OF THE STATE OF NORTH DAKOTA

CASE NO. 10405 ORDER NO. 12297

IN THE MATTER OF A HEARING CALLED ON 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 SPOONER #1-11H, SECTIONS 2 AND 11, T.161N., R.95W., SADLER-BAKKEN POOL, DIVIDE COUNTY, ND; AUTHORIZING RECOVERY FROM **EACH** THE NONPARTICIPATING **RISK OWNER** A 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 28th day of August, 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 2 and 11, 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.

Case No. 10405 Order No. 12297

- (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 2 and 11, 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.

Case No. 10405 Order No. 12297

- (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 22nd day of September, 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 3rd_day of _October, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12297 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. 10405:

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 <u>3rd</u> day of <u>October, 2008</u> 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



August 25, 2008



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

> RE: Continental Resources, Inc. NDIC CASE NO. 10405

Dear Mr. Hicks:

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

Should you have any questions, please ad-

LB/me

Enclosure

cc: Ms. Lisa J. Alwert – (w/o enc.)

4421349 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

OF THE STATE OF NORTH DAKOTA

CASE NO. 10405

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 Spooner #1-11H well described as Sections 2 and 11, 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 Sections 2 and 11, Township 161 North, Range 96 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 the owner of an interest in the oil and gas leasehold estate in portions of

the Subject Lands.

4.

That all of the Subject Lands have been designated as the spacing unit for the Spooner #1-11H well in the Sadler-Bakken Pool.

5.

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

6.

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

DATED this day of August, 2008.

Lisa J. Alwert

STATE OF OKLAHOMA) ss COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this <u>19th</u> day of August, 2008 by Lisa J. Alwert, Northern Region Landman, of Continental Resources, Inc.

Beth A. Steier, Notary Public

My Commission Expires: March 28, 2011

4418339_1.DOC



July 28, 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 2 and 11, Township 161 North, Range 95 West, Sadler-Bakken Pool, Divide County, North

Dakota

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 a

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

OF THE STATE OF NORTH DAKOTA

CASE NO. 10405

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 Spooner #1-11H well described as Sections 2 and 11, 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 2 and 11, Township 161 North, Range 95 West, Divide County, North Dakota ("Sections 2 and 11").

2.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in Sections 2 and 11.

3.

That a voluntary pooling of Sections 2 and 11 has not been accomplished.

4.

That Continental is the operator of the Spooner #1-11H well, drilled or to be drilled as a horizontal well in Section 11.

That all of Sections 2 and 11 have been or will be designated as the spacing unit for the Spooner #1-11H 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 2 and 11 have elected not to participate in the drilling and completion operations of the Spooner #1-11H 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 Spooner #1-11H well described as Sections 2 and 11, 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 August 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 28th day of July, 2008.

FREI RIKSON & PARON, P.A.

By I AWPENCE BY

B' NDEN, 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)

4407069_1.DOC

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 this affinit's knowledge and belief.

LAWRENCE BENDER

Subscribed and sworn to before me this 28th day of July, 2008.

Notary Public

Burleigh County, North Dakota

My Commission Expires:

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 Spooner #1-11H well described as Sections 2 and 11, 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 August 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 28th day of July, 2008.

FREURIKION ABYLON, P.A.
By

LAWRENCE SENDER, ND Bar #03908

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

4407072_1.DOC



Classified Advertising Invoice

Bismarck Tribune

PO BOX 5516 Bismarck, ND 58506-5516 701-223-2500 In State 800-472-2273 Fax-701-223-6584

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; Last Calgary Ave., Bismarck, N.D. At August 28, 2008, at the N.D. Oil & Gas Division; 1016; Last Calgary Ave., Bismarck, N.D. At August 28, 2008, at the N.D. Oil & Gas Division; 1016; Last 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 yourneed special facilities or assistance con-

tact the Oil and Gas Division at 701-3228-8038 by Friday August 15, 2008. 25, 51-315.
STATE OF NORTH DAKOTA TO: Case No. 10394. Proper spacing for the development of the Chimney Buttle-Bakken. Pool Dunn County, ND, redefine the field limits, and enact such special field rules as may be nec-

pesary. 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 flating of gas and unrestricted production of cell from all walls.

County, ND, to allow the flaring of gas and immessioned production of oil, from all wells, drilled, completed, and producing from the Hamier-Bakken Fool and the same can be conspected 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.94VV, Burke County, ND, authorizing

comprised of Section 25, T146N, 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, fire for an order amending applicable orders for the Beaver Lodge Bakken Pool to create a 640 acre spacing unit, comprised of Section 33, T156N, R.95W, Williams County, ND, authorizing the drilling of one horizontal well within said spacing unit not less then 500 feet to the boundary or 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, T131N, R.106W, Cedar-Hills Field, Bowman County, ND, as a salt water disposal well in the Lodgepole Formation pursuant to NDAC 3 43-07-95, and for such other and further relief as is appropriate. Case No. 10402. Application of Continental Resources, Inc. for an order pursuant to NDAC 3 43-07-09 and for such other and further relief as is appropriate. Case No. 10402. Application of Continental Resources, Inc. for an order pursuant to NDAC 3 43-07-07-08. The polling all interests in a spacing unit for the Varue #1-36H, Section 32, and 36-1160N, R.96W, Hamflert Bakken Pool, Divide County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and

ery 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, Iliac for an order pursuant to NDAC § 43-02-03-88. I pooling all interests in a spacing unit for the Skar #1-21H, Sections 21, and 28, T.160NL R.95W, Stoneview-Bakken Pool, Divide County, ND: authorizing the recovery from each stonard cristing owner-3 crist residuals.

for the Skar #1-21H, Sections 21 and 28, 1160N; K.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, 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 inonparticipating 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 H. T.161N, R.95W, Sadler-Bakken Pool, Divide County, NDC authorizing the recovery from each homograticipating owner a risk penalty as provided.

Spooner #1-11H, Sections 2 and 41, 1.16 IN, R.95W, Sadier-Bakken, Pool, Divide County, ND; authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08- and such other relief as is appropriate Case No: 17406: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88. I pooling all interests in a spacing unit for the Rossow #1-10H, well-described as Sections 3, and 10, T161N, R.95W, Sadier-Bakken Pool, Divide County, ND; authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such otheraller as is appropriate. Case No. 10407. Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88. I pooling all interests in a spacing unit for the Els. #1.6H; well-described as Sections 6, and 7, T161N, R.95W, Sadier-Bakken Rool of County ND authorizing the province of the property of the province of the property of the province of the province

OIL & GAS DIVISION

600 E BLVD AVE #405 BISMARCK ND 58505

Type Order Ami Date Order # 08/07/08 20302294 INV 421.40 Amount Paid:

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 unit of the contract well within said drilling unit not less than 500 feet to the boundary of the

Date

08/07/08

Date

08/07/08

Times Run

Case #10394 / 602971

Description

Bismarck Tribune

PO:Notice of Hearing

Affidavit of Publication

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

<u>alk Tribung</u> e following date sworn and subscribed to before me fi

Notary Public in and for the State of North Dakota

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

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

County, ND, authorizing the recovery from each nonparticipating owner a risk penalty as provided by NDCC \$38.08.20 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 34.1.16 (N. R.95W, Sadler-Bakken Root, Divide County, ND, authorizing the recovery from each non-participating owner a risk penalty as provided by NDCC \$38-08-08 and such other relief

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

Remarks

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

Terms: PAYMENT IS DUE UPON RECEIPT OF INVOICE

Net Amt Due

421.40

appropriate. Lass No. Health Application of Continental Resources, sec. Job Republic to NDAC § 43-02-03-88. I ocoling all interests in a spacing entition the Glasce #1-1. Sections 18 and 19, Tit61N1, #4.95W., Dolphian.Backern Pool. Daries Colours, M.D. aurinog the necovery from each nonparticipating: powers and the propriate of the No. 10721; (Continued) Application Continuental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88. I pooling all rests in a spacing unit for the Comar #1-1H. Sections 1 and 12, T.159N., R.95W., North p-Backen Pool, Williams County, ND; authorizing the recovery from each nonparticing owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is opprate. Case No. 10294; (Continued) Application of Continental Resources, Inc. for an ar pursuant to NDAC § 43-02-03-88. I pooling all interests in a spacing unit for the ids #1-33H, Sections 28 and 33, T.161NL, R.95W., Sadier-Bakken Pool, Divide County, ND: torting the recovery from each nonparticipating owner a risk penalty as provided by CC § 38-08-08 and such other relief as is appropriate. Case No. 10296 (Continued) idication of Commental Resources, Inc. for an order creating one 1280- acre drilling unit prised of Sections I and 12, T.151NL, R.95W., McKentzie County, ND, authorizing the ing of a horizontal well within said drilling unit as a location not less than 500 feat from boundary of said drilling unit and such other relief as is appropriate. Case No. 10129: antimed) Temporary spacing to develop an oil and/or gas pool discovered by Fidelity Expl. & Prod. Co., #44-21H Regien, NVSW Section 15, T.146NL, R.98W. farzie County, ND, define the field limits, and enact such special field rules as may be necury. Case No. 10410; Temporary spacing to develop an oil and/or gas pool discovered by Fidelity Expl. & Prod. Co., #44-21H Rosencrans, SESE Section 9, T.155NL, R.92W., mural County, ND, define the field limits, and enact such special field rules as may be necury. Case No. 10411; Temporary spacing to develop an o n each nonparticipating Owner is risk pensary as provinced by NDLC 5 38-0-88 and store relief as is appropriate. Case No. 10417. Application of Fidelity Epple & Prod Co. for an er authorizing the drilling, completing and producing of an increase density well on a 640-5 spacing unit described as Section 29. T. 154Nn. R.974W, Mountrali Country, ND, and such her and additional relief as the Commission deems Case No. 10418. Temporary spacing fewelpp an oil andfor gas pool discovered by the Peak NDC, LLC. #22-2114 Voigt. NEMV too 124, T.148N., R.94W. Dunn Country, ND, define the field limits, and enact such special rules as may be necessary. Case No. 10419. Proper spacing for the development of the brose-Bakken Pool, Divide Country, ND, redefine the field limits, and enact such special rules as may be necessary. Samson Resources Co. Case No. 10426. Application of son Resources Co. Case No. 10420. Application of further and additional relief as is appropriate. Case No. 10421: Application of Samson Gurden School, and the source Co. Case No. 10420. Application of Samson Resources Co. Case No. 10420. Application of Case No. 10420. Application of Samson Resources for an order authorizing the faring of gas from the Sandberg #36-163-98H well located for North North Country yzeta #8-11H. Section 11.7.153N., R.90W., Parshall-Bakken Pool, Mountrail County, ND: nortzing the recovery from each nonparticipating owner a risk penalty as provided by CC § 38-08-08 and such other relief as is appropriate. Case No. 10472: Application of G Resources, Inc. for an order pursuant to NDAC § 43-07-03-88.1 pooling all interests spacing unit for the Wayzetta #2-14H. Section 14.7.153N., R90W., Parshall-Bakken Pool, outrail County, ND: authorizing the recovery from each nonparticipating owner a risk alty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case Ne. 304-Application of EOG Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 Juling all interests in a spacing unit for the Wayzetta #3-15H. Section 15.7.153N. R.90W. shall-Bakken Pool. Mountrail County, ND: authorizing the recovery from each nonparating owner a risk penaity as provided by NDCC § 38-08-08 and such other relief as is ropriate. Case No. 10431-Application of EOG Resources, Inc. for an order pursuant to AC § 43-02-03-88.1 pooling all interests in a spacing unit for the John #1-20H. Section

con each nonparturpating owner a risk penalty as provided by NLUC 9 30-00-00 and such coding rates as its appropriates Case No. 10432 Application of EOG Resources, Inc. for an order pursuant to NDAC 9 43-02-03-88.1 pooling all interests in a spacing unit for the Wentz #1-29H; Section 29, 1353N; R.89W, Parshall-Bakken Pool, Mountrail County, ND; North Dakota
Signed by
John Hoeven, Governor
Chairman ND. Industrial Commission

t The termina

Affidavit of Publica

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:

TOTAL CHARGE......\$100.89

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

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

WAS TOWN ecisions. COLDING STOR Suden . stral of the

Ac12 - 6. .

1. Ala : 201701 1518

11. 6. 3

1 7913

1:50

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 DISABILI-TIES: 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

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 NDAG § 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 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 relief as is appropriate.

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

unity further arestories of least

n deutstein al destructusts bea