

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10296
(CONTINUED)
ORDER NO. 12423

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 ELVEIDA #1-33H, SECTIONS 28 AND 33, 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 came on for hearing at 9:00 a.m. on the 25th day of September, 2008.
- (2) Pursuant to North Dakota Administrative Code Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, pooling under North Dakota Century Code (NDCC) Section 38-08-08.
- (3) The applicant is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Sadler-Bakken Pool described as Sections 28 and 33, Township 161 North, Range 95 West, Divide County, North Dakota.
- (4) Said spacing unit is created in accordance with an order of the Commission and there are separately owned tracts and/or separately owned interests in the spacing unit, and some of the owners thereof have not voluntarily pooled their interests for the development and operation of said spacing unit.
- (5) The Commission makes no findings with regard to the specific acreage or percentage attributed to separately owned tracts or interests.

(6) NDCC Section 38-08-08 requires the Commission to enter a pooling order upon application when two or more separately owned tracts are embraced within a spacing unit, or there are separately owned interests in all or a part of a spacing unit, in the absence of voluntary pooling. The section further provides that working interest owners in the spacing unit shall pay their share of the reasonable actual cost of drilling and operating the well plus a reasonable charge for supervision. In addition to such costs and charges, nonparticipating lessees may be required to pay a risk penalty of 200 percent and unleased mineral interest owners may be required to pay a risk penalty of 50 percent of their share of the reasonable actual cost of drilling and completing the well.

(7) Applicant requests an order of the Commission pooling all interests in the spacing unit, and allowing the recovery of a risk penalty from nonparticipating owners.

(8) There were no objections to this application.

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

IT IS THEREFORE ORDERED:

(1) All oil and gas interests in a spacing unit for the Sadler-Bakken Pool described as Sections 28 and 33, Township 161 North, Range 95 West, Divide County, North Dakota, are hereby pooled for the development and operation of the spacing unit.

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

(3) The operator of the well for said spacing unit shall conduct operations in a manner so as to protect correlative rights of all interested parties.

(4) All owners of interests shall recover or receive, without unnecessary expense, their just and equitable share of production from said spacing unit in the proportion as their interests may appear in the spacing unit.

(5) The working interest owners shall reimburse the operator for their proportionate share of the reasonable actual cost of drilling and operating said well, plus a reasonable charge for supervision.

(6) In the event of any dispute as to such costs the Commission shall determine the proper cost.

(7) If a lessee owning an interest in the spacing unit elects not to participate in the risk and cost of drilling a well thereon, the owner paying for the nonparticipating lessee's share of the drilling and operation of a well may recover from the nonparticipating lessee a risk penalty for the risk involved in drilling the well. The risk penalty is 200 percent of the nonparticipating lessee's share of the reasonable actual costs of drilling and completing the well and may be recovered out of, and only out of, production from the pooled spacing unit, as provided by NDCC Section 38-08-10, exclusive of any royalty or overriding royalty.

(8) If an unleased mineral interest owner in the spacing unit refuses a good-faith attempt to execute a lease and elects not to participate in the risk and cost of drilling a well thereon, the owner paying for the nonparticipating mineral interest owner's share of the drilling and operation of a well may recover from the nonparticipating mineral interest owner a risk penalty for the risk involved in drilling the well. The risk penalty is 50 percent of the nonparticipating mineral interest owner's share of the reasonable actual costs of drilling and completing the well and may be recovered out of, and only out of, production from the pooled spacing unit, as provided by NDCC Section 38-08-10, exclusive of any royalty.

(9) In the event the size of the spacing unit pooled herein is modified by the Commission, this order shall terminate as of the date of such order.

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

Dated this 24th day of October, 2008.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

STATE OF NORTH DAKOTA

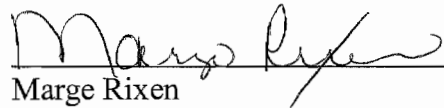
AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 31st day of October, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12423 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. 10296:


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

LISA ALWERT
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032



Marge Rixen
Oil & Gas Division

On this 31st day of October, 2008 before me personally appeared Marge Rixen 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

JEANETTE BEAN
Notary Public
State of North Dakota
May 25, 2011

September 24, 2008

HAND DELIVERED

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



RE: CASE NO. 10296
Continental Resources, Inc.

Dear Mr. Hicks:

Please find enclosed herewith for filing an AFFIDAVIT OF LISA J. ALWERT in the captioned matter.

Should you have any questions, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Bender".

LAWRENCE BENDER

LB/leo

Enclosure

cc: Ms. Lisa Alwert - (w/o enc.) *Via Email*

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10296

Application of Continental Resources, Inc. for an order pursuant to Section 43-02-03-88.1 of the N.D.A.C. pooling all interests in a spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief.



AFFIDAVIT OF LISA J. ALWERT

STATE OF OKLAHOMA)
) ss
COUNTY OF GARFIELD)

Lisa J. Alwert, being first duly sworn, deposes and states as follows:

1.

That I am a Northern Region Landman for Continental Resources, Inc. ("Continental") and that my business address is 302 N. Independence Avenue, P.O. Box 1032, Enid, Oklahoma 73702-1032, the applicant in the above-entitled matter.

2.

That in the course of my work as Northern Region Landman for Continental, I have become familiar with the mineral ownership and leasehold ownership in Sections 28 and 33, Township 161 North, Range 95 West, Divide County, North Dakota ("Subject Lands"). I am also familiar with all the oil and gas operations which have been conducted by Continental on the Subject Lands.

3.

That Continental is an owner of an interest in the oil and gas leasehold estate in the Subject Lands.

4.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in the Subject Lands.

5.

That a voluntary pooling of the Subject Lands has not been accomplished.

6.

That Continental has drilled the Elveida #1-33H well located in the Southwest Quarter of the Southeast Quarter (SW/4SE/4) of Section 33. All of Sections 28 and 33 constitute the spacing unit for the Elveida #1-33H well in the Sadler-Bakken Pool.

7.

That all interested parties entitled to participate in the well were provided with a well proposal. The proposal to drill the Elveida #1-33H well contained the following information:

- (a) The location of the Elveida #1-33H well and the depth of the completion zone;
- (b) An itemization of the estimated cost of drilling and completing the well;
- (c) The approximate date the Elveida #1-33H well will be spud;
- (d) That all interested parties entitled to participate had 30 days from the date of the proposal to elect to participate in the well; and
- (e) Notice that a penalty would be imposed against nonparticipating owners.

8.

That the above referenced well proposal of Continental for drilling of the Elveida #1-33H well was forwarded to all interested parties entitled to participate.

SFN 6988

20716

Office Copy

NORTH DAKOTA INDUSTRIAL COMMISSION

Department of Mineral Resources
600 E Boulevard
Bismarck ND 58505-0840

9/22/2008

TO: Lawrence Bender
Fredrikson & Byron
200 N 3rd St Ste 150
Bismarck ND 58501-3879

Purchase Order No.

Phone No:

Dept ID	Description	Quantity	Item Cost	Total
2100 464020	Continuance of Case 10400, Order 12292 Continental Resources to 9/25/08 hearing	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10408, Order 12300 Continental Resources to 9/25/08 hearing	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10291, Order 12302 Continental Resources to 9/25/08 hearing	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10296, Order 12303 Continental Resources to 9/25/08 hearing	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10129, Order 12305 Continental Resources to 9/25/08 hearing	1	\$25.00	\$25.00
464020 = \$125.00				
Total in US Funds				\$125.00

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 10296
(CONTINUED)
ORDER NO. 12303

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 ELVEIDA #1-33H, SECTIONS 28 AND 33, 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 24th day of July, 2008. At that time, counsel for Continental Resources, Inc. (Continental) requested that the case be continued to the regularly scheduled hearing in August 2008. Order No. 12166 continued the case until August 28, 2008.

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

(3) There were no objections to said request.

(4) This case should be continued to the regularly scheduled hearing on September 25, 2008.

IT IS THEREFORE ORDERED:

(1) This case is hereby continued to the regularly scheduled hearing on September 25, 2008.

Dated this 12th day of September, 2008.

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

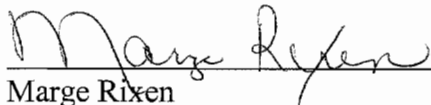
I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 19th day of September, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12303 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 10296:

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

LISA ALWERT
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

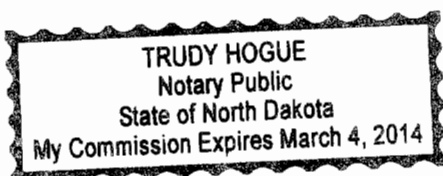
CHASE REID
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

KEN SMITH
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032



Marge Rixen
Oil & Gas Division

On this 19th day of September, 2008 before me personally appeared Marge Rixen 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.





Trudy Hogue
Notary Public
State of North Dakota, County of Burleigh

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

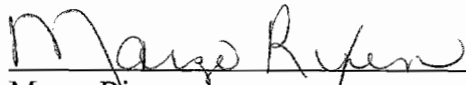
I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 27th day of August, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12166 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 10296:

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

LISA ALWERT
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

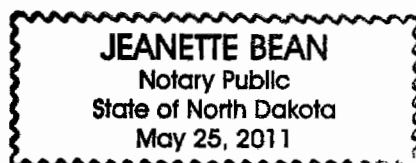
CHASE REID
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032


KEN SMITH
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032



Marge Rixen
Oil & Gas Division

On this 27th day of August, 2008 before me personally appeared Marge Rixen 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

August 26, 2008



VIA EMAIL AND U.S. MAIL

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

RE: CASE NO. 10296
Continental Resources, Inc.

Dear Mr. Hicks:

Please find enclosed herewith for filing a NOTICE OF CONTINUANCE FOR CONTINENTAL RESOURCES, INC. in the captioned matter.

Thank you for your attention to this matter.

Sincerely,


LAWRENCE BENDER

LB/leo

Enclosure

cc: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Ms. Cynthia Wagner Goulet - (w/enc.)
Ms. Lisa Alwert - (w/enc.) *Via Email*

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10296

Application of Continental Resources, Inc. for an order pursuant to Section 43-02-03-88.1 of the N.D.A.C. pooling all interests in a spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief.



NOTICE OF CONTINUANCE FOR CONTINENTAL RESOURCES, INC.

PLEASE TAKE NOTICE that on Thursday, August 28, 2008, Continental Resources, Inc. will respectfully request that the above captioned hearing be continued to the regularly scheduled September 25, 2008 hearing of the Commission.

DATED this 26th day of August, 2008.

FREDRICKSON & BYRON, P.A.

By

A handwritten signature in black ink, appearing to read 'L. Bender', written over a horizontal line.

LAWRENCE BENDER
Attorneys for Applicant,
Continental Resources, Inc.
200 North 3rd Street, Suite 154
Post Office Box 1855
Bismarck, North Dakota 58502-1855

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10296
ORDER NO. 12166

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 ELVEIDA #1-33H, SECTIONS 28
AND 33, 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 came on for hearing at 9:00 a.m. on the 24th day of July, 2008.
- (2) Counsel for Continental Resources, Inc. requests that this case be continued to the regularly scheduled hearing in August 2008.
- (3) There were no objections to said request.
- (4) This case should be continued to the regularly scheduled hearing on August 28, 2008.

IT IS THEREFORE ORDERED:

- (1) This case is hereby continued to the regularly scheduled hearing on August 28, 2008.

Dated this 19th day of August, 2008.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN 6988

20489

Office Copy

NORTH DAKOTA INDUSTRIAL COMMISSION

Department of Mineral Resources

600 E Boulevard

Bismarck ND 58505-0840

8/25/2008

TO: Lawrence Bender
Fredrikson & Byron
200 N 3rd St Ste 150
Bismarck ND 58501-3879

Purchase Order No.

Phone No:

Dept ID	Description	Quantity	Item Cost	Total
2100 464020	Continuance of Case 10291, Order 12161 Continental Resources to 8/28/08 hearings	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10296, Order 12166 Continental Resources to 8/28/08 hearings	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10298, Order 12168 Continental Resources to 8/28/08 hearings	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10129, Order 12184 Continental Resources to 8/28/08 hearings	1	\$25.00	\$25.00
464020 = \$100.00				
Total in US Funds				\$100.00

August 11, 2008

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



RE: NDIC CASE NO. 10296
Continental Resources, Inc.

Dear Mr. Hicks:

Please find enclosed herewith for filing an AFFIDAVIT OF SERVICE BY MAIL for the captioned matter.

Should you have any questions, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Bender". The signature is bold and somewhat stylized.

LAWRENCE BENDER

LB/me

Enclosure

cc: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Ms. Cynthia Wagner Goulet - (w/enc.)
Mr. Jim Canon - (w/enc.)

4413718_1.DOC

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

EOG Resources, Inc.
600 Seventeenth St., Suite 1100N
Denver, CO 80202

A.G. Andrikopoulos Resources, Inc.
PO Box 788
Cheyenne, WY 82003

H. L. Benning
Ft. Smith, AR 72901

Margaret June Kimmell
Shinnston, WV 26431

Phyllis G. Rinehart
138 Fieldcrest
San Antonio, TX 78209

Harpin O. Rinehart
1304 E. Moore
Decatur, IL 62521

Rosa Klier Bixler
Route 4 Box 364
Newton, IL 62448

J. Mauritz Nelson and Josephine
E. Nelson, as joint tenants
232 Manila St.
Wilmar, MN 56201

Ruby E. Jones Estate
c/o Phyllis Schminski
1628 Gregory Ave.
Decatur, IL 62526

Frances M. Weber Estate
c/o Betty Ferrel
3740 Pinebrook Circle, Apt. 107
Bradenton, FL 34209

Kent and Brenda Littlejohn
604 Crestridge Road
Omaha, ND 68154

EXHIBIT A

July 9, 2008

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



RE: CASE NO. 10296
Continental Resources, Inc.

Dear Mr. Hicks:

Please find enclosed herewith for filing a NOTICE OF CONTINUANCE FOR CONTINENTAL RESOURCES, INC. for the above-captioned matter.

Thank you for your attention to this matter.

Sincerely,


LAWRENCE BENDER

LB/leo

Enclosure

cc: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Ms. Cynthia Wagner Goulet - (w/enc.)
Ms. Beth Steier - (w/enc.)

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10296

Application of Continental Resources, Inc. for an order pursuant to Section 43-02-03-88.1 of the N.D.A.C. pooling all interests in a spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief.



NOTICE OF CONTINUANCE FOR CONTINENTAL RESOURCES, INC.

PLEASE TAKE NOTICE that on Thursday, July 24, 2008, Continental Resources, Inc. will respectfully request that the above captioned hearing be continued to the regularly scheduled August 2008 hearing of the Commission.

DATED this 9th day of July, 2008.

Frederickson & Byron, P.A.

By

A large, bold, handwritten signature in black ink, appearing to read 'LAWRENCE BENDER'.

LAWRENCE BENDER, ND Bar #03908
Attorneys for Continental Resources, Inc.
200 North 3rd Street, Suite 150
P. O. Box 1855
Bismarck, ND 58502-1855

June 18, 2008

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



**RE: APPLICATION OF
CONTINENTAL RESOURCES,
INC.
Sections 28 and 33, Township 161
North, Range 95 West, Sadler-
Bakken Pool, Divide County, ND**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF CONTINENTAL RESOURCES, INC. and NOTICE OF HEARING as described above.

As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Continental 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: Ms. Karlene Fine - (w/enc.)
Mr. Lynn Helms - (w/enc.)
Mr. Charles Carvell - (w/enc.)
Mr. Jim Canon - (w/enc.)

Attorneys & Advisors
main 701.221.4020
fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3879

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

CASE NO. 10296

Application of Continental Resources, Inc. for an order pursuant to Section 43-02-03-88.1 of the N.D.A.C. pooling all interests in a spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief.



APPLICATION OF CONTINENTAL RESOURCES, INC.

Applicant, Continental Resources, Inc. ("Continental"), respectfully shows the North Dakota Industrial Commission ("Commission") as follows:

1.

That Continental is an owner of an interest in the oil and gas leasehold estate in Sections 28 and 33, Township 161 North, Range 95 West, Divide County, North Dakota ("Sections 28 and 33").

2.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in Sections 28 and 33.

3.

That a voluntary pooling of Sections 28 and 33 has not been accomplished.

4.

That Continental has drilled the Elveida #1-33H well in the Southwest Quarter of the Southeast Quarter (SW/4SE/4) of Section 33.

5.

That all of Sections 28 and 33 has been designated as the spacing unit for the Elveida #1-33H well in the Sadler-Bakken Pool.

6.

That Section 38-08-08(1) of the North Dakota Century Code provides that when two or more separately owned tracts are embraced within a spacing unit, or when there are separately owned interests in all or a part of a spacing unit, and in the absence of a voluntary pooling, the Commission upon the application of any interested person shall enter an order pooling all interests in the spacing unit for the development and operations thereof.

7.

That certain owners of interests in and under Sections 28 and 33 have elected not to participate in the drilling and completion operations of the Elveida #1-33H well.

8.

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

9.

That Continental therefore requests that the Commission enter its order pooling all interests in the proposed spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township

161 North, Range 95 West, Divide County, North Dakota and authorize the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the North Dakota Century Code.

WHEREFORE, Continental requests the following:

- (a) That this matter be set for the regular July 2008 hearing date;
- (b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, Continental'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 18 day of June, 2008.

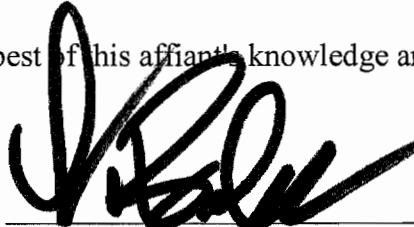
FREDRIKSON & BYRON, P.A.

By 
LAWRENCE BENDER, ND Bar #03908

Attorneys for Applicant
Continental Resources, Inc.
200 North 3rd Street, Suite 150
Post Office Box 1855
Bismarck, North Dakota 58502-1855


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 named herein, that he has read the foregoing application, knows the contents thereof, and that the same is true to the best of his affiant knowledge and belief.



LAWRENCE BENDER

Subscribed and sworn to before me this 18 day of June, 2008.



Notary Public
Burleigh County, North Dakota
My Commission Expires: _____

4382960_1.DOC

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. _____

Application of Continental Resources, Inc. for an order pursuant to Section 43-02-03-88.1 of the N.D.A.C. pooling all interests in a spacing unit for the Elveida #1-33H well described as Sections 28 and 33, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North Dakota; authorizing the recovery from each nonparticipating owner a risk penalty as provided by Section 38-08-08 of the N.D.C.C. and such other and further relief.



NOTICE OF HEARING

PLEASE TAKE NOTICE that Continental Resources, Inc. filed the above-referenced application with the North Dakota Industrial Commission.

A hearing will be held at the July 2008 hearings at the Department of Mineral Resources Conference Room, Oil and Gas Division, 1016 East Calgary Avenue, Bismarck, North Dakota, to consider the request of Continental Resources, Inc.

As noted in the attached application, the applicant is requesting the authority to impose a risk penalty against any nonparticipating owner electing not to participate in the drilling of the contemplated well. Any nonparticipating owner may object to the risk penalty by responding in opposition to the application.

DATED this 18 day of June, 2008.

FREDRIKSON & BYRON P.A.

By 
LAWRENCE BENDER, ND Bar #03908

Attorneys for Applicant

Continental Resources, Inc.

200 North 3rd Street, Suite 150

Post Office Box 1855

Bismarck, North Dakota 58502-1855

4382962_1.DOC

**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 24, 2008, at the N.D. Oil & Gas Division, 1016 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 11, 2008.

**STATE OF NORTH DAKOTA
TO:**

Case No. 10293: 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 Imsland #1-31H, Sections 30 and 31, T.160N., R.95W., Hamlet-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.

Case No. 10294: 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 Shonna #1-15H, Sections 15 and 22, 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.

Case No. 10295: 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 Oscar #1-25H, Sections 24 and 25, T.161N., R.95W., Stoneview-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.

Case No. 10296: 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 Elveida #1-33H, Sections 28 and 33, 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.

Case No. 10306: Application of Continental Resources, Inc. for an order extending the field boundaries for the Hamlet-Bakken Pool to create and establish two 1280-acre spacing units comprised of Sections 14 and 23 and Sections 27 and 34, T.160N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on each spacing unit and/or such other and further relief as appropriate.

Case No. 10308: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the North Tioga-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 13 and 24; Sections 14 and 23, T.159N., R.95W., and Sections 25 and 36, T.160N., R.95W., Williams and Divide Counties, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate.

Case No. 10309: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Stoneview-Bakken Pool and/or North Tioga-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 13 and 24, T.160N., R.95W., Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate.

Case No. 10321: Application of Samson Resources Company for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Sandberg 36-163-98H, Section 36, T.163N., R.98W., 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.

OK

Affidavit of F

ota, County of Divide, ss:
being first duly sworn, on my c
of general circulation and offic
the city of Crosby, ND, and that

Signed by,
John Hoeven, Governor
Chairman,
ND Industrial Commission

e Journal,
e of North

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

which is here attached, was published in The Journal on the following dates:

..... 120 lines @ .57 = 68.40
..... \$68.40

Signed

Steven J. Andrist
Steven J. Andrist, Publisher

Subscribed and sworn to before me July 9, 2008

Vonni L. Anderson

Vonni L. Anderson

Notary Public, State of North Dakota
My Commission Expires August 2, 2011

**VONNI L. ANDERSON
Notary Public
State of North Dakota
Commission Expires Aug. 2, 2011**

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

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, September 25, 2008, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, September 12, 2008.

STATE OF NORTH DAKOTA TO:

Case No. 10492: Proper spacing for the development of the Hungry Man Butte-Bakken Pool, Billings County, ND, redefine the field limits, and enact such special field rules as may be necessary. Anschutz Expl. Corp. Case No. 10441: (Continued) Application of Anschutz Expl. Corp. for an order extending the field boundaries and amending the field rules for the Russian Creek-Bakken Pool and/or the St. Anthony-Bakken Pool to create 42 1280-acre stand-up spacing units comprised of the following lands in Dunn County, ND: T.141N., R.95W, Secs. 1 & 12 Secs. 13 & 24 Secs. 25 & 36; Secs. 2 & 11 Secs. 14 & 23 Secs. 26 & 35; Secs. 3 & 10 Secs. 15 & 22 Secs. 27 & 34; Secs. 4 & 9 Secs. 16 & 21 Secs. 28 & 33; Secs. 5 & 8 Secs. 17 & 20 Secs. 29 & 32; Secs. 6 & 7 Secs. 18 & 19 Secs. 30 & 31; T.141N., R.96W; Secs. 1 & 12 Secs. 10 & 15 Secs. 23 & 26; Secs. 7 & 8 Secs. 11 & 14 Secs. 25 & 36; Secs. 8 & 17 Secs. 19 & 20 Secs. 27 & 34; Secs. 9 & 16 Secs. 20 & 29 Secs. 28 & 33 T.141N., R.97W; Secs. 1 & 12 Secs. 13 & 24 Secs. 25 & 36; Secs. 2 & 11 Secs. 14 & 23 Secs. 26 & 35; Secs. 3 & 10 Secs. 15 & 22 Secs. 4 & 9 Secs. 16 & 21; Secs. 5 & 8 Secs. 17 & 20; authorizing the drilling of a horizontal well within each said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 10494: Temporary spacing to develop an oil and/or gas pool discovered by the Slavson Exploration Co., Inc. #1-36H Prospect, SWSE Section 36, T.152N., R.90W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10495: Temporary spacing to develop an oil and/or gas pool discovered by the Samson Resources Co. #11-162-99H Larson, NWNW Section 11, T.162N., R.99W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10419: (Continued) Proper spacing for the development of the Ambrose-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Samson Resources Co. Case No. 10420: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Hanish #28-163-98H H stk well located in the SWSW of Section 28, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate. Case No. 10421: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Holm #33-163-98H well located in the SESE of Section 33, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate. Case No. 10422: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Sandberg #36-163-98H well located in the NWNW of Section 36, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate. Case No. 10496: Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-12H Cleo, SESW Section 12, T.149N., R.96W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10497: Proper spacing for the development of the Border-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc. Case No. 10498: Application of Continental Resources, Inc. for an order amending the field rules for the Beaver Lodge-Bakken Pool to create and establish two 640-acre spacing units comprised of Section 26 and Section 35 of T.156N., R.95W., Williams County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 10499: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of increase density wells on four 1280-acre spacing units for the following wells: Candee #1-11H - Sections 4 & 9, T.146N., R.95W.; Jensen #1-SH - Sections 5 & 8, T.146N., R.95W.; Divrnak #1-46H - Sections 6 & 7, T.146N., R.95W.; State Weydahl #44-36H - Section 1, T.146N., R.96W., and Section 36, T.147N., R.96W., Chinnery Butte-Bakken Pool, Dunn County, ND, and such other relief as is appropriate. Case No. 10500: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Pletan #1-18H, Sections 18 and 19, T.146N., R.95W., Jim Creek-Bakken Pool, Dunn County, ND, and such other relief as is appropriate. Case No. 10501: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Carus #24-28H, Sections 21 and 28, T.147N., R.96W., Cedar Coulee-Bakken Pool, Dunn County, ND, and such other relief as is appropriate. Case No. 10502: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Mathisad #1-35H, Sections 26 and 35, T.150N., R.96W., Blue Buttes-Bakken Pool, McKenzie County, ND, and such other relief as is appropriate. Case No. 10503: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Kamitz #1-32H, Sections 29 and 32, T.150N., R.96W., Pershing-Bakken Pool, McKenzie County, ND, and such other relief as is appropriate. Case No. 10504: Application of Continental Resources, Inc. for an order amending Order No. 12177 for the Big Gull-Bakken Pool to create a 640-acre spacing unit comprised of Section 12, T.147N., R.97W., Dunn County, ND, authorizing the drilling of one horizontal well within said spacing unit not less than 500 feet to the boundary of the spacing unit and such other relief as is appropriate. Case No. 10505: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Dimrick Lake-Bakken Pool to create and establish six 1280-acre spacing units comprised of Sections 2 and 11; Sections 3 and 10, T.150N., R.97W., Sections 30 and 31, T.151N., R.96W., and Sections 25 and 36; Sections 26 and 35; and Sections 27 and 34, T.151N., R.97W., McKenzie County, ND, authorizing the drilling of one horizontal well on each spacing unit; and such other relief as is appropriate. Case No. 10506: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the North Tioga-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 15 and 22; Sections 16 and 21; and Sections 17 and 20, T.160N., R.94W., Burke County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 10507: Application of Continental Resources, Inc. for an order establishing Section 36, T.161N., R.95W., Divide County, ND, as a 640-acre spacing unit and the re-completion of the Lila #1-36H well as a horizontal well in the Stoneview-Bakken Pool located in the NENE of said Section 36 at a location 376 feet from the north line and 808 feet from the east line of said Section 36, Stoneview-Bakken Pool, as an exception to all well location rules for the Stoneview-Bakken Pool, and such other relief as is appropriate. Case No. 10508: 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 Lila #1-36H, Section 36, T.161N., R.95W., Stoneview-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. Case No. 10509: 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 McGregor #1-15, Sections 15 and 22, T.159N., R.95W., Sauk-Bakken Pool, Williams 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. Case No. 10510: Application of Continental Resources, Inc. for an order creating two 1280-acre drilling units comprised of Sections 4 and 9; and Sections 5 and 8, T.160N., R.94W., Burke County, ND, authorizing the drilling of a horizontal well within each drilling unit at a location not less than 500 feet from the boundary of each drilling unit and such other relief as is appropriate. Case No. 10402: (Continued) Application of Continental Resources, Inc. for an order amending applicable orders for the Beaver Lodge-Bakken Pool to create a 640-acre spacing unit comprised of Section 33, T.156N., R.95W., Williams County, ND, authorizing the drilling of one horizontal well within said spacing unit not less than 500 feet to the boundary of the spacing unit and such other relief as is appropriate. Case No. 10408: (Continued) 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. Case No. 10296: (Continued) 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 Elveida #1-33H, Sections 28 and 33, 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. Case No. 10122: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-15H Hugelien, NWSW Section 15, T.146N., R.98W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10291: (Continued) 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 Omar #1-1H, Sections 1 and 12, T.159N., R.95W., North Tioga-Bakken Pool, Williams 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.

erred by the EOG Resources, Inc. #1-02H Clearwater, SESE Section 2, T.157N., R.90W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10512: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Austin #8-26H, Section 26, T.154N., R.90W., Parshall-Bakken Pool, Mountrail 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. Case No. 10513: Application of EOG Resources, Inc. for an order granting authority to recomplete and use the Parshall #20-03H, Lot 2, Section 3, T.152N., R.90W., Mountrail County, ND, as a combined production/injection well for a Huff-n-Puff CO2 operation in the Parshall-Bakken Pool for an injectivity test period not to exceed 12 months; authorizing the flaring and/or venting of the waste gas produced from the well during the test period and such other relief as is appropriate. Case No. 10514: Application of EOG Resources, Inc. for an order authorizing the recompletion of the Parshall #20-03H well, located in Lot 2, Section 3, T.152N., R.90W., Mountrail County, ND, for the temporary injection of fluids in the Parshall-Bakken Pool pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate. Case No. 10515: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Barentsen #11-20H, Section 20, T.159N., R.92W., Burke 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. Case No. 10516: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Bakke #11-24H, Section 24, T.155N., R.92W., Alger-Bakken Field, Mountrail 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. Case No. 10517: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Reum #11-32H, Section 32, T.155N., R.91W., Stanley-Bakken Field, Mountrail 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. Case No. 10518: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Rosencrans #44-21H, Section 21, T.158N., R.92W., Mountrail 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. Case No. 10519: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Edwards #44-9H, Section 9, T.159N., R.92W., Burke 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. Case No. 10520: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a proposed spacing unit for the Farhart #11-11H, Section 11, T.157N., R.92W., Mountrail 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. Case No. 10521: Application of Fidelity Expl. & Prod. Co. for an order amending the field rules for the Sanish-Bakken Pool, Mountrail and McKenzie Counties, ND to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate. Case No. 10450: (Continued) A motion of the Commission to consider the establishment of altering of drilling or spacing units in the Bakken Pool in Sections 13, 14, 23, 24, 25, 26, 35, and 36, T.148N., R.97W., Dunn County, ND and such other relief as is appropriate. Case No. 10522: Application of XTO Energy Inc. for an order creating five 1280-acre drilling units comprised of Sections 6 and 7, T.144N., R.91W., Dunn County, Sections 4 and 9; Sections 16 and 21; Sections 29 and 32; and Sections 30 and 31, T.145N., R.90W., Mercer County, ND, authorizing the drilling of a horizontal well within each drilling unit at a location not less than 500 feet from the boundary of each drilling unit and such other relief as is appropriate. Case No. 10523: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Hartsch State #34X-36, Section 25 and 36, T.157N., R.96W., Midway-Bakken Pool, Williams 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. Case No. 10524: Application of Sinclair Oil & Gas Co. for an order extending the field boundaries and amending the field rules for the Sanish-Bakken Pool or the Robinson Lake-Bakken Pool so as to create and establish three 1280-acre spacing units comprised of Sections 25 and 36; Sections 27 and 34; and Sections 28 and 29; T.154N., R.93W., Mountrail County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 9465: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Sinclair Oil & Gas Co., #6-25 Saetz Federal, Section 36, T.147N., R.98W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10525: Application of Brigham Oil & Gas, L.P. for an order extending the field boundaries and amending the field rules for the Alger-Bakken Pool to create and establish three 1280-acre spacing units comprised of Sections 27 and 34, T.155N., R.92W., Sections 21 and 28, T.155N., R.93W., and Section 4, T.155N., R.93W. and Section 33, T.156N., R.93W., Mountrail County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 10526: Application of Brigham Oil & Gas, L.P. for an order authorizing the drilling, completing and producing of the Bergstrom Family Trust 26 #1-H well in the Parshall-Bakken Pool with a bottom hole location approximately 693 feet from the south line and 499 feet from the east line of Section 26, Township 154 North, Range 89 West, Mountrail County, ND, as an exception to the field rules for the Parshall-Bakken Pool and such other and further relief. Case No. 10438: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Brigham Oil & Gas, L.P. #1-H Johnson 33, NWNW Section 33, T.158N., R.91W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10527: Application of Encore Operating, L.P. and Golden Eye Resources, LLC for an order creating a 1280-acre drilling unit comprised of Sections 14 and 23, T.159N., R.87W., Ward County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit and such other relief as is appropriate. Case No. 10442: (Continued) Application of Encore Operating, L.P. for an order extending the field boundaries and amending the field rules for the Murphy Creek-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 23 and 26, T.145N., R.95W., Dunn County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 9858: (Continued) Proper spacing for the development of the Sverston-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Encore Operating, L.P. Case No. 10528: Application of Missouri Basin Well Services, Inc. for an order authorizing the drilling of the Kohn SWVD 1 well, located in the SESE Section 7, T.144N., R.92W., Dunn County, ND, for the injection of fluids in the Dakota Group pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate. Case No. 10529: Application of Summic Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Roosevelt-Red River Pool and Stoneval Formation to be commingled in the wellbore of the Roosevelt #22-5 well, located in the SENW of Section 5, T.142N., R.102W., Roosevelt Field, Billings County, ND, and such other relief as is appropriate. Case No. 10530: Application of Tracker Resource Development II, LLC for an order extending the field boundaries and amending the field rules for the Murphy Creek-Bakken Pool to create and establish eight 1280-acre spacing units comprised of Sections 5 and 8; Sections 6 and 7; Sections 17 and 20; Sections 18 and 19; Sections 27 and 34; Sections 28 and 33; Sections 29 and 32; and Sections 30 and 31, T.143N., R.93W.; Dunn County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 10209: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Tracker Resource Dev. II, LLC #2-1H Rohde, NENW Section 2, T.144N., R.93W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10531: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Jean Baptiste 1-11H, Section 11, T.152N., R.104W., Briar Creek-Madison Pool, Williams 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. Case No. 10423: (Continued) Proper spacing for the development of the Dore-Madison Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Zenergy, Inc. Case No. 10418: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Peak ND, LLC, #24-21H Voigt, NENW Section 24, T.148N., R.94W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10440: (Continued) Application of Condor Petroleum, Inc. for an order authorizing the reentry of the North Tioga-Madison Unit #H-18 well, Well File No. 2242, in the NESW of Section 6, T.159N., R.94W., and allowing the same to be drilled, completed and produced as an increase density well on a 160-acre spacing unit in the North Tioga-Madison Pool or the Nels Wold #1 well, Well File No. 13023, described as the SW4 of Section 6, T.159N., R.94W., Burke County, ND, and such other relief as is appropriate. Case No. 10448: (Continued) Application of Hunt Oil Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Charlie #1-06H, Section 6, T.153N., R.89W., Parshall-Bakken Pool, Mountrail 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.

Signed by:
John Hoeven, Governor
Chairman, ND Industrial Commission

OK
366.80

an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre drilling/spacing unit for the Bice #1- 29H well described as Sections 29 and 32, T.146N., R.95W., Dunn County, ND, and such other relief as is appropriate. Case No. 10312: Application of Continental Resources, Inc. for an order extending the field boundaries for the Temple-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 14 and 23, T.159N., R.96W., Williams County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 10313: Application of Continental Resources, Inc. for an order authorizing the drilling of a horizontal well in the Cedar Hills North-Red River "B" Unit located in the NWSE of Section 25, T.132N., R.107W., at a location approximately 1545 feet from the south line and 2550 feet from the east line of said Section 25, Cedar Hills North-Red River "B" Unit, Bowman County, ND, with a bottom hole location approximately 2050 feet from the north line and 750 feet from the east line of Section 19, T.132N., R.106W., as an exception to all well location rules for the Cedar Hills North-Red River "B" Unit, the Cedar Hills South-Red River "B" and such other relief as is appropriate. Case No. 10129: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-15H Hugelien, NWSW Section 15, T.146N., R.98W., McKenzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10314: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Domaskin #11-20H, Section 20, T.154N., R.92W., Sanish-Bakken Pool, Mountrail 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. Case No. 10315: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Deadwood Canyon Ranch #44-27H, Section 27, T.154N., R.92W., Sanish-Bakken Pool, Mountrail 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. Case No. 10316: Application of Fidelity Expl. & Prod. Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Deadwood Canyon Ranch #11-33H, Section 33, T.154N., R.92W., Sanish-Bakken Pool, Mountrail 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. Case No. 10317: Application of Ward Williston Co. for an order extending the field boundaries and amending the field rules for the Wiley-Madison Pool to create a 320-acre spacing unit comprised of the S/2 of Section 28, T.161N., R.82W., Bottineau County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 10318: Application of Ward Williston Co. for an order extending the field boundaries and amending the field rules for the North Haas-Madison Pool to create and establish two 160-acre spacing units comprised of the SW/4 of Section 15 and the NE/4 of Section 22, T.163N., R.82W., Bottineau County, ND, authorizing the drilling of one vertical well anywhere within said spacing units not less than 500 feet to the spacing unit boundaries and such other relief as is appropriate. Case No. 10319: Application of Encore Operating, LP for an order creating a 1280-acre drilling unit comprised of Sections 16 and 21, T.151N., R.97W., McKenzie County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit and such other relief as is appropriate. Case No. 10320: Application of Encore Operating, LP for an order extending the field boundaries and amending the field rules for the Siverton-Bakken Pool to create two 1280-acre spacing units comprised of Sections 16 and 21 and Sections 29 and 32, T.150N., R.97W., McKenzie County, ND, authorizing the drilling of a horizontal well within each spacing unit not less than 500 feet to the boundary of each spacing unit and such other relief as is appropriate. Case No. 10226: (Continued) Application of Encore Operating, LP for an order creating a 1280-acre drilling unit comprised of Sections 22 and 27, T.152N., R.99W., McKenzie County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit and such other relief as is appropriate. Case No. 9858: (Continued) Proper spacing for the development of the Siverton-Bakken Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Encore Operating, LP Case No. 10155: (Continued) Application of Encore Operating, LP for an order creating three 1280-acre drilling units comprised of Sections 16 and 21, Sections 18 and 19, and Sections 26 and 35, T.132N., R.103W., Bowman County, ND, authorizing the drilling of a horizontal well within each drilling unit at a location not less than 500 feet from the boundary of each drilling unit and such other relief as is appropriate. Case No. 10156: (Continued) Application of Encore Operating, LP for an order extending the field boundaries and amending the field rules for the Cold Turkey Creek-Red River Pool to create a 1280-acre spacing unit comprised of Sections 30 and 31, T.130N., R.102W., Bowman County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 10062: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Encore Operating, LP #44-10H Tysver Federal, SESE Section 10, T.147N., R.96W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10321: Application of Sanson Resources Company for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Sandberg 36-163-98H, Section 36, T.163N., R.98W., 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. Case No. 9762: (Continued) Proper spacing for the development of the Sixmile-Madison Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. Sanson Resources Co. Case No. 10124: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Sanson Resources Co. #31-161-92H OAS, Lot 1 Section 31, T.161N., R.92W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10322: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the GDR #1-07H, Section 7, T.152N., R.89W., Parshall-Bakken Pool, Mountrail 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. Case No. 10323: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Jordet #1-11H, Section 11, T.152N., R.90W., Parshall-Bakken Pool, Mountrail 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. Case No. 10324: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Wayzetta #21-19H, Section 19, T.153N., R.90W., Parshall-Bakken Pool, Mountrail 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. Case No. 10325: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Christie #1-22H, Section 22, T.153N., R.90W., Parshall-Bakken Pool, Mountrail 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. Case No. 10326: Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Loren #1-27H, Section 27, T.153N., R.90W., Parshall-Bakken Pool, Mountrail 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.

Case No. 10327: Application of EOG Resources, Inc. for an order granting authority to recomplate and use the Austin #1-02H well, located in the SWSE of Section 2, T.154N., R.90W., Mountrail County, ND, as a combined production/injection well for a huff-n-puff CO2 operation in the Parshall-Bakken Pool for an injectivity test period of up to three months; authorizing the flaring and/or venting of the waste gas produced from the well during the test period and such other relief as is appropriate. Case No. 10328: Application of Headington Oil Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Ekren #44X-5, Sections 5 and 8, T.154N., R.95W., Hofflund-Bakken Pool, Williams 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. Case No. 10152: (Continued) Application of Headington Oil Co. LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Farm #44X-7, Sections 6 and 7, T.154N., R.95W., Hofflund-Bakken Pool, Williams 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. Case No. 10329: Application of GeoResources, Inc. for an order authorizing the drilling of the Knox Farms #13-33 well in the West Sherwood-Madison Pool to be located in the SWSW of Section 33, T.164N., R.85W., at a location approximately 660 feet from the south line and 660 feet from the west line of said Section 33, West Sherwood-Madison Pool, Renville County, ND, as an exception to all well location rules for the West Sherwood-Madison Pool, and such other relief as is appropriate. Case No. 10330: Application of Sagebrush Resources, LLC for an order amending the field rules for the Renville-Madison Pool to authorize the drilling of a total of eight horizontal wells in addition to any vertical wells drilled or authorized to be drilled in the 640-acre spacing described as all of Section 8, T.161N., R.82W., Bottineau County, ND, allowing any of the wells to be completed not less than 300 feet from the spacing unit boundaries and such other relief as is appropriate. Case No. 10331: Application of Sagebrush Resources, LLC for an order extending the field boundaries and amending the field rules for the Renville-Madison Pool to authorize the recompletion of the Rice #1 well as a horizontal well on a 160-acre spacing unit described as the SW/4 of Section 9, T.161N., R.82W., Bottineau County, ND, allowing the well to be completed not less than 300 feet from the spacing unit boundary and such other relief as is appropriate. Case No. 10332: Application of Sagebrush Resources, LLC for an order amending the field rules for the Renville-Madison Pool to authorize the drilling of a total of three horizontal wells in the 320-acre spacing described as the NW/4 of Section 16 and the NE/4 of Section 17, T.161N., R.82W., Bottineau County, ND, allowing any of the wells to be completed not less than 300 feet from the spacing unit boundaries and such other relief as is appropriate. Case No. 10144: (Continued) Application of Sage Petroleum LLC for an order creating a 1280-acre drilling unit comprised of Sections 5 and 8, T.150N., R.96W., McKenzie County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from the boundary of said drilling unit and such other relief as is appropriate. Case No. 10145: (Continued) Application of Sage Petroleum LLC for an order amending the field rules for the North Fork-Bakken Pool to create a 1280-acre spacing unit comprised of Sections 26 and 35, T.150N., R.97W., McKenzie County, ND, authorizing the drilling of a horizontal well within said spacing unit not less than 500 feet to the boundary of said spacing unit and such other relief as is appropriate. Case No. 10333: Application of Newfield Production Co. for an order authorizing the drilling, completing and producing of the Jorgenson #1-10H well in the Lost Bridge-Bakken Pool at a location approximately 619 feet from the north line and 966 feet from the west line of Section 10, T.148N., R.96W., Dunn County, ND, as an exception to the field rules for the Lost Bridge-Bakken Pool and such other relief as is appropriate. Case No. 10082: (Continued) Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the E/2 of Section 8 and the W/2 of Section 9, T.152N., R.104W., Briar Creek-Madison Pool, Williams 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. Case No. 10334: On a motion of the Commission to consider the confiscation, under NDCC § 38-08-04 and 38-08-04.9, of all production-related equipment and salable oil at the Syverson CTB, Lot 2 of Section 18, the Clifford A. Syverson #1 well, Lot 2 of Section 18, the Furlong Syverson #3 well, NENW of Section 18, T.157N., R.94W., Mountrail County, ND; the Furlong Syverson #2 well, NENE of Section 13, and the Furlong Syverson #4, NENW of Section 13, T.157N., R.95W., Williams County, ND and operated by Apex Energy, LLC or any working interest owner, for the purpose of partially compensating the state for plugging and reclamation costs.

Signed by,
John Hoeven, Governor
Chairman, ND Industrial Commission
7/4 - 602876



Affidavit of Publication

State of North Dakota, County of Divide, ss:

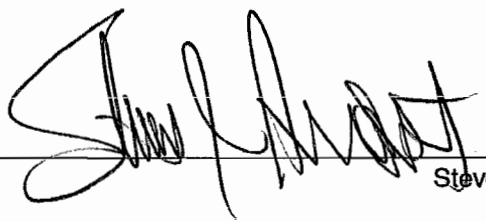
I, Steven J. Andrist, being first duly sworn, on my oath, say that I am the publisher of The Journal, a weekly newspaper of general circulation and official newspaper of Divide County, State of North Dakota, published in the city of Crosby, ND, and that the advertisement headed

NOTICE OF HEARING

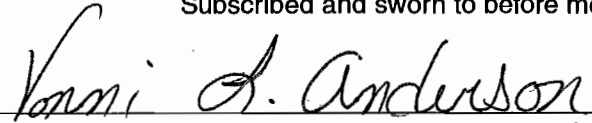
a printed copy of which is here attached, was published in The Journal on the following dates:

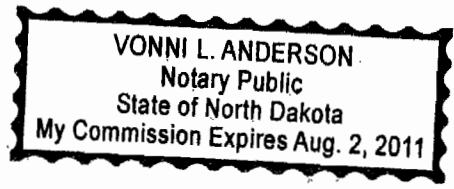
August 6, 2008..... 177 lines @ .57 = 100.89

TOTAL CHARGE.....\$100.89

Signed 
Steven J. Andrist, Publisher

Subscribed and sworn to before me August 6, 2008


Vonni L. Anderson
Notary Public, State of North Dakota
My Commission Expires August 2, 2011



[Faint, illegible text and markings on the left side of the page, possibly bleed-through or a separate document.]

Divide Co. OK

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, August 28, 2008, at the N.D. Oil & Gas Division, 1016 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, August 15, 2008.

STATE OF NORTH DAKOTA
TO:

Case No. 10396: Application of Continental Resources, Inc. for an order amending the field rules for the Hamlet-Bakken Pool, Divide County, ND, to allow the flaring of gas and unrestricted production of oil from all wells, drilled, completed, and producing from the Hamlet-Bakken Pool until the same can be connected to a gas gathering facility and providing such further and additional relief.

Case No. 10402: 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 Vatne #1-36H, Sections 25 and 36, T.160N., R.96W., Hamlet-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.

Case No. 10403: 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 Skar #1-21H, Sections 21 and 28, T.160N., R.95W., Stoneview-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.

Case No. 10404: 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 Landblom #1-35H, Sections 26 and 35, T.160N., R.95W., Stoneview-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.

Case No. 10405: 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 Spooner #1-11H, Sections 2 and 11, 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.

Case No. 10406: 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 Rossow #1-10H well described as Sections 3 and 10, 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.

Case No. 10407: 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 Ells #1-6H well described as Sections 6 and 7, 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.

Case No. 10408: 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.

Case No. 10409: 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 Glasoe #1-18H, Sections 18 and 19, T.161N., R.95W., Dolphin-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.

Case No. 10296: (Continued) 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 Elveida #1-33H, Sections 28 and 33, 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.

Case No. 10419: Proper spacing for the development of the Ambrose-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Samson Resources Co.

Case No. 10420: Application of Samson Resources Co. for an order authorizing the flaring of gas from the Hanisch #28-163-98H H/s/t well located in the SWSW of Section 28, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Case No. 10421: Application of Samson Resources Co. for an order authorizing the flaring of gas from the Holm #33-163-98H well located in the SESE of Section 33, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an excep-

tion to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Case No. 10422: Application of Samson Resources Co. for an order authorizing the flaring of gas from the Sandberg #36-163-98H well located in the NWNW of Section 36, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Signed by,
John Hoeven, Governor
Chairman,
ND Industrial Commission

(5-7)

Classified Advertising Invoice

Bismarck Tribune

PO BOX 5516

Bismarck, ND 58506-5516

701-223-2500

In State 800-472-2273

Fax 701-223-6584

OIL & GAS DIVISION

600 E BLVD AVE #405
BISMARCK ND 58505

Date	Order #	Type	Order Amt
08/07/08	20302294	INV	421.40

Amount Paid: _____ CK #: _____

PLEASE DETACH AND RETURN TO:

Date	Date	Times Run	Description
08/07/08	08/07/08	1	Case #10394 / 602971 Bismarck Tribune PO: Notice of Hearing

Net Amt Due
421.40

Affidavit of Publication
State of North Dakota) SS County of Burleigh
Before me, a Notary Public for the State of North Dakota
personally appeared [Signature] 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:
Signed [Signature]
sworn and subscribed to before me this 20th
day of Aug 2008
[Signature]
Notary Public in and for the State of North Dakota

MORGAN DOLL
Notary Public
State of North Dakota
My Commission Expires Jan. 12, 2011

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, August 28, 2008, at the N.D. Oil & Gas Division, 1016 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 701-223-8038 by Friday, August 15, 2008.

STATE OF NORTH DAKOTA TO:

Case No. 10394: Proper spacing for the development of the Chimney Butte-Bakken Pool, Dunn County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc. Marathon Oil Co. Case No. 10395: Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-29H Bice, NWNE Section 29, T.146N., R.95W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10396: Application of Continental Resources, Inc. for an order amending the field rules for the Hamlet-Bakken Pool, Divide County, ND, to allow the flaring of gas and unrestricted production of oil from all wells drilled, completed, and producing from the Hamlet-Bakken Pool until the same can be connected to a gas gathering facility and providing such further and additional relief. Case No. 10397: Application of Continental Resources, Inc. for an order extending the field boundaries, and amending the field rules for the Border-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 6 and 7, T.161N., R.94W., Burke County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 10398: Application of Continental Resources, Inc. for an order amending applicable orders for the St. Demetrius-Bakken Pool to create a 640-acre spacing unit comprised of Section 13, T.141N., R.99W., Billings County, ND, authorizing the drilling of one horizontal well within said spacing unit not less than 500 feet to the boundary of the spacing unit and such other relief as is appropriate. Case No. 10399: Application of Continental Resources, Inc. for an order amending Order No. 10818 to create a 640-acre drilling unit comprised of Section 25, T.146N., R.98W., McKenzie County, ND, authorizing the drilling of one horizontal well within said drilling unit not less than 500 feet to the boundary of the drilling unit and such other relief as is appropriate. Case No. 10400: Application of Continental Resources, Inc. for an order amending applicable orders for the Beaver Lodge-Bakken Pool to create a 640-acre spacing unit comprised of Section 33, T.156N., R.95W., Williams County, ND, authorizing the drilling of one horizontal well within said spacing unit not less than 500 feet to the boundary of the spacing unit and such other relief as is appropriate. Case No. 10401: Application of Continental Resources, Inc. for an order authorizing the drilling of the Davis 44-32 SWD, located in the SESE of Section 32, T.131N., R.106W., Cedar Hills Field, Bowman County, ND, as a salt water disposal well in the Lodgepole Formation pursuant to NDAC § 43-02-05, and for such other and further relief as is appropriate. Case No. 10402: 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 Vane #1-36H, Sections 25 and 36, T.160N., R.96W., Hamlet-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. Case No. 10403: 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 Skar #1-21H, Sections 21 and 28, T.160N., R.95W., Stoneview-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. Case No. 10404: 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 Landblom #1-35H, Sections 26 and 35, T.160N., R.95W., Stoneview-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. Case No. 10405: 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 Spooner #1-11H, Sections 2 and 11, 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. Case No. 10406: 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 Rossow #1-10H well described as Sections 3 and 10, 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. Case No. 10407: 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 Ells #1-6H well described as Sections 6 and 7, 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. Case No. 10408: 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

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

Remarks	Total Due: 421.40
---------	-------------------

Bismarck Tribune
www.bismarcktribune.com
PO BOX 5516
Bismarck, ND 58506-5516
701-223-2500
In State 800-472-2273
Fax: 701-223-6584

To place a classified ad call.....
* 701-258-6900 in Bismarck/Mandan
* 888-546-2231 in North Dakota

Or place it online at www.bismarcktribune.com

Affidavit of Publication

State of North Dakota, County of Divide, ss:

I, Steven J. Andrist, being first duly sworn, on my oath, say that I am the publisher of The Journal, a weekly newspaper of general circulation and official newspaper of Divide County, State of North Dakota, published in the city of Crosby, ND, and that the advertisement headed

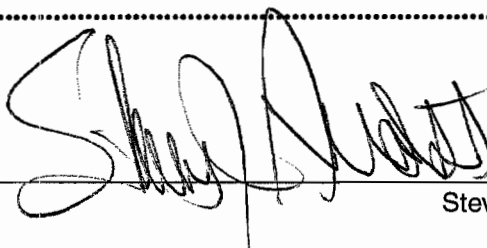
NOTICE OF HEARING

a printed copy of which is here attached, was published in The Journal on the following dates:

September 3, 2008 129 lines @ .57 = 73.53

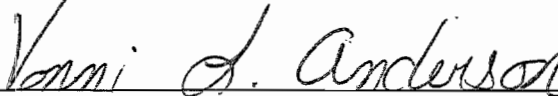
TOTAL CHARGE.....\$73.53

Signed



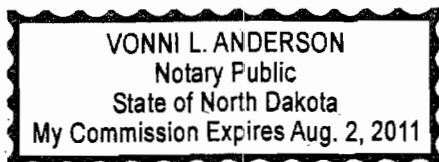
Steven J. Andrist, Publisher

Subscribed and sworn to before me September 3, 2008



Vonni L. Anderson

Notary Public, State of North Dakota
My Commission Expires August 2, 2011



OK

NOTICE OF HEARING

N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, September 25, 2008, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, September 12, 2008.

STATE OF NORTH DAKOTA

Case No. 10495: Temporary spacing to develop an oil and/or gas pool discovered by the Samson Resources Co. #11-162-99H Larson, NWNW Section 11, T.162N., R.99W., Divide County, ND, define the field limits, and enact such special field rules as may be necessary.

Case No. 10419: (Continued) Proper spacing for the development of the Ambrose-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Samson Resources Co.

Case No. 10420: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Hamisch #28-163-98H H's/t well located in the SWSW of Section 28, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Case No. 10421: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Holm #33-163-98H well located in the SESE of Section 33, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Case No. 10422: (Continued) Application of Samson Resources Co. for an order authorizing the flaring of gas from the Sandberg #36-163-98H well located in the NWNW of Section 36, T.163N., R.98W., Divide County, ND, Blooming Prairie-Bakken Pool, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate.

Case No. 10497: Proper spacing for the development of the Border-Bakken Pool, Divide County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.

Case No. 10507: Application of Continental Resources, Inc. for an order establishing Section 36, T.161N., R.95W., Divide County, ND, as a 640-acre spacing unit and the recompletion of the Lila #1-36H well as a horizontal well in the Stoneview-Bakken Pool located in the NENE of said Section 36 at a location 376

feet from the north line and 808 feet from the east line of said Section 36, Stoneview-Bakken Pool, as an exception to all well location rules for the Stoneview-Bakken Pool, and such other relief as is appropriate.

Case No. 10508: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-0203-88.1 pooling all interests in a spacing unit for the Lila #1-36H, Section 36, T.161N., R.95W., Stoneview-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.

Case No. 10408: (Continued) 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.

Case No. 10296: (Continued) 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 Elveida #1-33H, Sections 28 and 33, 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.

Signed by,
John Hoeven, Governor
Chairman,
ND Industrial Commission

Divide Co.