

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10408
(CONTINUED)
ORDER NO. 12422

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF CONTINENTAL RESOURCES, INC. FOR AN ORDER PURSUANT TO NDAC § 43-02-03-88.1 POOLING ALL INTERESTS IN A SPACING UNIT FOR THE ARVID #1-34H, SECTIONS 27 AND 34, T.161N., R.95W., SADLER-BAKKEN POOL, DIVIDE COUNTY, ND; AUTHORIZING THE RECOVERY FROM EACH NONPARTICIPATING OWNER A RISK PENALTY AS PROVIDED BY NDCC § 38-08-08 AND SUCH OTHER RELIEF AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

(1) This cause originally came on for hearing at 9:00 a.m. on the 28th day of August, 2008. At that time, counsel for Continental Resources, Inc. (Continental) requested that the case be continued to the regularly scheduled hearing in September 2008. Order No. 12300 continued the case until September 25, 2008.

(2) Continental has recently drilled their Arvid #1-34H well, located in the SW/4 SE/4 Section 34, Township 161 North, Range 95 West, Divide County, North Dakota.

(3) Continental is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Sadler-Bakken Pool described as all of Sections 27 and 34, Township 161 North, Range 95 West, Divide County, North Dakota.

(4) Continental has applied for an order of the Commission pooling all interests in said spacing unit and authorizing the recovery of a risk penalty from each nonparticipating owner.

(5) The Commission received a letter on August 25, 2008 from Branex Resources, Inc., an owner of minerals under the spacing unit, objecting to the risk penalty being applied to their minerals.

(6) Counsel for Continental requests that this case be continued to the regularly scheduled hearing in October 2008.

(7) There were no objections to said request.

(8) This case should be continued to the regularly scheduled hearing on October 23, 2008.

IT IS THEREFORE ORDERED:

(1) This case is hereby continued to the regularly scheduled hearing on October 23, 2008.

Dated this 13th day of October, 2008.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director