

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10408
(CONTINUED)
ORDER NO. 12556

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

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

(1) This cause originally came on for hearing at 9:00 a.m. on the 28th day of August, 2008. At that time, counsel for Continental Resources, Inc. (Continental) requested that the case be continued to the regularly scheduled hearing in September 2008. Order No. 12300 continued the case until September 25, 2008. At that time, counsel for Continental requested that the case be continued to the regularly scheduled hearing in October 2008. Order No. 12422 continued the case until October 23, 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) Continental is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Sadler-Bakken Pool described as all of Sections 27 and 34, Township 161 North, Range 95 West, Divide County, North Dakota.

(4) 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) The Commission received a letter on August 25, 2008 from Branex Resources, Inc., an owner of minerals under the spacing unit, objecting to the risk penalty being applied to their minerals. Counsel for Continental indicated they do not intend to attempt to assess the risk penalty on such interest.

(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 all of Sections 27 and 34, Township 161 North, Range 95 West, Divide County, North Dakota, are hereby pooled for the development and operation of the spacing unit. In addition, the risk penalty cannot be imposed upon the Branex Resources, Inc. interests.

(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 25th day of November, 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

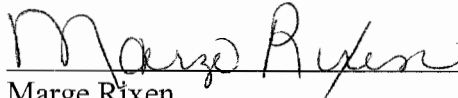
COUNTY OF BURLEIGH

I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 1st_ day of December, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12556 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. 10408:

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

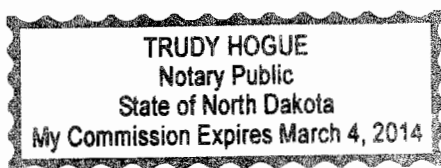
LISA ALWERT
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

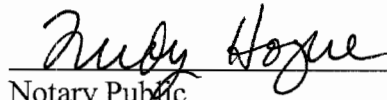
F ANDREW GROOMS
BRANEX RESOURCES INC
PO BOX 2990
RUIDOSO NEW MEXICO 88355-2990



Marge Rixen
Oil & Gas Division

On this 1st day of December, 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

Case 10408



Andrew Grooms <branex54@gmail.com>

Continental Resources, Inc. offer to participate in the Arvid #1 34 H Wells and the Shonna #1-15 H Wells, Divide County, ND

2 messages

Andrew Grooms <branex54@gmail.com>
To: Lisa Alwert <LisaAlwert@contres.com>
Cc: bhicks@nd.gov
Bcc: Eileen Grooms <eileengrooms@qwest.net>

Wed, Oct 22, 2008 at 11:16 AM

To: **Lisa Alwert**
Northern Region Landman
Continental Resources, Inc.
302 N. Independence
Enid, OK 73701



COPY

Lisa:

Please be advised subject to receipt of your drillsite title opinion (as rendered by a licensed North Dakota Attorney) and verification of title showing our net mineral interest in the above wells, Branex Resources, Inc. hereby elects to participate as a working interest owner with its net mineral interest in the above wells pursuant to the provisions of the North Dakota Century Code Section 38-08-08 and the North Dakota Administrative Code Section 43-02-03-88.2. We agree to sign the AFE's as prepared by Continental Resources, Inc. but we do not agree to execute your Joint Operating Agreement as proposed without certain changes we have already discussed.

The date of your well proposal to us for the Arvid #1-34 well is October 9, 2008 and the date of your well proposal for the Shonna #1-15 H well is October 14th, 2008 so we are well within the (30) Thrity day response time.

A copy of this email response is delivered via email also to the North Dakota Industrial Commission in response to Case # 10408 relative the Arvid #1-34 well hearing which is set for Thursday, October 23, 2008. Our objection to any matter in the case is hereby dismissed since we are electing to participate under the applicable North Dakota Statutes.

This exact email response as well as your signed AFE and our well requirements will be sent to you at your Enid, Oklahoma address via Federal Express today.

Please have your JIB staff set us up as a WI owner in the above wells and please have one copy of all pertinent drilling reports, logs and test data sent to our PO Box address below via regular mail. Please set us up for email drilling, completion and production reports to this email address.

Should you require something further, please advise.

Sincerely,

F. Andrew Grooms
F. Andrew Grooms, President/CPL
Branex Resources, Inc.

**CC: Mr. Bruce Hicks, North Dakota Industrial Commission, via email and regular mail
re: NDIC Case # 1048 for the October 23, 2008 hearing.**

—
F. Andrew Grooms
Branex Resources, Inc.
L E Minerals, Ltd.
P.O. Box 2990
Ruidoso, New Mexico 88355-2990
575-630-0152 Office
575-258-1895 Home
575-937-6904 Cell

Andrew Grooms <branex54@gmail.com>
To: SulemaRamirez@contres.com

Wed, Oct 22, 2008 at 1:28 PM

[Quoted text hidden]

Hicks, Bruce E.*Case 10408*

From: Andrew Grooms [branex54@gmail.com]
Sent: Wednesday, October 22, 2008 12:16 PM
To: Lisa Alwert
Cc: Hicks, Bruce E.
Subject: Continental Resources, Inc. offer to participate in the Arvid #1 34 H Wells and the Shonna #1-15 H Wells, Divide County, ND

To: *Lisa Alwert*
Northern Region Landman
Continental Resources, Inc.
302 N. Independence
Enid, OK 73701

Lisa:

Please be advised subject to receipt of your drillsite title opinion (as rendered by a licensed North Dakota Attorney) and verification of title showing our net mineral interest in the above wells, Branex Resources, Inc. hereby elects to participate as a working interest owner with its net mineral interest in the above wells pursuant to the provisions of the North Dakota Century Code Section 38-08-08 and the North Dakota Administrative Code Section 43-02-03-88.2. We agree to sign the AFE's as prepared by Continental Resources, Inc. but we do not agree to execute your Joint Operating Agreement as proposed without certain changes we have already discussed.

The date of your well proposal to us for the Arvid #1-34 well is October 9, 2008 and the date of your well proposal for the Shonna #1-15 H well is October 14th, 2008 so we are well within the (30) Thrity day response time.

A copy of this email response is delivered via email also to the North Dakota Industrial Commission in response to Case # 10408 relative the Arvid #1-34 well hearing which is set for Thursday, October 23, 2008. Our objection to any matter in the case is hereby dismissed since we are electing to participate under the applicable North Dakota Statutes.

This exact email response as well as your signed AFE and our well requirements will be sent to you at your Enid, Oklahoma address via Federal Express today.

Please have your JIB staff set us up as a WI owner in the above wells and please have one copy of all pertinent drilling reports, logs and test data sent to our PO Box address below via regular mail. Please set us up for email drilling, completion and production reports to this email address.

Should you require something further, please advise.

Sincerely,

F. Andrew Grooms, President/CPL
 Branex Resources, Inc.

CC. Mr. Bruce Hicks, North Dakota Industrial Commission, via email and regular mail
re: NDIC Case # 1048 for the October 23, 2008 hearing.

10/23/2008

--

F. Andrew Grooms
Branex Resources, Inc.
L E Minerals, Ltd.
P.O. Box 2990
Ruidoso, New Mexico 88355-2990
575-630-0152 Office
575-258-1895 Home
575-937-6904 Cell

Case 10408

Branex Resources, Inc.
P.O. Box 2990
Ruidoso, New Mexico 88355-2990
Phone 575-630-0152
Fax 575-630-0153
Email: branex54@gmail.com



COPY

October 11, 2008

Lisa Alwert, , BPL
Northern Region Landman
Continental Resources, Inc.
P.O. Box 1032
Enid, Oklahoma 73702

Re: Continental's proposal to join and participate in the Arvid #1-34H well, located in Sections 27 & 34, T161N-R95W, Divide County, North Dakota

Dear Ms. Alwert:

We are in receipt of your AFE and offer to participate in the above well that already has been drilled by Continental Resources, Inc. ("Continental"). We have the following objections to your proposal and they are as follows:

- 1). We dispute the net acres your state that Branex Resources, Inc. owns in the two Section spacing unit attributable to said well. We contend that we own 51% of 23.4375% of 8/8ths net mineral interest under the N/2SE/4, SW/4NE/4, SE/4NW/4, of Section 34, T161N-R95W. According to our records, we would therefore own 19.125 net mineral acres, not 9.5625 net acres as stated in your letter. Whoever did the county records work for Continental originally missed the almost 8 year old mineral deed of record in Divide County, ND from our Grantor, the Helmerich and Payne, Inc. Pension Trust. We have heretofore sent you this deed via fax;
- 2). There is no Joint Operating Agreement in the well proposal and we will not approve participating in a well that we have not had the chance to review and approve the operator's JOA as is normal in the oil business in every basin I have ever worked in.

We are not interested in leasing the interest to Continental based on the verbal terms offered; they simply are not even remotely attractive to us considering the drilling/completion success in the horizontal Bakken play in Western North Dakota.

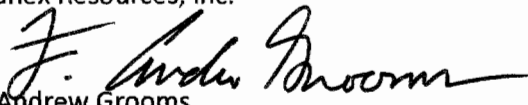
I had brought up the above issues before and if you would like to send me a copy of your company's drilling title opinion to support your net acreage calculations and findings, I will consider the matter in that light. I have several letters in our files from other Landmen and brokers who have looked at this acreage and have all agreed with our holding that we own the net mineral acres we contend we do

herein. Absent your providing the above, we will hire counsel and oppose the penalties sought under the North Dakota Administrative Code 43-02-03-88.2 and NDCC 38-08-08 and in your continued case #1048 that has now been continued to October 23, 2008.

If you have further questions as concerns this matter, please contact me via email or the phone number above stated.

Sincerely,

Branex Resources, Inc.


F. Andrew Grooms
President

/ag

CC. North Dakota Industrial Commission in re: Case # 10408

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10408
(CONTINUED)
ORDER NO. 12422

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

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

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

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

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

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

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

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

(7) There were no objections to said request.

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

IT IS THEREFORE ORDERED:

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

Dated this 13th day of October, 2008.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

-SFN 5729

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

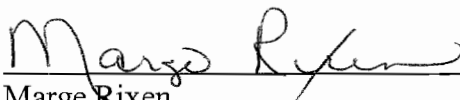
COUNTY OF BURLEIGH

I, Marge Rixen, being duly sworn upon oath, depose and say: That on the 15th day of October, 2008 enclosed in separate envelopes true and correct copies of the attached Order No. 12422 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. 10408

FREDRICKSON & BYRON
PO BOX 1855
BISMARCK ND 58502-1855


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

F ANDREW GROOMS
BRANEX RESOURCES INC
PO BOX 2990
RUIDOSO NEW MEXICO 88355-2990

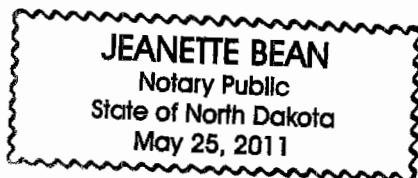


Marge Rixen
Oil & Gas Division

On this 15th 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



SFN 6988

20891

Office Copy

NORTH DAKOTA INDUSTRIAL COMMISSION

Department of Mineral Resources

600 E Boulevard

Bismarck ND 58505-0840

10/13/2008

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 12421 Continental Resources to 10/23/08 hearings	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10408, Order 12422 Continental Resources to 10/23/08 hearings	1	\$25.00	\$25.00
2100 464020	Continuance of Case 10129, Order 12424 Continental Resources to 10/23/08 hearings	1	\$25.00	\$25.00
464020 = \$75.00				
Total in US Funds				\$75.00

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. 10408
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,



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. 10408

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 Arvid #1-34H well described as Sections 27 and 34, 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 27 and 34, 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 Arvid #1-34H well located in the Southwest Quarter of the Southeast Quarter (SW/4SE/4) of Section 34. All of Sections 27 and 34 constitute the spacing unit for the Arvid #1-34H 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 Arvid #1-34H well contained the following information:

- (a) The location of the Arvid #1-34H 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 Arvid #1-34H 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 Arvid #1-34H 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 <u>US Funds</u>		\$125.00

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 10408
ORDER NO. 12300

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

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 28th day of August, 2008.
- (2) Continental Resources, Inc. (Continental) has recently drilled their Arvid #1-34H well, located in the SW/4 SE/4 Section 34, Township 161 North, Range 95 West, Divide County, North Dakota.
- (3) Continental is the owner of an interest in an oil and gas leasehold estate in a spacing unit for the Sadler-Bakken Pool described as all of Sections 27 and 34, Township 161 North, Range 95 West, Divide County, North Dakota.
- (4) Continental has applied for an order of the Commission pooling all interests in said spacing unit and authorizing the recovery of a risk penalty from each nonparticipating owner.
- (5) The Commission received a letter on August 25, 2008 from Branex Resources, Inc., an owner of minerals under the spacing unit, objecting to the risk penalty being applied to their minerals.
- (6) Counsel for Continental requests that this case be continued to the regularly scheduled hearing in September 2008.

- (7) There were no objections to said request.
- (8) 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

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. 12300 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. 10408:

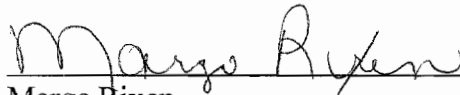
LAWRENCE BENDER
FREDRICKSON & BYRON
PO BOX 1855
BISMARCK ND 58502-1855

GENE CARLSON
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

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

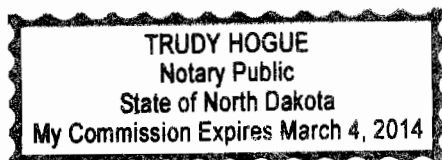
MATTHEW CALLAWAY
CONTINENTAL RESOURCES INC
PO BOX 1032
ENID OK 73702-1032

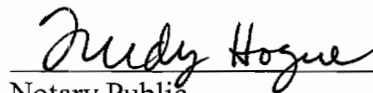
F ANDREW GROOMS
BRANEX RESOURCES INC
PO BOX 2990
RUIDOSO NEW MEXICO 88355-2990



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.





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. 10408
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. 10408

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 Arvid #1-34H well described as Sections 27 and 34, 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.

FREDEKSON & LYRON, 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

Case 10408

Branex Resources, Inc.
P.O. Box 2990
Ruidoso, New Mexico 88355-2990
Phone 575-630-0152
Email: branex54@gmail.com



August 22, 2008

Mr. Bruce Hicks
NORTH DAKOTA INDUSTRIAL COMMISSION
OIL & GAS DIVISION
600 EAST BOULEVARD AVE DEPT 405
BISMARCK, NORTH DAKOTA 58505-0840

Fax 701-328-8022

Re: Objection to the imposition of the risk penalty provided for by NDCC 38-08-08 in case number 10408 brought by Continental Resources, Inc. for hearing on August 28, 2008 and concerning the Arvid 1-34 well located in SWSE, Sec. 34, T161N-R95W, Divide County, North Dakota. Spacing unit for the well is all of Sections 27 and 34, T161N-R95W.

Dear Mr. Hicks:

This letter is written in objection to the risk penalty sought above by Continental Resources, Inc. of Enid, Oklahoma in the above case. Our basis for said objection is that Continental, as of the current date has not complied with the provisions of North Dakota law under NDAC 43-02-03-88.1 and NDCC 38-08-08. We have never had the well formerly proposed to us by certified mail nor has this company made us an offer to lease our net mineral interest in the approved spacing unit for the well. Our current PO Box mailing address has been of record in Divide County, North Dakota since October 22nd, 2007 by virtue of our recorded Statement of Claim of Mineral Interest in Section 34, T161N-R95W (copy is enclosed).

We appreciate your consideration of our objection accordingly.

Sincerely,

Branex Resources, Inc.


F. Andrew Grooms
President/CPL

/encl.

STATEMENT OF CLAIM OF MINERAL INTEREST

Under the provisions of Chapter 38-18.1 of the North Dakota Century Code, NOTICE IS HEREBY GIVEN, that the undersigned does have, own and claim to be the owner of an undivided interest in and to the oil, gas, coal, clay, gravel, uranium and all other minerals of any kind and nature, unless otherwise noted, underlying the real estate described below in Divide County, North Dakota.

See Exhibit "A" attached hereto

FURTHER, that the undersigned desires to preserve such interest as reflected in the office of the County Recorders of said County and does not intend to abandon the same.

NAME AND ADDRESS OF OWNER

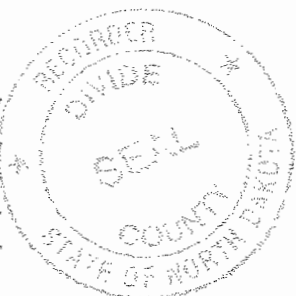
Branex Resources, Inc.
P.O. Box 2990
Ruidoso, New Mexico 88355
Phone (575) 630-0152

STATE OF NORTH DAKOTA } ss
COUNTY OF DIVIDE

Filed for record this 22nd day
of Oct A.D. 20 07 at 8:35
o'clock A M. and recorded in book 252M
on page 179 of Mcls.

Jimmy J. Hagen
County Recorder

RECORDING FEE \$ 15.00



EXECUTED THIS 16th day of October, 2007.

F. Andrew Grooms
Owner F. Andrew Grooms, President, Branex Resources, Inc.

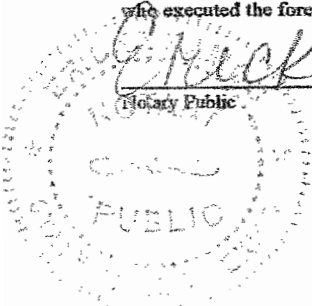
Owner

STATE OF New Mexico)
COUNTY OF Lincoln) ss

Notary
Seal

On October 16, 2007 F. Andrew Grooms known to me to be the person described in and who executed the foregoing instrument, personally appeared before me and acknowledged that (s)he executed the same as a free act and deed.

Chicka Ramos
Notary Public



My Commission Expires March 22, 2010
(Rev - 09/2007)

Exhibit "A"

LANDS LYING AND BEING SITUATED IN DIVIDE COUNTY, NORTH DAKOTA, MORE FULLY DESCRIBED AS FOLLOWS:

Helmerich & Payne 3500659 (3500660, 3500661, 3500662, 3500663, 3500951)

T-161-N, R-95-W

- Section 22: SW/4 ✓
- Section 34: N/2SE/4, SW/4NE/4, SE/4NW/4 ✓

T-161-N, R-96-W

- Section 14: N/2NW/4 ✓
 - Section 9: SW/4 ✓
 - Section 10: SE/4 ✓
 - Section 23: SW/4 ✓
- containing 880 acres of land, more or less

Helmerich & Payne 3500664

T-162-N, R-99-W

- Section 2: Lots 3, 4, S/2NW/4 ✓
- containing 160.56 acres of land, more or less

Doct. No.	
238369	
Copied	Rec ✓
Grantor	✓ Mong'r
Grantee	✓ Mortg'e
Compared	Paged
Tract	✓ Marg

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. 10408
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".

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.)

4413714_1.DOC

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fax 701.221.4040
www.fredlaw.com

Fredrikson & Byron, P.A.
200 North Third Street, Suite 150
Bismarck, North Dakota
58501-3379

Headington Oil Company LLC
7557 Rambler Road #1100
Dallas, TX 75231

Helmerich & Payne, Inc.
1579 E. 21st Street
Tulsa, OK 74114

Interwest Petroleum Corporation
PO BOX # 1414
Dickinson, ND 58602-1414

Maecenas Minerals, LP
400 Pine Street
Abilene, TX 79601-5128

Randy Geiselman
3301 Stanolind
Midland, TX 79707

Dorchester Minerals, L.P.
3838 Oak Lawn Avenue, Suite 300
Dallas, TX 75219-4541

EXHIBIT A

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 27 and 34, 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
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fax 701.221.4040
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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. 10408

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 Arvid #1-34H well described as Sections 27 and 34, 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 27 and 34, Township 161 North, Range 95 West, Divide County, North Dakota ("Sections 27 and 34").

2.

That there are separately owned tracts or interests in mineral estate and/or leasehold estate in Sections 27 and 34.

3.

That a voluntary pooling of Sections 27 and 34 has not been accomplished.

4.

That Continental is the operator of the Arvid #1-34H well, drilled or to be drilled as a horizontal well in the Southwest Quarter of the Southeast Quarter (SW/4SE/4) of Section 34.

5.

That all of Sections 27 and 34 have been designated as the spacing unit for the Arvid #1-34H 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 27 and 34 have elected not to participate in the drilling and completion operations of the Arvid #1-34H 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 Arvid #1-34H well described as Sections 27 and 34, 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:

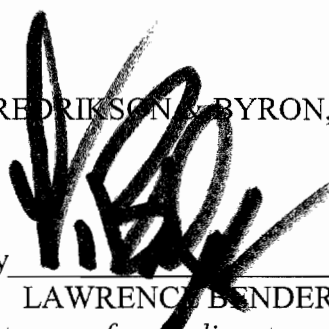
- (a) That this matter be set for the regular August 2008 hearing date;
- (b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code,

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 28 day of July, 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

**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 Arvid #1-34H well described as Sections 27 and 34, 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

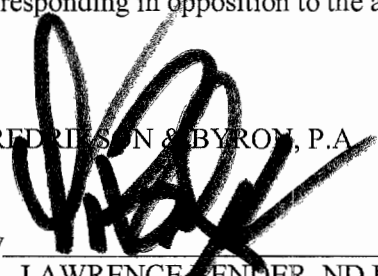
PLEASE TAKE NOTICE that Continental Resources, Inc. filed the above-referenced application with the North Dakota Industrial Commission.

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 28 day of July, 2008.

FREDRICKSON & BYRON, 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

**NOTICE OF HEARING
ND 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. 10493: 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: T141N., 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; T141N., R.96W, Secs. 1 & 12, Secs. 10 & 15, Secs. 23 & 26; Secs. 7 & 18, Secs. 11 & 14, Secs. 25 & 36; Secs. 8 & 17, Secs. 19 & 30, Secs. 27 & 34; Secs. 9 & 16, Secs. 20 & 29, Secs. 28 & 33; T141N., 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. 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 Prospector, SWSE Section 6, 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. 10496: (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 Hanisch #28-163-98H H/s 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, SESE 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 Bortier-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 an increase density well on a 1280-acre spacing unit for the following wells: Candee #1-9H - Sections 4 & 9, T.146N., R.95W; Jensen #1-5H - Sections 5 & 8, T.146N., R.95W; Divnak #14-6H - Sections 6 & 7, T.146N., R.95W; Satey Weydahl #44-36H - Section 1, T.146N., R.96W, and Section 36, T.147N., R.96W, Chinyee 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 Mathstad #1-35H, Sections 26 and 35, T.150N., R.96W, Blue Butte-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 Kermit #1-32H, Sections 29 and 32, T.150N., R.96W, Parshing-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 Gulch-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 Dimmick 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 recompletion of the Lita #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 Lita #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. 10400: (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 Elveids #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. 10129: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc., #1-15H Hugelen, 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.

ered 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 Barenthsen #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 #1-32H, 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 Farrar #1-11H, 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 unrestrained 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 siting of drilling or spacing units in the Bakken Pool in Sections 12, 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 Hartsoch State #24X-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 Satez 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. 10498: (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 Silverton-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 Service, Inc. for an order authorizing the drilling of the Kohn SWD 1 well, located in the SENE 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 Summit Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Roosevelt-Red River Pool and Stonevold 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 I-1H, 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 Concor Petroleum, Inc. for an order authorizing the reentry of the North Tioga-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 for the Nels Vold #1 well, Well File No. 13023, described as the SWH 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

of

8366, 80



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 N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, October 23, 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, October 10, 2008.

STATE OF NORTH DAKOTA
TO:

Case No. 10585: Application of Samson Resources Co. for an order pooling all interests in the Unhjem #5-162-98H, Section 5, T.162N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND; and such other relief as is appropriate.

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. 10495: (Continued) 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. 10602: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Dolphin-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 3 and 10, T.160N., R.96W., Divide County, ND, authorizing the drilling of one horizontal well on said 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.

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

(10-1)

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

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

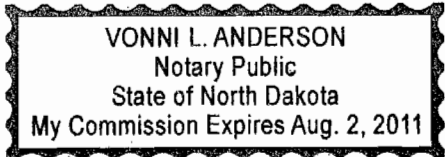
October 1, 2008.....73 lines @ .58 = 42.34

TOTAL CHARGE.....\$42.34

Signed Steven J. Andrist
Steven J. Andrist, Publisher

Subscribed and sworn to before me October 1, 2008

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



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Affidavit of Publication

State of North Dakota, County of Divide, ss:

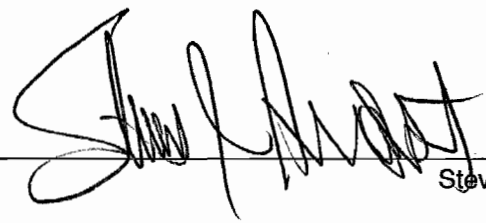
I, Steven J. Andrist, being first duly sworn, on my oath, say that I am the publisher of The Journal, a weekly newspaper of general circulation and official newspaper of Divide County, State of North Dakota, published in the city of Crosby, ND, and that the advertisement headed

NOTICE OF HEARING

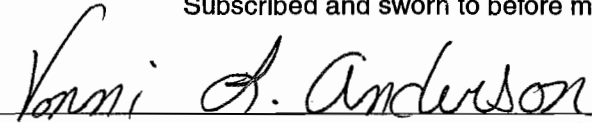
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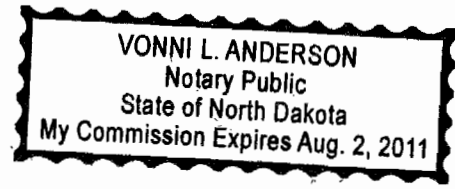
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Signed 
Steven J. Andrist, Publisher

Subscribed and sworn to before me August 6, 2008


Vonn L. Anderson
Notary Public, State of North Dakota
My Commission Expires August 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, 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 exception 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)

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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 August 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, 6016 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. 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 Borden-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, pooling all interests in a spacing unit for the Yates #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, pooling all interests in a spacing unit for the Star #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, 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, 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, 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, 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, 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

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appropriate. Case No. 10420; 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 Glasco #1-1, Sections 18 and 19, T.151N., 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. 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 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. 10292; (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 Ida #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. 10293; (Continued) Application of Continental Resources, Inc. for an order creating one 1280-acre drilling unit comprised of Sections 1 and 12, T.151N., R.95W., McKenzie County, ND, authorizing the drilling of a horizontal well within said drilling unit at a location not less than 500 feet from boundary of said drilling unit and such other relief as is appropriate. Case No. 10129; (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Mineral Resources, Inc., #1-15H Hugelen, NWSW Section 15, T.146N., R.98W., Getzie County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10410; Temporary spacing to develop an oil and/or gas pool discovered by Fidelity Expl. & Prod. Co., #1-11H Fartar, NWNW Section 11, T.157N., R.92W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10411; Temporary spacing to develop an oil and/or gas pool discovered by Fidelity Expl. & Prod. Co., #44-21H Rosencrans, SESE Section 21, T.158N., R.92W., Mountrail County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10412; Temporary spacing to develop an oil and/or gas pool discovered by Fidelity Expl. & Prod. Co., #44-9H Edwards, SESE Section 9, T.159N., R.92W., Burke County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10413; 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 Fladland #1-15H, Section 15, 1/4N., 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. 10414; 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 Fladland #2H, Section 22, 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. 10415; 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 Fladland #4-21H, Section 31, 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. 10416; 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 #44-4H, Sections 153N., 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. 10417; Application of Fidelity Expl. & Prod. Co. for an order authorizing the drilling, completing and producing of an increase density well on a 640-acre spacing unit described as Section 29, T.154N., R.92W., Mountrail County, ND, and such other and additional relief as the Commission deems Case No. 10418; Temporary spacing to develop an oil and/or gas pool discovered by the Peak ND, LLC, #22-21H 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. 10166; (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Peak ND, LLC, #9-24H Telakwita, SESW Section 9, T.149N., R.93W., Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10419; Proper spacing for the development of the Brose-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 #28-98H H s/w well located in the SWSW of Section 28, T.163N., R.98W., Divide County, ND, as an exception to the provisions of NDCC § 38-08-06.4 or 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 used in the SESE of Section 33, T.163N., R.98W., Divide County, ND, as an exception 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, as an exception to the provisions of NDCC § 38-08-06.4 or such further and additional relief as is appropriate. Case No. 3762; (Continued) Proper spacing for the development of the Somme-Madison Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. Samson Resources Co. Case No. 10124; (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Samson 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. 10423; Proper spacing for the development of the Dora-Madison Pool, McKenzie County, ND, redefine the field limits, and enact such special field rules as may be necessary. Zenergy, Inc. 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 E7 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. 10424; Application of Baltanyne Oil and other amending the field rules for the Jolley-Madison Pool to create and establish a 320-acre spacing unit comprised of the E7 of Section 9 and the W/2 of Section 9, 51N., R.86W., Renville County, ND, authorizing the drilling of one horizontal well on each spacing unit and such other relief as is appropriate. Case No. 10425; 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 #5-14H, Section 14, 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. 10426; 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 #6-15H, Section 15, 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. 10427; 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 Wayzata #2-14H, Section 14, 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. 10428; 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 yetta #8-11H, Section 11, 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. 10429; 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 yetta #9-11H, Section 11, 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. 10430; 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 yetta #10-11H, Section 11, 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. 10431; 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 John #1-20H, Section

each nonparticipating owner a risk penalty as provided by NDCC § 38-08-08 and such other relief as is appropriate. Case No. 10432; 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 yetta #11-11H, Section 11, 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. 10433; 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 yetta #12-11H, Section 11, 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. 10434; 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 yetta #13-11H, Section 11, 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. 10435; 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 Parshall #7-23H, Section 23, 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. 10436; 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 Guthrie #1-10H, Section 6, 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. 10437; Application of Sinclair Oil & Gas Co. for an order authorizing the drilling, completing and producing of an increase density well on a 1280-acre spacing unit for the Uran #1-22H well described as Sections 15 and 22, T.153N., R.92W., Mountrail County, ND, and such other relief as is appropriate. Case No. 10438; Temporary spacing to develop an oil and/or gas pool discovered by the Brigham Oil & Gas LP, #1-11H 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. 10439; Application of Brigham Oil & Gas LP for an order pooling all interests in the Mantrou State #6-11H, Section 36, T.156N., R.93W., Alger-Bakken Pool, Mountrail County, ND, and such other relief as is appropriate. Case No. 10440; Application of Condon Petroleum, Inc. for an order authorizing the reentry of the North-Hoga-Madison Unit #1-18 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-Hoga-Madison Pool for the Nels Wolf #1 well, Well File No. 13023, described as the SW/4 of Section 6, T.159N., R.94W., Burke County, ND, and such other relief as is appropriate. Case No. 10441; Application of Anschutz Exploration 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 a 1280-acre stand-off spacing unit comprised of the following lands in Dunn County, ND: T.141N., R.95W.; Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 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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

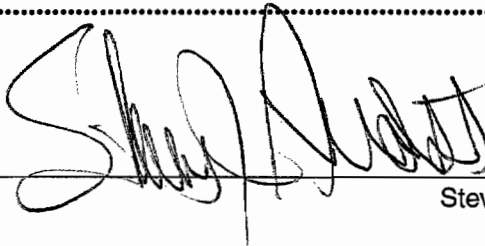
NOTICE OF HEARING

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

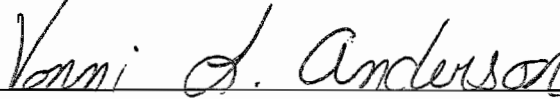
TOTAL CHARGE \$73.53

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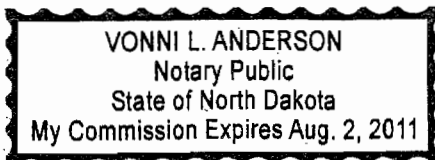
Steven J. Andrist, Publisher

Subscribed and sworn to before me September 3, 2008



Vonni L. Anderson

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



NOTICE OF HEARING

N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

OK

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. 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 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: (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 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 § 43-0203-88.1 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

(9-3)

Divide Co.

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MORGAN DOLL
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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, October 23, 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, October 10, 2008.
STATE OF NORTH DAKOTA TO:
Case No. 10572: 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 Parshall #4-20H, Section 20, 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. 10573: 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 Parshall #5-21H, Section 21, 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. 10574: 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 Van Hook #1-13H, Section 13, T.152N., R.91W., 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. 10575: 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 Bergstrom #1-21H, Section 21, 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. Case No. 10576: Application of EOG Resources, Inc. for an order pursuant to

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NDAC § 43-02-03-88.1 pooling all interests in a spacing unit for the Wazetta #9-03H, Section 1, 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. 10577: 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 Wazetta #4-16H, Section 16, 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. 10578: 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 Bert #1-28H, Section 28, 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. 10579: 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 #12-05H, Section 5, 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. 10580: 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 #9-31H, Section 11, 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. 10581: 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 #7-23H, Section 23, 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. 10582: 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 #21-28H, Section 28, 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. 10583: 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 #24-33H, Section 33, 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. 10584: 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 #10-34H, Section 34, 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. 10585: Application of Samson Resources Co. for an order pooling all interests in the Unhly #5-162-98H, Section 5, T.162N, R.98W, Blooming Prairie-Bakken Pool, Divide County, ND, and such other relief as is appropriate. 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. 10495 (Continued): 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. 10586: Application of Eagle Operating, Inc. for an order granting an area permit for underground injection of fluids into the unutilized formation of the West Greene-Madison Unit, Renville County, ND pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate. Case No. 10587: Application of Prima Exploration, Inc. for an order extending the field boundaries and amending the field rules for the Carter-Middle-Nesson Pool to create a 640-acre spacing unit comprised of Section 3, T.161N, R.90W, Burke County, ND, authorizing the drilling of a multi-lateral 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. 10588: Application of XTO Energy Inc. for an order extending the field boundaries and amending the field rules for the Temple-Bakken Pool to create and establish thirteen 1280-acre spacing units comprised of the following lands in Williams County, ND: T.158N-R.96W, Sections 2 & 11; Sections 3 & 10; Sections 4 & 9; Sections 14 & 23; Sections 15 & 21; Sections 26 & 35; Sections 27 & 34; Sections 28 & 33; T.159N-R.96W, Sections 3 & 10; Sections 4 & 9; Sections 15 & 22; Sections 16 & 31; Sections 27 & 34, authorizing the drilling of one horizontal well on each spacing unit and/or such other and further relief as appropriate. Case No. 10589: Application of XTO Energy, Inc. for an order creating five 1280-acre drilling units comprised of Sections 16 and 21, T.144N, R.91W, Sections 1 and 12, Sections 14 and 23, T.144N, R.92W, Sections 25 and 36, T.145N, R.91W, Dunn County, ND, and Sections 18 and 19, 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. 10590: Application of Fidelity Expl. & Prod. Co. for an order amending the Cottonwood-Bakken Pool to create two 1280-acre spacing units comprised of Section 4, T.157N, R.92W, and Section 33, T.158N, R.92W, and Sections 14 and 23, T.158N, R.92W, Mountrail County, ND, authorizing the drilling of horizontal well within each spacing 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. 10591: 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 Leland #4-15H, Section 5, T.158N, R.92W, Cottonwood-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. 10592: 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 Paulson #1-125H, Section 25, T.158N, R.92W, Cottonwood-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. 10593: 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 Grove #11-36H, Section 36, T.158N, R.92W, Cottonwood-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. 10594: 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 Lucy #11-23H, Section 23, T.160N, R.92W, Cottonwood-Bakken Pool, 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. 10595: 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 Weinmann #11-28H, Section 28, T.160N, R.92W, Cottonwood-Bakken Pool, 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. 10596: Application of Brigham Oil and Gas, LP for an order extending the field boundaries and amending the field rules for the Alger-Bakken Pool so as to create 22 1280-acre stand-up spacing units comprised of the following lands in Mountrail County, ND: T.151N-R.92W, Sections 6 & 7; Sections 18 & 19; Sections 30 & 31; Sections 17 & 20; Sections 29 & 32; Sections 28 & 33; Sections 14 & 15; T.155N-R.93W, Sections 7 & 18; Sections 8 & 17; Sections 20 & 29; Sections 10 & 11; Sections 14 & 23; Sections 13 & 24; T.156N-R.93W, Sections 19 & 30; Sections 20 & 29; Sections 23 & 26; Sections 24 & 25; T.156N-R.92W and T.155N-R.92W, Section 32 & Section 3; Section 33 & Section 4; T.156N-R.93W and T.155N-R.93W, Section 31 & Section 6; Section 32 & Section 5; Section 34 & Section 3, 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. 10597: Application of Hunt Oil Co. for an order amending the field rules for the Parshall-Bakken Pool, Mountrail County, ND, to allow the fating of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the time can be connected and such other relief as is appropriate. Case No. 10598: Application of Hanson Exploration Co. Inc. for an order amending the field rules for the Sanish-Bakken Pool to create and establish a 640-acre spacing unit comprised of Lots 7, 8, 9, 10, and 11, the SSW and the SW 1/4 of Section 7, T.152N, R.91W, and Lots 5, 6, 7, and 8 and the SW 1/4 of Section 12, T.152N, R.92W, Mountrail County, ND, authorizing the drilling of up to two horizontal wells on said spacing unit and such other relief as is appropriate. Case No. 10599: Application of Tracker Resource Development II, LLC for an order extending the field boundaries and amending the field rules for the Jim Creek-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 20 and 23, T.145N, R.96W, Dunn County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 10600: Temporary spacing to develop an oil and/or gas pool discovered by the Tracker Resource Development II, LLC #3-1H Ferebee, Lot 3, Section 2, T.145N, R.92W, Dunn County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10601: Temporary spacing to develop an oil and/or gas pool discovered by the Continental Resources, Inc. #1-16H Ronholdt, SWSW Section 16, T.161N, R.94W, Burke County, ND, define the field limits, and enact such special field rules as may be necessary. Case No. 10602: Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Dolphin-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 3 and 10, T.160N, R.96W, Divide County, ND, authorizing the drilling of one horizontal well on said spacing unit and such other relief as is appropriate. Case No. 10603: Application of Continental Resources, Inc. for an order creating a 1280-acre drilling unit comprised of Sections 2 and 11, T.150N, 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. 10604: Application of Continental Resources, Inc. for an order creating a 1280-acre drilling unit comprised of Sections 5 and 6, T.160N, R.94W, Burke 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. 10605: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on each 1280-acre spacing unit described as Section 2, T.145N, R.96W and Section 35, T.146N, R.96W, Section 3, T.145N, R.96W and Section 34, T.146N, R.96W, Section 4, T.145N, R.96W and Section 33, T.146N, R.96W, Sections 6 and 7, T.145N, R.95W, Sections 18 and 19, T.146N, R.95W, Sections 30 and 31, T.146N, R.95W, Sections 22 and 27, T.146N, R.96W, Sections 23 and 26, T.146N, R.96W, and Sections 24 and 25, T.146N, R.96W, Jim Creek-Bakken Pool, Dunn County, ND and such other relief as is appropriate. Case No. 10606: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on each 1280-acre spacing unit described as Section 2, T.146N, R.96W, and Section 33, T.147N, R.96W, Sections 11 and 14, Sections 10 and 15, and Sections 9 and 16, T.146N, R.96W, Rattlesnake Point-Bakken Pool, Dunn County, ND, and such other relief as is appropriate. Case No. 10607: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on each 1280-acre spacing unit described as Section 4, T.146N, R.96W, and Section 33, T.147N, R.96W, Chimney Butte-Bakken Pool, Dunn County, ND and such other relief as is appropriate. Case No. 10609: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on each 1280-acre spacing unit described as Section 5, T.146N, R.96W, and Section 32, T.147N, R.96W, Sections 11 and 14, Sections 10 and 15, and Sections 9 and 16, T.146N, R.96W, Rattlesnake Point-Bakken Pool, Dunn County, ND, and such other relief as is appropriate. Case No. 10610: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of an increase density well on each 1280-acre spacing unit described as Sections 1 and 12, and Sections 2 and 11, T.149N, R.96W, Croft-Bakken Pool, McKenzie County, ND and such other relief as is appropriate. Case No. 10611: 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 described as Sections 17 and 20, T.149N, R.96W, North Fork-Bakken Pool, McKenzie County, ND and such other relief as is appropriate. Case No. 10612: 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 described as Sections 2 and 11, T.150N, R.96W, Blue Buttes-Bakken Pool, McKenzie County, ND and such other relief as is appropriate. Case No. 10613: 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 described as Sections 15 and 22, T.150N, R.96W, Johnson Corner-Bakken Pool, McKenzie County, ND and such other relief as is appropriate. Case No. 10614: 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 described as Sections 14 and 23, T.151N, R.96W, Camel Butte-Bakken Pool, McKenzie County, ND and such other relief as is appropriate. Case No. 10615: 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 described as Sections 17 and 20, T.151N, R.96W, Dimmick Lake-Bakken Pool, McKenzie County, ND 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 Hugelen, 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. 10400 (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. 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. 10616: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion to saltwater disposal into the Dakota Group of the Bratton #1-21 SWD well, NWNW Section 21, T.151N, R.104W, Dore Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate. Case 10450 (Continued): A motion of the Commission to consider the establishment or 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.

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