

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 21015
ORDER NO. 23321

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF FIDELITY EXPLORATION & PRODUCTION CO. FOR AN ORDER ALLOWING THE PRODUCTION FROM THE CINDY #14-23H WELL AND THE ALBERT #14-23H WELL, LOCATED IN SECTION 14, T.140N., R.97W. DICKINSON FIELD, STARK COUNTY, ND, TO BE PRODUCED INTO THE CINDY CENTRAL TANK BATTERY OR PRODUCTION FACILITY LOCATED IN SECTION 14, T.140N., R.97W., STARK COUNTY, ND, AS AN EXCEPTION TO THE PROVISIONS OF NDAC § 43-02-03-48, PURSUANT TO NDAC 43-02-03-48.1, 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 26th day of September, 2013.
- (2) Pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, commingling of production from two or more wells in a central tank battery under NDAC Section 43-02-03-48.1.
- (3) Fidelity Exploration & Production Company (Fidelity) is the operator of the following wells in the Dickinson Field, Stark County, North Dakota:

<u>File No.</u>	<u>Well Name & No.</u>	<u>Location</u>
23700	Albert 14-23H	NENW Section 14-T140N-R97W
25729	Cindy 14-23H	NWNW Section 14-T140N-R97W

- (4) Fidelity requests permission to commingle the production from the wells listed in paragraph (3) in the Cindy Central Tank Battery (CTB No. 223700-01) located in the NE/4 NW/4 of Section 14, Township 140 North, Range 97 West, Stark County, North Dakota,

pursuant to NDAC Section 43-02-03-48.1. There are no wells currently authorized to be commingled in the Cindy Central Tank Battery.

(5) Fidelity submitted a Sundry Notice and attachments for approval pursuant to NDAC Section 43-02-03-88.1 and NDAC Section 43-02-03-48.1.

(6) Ownership between the wells listed in paragraph (3) above is diverse.

(7) Fidelity will allocate production measured at the central production facility to the various wells on the basis of production tests utilizing the facilities at the central production facility. The production from each well will be separately measured each month and applicant believes that such allocation will result in a reasonably accurate determination of production from each well.

(8) NDAC Section 43-02-03-48 states: "Oil production may not be transported from a well premises or central production facility until its volume has been determined through the use of properly calibrated meter measurements or tank measurements. All meter and tank measurements and volume determinations must conform to American petroleum institute standards and be corrected to a base temperature of sixty degrees Fahrenheit [15.56 degrees Celsius]."

(9) Allowing such commingling will reduce the expenditure of funds on surface facilities and enhance the economics of production, thereby preventing economic waste and promoting the greatest ultimate recovery of oil and gas from the Dickinson Field. Utilization of central production facilities will minimize surface disturbance and promote both full utilization of the surface and enhance the aesthetic values resulting from fewer production facilities.

(10) Fidelity will construct and operate the central production facility in such a manner that allows for reasonably accurate allocation of production to each respective party.

(11) The proposed process, measurement, and allocation will result in a reasonably accurate determination of production.

(12) There were no objections to this application.

(13) The granting of this application will prevent waste and protect correlative rights.

IT IS THEREFORE ORDERED:

(1) Fidelity Exploration & Production Company is hereby permitted to commingle production from the wells listed in paragraph (3) of the above findings into the Cindy Central Tank Battery (CTB No. 223700-01) located in the NE/4 NW/4 of Section 14, Township 140 North, Range 97 West, Stark County, North Dakota, pursuant to NDAC Section 43-02-03-48.1.

(2) Allocation tests shall be performed monthly.

(3) The following wells are authorized to be commingled in the Cindy Central Tank Battery:

<u>File No.</u>	<u>Well Name & No.</u>	<u>Location</u>	<u>Order No.</u>
23700	Albert 14-23H	NENW Section 14-T140N-R97W	23321
25729	Cindy 14-23H	NWNW Section 14-T140N-R97W	23321

(4) The permission granted herein is conditioned upon Fidelity receiving approval of the Sundry Notice and attachments submitted and complying with all provisions dictated by the Director for permission to commingle production from the wells listed in paragraph (3) above into the Cindy Central Tank Battery.

(5) Fidelity shall use the following procedures for allocating production to each well commingled in the Cindy Central Tank Battery:

- (a) Each well shall be tested a minimum of three consecutive days per month.
- (b) The exact producing time, between the opening and closing inventory, shall be considered when determining the average well test rate for each well.
- (c) Each well's tests shall be averaged for the month.
- (d) Downtime shall be monitored to determine the exact total number of producing hours for each well.
- (e) A monthly production volume shall be calculated for each well as follows:

$$\text{Calculated oil volume} = (\text{Average well test oil rate}) * (\text{Number of producing hours}).$$

$$\text{Calculated gas volume} = (\text{Average well test gas rate}) * (\text{Number of producing hours}).$$

$$\text{Calculated water volume} = (\text{Average well test water rate}) * (\text{Number of producing hours}).$$
- (f) The calculated monthly production volumes shall be totaled for all the wells producing into the central production facility to determine the total calculated monthly volumes for the central production facility.
- (g) A correction factor shall be calculated by dividing the total actual monthly production volumes for the central production facility by the total calculated monthly production volumes for the central production facility.
- (h) Each well's allocated production shall then be calculated by multiplying its individual calculated oil, gas, and water volumes by the correction factor calculated in step (g).

(6) If gas is sold from the central production facility, the gas volumes must be accurately allocated back to the individual wells.

(7) The Director is hereby authorized to issue an administrative order modifying any provision of this order in order to prevent waste or protect correlative rights or to modify any procedures for testing or allocation of production herein approved if it can be demonstrated to his satisfaction that a reasonably accurate allocation of production to each separate well producing into the central production facility will be obtained.

(8) Additional wells may only be added to the central production facility by order of the Commission after due notice and hearing.

(9) The results of each well's test and other data needed to determine the allocation for each well shall be filed with the Director at the same time monthly oil production reports are filed.

(10) Fidelity shall notify the Director in writing upon commencement of commingling production from the subject wells into the central production facility.

(11) Authorization to commingle is transferable only with approval of the Director.

(12) The Director is hereby authorized to rescind this order if Fidelity, its assigns or successors, fails to comply with any of the above provisions.

(13) This order shall remain in full force and effect until further order of the Commission.

Dated this 12th day of February, 2014.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

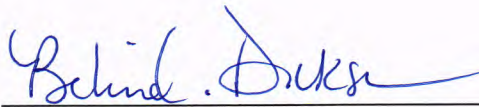
STATE OF NORTH DAKOTA

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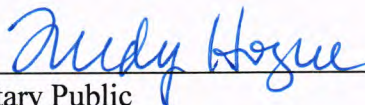
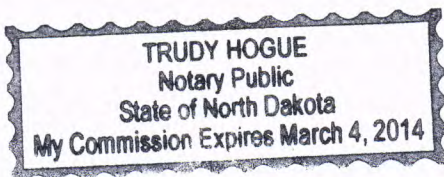
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 18th day of February, 2014 enclosed in separate envelopes true and correct copies of the attached Order No. 23321 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 21015:

LAWRENCE BENDER
FREDRIKSON & BYRON
PO BOX 1855
BISMARCK ND 58502



Belinda Dickson
Oil & Gas Division

On this 18th day of February, 2014 before me personally appeared Belinda Dickson 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

Kadrmass, Bethany R.

From: Gibson, Melissa <MGibson@fredlaw.com>
Sent: Monday, October 28, 2013 4:16 PM
To: Kadrmass, Bethany R.
Cc: Jim.Kennedy@fidelityepco.com; Entzi-Odden, Lyn
Subject: Fidelity Case 21015
Attachments: FIDELITY dis 21015_001.pdf

Bethany,

Please see the attached letter/notice. Thank you.

Melissa Gibson

Fredrikson & Byron, P.A.
Legal Secretary
Oil & Gas
(701) 221-4048
(701) 221-4020
mgibson@fredlaw.com
200 North Third Street, Suite 150
Bismarck ND 58501-3879

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October 28, 2013

VIA EMAIL

Mr. Bruce Hicks
Assistant Director
NDIC, Oil and Gas Division
600 East Boulevard
Bismarck, ND 58505-0310

**RE: NDIC CASE NO. 21015
FIDELITY EXPLORATION &
PRODUCTION COMPANY**

Dear Mr. Hicks:

Please find enclosed herewith for filing NOTICE OF DISMISSAL OF FIDELITY EXPLORATION & PRODUCTION COMPANY for the above-captioned matter.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/mpg
Enclosure

cc: Mr. James Kennedy (via email w/enc.)

7653369_1.DOC

Attorneys & Advisors
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58501-3879

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

Case No. 21015

Application of Fidelity Exploration & Production Co. for an order allowing the production from the Cindy #14-23H well and the Albert #14-23H well, located in Section 14, T.140N., R.97W. Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Section 14, T.140N., R.97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

NOTICE OF DISMISSAL OF FIDELITY EXPLORATION & PRODUCTION COMPANY

PLEASE TAKE NOTICE that Fidelity Exploration & Production Company respectfully requests that the above captioned matter be dismissed without prejudice.

DATED this 28th day of October, 2013.

FREDRIKSON & BYRON, P.A.



By

LAWRENCE BENDER

*Attorneys for Applicant Fidelity
Exploration & Production Company*
200 North 3rd Street, Suite 150
P. O. Box 1855
Bismarck, ND 58502-1855
(701) 221-4020
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THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 21015

Application of Fidelity Exploration & Production Company for an order allowing the production from the Cindy 14-23H well and the Albert 14-23H well, located in Section 14, Township 140 North, Range 97 West, Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Sec. 14-T140N-R97W, Stark County, ND, as an exception to the provisions of N.D. Admin. Code § 43-02-03-48 pursuant to 43-02-03-48.1, and such further and additional relief.

APPLICATION OF FIDELITY EXPLORATION & PRODUCTION COMPANY

Fidelity Exploration & Production Company ("Fidelity"), for its application respectfully shows the North Dakota Industrial Commission ("Commission") as follows:

1.

That Fidelity is the owner of an interest in the oil and gas leasehold estate in and under the Section 14, Township 140 North, Range 97 West (the "Subject Lands").

2.

That the Subject Lands are currently within an area defined by the Commission as the field boundaries for the Dickinson-Bakken Pool.

3.

That Fidelity is the operator of the following wells which will be drilled and completed to the Dickinson-Bakken Pool:

Cindy 14-23H well, located in the NW/4NW/4 of Section 14-T140N-R97W
Albert 14-23H well, located in the NE/4NW/4 of Section 14-T140N-R97W

the "Subject Wells".

4.

That Fidelity is desirous to produce the Subject Wells into a central tank battery or production facility and commingle the production as an exception to the provisions of Section 43-02-03-48 of the North Dakota Administrative Code.

5.

That if Fidelity's application is granted, Fidelity proposes that production be allocated on the basis of production tests on an individual basis as approved by the Commission.

6.

That granting Fidelity the authority to produce the Subject Wells into a central tank battery or production facility will reduce the number of LACT units required. Each well will produce into a unique tank battery. Oil from each battery will be metered upstream prior to reaching the LACT header that services the two well set.

7.

That granting Fidelity the authority to produce the Subject Wells into a central bank battery or production facility and allocating production based on well tests will prevent waste and protect correlative rights.

8.

That Fidelity therefore requests that the Commission enter an order allowing the production from the Cindy 14-23H well and the Albert 14-23H well, located in Section 14, Township 140

North, Range 97 West, Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Sec. 14-T140N-R97W, Stark County, ND, as an exception to the provisions of N.D. Admin. Code § 43-02-03-48 pursuant to 43-02-03-48.1, and such further and additional relief.

WHEREFORE, Fidelity requests the following:

- (a) That this matter be set for the regularly scheduled September 2013 hearings of the Commission;
- (b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, Fidelity's witnesses in this matter be allowed to participate by telephonic means; and
- (c) That thereafter the Commission issue an order granting the relief requested and such other and further relief as the Commission may deem appropriate.

DATED this 23 day of August, 2013.

FREDRIKSON & BYRON, P.A.

By 

LAWRENCE BENDER, ND Bar #03908

Attorneys for Applicant

Fidelity Exploration & Production Company

200 North 3rd Street, Suite 150

Post Office Box 1855

Bismarck, North Dakota 58502-1855

701-221-4020

STATE OF NORTH DAKOTA)

)ss.

COUNTY OF BURLEIGH)

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

LAWRENCE BENDER

Subscribed and sworn to before me this 23 day of August, 2013.



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



Fredrikson
& BYRON, P.A.

August 23, 2013

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

**RE: APPLICATION OF FIDELITY
EXPLORATION &
PRODUCTION COMPANY FOR
SEPTEMBER 2013 HEARINGS**

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF FIDELITY EXPLORATION & PRODUCTION COMPANY.

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

Should you have any questions, please advise.

Sincerely,

LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Jim Kennedy - (w/enc.)

Attorneys & Advisors
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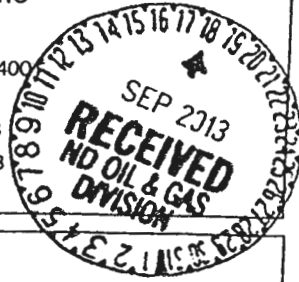
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Affidavit of Publication

State of North Dakota, SS County of Burleigh
Before me a Notary Public for the State of North Dakota
personally appeared CK 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:
9/6 Signed Carrie Huntz

sworn and subscribed to before me this 17th
day of September 2013

Morgan Doll
Notary Public in and for the State of North Dakota



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Case No. 20948: Application of WPX Energy Williston, LLC for an order authorizing the drilling, completing and producing of a total of eleven wells on each existing 1280-acre spacing unit described as Sections 14 and 23; Sections 27 and 34; and Sections 35 and 36, T.149N., R.93W., Mandaree-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20949: Application of WPX Energy Williston, LLC for an order amending the field rules for the Van Hook-Bakken Pool, Dunn, McLean and Mountrail Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 20950: (Continued) Application of WPX Energy Williston, LLC for an order amending the field rules for the Moccasin Creek-Bakken Pool, Dunn County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 20500: (Continued) Application for an order amending the field rules for the Eagle Nest-Bakken Pool, Dunn and McKenzie Counties, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate. Enerplus Resources (U.S.A.) Inc.; G3 Operating, L.L.C.; and WPX Energy Williston, LLC

Case No. 20501: (Continued) Application for an order amending the field rules for the McGregory Buttes-Bakken Pool, Dunn County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate. Enerplus Resources (U.S.A.) Inc.; G3 Operating, L.L.C.; and WPX Energy Williston, LLC

Case No. 20800: (Continued) Application of Statoil Oil and Gas LP for an order amending the field rules for the Briar Creek-Bakken Pool to create and establish two 1440-acre spacing units comprised of the E/2 W/2 and E/2 of Sections 5, 8 and 17; and all of Sections 6, 7 and 18 and the W/2 W/2 of Sections 5, 8 and 17, T.152N., R.104W., McKenzie and Williams Counties, ND, authorizing the drilling of a total of not more than six wells on each 1440-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 19901: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order extending the field boundaries and amending the field rules for the Covered Edge-Bakken Pool or Pierre Creek-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 15 and 22, T.146N., R.102W., McKenzie County, ND, authorizing the drilling of a total of not more than two wells on said spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20658: (Continued) Application of Peregrine Petroleum Partners, Ltd. for an order amending the field rules for the Khorn-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 27 and 28, T.144N., R.99W., Billings County, ND, authorizing the drilling of a total not to exceed three horizontal wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20951: In the matter of the petition for a risk penalty of Bakken Hunters, LLC requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completion of the Hegg #21-29SEH well located in a spacing unit consisting of Sections 30 and 34N., R.98W., Ambrose-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20952: Application of BOH Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the State SWD #1 well, Lot 3, Section 36, T.149N., R.95W., Eagle Nest Field, McKenzie, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 20953: In the matter of the petition for the risk penalty of WPX Energy Williston, LLC requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Edward Goodbird #9HD well located in a spacing unit described as Section 9, T.149N., R.91W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20954: In the matter of the petition for the risk penalty of WPX Energy Williston, LLC requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Charles Blackhawk #31-30HX well located in a spacing unit described as Sections 30 and 31, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20955: In the matter of the petition for the risk penalty of WPX Energy Williston, LLC requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Charles Blackhawk #31-30HA well located in a spacing unit described as Sections 30 and 31, T.148N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20956: In the matter of the petition for the risk penalty of WPX Energy Williston, LLC requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Howling Wolf #28-33HC well located in a spacing unit described as Sections 28 and 33, T.147N., R.92W., Wolf Bay-Bakken Pool, Dunn County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20957: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20958: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.154N., R.97W., Grinnell-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20959: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Ames #31X-13C well located in a spacing unit described as Sections 13 and 24, T.154N., R.97W., Grinnell-Bakken Pool, Williams County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20960: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Hegg #21-29SEH well located in a spacing unit described as Sections 29 and 32, T.150N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20961: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Hegg #21-29SH well located in a spacing unit described as Sections 29 and 32, T.150N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20962: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Wood #21X-25A well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20963: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Wood #21X-25AXB well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20964: In the matter of the petition for a risk penalty of XTO Energy Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Wood #21X-25B well located in a spacing unit described as Sections 25 and 36, T.154N., R.98W., Truax-Bakken Pool, McKenzie and Williams Counties, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20965: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 29 and 32, T.152N., R.97W., and Sections 5 and 8, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20966: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 16, 21, 28 and 33, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20967: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 5, 8, 17 and 20, T.152N., R.97W., Twin Valley-Bakken Pool and Banks-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20968: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 16 and 21, T.153N., R.100W., Baker-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20969: In the matter of the petition for a risk penalty of Continental Resources, Inc. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Hegg #1-8H well located in a spacing unit described as Sections 5 and 8, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20970: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed nine wells on an existing 1280-acre spacing unit described as Sections 27 and 34, T.154N., R.94W., Alkali Creek-Bakken Pool, McKenzie and Mountrail Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20971: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed five wells on each existing 1280-acre spacing unit described as Sections 15 and 22; and Sections 27 and 34, T.152N., R.99W., Banks-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20972: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 15 and 22, T.151N., R.96W., Camel Butte-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20973: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 2 and 11, T.151N., R.97W., Elidah-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20974: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed fourteen wells on an existing 2560-acre spacing unit described as Sections 2, 11, 14 and 23, T.152N., R.100W., Camp-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20814: (Continued) Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Section 31, T.147N., R.96W., and Sections 6, 7 and 18, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 20815: (Continued) Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed fourteen wells on an existing overlapping 2560-acre spacing unit described as Section 31, T.147N., R.96W., and Sections 6, 7 and 18, T.146N., R.96W., Rattlesnake Point-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20816: (Continued) Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed seven wells on an existing 1280-acre spacing unit described as Sections 19 and 30, T.146N., R.96W., Jim Creek-Bakken Pool, Dunn County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20975: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Murphy 29-32-160-99H #1CN well located in a spacing unit described as Sections 29 and 32, T.160N., R.99W., Burg-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20976: In the matter of the petition for a risk penalty of Baytex Energy USA Ltd. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Moe Trust 33-28-160-98H #1BP well located in a spacing unit described as Sections 28 and 33, T.160N., R.98W., Skabo-Bakken Pool, Divide County, ND, pursuant to NDAC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20977: In the matter of the petition for a risk penalty of Newfield Production Co. requesting an order authorizing the recovery of a risk penalty from certain non-participating owners, as provided by NDCC § 38-08-08 in the drilling and completing of the Wilson #150-99-29-32-1H well located in a spacing unit described as Sections 29 and 32, T.150N., R.99W., South Tobacco Garden-Bakken Pool, McKenzie County, ND, pursuant to NDCC § 43-02-03-88.1, and such other relief as is appropriate.

Case No. 20978: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.151N., R.101W., Sioux and/or Ragged Butte-Bakken Pools, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20979: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 15 and 22, T.152N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20980: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 4 and 9, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20981: Application of Triangle USA Petroleum Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20982: Application of Triangle USA Petroleum Corp. for an order authorizing the drilling, completing and producing of a total of eight wells on each existing 1280-acre spacing unit described as Sections 15 and 22, T.152N., R.102W.; Sections 4 and 9; and Sections 5 and 8, T.151N., R.102W., Elk-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20983: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 4 and 9, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20984: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 5 and 8, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20985: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 16 and 27, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20986: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 17 and 20, T.149N., R.102W., Charbonneau-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20987: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 2 and 11, T.149N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20988: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 25 and 30, T.149N., R.102W., Boxcar Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20989: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.149N., R.102W., Moline-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20990: Application of Emerald Oil, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12, T.148N., R.103W., Sheep Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20991: Application of Emerald Oil, Inc. for an order allowing the production from the Hot Rod #1-27-26H well, Hot Rod #4-27-26H well, and the Hot Rod #5-27-26H well, located or to be located in Section 27, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Hot Rod Central Tank Battery or production facility located in Section 27, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20992: Application of Emerald Oil, Inc. for an order allowing the production from the Caper #5-22-15H well, and the Caper #6-22-15H well, located in Section 22, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Caper East Central Tank Battery or production facility located in Section 22, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20993: Application of Emerald Oil, Inc. for an order allowing the production from the Excalibur #1-25-36H well, Excalibur #2-25-36H well, Excalibur #3-25-36H well, Excalibur #4-25-36H well, and the Excalibur #5-25-36H well, located or to be located in Section 25, T.149N., R.102W., Boxcar Butte Field, McKenzie County, ND, to be produced into the Excalibur Central Tank Battery or production facility located in Section 25, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20994: Application of Emerald Oil, Inc. for an order allowing the production from the Pirate #1-2-11H well, Pirate #5-2-11H well, and the Pirate #6-2-11H well, located or to be located in Section 2, T.149N., R.102W., Foreman Butte Field, McKenzie County, ND, to be produced into the Pirate Central Tank Battery or production facility located in Section 2, T.149N., R.102W., McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 20995: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.158N., R.100W., Church-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20996: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 3 and 10, T.157N., R.100W., Dublin-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20997: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 29 and 30, T.155N., R.102W., Squires-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20998: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 24, T.155N., R.101W., Cow Creek-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20999: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 31 and 32, T.154N., R.101W., Todd-Bakken Pool, McKenzie and Williams Counties, ND, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.

Case No. 21000: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 10 and 15, T.151N., R.104W., Dore-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21001: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 14, T.151N., R.104W., Assiniboine-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21002: Application of Zenergy, Inc. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12, T.151N., R.101W., Camp-Bakken Pool, McKenzie County, ND, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.

Case No. 21003: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 28 and 33, T.151N., R.98W., Silverston-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21004: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 1 and 12, T.150N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21005: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 3 and 10, T.150N., R.102W., Foreman Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21006: Application of Zenergy, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, T.150N., R.101W., Rawson-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21007: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on each existing overlapping 1280-acre spacing unit comprised of Sec. 31, T.155N., R.90W.; Sec. 6, T.154N., R.90W.; Sec. 32, T.155N., R.90W. and Sec. 5, T.154N., R.90W.; Secs. 2 and 11; Secs. 4 and 9; Secs. 5 and 8; Secs. 10 and 15; Secs. 14 and 23; Secs. 16 and 21; Secs. 17 and 20; Secs. 21 and 28; and Secs. 23 and 26, T.154N., R.90W.; Secs. 1 and 12; Secs. 5 and 6; Secs. 12 and 13; Secs. 16 and 17; Secs. 19 and 20; Secs. 19 and 30; Secs. 28 and 29; and Secs. 33 and 34, T.153N., R.90W.; Sec. 25, T.153N., R.90W. and Sec. 30, T.155N., R.89W.; Secs. 1 and 2; Secs. 11 and 14; Secs. 14 and 15; and Secs. 25 and 26, T.152N., R.91W.; Secs. 1 and 2; Secs. 23 and 24; Secs. 27 and 28; Secs. 28 and 29; Secs. 29 and 30; Secs. 32 and 33; and Secs. 34 and 35, T.152N., R.90W.; Sec. 12, T.151N., R.91W. and Sec. 7, T.151N., R.90W.; Secs. 17 and 18; Secs. 21 and 28; Secs. 28 and 33; Secs. 31 and 32; and Secs. 32 and 33, T.151N., R.90W.; and on each existing 1920-acre spacing unit comprised of Secs. 27, 34 and 35, T.155N., R.90W.; Secs. 32 and 33, T.155N., R.90W. and Sec. 4, T.154N., R.90W.; Secs. 11, 13 and 14; and Secs. 19, 29 and 30; T.154N., R.90W.; Sec. 32, T.154N., R.90W. and Secs. 4 and 5, T.153N., R.90W.; Secs. 35 and 36, T.154N., R.90W. and Sec. 1, T.153N., R.90W.; Secs. 9, 10 and 15; Secs. 9, 15 and 16; Secs. 17, 20 and 21; Secs. 21, 22 and 27; Secs. 22, 23 and 26; Secs. 26, 35 and 36; Secs. 27, 28 and 34; Secs. 29, 32 and 33; and Secs. 30, 31 and 32, T.153N., R.90W.; Secs. 25 and 36, T.153N., R.90W. and Sec. 31, T.153N., R.89W.; Secs. 11, 12 and 13; Secs. 23, 24 and 25; and Secs. 26, 35 and 36, T.152N., R.91W.; Sec. 1, T.152N., R.91W. and Secs. 6 and 7, T.151N., R.90W. and Sec. 1, T.151N., R.90W.

and Secs. 7 and 18, T.152N., R.90W.; Secs. 13 and 24, T.152N., R.91W. and Sec. 19, T.152N., R.90W.; Sec. 36, T.152N., R.91W.; Sec. 31, T.152N., R.90W. and Sec. 6, T.151N., R.90W.; Secs. 4, 5 and 9; Secs. 5, 6 and 8; Secs. 8, 16 and 17; Secs. 11, 12 and 13; Secs. 17, 20 and 21; Secs. 18, 19 and 20; Secs. 21, 22 and 27; Secs. 26, 35 and 36; and Secs. 30, 31 and 32, T.152N., R.90W.; Sec. 1, T.152N., R.90W. and Secs. 6 and 7, T.152N., R.89W.; Secs. 13 and 24, T.152N., R.90W. and Sec. 19, T.152N., R.89W.; Secs. 33 and 34, T.152N., R.90W. and Sec. 3, T.151N., R.90W.; Sec. 1, T.151N., R.91W. and Secs. 6 and 7, T.151N., R.90W.; Sec. 13, T.151N., R.91W. and Secs. 18 and 19, T.151N., R.90W.; Sec. 24, T.151N., R.91W. and Secs. 19 and 30, T.151N., R.90W.; Secs. 25 and 36, T.151N., R.91W. and Sec. 31, T.151N., R.90W.; Secs. 3, 4 and 10; Secs. 4, 5 and 9; Secs. 5, 8 and 9; and Secs. 8, 16 and 17, T.151N., R.90W.; and Secs. 24 and 25, T.151N., R.91W. and Sec. 30, T.151N., R.90W. Parshall-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Continued on Pg. 7C

Case No. 21008: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of five wells on the following existing 320-acre spacing units comprised of the E/2 of Section 14 and the E/2 of Section 23; a total of seven wells on an existing 1280-acre spacing unit comprised of Sections 34 and 35; a total of seven wells on an existing 1920-acre spacing unit comprised of Sections 9, 10 and 11; and a total of seven wells on each existing 1600-acre spacing unit comprised of Sections 15, 16 and the W/2 of Section 14; Sections 21, 22 and the W/2 of Section 23; and Sections 27, 28 and the W/2 of Section 26, all in T.151N., R.91W., Van Hook-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21009: Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on each existing overlapping 1280-acre spacing unit comprised of Sections 9 and 16; Sections 15 and 22; Sections 18 and 19; and Sections 22 and 27; and on each existing 1920-acre spacing unit comprised of Sections 3, 4 and 10; Sections 5, 6 and 8; Sections 6, 7 and 8; Sections 7, 17 and 18; Sections 9, 10 and 15; Sections 16, 17 and 21; Sections 19, 29 and 30; Sections 20, 21 and 28; and Sections 20, 28 and 29, all in T.155N., R.90W., Stanley-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21010: Application of Slawson Exploration, Inc. for an order authorizing the drilling, completing and producing of a total of not more than seven wells on each 640-acre spacing unit described as Section 1 and Section 2, T.153N., R.91W.; and authorizing the drilling, completing and producing of a total of not more than nine wells on an overlapping 1280-acre spacing unit described as Sections 1 and 2, T.153N., R.91W., Mountrail County, ND; and authorizing the drilling, completing and producing of a total of not more than six wells on each 640-acre spacing unit described as the NE/4, the N/2 NW/4, Lots 1, 2, 3, and 4, plus those portions of the bed of the Missouri River and the accretions to Lots 1 and 2 lying north of the Fort Berthold Indian Reservation in Section 11; and the N/2 and Lots 1, 2, 3, and 4 of Section 12; and the SE/4, Lots 5, 6, 7, 8, and 9, plus those portions of the bed of the Missouri River and the accretions to Lots 5, 6, 8, and 9 lying within the Fort Berthold Indian Reservation in Section 11, and the S/2 S/2 and Lots 5, 6, 7, and 8 of Section 12, T.152N., R.93W., Mountrail and McKenzie Counties, ND, Sanish-Bakken Pool, eliminating any tool error requirements and other relief as is appropriate.



Case No. 21011: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of seven wells on an existing 1280-acre spacing unit described as Sections 15 and 22, T.151N., R.92W., Van Hook-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 20839: (Continued) Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of seven wells on an existing 1280-acre spacing unit described as Sections 1 and 12, T.148N., R.100W., Bully-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21012: Application of Arsenal Energy USA Inc. for an order allowing the production from the Amy Elizabeth #11-2H well, SESE; John Paul #11-2H-155-91 well, SESW; and the Ronald Carter #11-2H-155-91 well, SESW, all in Section 11, T.155N., R.91W., Stanley Field, Mountrail County, ND, to be produced into the Amy Elizabeth Central Tank Battery or production facility located in Section 11, T.155N., R.91W., Mountrail County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21013: Application of Enduro Operating, LLC for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Pierre Creek-Birdbear and Duperow Pools to be commingled in the well bore of the Pierre Creek Federal #11-8H well, located in the NWNW of Section 8, T.146N., R.102W., Pierre Creek Field, McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21014: Application of Enduro Operating, LLC for an order pursuant to NDAC § 43-02-03-88.1 allowing the production from the Flat Top Butte-Madison and Duperow Pools to be commingled in the well bore of the Bettel Creek #27-12 well, located in the SENE of Section 27, T.146N., R.101W., Flat Top Butte Field, McKenzie County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21015: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Cindy #14-23H well and the Albert #14-23H well, located in Section 14, T.140N., R.97W., Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Section 14, T.140N., R.97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21016: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Doloris #14-23H well and the Allan #14-23H well, located in Section 14, T.140N., R.97W., Dickinson Field, Stark County, ND, to be produced into the Doloris Central Tank Battery or production facility located in Section 14, T.140N., R.97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21017: Application of Flatirons Resources LLC pursuant to NDAC § 43-02-03-88.1 for an order authorizing the drilling of a saltwater disposal well to be located in the NENE of Section 1, T.158N., R.86W., Lake Darling Field, Renville County, ND, in the Dakota Group pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Case No. 21018: Application of Armstrong Operating, Inc. for an order authorizing the drilling of the PLU #12-17, to be located in the SWNW of Section 17, T.139N., R.96W., Patterson Lake-Lodgepole Unit, Stark County, ND, for the injection of fluids in the unitized formation pursuant to NDAC Chapter 43-02-05, and such other relief as is appropriate.

Signed by,
Jack Dalrymple, Governor
Chairman, ND Industrial Commission
9/6 - 20676841

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Affidavit of Publication
The Dickinson Press
Dickinson, North Dakota



STATE OF NORTH DAKOTA)
County of Stark) ss

Sonya Sacks being first duly sworn, on my oath,
say that I am the bookkeeper of The Dickinson Press, a daily
newspaper of general circulation, printed and published at Dickinson,
in said county and state, and the advertisement headed:

September 26 Hearing

a printed copy of which is hereunto annexed, was printed and published
in The Dickinson Press, and in the regular and entire issue of each
and every number for 1 consecutive weeks, commencing on the

4 day of September A.D. 2013 and ending on the
4 day of September A.D. 2013, both inclusive.

Straight Matter Lines 74 ,2013

First Time Line Rates 0.76 4-Sep ,2013

Subsequent Line Rates 0.76 ,2013

Column Inches _____ ,2013

First Time Inch Rate \$8.24 ,2013

Subsequent Inch Rate \$8.24 ,2013

Total Cost of Legal \$ 56.24

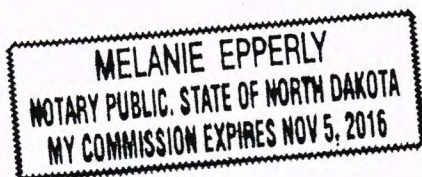
Sony Sacks
Subscribed and sworn to before me this 20th day of
September A.D. 2013.

(Seal)

Melanie Epperly

Notary Public, State Of North Dakota

My Commission Expires _____



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

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, September 26, 2013, at the N.D. Oil & Gas Division, 1000 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice. PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, September 13, 2013.

STATE OF NORTH DAKOTA TO:

Case No. 20939: Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Heart River-Bakken Pool, Stark County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 20940: Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Zenith-Bakken Pool, Stark County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Case No. 21015: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Cindy #14-23H well and the Albert #14-23H well, located in Section 14, T. 140 N., R. 97W., Dickinson Field, Stark County, ND, to be produced into the Cindy Central Tank Battery or production facility located in Section 14, T. 140N., R. 97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21016: Application of Fidelity Exploration & Production Co. for an order allowing the production from the Doloris #14-23H well and the Allan #14-23H well, located in Section 14, T. 140N., R. 97W., Dickinson Field, Stark County, ND, to be produced into the Doloris Central Tank Battery or production facility located in Section 14, T. 140N., R. 97W., Stark County, ND, as an exception to the provisions of NDAC § 43-02-03-48, pursuant to NDAC § 43-02-03-48.1, and such other relief as is appropriate.

Case No. 21018: Application of Armstrong Operating, Inc. for an order authorizing the drilling of the PLU #12-17, to be located in the SWNW of Section 17, T. 139N., R. 96W., Patterson Lake-Lodgepole Unit, Stark County, ND, for the injection of fluids in the unitized formation pursuant to NDAC Chapter 43 02 05, and such other relief as is appropriate.

Signed by,
Jack Dalrymple, Governor
Chairman, ND Industrial Commission
(Published September 4, 2013)