18, T.150N., R.94W., eliminating any tool error requirements and such other relief as is appropriate.

Case No. 26008: Application of Enerplus Resources (USA) Corp. for an order for the Antelope-Sanish Pool, McKenzie County, ND, as follows: (i) authorizing the drilling, completing and producing of a total not to exceed seven wells on each existing 640-acre spacing unit described as the E/2 of Sections 29 and 32, T.152N., R.94W.; and the E/2 of Sections 17 and 20, T.151N., R.94W.; and (ii) authorizing the drilling, completing and producing of a total not to exceed thirteen wells on each existing 1280-acre spacing unit described as Sections 16 and 21; Sections 18 and 19; and Sections 28 and 33, T.152N., R.94W.; Sections 16 and 21; and Sections 28 and 33, T.151N., R.94W., eliminating any tool error requirements and such other relief as is appropriate.

Case No. 26009: Application of Enerplus Resources (USA) Corp. for an order for the Heart Butte-Bakken Pool, Dunn County, ND, as follows: (i) authorizing the drilling, completing and producing of a total not to exceed five wells on each existing 320-acre spacing unit described as the W/2 of Section 5, and the E/2 of Section 6, T.148N., R.92W.; and (ii) authorizing the drilling, completing and producing of a total not to exceed eleven wells on each existing 1280-acre spacing unit described as Sections 17 and 20; Sections 18 and 19; Sections 29 and 32; Sections 30 and 31, T.149N., R.92W.; Section 35, T.149N., R.92W. and the W/2 of Section 4 and the E/2 of Section 5, T.148N., R.92W.; Sections 19 and 20; Sections 21 and 22; and Sections 23 and 24, T.148N., R.92W., eliminating any tool error requirements and such other relief as is appropriate.

Case No. 26010: Application of WPX Energy Williston, LLC for an order authorizing but not requiring the drilling, completing and producing of a total not to exceed four wells on an existing 320-acre spacing unit described as the E/2 of Section 3, 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. 26011: Application of Samson Oil and Gas USA, Inc. for an order authorizing the rework of the Mays 1-20H well (File No. 15646), with a surface location in the NWNW Section 28, T.150N., R.102W., McKenzie County, ND, for the temporary injection of fluids in the Foreman Butte-Madison Pool pursuant to NDAC Chapter 43-02-05, and Section 43-02-03-88.1, and such other relief as is appropriate.

Case No. 26012: Application of Arrow Water, 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 SWNW of Section 16, T.150N., R.95W., Grail Field, McKenzie County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 26013: Application of Hydra Services, LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Davy Jones #21-1 well, SESE Section 21, T.157N., R.99W., Lone Tree Lake Field, Williams County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 25903: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as the S/2 of Section 22 and all of Section 27, T.146N., R.102W., Covered Bridge and/or Pierre Creek-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.

Signed by,  
Doug Burgum, Governor  
Chairman, NDIC  
7/3 -20899766

## Affidavit of Publication

**RECEIVED**  
JUL 14 2017  
ND Oil & Gas Div.

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:  
**Oil and Gas Division – beginning with Case No. 26005, The Journal, Crosby; 1 time(s)** as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

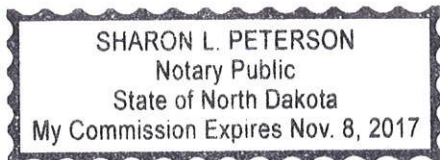
Signed: Colleen Park

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 13 day of July, 20 17.

Sharon L. Peterson



## NOTICE OF HEARING

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

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, July 27, 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 Friday, July 14, 2017.

### STATE OF NORTH DAKOTA

TO: Case No. 26005: Application of Hunt Oil Co. for an order pursuant to NDAC § 43 02-03-88.1 authorizing the flaring of gas from the Writing Rock 161-101-30-31H-1 well (File No. 25893) located in the NWNE of Section 30, T.161N., R.101W., Divide County, ND, Writing Rock-Bakken Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Signed by,  
Doug Burgum, Governor  
Chairman, NDIC

(6/7)

7/5