

BEFORE THE INDUSTRIAL COMMISSION

OF THE STATE OF NORTH DAKOTA

CASE NO. 21557

ORDER NO. 23899

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE APPLICATION OF BAYTEX ENERGY USA LTD. 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.161N., R.99W., BURG-BAKKEN POOL, DIVIDE COUNTY, ND, 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 19th day of December, 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, pooling under North Dakota Century Code (NDCC) Section 38-08-08.
- (3) The applicant is the owner of an interest in an oil and gas leasehold estate in a spacing unit described as all of Sections 27 and 34, Township 161 North, Range 99 West, Burg-Bakken Pool, 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) Counsel for applicant requests an order of the Commission pooling all interests in the spacing unit.
- (7) There were no objections to this application.
- (8) 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. This application is not a petition for a risk penalty, therefore the Commission makes no findings with regard to whether any particular owner with an interest in the spacing unit at issue in this application may impose a risk penalty against any other owner. The requirements for imposition of a risk penalty are set forth in NDCC Section 38-08-08 and NDAC Section 43-02-03-16.3.

(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 described as all of Sections 27 and 34, Township 161 North, Range 99 West, Burg-Bakken Pool, Divide County, North Dakota, are hereby pooled for the development and operation of the spacing unit.

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

(3) The operator of the well(s) for the 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 the 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(s), 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) 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.

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

Dated this 20th day of March, 2014.

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

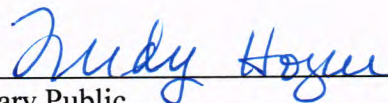
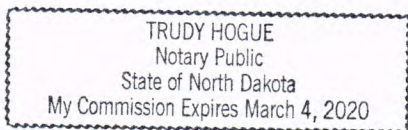
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 28th day of March, 2014 enclosed in separate envelopes true and correct copies of the attached Order No. 23899 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 21557:

LAWRENCE BENDER  
FREDRIKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502



Belinda Dickson  
Oil & Gas Division

On this 28th day of March, 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

SFN 5729

STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

COUNTY OF BURLEIGH

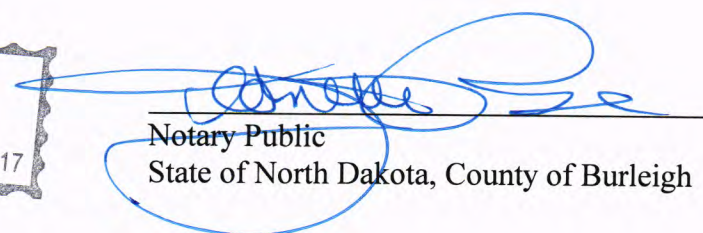
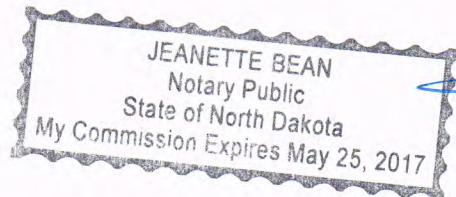
I, Belinda Dickson, being duly sworn upon oath, depose and say: That on the 28th day of March, 2014 enclosed in separate envelopes true and correct copies of the attached Order No. 23899 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 21557:

LAWRENCE BENDER  
FREDRIKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502



Belinda Dickson  
Oil & Gas Division

On this 25th day of April, 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

December 16, 2013

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



**RE: CASE NO. 21557**  
**Baytex Energy USA Ltd.**

Dear Mr. Hicks:

Please find enclosed herewith the AFFIDAVIT OF KELLY COVINGTON in regard to the captioned matter for filing.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Bender".

LAWRENCE BENDER

LB/leo

Enclosure

4610690\_1.DOC

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

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

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 21557

Application of Baytex Energy USA Ltd. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, Township 161 North, Range 99 West, Burg-Bakken Pool, Divide County, North Dakota, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.



AFFIDAVIT OF KELLY COVINGTON

STATE OF COLORADO    )  
                                  ) ss  
COUNTY OF DENVER    )

Kelly Covington, being first duly sworn, deposes and states as follows:

1.

That I am an Associate Landman for Baytex Energy USA Ltd., 600 17th Street, Suite 1600 South, Denver, Colorado 80202, the applicant in the above-entitled matter.

2.

That in the course of my work as an Associate Landman for Baytex, I have become familiar with the mineral ownership and leasehold ownership in Sections 27 and 34, Township 161 North, Range 99 West, Divide County, North Dakota (“Sections 27 and 34”).

3.

That Baytex is the owner of an interest in the oil and gas leasehold estate in portions of Sections 27 and 34.

4.

That Sections 27 and 34 have been established as a spacing unit in the Burg-Bakken Pool.

5.

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

6.

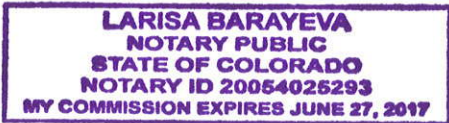
That a voluntary pooling in Sections 27 and 34 has not been accomplished.

DATED this 13<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
Kelly Covington

STATE OF COLORADO    )  
  )ss  
COUNTY OF DENVER    )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of December, 2013, by Kelly Covington, Associate Landman, of Baytex Energy USA Ltd.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

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

CASE NO. 21557

**Application of Baytex Energy USA Ltd. for an order pursuant to NDAC Section 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 27 and 34, Township 161 North, Range 99 West, Burg-Bakken Pool, Divide County, North Dakota, as provided by NDCC Section 38-08-08 and such other relief as is appropriate.**



**APPLICATION OF BAYTEX ENERGY USA LTD.**

Baytex Energy USA Ltd. ("Baytex"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Baytex is an owner of an interest in the oil and gas leasehold estate in Sections 27 and 34, Township 161 North, Range 99 West, Divide County, North Dakota ("the Subject Lands").

2.

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

3.

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

4.

That Sections 27 and 34 constitute a spacing unit for the Burg-Bakken Pool.



5.

That N.D.C.C. Section 38-08-08(1) 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.

6.

That Baytex therefore requests that the Commission enter its order pooling all interests in the proposed spacing unit described as Sections 27 and 34, Township 161 North, Range 99 West, Burg-Bakken Pool, Divide County, North Dakota, as provided by N.D.C.C. Section 38-08-08.

**WHEREFORE**, Baytex requests the following:

- (a) That this matter be set for the regularly scheduled December 2013 hearings of the Commission;
- (b) That pursuant to N.D.A.C. Section 43-02-03-88.2, Baytex'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.



November 8, 2013

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



RE: APPLICATION OF BAYTEX  
ENERGY USA LTD. FOR  
DECEMBER 2013 HEARINGS

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF BAYTEX ENERGY USA LTD. to be placed on the December 2013 docket.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Baytex 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/mpg  
Enclosure

cc: Ms. Kelly Covington (w/enc.)

7904121\_1.DOC

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

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



Classified Advertising Invoice

Bismarck Tribune  
 PO BOX 4001  
 LaCrosse, WI 54602-4001  
 In State 701-250-8218  
 Toll free 800-472-2273

OIL & GAS DIVISION  
 600 E BLVD AVE #405  
 BISMARCK ND 58505



Customer: 60010203  
 Phone: (701) 328-8020  
 Date: 11/28/2013

CREDIT CARD PAYMENT (circle one)



Card #: \_\_\_\_\_  
 Exp Date: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Credit card users: Fax to 608-791-8212

Date	Order #	Type	Order Amt
11/28/13	20692377	INV	1,191.51

Amount Paid: \_\_\_\_\_ CK #: \_\_\_\_\_

Cash Amt

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

Lee Enterprises no longer accepts credit card payments sent via e-mail. Emails containing credit card numbers will be blocked. Please use the coupon above to send a credit card payment to remittance address located in the upper right corner. You may also send the coupon to a secure fax at 608-791-8212.

Date	Date	Times Run	Description	Lines	Class Code	Order Amt	Net Amt Due
			Case No. 21466	200.00	Legals	1,191.51	1,191.51
11/28/13	11/28/13	1	Bismarck Tribune PO:Notice of Hearing				

Affidavit of publication  
 State of North Dakota, 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 the notices the Clerk of Bismarck Tribune Co.,  
 and that the publication(s) were made through the  
Bismarck Tribune on the following dates:  
11/28 Signed Calvin Kuntz  
 sworn and published to before me this 12th  
 day of December 2013  
Morgan Doll  
 Notary Public in and for the State of North Dakota

MORGAN DOLL  
 Notary Public  
 State of North Dakota  
 My Commission Expires Jan. 26, 2017

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

Remarks \_\_\_\_\_ Total Due: 1,191.51

Bismarck Tribune  
 www.bismarcktribune.com  
 PO BOX 4001  
 LaCrosse, WI 54602-4001

**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, December 19, 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, December 06, 2013.

**STATE OF NORTH DAKOTA TO:**

**Case No. 21466:** Proper spacing for the development of the New Hradec-Bakken Pool, Stark County, ND, redefine the field limits, and enact such special field rules as may be necessary. Fidelity Exploration & Production Co.; GMX Resources Inc.; Whiting Oil and Gas Corp.

**Case No. 21467:** Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Dickinson-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. 21468:** Application of Fidelity Exploration & Production Co. for an order amending the field rules for the Sanish-Bakken Pool, McKenzie 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. 21469:** Application for an order amending the field rules for the Stanley-Bakken Pool, Mountrail 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. EOG Resources, Inc. and Fidelity Exploration & Production Co.

**Case No. 21470:** Proper spacing for the development of the Rudolph Prairie-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. EOG Resources, Inc.

**Case No. 21300:** (Continued) Application of EOG Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed thirty-six wells on an existing 2560-acre spacing unit described as Sections 2, 11, 14 and 23, T.158N., R.91W., Kittleson Slough-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21471:** Proper spacing for the development of the Epping-Bakken Pool, Williams County, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.; Gadeco, LLC; Kodiak Oil & Gas (USA) Inc.

**Case No. 21472:** Proper spacing for the development of the Mary-Bakken Pool, Dunn and McKenzie Counties, ND, redefine the field limits, and enact such special field rules as may be necessary. Continental Resources, Inc.; Sinclair Oil and Gas Co.

**Case No. 21473:** Application of Sinclair Oil & Gas Co. for an order amending the field rules for the Parshall-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 25 and 26, T.155N., R.90W., Mountrail County, ND, authorizing the drilling of one horizontal well on said 1280-acre spacing unit and such other relief as is appropriate.

**Case No. 21474:** Application of Continental Resources, Inc. for an order suspending and, after hearing, revoking the permit issued to Samson Oil and Gas USA, Inc. to drill the Rainbow #5-20-17HBK well (File No. 26919), with a surface location in NENW of Section 29, T.158N., R.98W., Williams County, ND, and such other relief as is appropriate.

**Case No. 21475:** Application of Continental Resources, Inc. for an order extending the field boundaries and amending the field rules for the Last Chance and/or Crazy Man Creek-Bakken Pools to create and establish a 1280-acre spacing unit comprised of Sections 1, 2, 11 and 12, T.155N., R.90W., Mountrail County, ND, authorizing the drilling of one horizontal well on said 1280-acre spacing unit and such other relief as is appropriate.

wells on said 1280-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21476:** Application of Continental Resources, Inc. for an order amending the field rules for the Alkali Creek-Bakken Pool, McKenzie, Mountrail and Williams 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. 21477:** Application of Continental Resources, Inc. for an order amending the field rules for the New Home-Bakken Pool, Williams 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. 21478:** Application of Continental Resources, Inc. for an order amending the field rules for the Todd-Bakken Pool, McKenzie and Williams 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. 21302:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Alkali Creek-Bakken Pool to create and establish two overlapping 2560-acre spacing units comprised of Sections 15, 16, 21 and 22, and Sections 27, 28, 33 and 34, T.154N., R.94W., Mountrail and McKenzie Counties, ND, authorizing the drilling of a horizontal well on or near the section line on each spacing unit, and such other relief as is appropriate.

**Case No. 21303:** (Continued) Application

of Continental Resources, Inc. for an order amending the field rules for the Elm Tree-Bakken Pool to create and establish six overlapping 2560-acre spacing units comprised of Sections 13, 14, 23 and 28; Sections 14, 15, 22 and 23; and Sections 25, 26, 35 and 36, T.153N., R.94W.; Sections 18 and 19, T.153N., R.93W., and Sections 13 and 24, T.153N., R.94W.; Sections 30 and 31, T.153N., R.93W., and Sections 25 and 36, T.153N., R.94W.; and Sections 29, 30, 31 and 32, T.153N., R.93W., McKenzie and Mountrail Counties, ND, authorizing the drilling of a horizontal well on or near the section line on each spacing unit, and such other relief as is appropriate.

**Case No. 21304:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Antelope-Sanish Pool and/or Elm Tree-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 26, 27, 34 and 35, T.153N., R.94W., McKenzie County, ND, authorizing the drilling of a horizontal well on or near the section line on said spacing unit, and such other relief as is appropriate.

**Case No. 21305:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Antelope-Sanish Pool to create and establish three overlapping 2560-acre spacing units comprised of Sections 1, 2, 11 and 12; Sections 2, 3, 10 and 11; and Sections 3, 4, 9 and 10, T.152N., R.94W., McKenzie County, ND, authorizing the drilling of a horizontal well on or near the section line on each spacing unit, and such other relief as is appropriate.

**Case No. 21306:** (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the Sanish-Bakken Pool to create a 2560-acre spacing unit comprised of all of Sections 15, 16, 21 and 22, T.153N., R.93W., Mountrail County, ND, authorizing the drilling of multiple horizontal wells from said well pad within said 2560-acre spacing unit; eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21152:** (Continued) Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of the Horob #1-14H well with a bottom hole location approximately 195 feet from the north line and 1931 feet from the east line of Section 11, T.155N., R.104W., Williams County, North Dakota, as an exception to the provisions of NDAC § 43-02-03-18 and such other relief as is appropriate.

**Case No. 21479:** Proper spacing for the development of the Tobacco Garden-

special field rules as may be necessary. Newfield Production Co.; Slawson Exploration Co., Inc.; XTO Energy Inc.

**Case No. 21480:** Application of Newfield Production Co. for an order amending the field rules for the Westberg-Bakken Pool, McKenzie 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. 21481:** Application of XTO Energy Inc. for an order amending the field rules for the Tobacco Garden-Bakken Pool to create and establish an overlapping 1920-acre spacing unit comprised of Sections 21, 28 and 33, T.151N., R.99W., McKenzie County, ND, authorizing the drilling of a total of not more than fourteen wells on said overlapping 1920-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21482:** Application of XTO Energy Inc. for an order amending the field rules for the Morgan Draw-Bakken Pool to create and establish a 640-acre spacing unit comprised of the E/2 of Section 2 and the E/2 of Section 11, T.143N., R.103W., Golden Valley County, ND, authorizing the drilling of one horizontal well on said 640-acre spacing unit and such other relief as is appropriate.

**Case No. 21483:** Application of XTO Energy Inc. for an order amending the field rules for the Grinnell-Bakken Pool, McKenzie and Williams 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. 21484:** Application of XTO Energy Inc. for an order amending the field rules for the North Tobacco Garden-Bakken Pool, McKenzie 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. 21485:** Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool to create and establish two overlapping 2560-acre spacing units comprised of Sections 14, 15, 22 and 23; and Sections 26, 27, 34 and 35, T.163N., R.99W., Divide County, ND, authorizing the drilling of a horizontal well on or near the section line between the existing 640 and 1280-acre spacing units of each proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

**Case No. 21486:** Application of Corinthian Exploration (USA) Corp. for an order amending the field rules for the Souris-Spearfish/Madison Pool to create and establish an overlapping 160-acre spacing unit comprised of the NE/4 of Section 34, T.164N., R.78W., Bottineau County, ND, authorizing the drilling of a total of not more than five horizontal wells on said overlapping 160-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21487:** Application of Corinthian Exploration (USA) Corp. for an order amending the field rules for the North Souris-Madison Pool to create and establish a 120-acre spacing unit comprised of the SVNNW of Section 3, and the SENE and the NESE of Section 4, T.163N., R.77W., Bottineau County, ND, authorizing the drilling of a total of not more than two horizontal wells on said 120-acre spacing unit, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21488:** Application of Armstrong Operating, Inc. for an order creating a 160-acre drilling unit comprised of SE/4 of Section 18, T.141N., R.93W., Dunn County, ND, authorizing the drilling of a well within said drilling unit and such other relief as is appropriate.

**Case No. 21489:** Application of Baytex Energy USA Ltd. for an order amending the field rules for the Blooming Prairie-Bakken Pool, Divide 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. 21490:** Application of HRC

Pool, McKenzie 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. 21491:** Application of Statoil Oil and Gas LP for an order amending the field rules for the Alger-Bakken Pool, Mountrail 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. 21492:** Application of Statoil Oil and Gas LP for an order amending the field rules for the Briar Creek-Bakken Pool, McKenzie and Williams 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. 21493:** Application for an order amending the field rules for the Williston-Bakken Pool, Williams 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. Statoil Oil and Gas LP and Triangle USA Petroleum Corp.

**Case No. 21494:** Application of Triangle USA Petroleum Corporation for an order amending the field rules for the Ragged Butte-Bakken Pool, McKenzie 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. 21495:** Application of Triangle USA Petroleum Corp. for an order amending the field rules for the Timber Creek-Bakken Pool, McKenzie 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. 21496:** Application for an order amending the field rules for the Heart Butte-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. Enerplus Resources (USA) Inc. and WPX Energy Williston, LLC

**Case No. 21497:** Application of WPX Energy Williston, LLC for an order amending the field rules for the Reunion Bay-Bakken Pool, Dunn, McKenzie 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. 21498:** Application of WPX Energy Williston, LLC for an order amending the field rules for the Reunion Bay-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 29, 30, 31 and 32, T.150N., R.93W., Dunn County, ND, authorizing the drilling of a total not to exceed five wells on or near the section line between the two existing 1280-acre spacing units of said proposed overlapping 2560-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 21499:** Application of WPX Energy Williston, LLC for an order amending the field rules for the Mandaree-Bakken Pool to create and establish two overlapping 2560-acre spacing units comprised of Sections 35 and 36, T.150N., R.93W., and Sections 1 and 2, T.149N., R.93W., and Sections 17, 18, 19 and 20, T.149N., R.93W., Dunn County, ND, authorizing the drilling of a total not to exceed five wells on or near the section line between the two existing 1280-acre spacing units of each proposed overlapping 2560-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

**Case No. 21500:** Application of WPX Energy Williston, LLC for an order amending the field rules for the Squaw Creek-Bakken Pool to create and establish

T.147N, R.94W, McKenzie County, ND, authorizing the drilling of a total not to exceed five wells on or near the section line between the two existing 1280-acre spacing units of said proposed overlapping 2560-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 21501: Application of WPX Energy Williston, LLC for an order amending the field rules for the Spotted Horn-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 26, 27, 34 and 35, T.150N., R.94W., McKenzie County, ND, authorizing the drilling of a total not to exceed five wells on or near the section line between the two existing 1280-acre spacing units of said proposed overlapping 2560-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 21502: Application of WPX Energy Williston, LLC for an order amending the field rules for the Wolf Bay-Bakken Pool, Dunn County, ND, to alter the definition of the stratigraphic limits of the pool and such other and additional relief as appropriate.

Case No. 21503: Application of Hunt Oil Co. for an order amending the field rules for the Alexandria-Bakken Pool, Divide 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. 21504: Application of Crescent Point Energy U.S. Corp. for an order amending the field rules for the Blue Ridge-Bakken Pool, Williams 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. 21505: Application of SHD Oil & Gas, LLC for an order extending the field boundaries and amending the field rules for the Van Hook and/or Heart Butte-Bakken Pools to create and establish a 3840-acre spacing unit comprised of Sections 16, 17, 18, 19, 20 and 21, T.150N., R.91W., Dunn and McLean Counties, ND, authorizing the drilling of a total not to exceed fourteen wells on said spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 21506: Application of SHD Oil & Gas, LLC for an order extending the field boundaries and amending the field rules for the Heart Butte and/or Deep Water Creek Bay-Bakken Pools to create and establish a 280-acre spacing unit comprised of Sections 28 and 33, T.150N., R.91W., authorizing the drilling of a total not to exceed eight wells on said spacing unit; two 180-acre spacing units comprised of Sections 22, 23 and 24, T.150N., R.91W. and the W/2 W/2 of Section 19, T.150N., R.90W.; and Sections 34, 35 and 36, T.150N., R.91W. and the W/2 W/2 of Section 31, T.150N., R.90W., authorizing the drilling of a total not to exceed eight wells on each spacing unit and an overlapping 2080-acre spacing unit comprised of Sections 25, 26 and 27, T.150N., R.91W. and the W/2 W/2 of Section 30, T.150N., R.90W., authorizing the drilling of a total not to exceed nine wells on said spacing unit, Dunn and McLean Counties, ND, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 21515: (Continued) Application of SHD Oil & Gas, LLC for an order extending the field boundaries and amending the field rules for the Deep Creek Bay-Bakken Pool to create and establish a 1920-acre spacing unit comprised of Sections 10, 11 and 12, T.150N., R.91W., McLean County, ND, authorizing the drilling of multiple horizontal wells on said 1920-acre spacing unit, eliminating any tool error requirements, and such other relief as is appropriate.

Case No. 21517: In the matter of a hearing held on a motion of the Commission to consider the termination, or any other appropriate action, of the Lone Tree-wood Unit, Ward County, ND, operated by Enduro Operating, LLC.

Case No. 21508: In the matter of a hearing held on a motion of the Commission to

review the activities within the Glass Bluff-Madison Unit, McKenzie and Williams Counties, North Dakota, pursuant to Order No. 21651.

Case No. 21285: (Continued) Application of Zavanna, LLC for an order creating a 1280-acre drilling unit comprised of Sections 18 and 19, T.151N., R.100W., McKenzie County, ND, authorizing the drilling of a wildcat horizontal well within said drilling unit and such other relief as is appropriate.

Case No. 21287: (Continued) Application of Mountain Divide, LLC for an order suspending and, after hearing, revoking the permit issued to American Eagle Energy Corp. to drill the BJN #2-30-163-101 well (File No. 26306), with a surface location in the NWNE of Section 30, T.163N., R.101W., Divide County, ND, and such other relief as is appropriate.

Case No. 20938: (Continued) Application of Powers Energy Corp. and/or Intervention Energy, LLC for an order prohibiting Murex Petroleum Corp. from imposing a risk penalty against Powers and/or Intervention as provided by NDCC § 38-08 and NDAC § 43-02-03-16.2 for the risk of drilling the Lori-Ann #4-9H well, located in Sections 4 and 9, T.161N., R.101W., Writing Rock-Bakken Pool, Divide County, ND, 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 Buckhorn-Bakken Pool to create and establish a 1280-acre spacing unit comprised of Sections 27 and 28, T.144N., R.102W., 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. 21509: Application of GADECO, LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Golden #25-36H well, NENW of Section 25, T.155N., R.99W., Williams County, ND, Epping-Bakken Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 21510: Application of Slawson Exploration Co., Inc. for an order authorizing the drilling, completing and producing of a total of fifteen wells on an existing 1280-acre spacing unit described as Sections 18 and 19, T.151N., R.92W., Big Bend-Bakken Pool, Mountrail County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21358: (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 3 and 10, T.148N., R.100W., Bully-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21359: (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 25 and 36, T.147N., R.100W., Trailside-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21511: 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 14 and 23, T.158N., R.96W., Temple-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21512: 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 21, T.158N., R.96W., Big Meadow-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21513: 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 14 and 23, T.148N., R.102W., Little Tank-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21514: 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 6 and 7, T.148N., 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. 21515: 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.148N., 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. 21516: 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 18 and 19, T.148N., 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. 21517: 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 36, T.147N., R.104W., MonDak-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21518: 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 30 and 31, T.147N., R.103W., MonDak-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21519: 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 26 and 35, T.147N., R.103W., Pierre Creek-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21520: 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 27 and 34, T.146N., R.103W., Poker Jim-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21521: 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.146N., R.101W., Flat Top Butte-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21522: 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 21, T.141N., R.99W., St. Demetrius-Bakken Pool, Billings County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21523: 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 26 and 35, T.140N., R.98W., Green River-Bakken Pool, Stark County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21524: 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.139N., R.97W., Heart River-Bakken Pool, Stark County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21525: Application of Emerald Oil, 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 16 and 21, T.158N., R.96W., Big Meadow-Bakken Pool, Williams County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21526: Application of Emerald Oil, 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 14 and 23, T.148N., R.102W., Little Tank-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21527: Application of Emerald Oil, 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 16 and 21, T.148N., R.102W., Boxcar Butte-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21528: Application of Emerald Oil, Inc. for an order authorizing the drilling, completing and producing of a total of seven wells on each existing 1280-acre spacing unit described as Sections 25 and 36, T.147N., R.104W.; Sections 27 and 34; and Sections 30 and 31, T.147N., R.103W., MonDak-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21529: Application of Emerald Oil, Inc. for an order authorizing the drilling, completing and producing of a total of seven wells on each existing 1280-acre spacing unit described as Sections 26 and 35, T.147N., R.103W.; and Sections 25 and 36, T.146N., R.103W., Pierre Creek-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21530: Application of Emerald Oil, 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 27 and 34, T.146N., R.103W., Poker Jim-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21531: Application of Emerald Oil, 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 5 and 8, T.146N., R.101W., Flat Top Butte-Bakken Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21532: Application of Emerald Oil, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on an existing 1280-acre spacing unit described as Sections 16 and 21, T.141N., R.99W., St. Demetrius-Bakken Pool, Billings County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21533: Application of Emerald Oil, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on an existing 1280-acre spacing unit described as Sections 26 and 35, T.140N., R.98W., Green River-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21534: Application of Emerald Oil, Inc. for an order authorizing the drilling, completing and producing of a total of six wells on an existing 1280-acre spacing unit described as Sections 4 and 9, T.139N., R.97W., Heart River-Bakken Pool, Stark County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21535: Application of Corinthian Exploration (USA) Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the NE/4 of Section 33 and the NW/4 of Section 34, T.164N., R.78W., Souris-Spearfish/Madison Pool, Bottineau County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21536: Application of Corinthian Exploration (USA) Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the SW/4 of Section 2 and the SE/4 of Section 3, T.163N., R.77W., North Souris-Spearfish Pool, Bottineau County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21537: Application of Corinthian Exploration (USA) Corp. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the SE/4 of Section 31 and the SW/4 of Section 32, T.164N., R.78W., Northeast Landa-Spearfish/Madison Pool, Bottineau County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 21575: 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.141N., R.98W., Ukraina-Bakken Pool, Billings County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 21576: 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 5 and 6, T.140N., R.97W., Dutch Henry Butte-Bakken Pool, Stark County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

**Case No. 21194: (Continued)** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 16 and 21, T.141N., R.99W., St. Demetrius-Bakken Pool, Billings County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21195: (Continued)** Application

of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total of four wells on an existing 1280-acre spacing unit described as Sections 3 and 10, T.141N., R.98W., Barta-Bakken Pool, Billings County, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21196: (Continued)** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total of four wells on each existing 1280-acre spacing unit described as Sections 16 and 21; Sections 25 and 36; and Sections 27 and 34, T.141N., R.98W., Ukraina-Bakken Pool, Billings 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. 21370: (Continued)** Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed thirty wells on an existing 2560-acre spacing unit described as Sections 1 and 12, T.153N., R.94W. and Sections 6 and 7, T.153N., R.93W., Alkali Creek-Bakken Pool, Mountrail and McKenzie Counties, ND, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21375: (Continued)** Application of Continental Resources, Inc. for an order amending the field rules for the Little Knife-Bakken Pool, Billings, Dunn and McKenzie Counties, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones IV, V, VI, VII, VIII, IX, X, and XI; and a total not to exceed twenty-eight wells on each existing 2560-acre spacing unit within Zone XII, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21577: Application of Continental Resources, Inc.** for an order amending the field rules for the Snow-Bakken Pool,

1280-acre spacing unit within Zones I and II in the Snow-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21578: Application of Continental Resources, Inc.** for an order amending the field rules for the Robinson Lake-Bakken Pool, Mountrail County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones II, III, IV, V, VI and VII; and a total not to exceed twenty-eight wells on each existing 2560-acre spacing unit within Zones VIII and IX in the Robinson Lake-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21377: (Continued)** Application of Continental Resources, Inc. for an order amending the field rules for the North Tioga and Stoneview-Bakken Pools, Burke,

Divide and Williams Counties, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones III, IV, V, VI, VII, and VIII in the North Tioga-Bakken Pool; and Zones V, VI, VII, VIII, IX and X in the Stoneview-Bakken Pool; and a total not to exceed twenty-eight wells on each existing 2560-acre spacing unit within Zones IX and X in the North Tioga-Bakken Pool; and Zones XI, XII, XIII, XIV and XV in the Stoneview-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21579: Application of Continental Resources, Inc.** for an order amending the field rules for the Customs and Viking-Bakken Pools, Burke County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zone II in the Customs-Bakken Pool; and Zones I and II in the Viking-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21580: Application of Continental Resources, Inc.** for an order amending the field rules for the Dolphin and Upland-Bakken Pools, Divide County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zone II of the Dolphin-Bakken Pool; and Zones I, II and III in the Upland-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21581: Application of Continental Resources, Inc.** for an order amending the field rules for the Ellisville, Painted Woods, and Winner-Bakken Pools, Williams County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones I, II and III of the Ellisville-Bakken Pool; Zones III, IV, V and VI in the Painted Woods-Bakken Pool; and Zones I and II in the Winner-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

**Case No. 21582: Application of Continental Resources, Inc.** for an order amending the field rules for the Bear Creek, Cabernet, Corral Creek, Crooked Creek, Jim Creek, Oakdale, and Rattlesnake Point-Bakken Pools, Dunn County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones II and III in the Bear Creek-Bakken Pool; Zones III and IV in the Cabernet-Bakken Pool; Zones II, III, and IV in the Corral Creek-Bakken Pool; Zones I and II in the Crooked Creek-Bakken Pool; Zones I, II, III, IV, V, and VI in the Jim Creek-Bakken Pool; Zones I and II in the Oakdale-Bakken Pool; and Zones I, II and III in the Rattlesnake Point-Bakken Pool; a total not to exceed fourteen wells on each 1920-acre spacing unit in Zone VII in the Jim Creek-Bakken Pool; and Zone IV in the Rattlesnake Point-Bakken Pool; and a total not to exceed twenty-eight wells on each existing 2560-acre spacing unit within Zone V in the Corral Creek-Bakken Pool; Zones VIII and IX in the Jim Creek-Bakken Pool; Zones III and IV in the Oakdale-Bakken Pool; and Zones V and VI in the Rattlesnake Point-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

Signed by:  
Jack Dalrymple, Governor  
Chairman, ND Industrial Commission  
11/28 - 20692377

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m., Thursday, December 19, 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, December 06, 2013.

STATE OF NORTH DAKOTA TO:

Case No. 21485: Application of Samson Resources Co. for an order amending the field rules for the Ambrose-Bakken Pool to create and establish two overlapping 2560-acre spacing units comprised of Sections 14, 15, 22 and 23; and Sections 26, 27, 34 and 35, T.163N., R.99W., Divide County, ND, authorizing the drilling of a horizontal well on or near the section line between the existing 640 and 1280-acre spacing units of each proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

Case No. 21489: Application of Baytex Energy USA Ltd. for an order amending the field rules for the Blooming Prairie-Bakken Pool, Divide 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. 21503: Application of Hunt Oil Co. for an order amending the field rules for the Alexandria-Bakken Pool, Divide 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. 21287: (Continued) Application of Mountain Divide, LLC for an order suspending and, after hearing, revoking the permit issued to American Eagle Energy Corp. to drill the BJNJ #2-30-163-101 well (File

NO. 20938), with a surface location in the NWNE of Section 30, T.163N., R.101W., Divide County, ND, and such other relief as is appropriate.

Case No. 20938: (Continued) Application of Powers Energy Corp. and/or Intervention Energy, LLC for an order prohibiting Murex Petroleum Corp. from imposing a risk penalty against Powers and/or Intervention as provided by NDCC § 38-08-08 and NDAC § 43-02-03-16.2 for the risk of drilling the Lori Ann #4-9H well, located in Sections 4 and 9, T.161N., R.101W., Writing Rock-Bakken Pool, Divide County, ND, and such other relief as is appropriate.

Case No. 21554: Application of Baytex Energy USA Ltd. 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.161N., R.99W., Garnet-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21555: Application of Baytex Energy USA Ltd. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 13 and 24, T.161N., R.99W., Burg-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21556: Application of Baytex Energy USA Ltd. 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.161N., R.99W., Burg-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 21557: Application of Baytex Energy USA Ltd. 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.161N., R.99W., Burg-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

# Affidavit of Publication

State of North Dakota, County of Divide, ss:

I, Cecile L. Krimm, 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

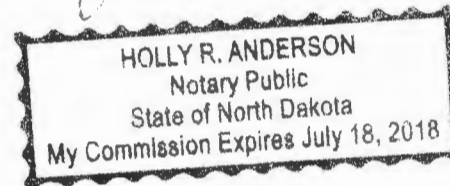
a printed copy of which is here attached, was published in The Journal on the following date:

November 27 ..... 239 lines @ 0.63 = \$150.57  
TOTAL CHARGE ..... \$150.57

Signed Cecile L. Krimm  
Cecile L. Krimm, Publisher

Subscribed and sworn to before me December 2, 2013

Holly R. Anderson  
Notary Public, State of North Dakota





Case No. 21558: Application of Baytex Energy USA Ltd. 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 4 and 9, T.161N., R.98W., Whiteaker-Bakken Pool, Divide 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. 21559: Application of Baytex Energy USA Ltd. 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.161N., R.98W., Whiteaker-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 20975: (Continued) 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. 21569: Application of Enduro Operating LLC for an order authorizing the conversion of the Stoneview-Stonewall Unit #4226H well, located in the SENE of Section 26, T.160N., R.95W., Stoneview-Stonewall Unit, Divide 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.

Case No. 21570: Application of

Enduro Operating LLC for an order authorizing the conversion of the Stoneview-Stonewall Unit #20 well, located in the NENE of Section 26, T.160N., R.95W., Stoneview-Stonewall Unit, Divide 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.

Case No. 21332: (Continued) Application of Hunt Oil Co. for an order pursuant to NDAC § 43 02-03-88.1 authorizing the flaring of gas from the Sioux Trail #1-1-12H well located in Lot 2 of Section 1, T.160N., R.101W., Divide County, ND, Sioux Trail-Bakken Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Case No. 21333: (Continued) Application of Hunt Oil Co. for an order pursuant to NDAC § 43 02-03-88.1 authorizing the flaring of gas from the Sioux Trail 1-8-5HTF #1 well located in SESW of Section 8, T.160N., R.101W., Divide County, ND, Sioux Trail-Bakken Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Case No. 21337: (Continued) Application of Hunt Oil Co. for an order pursuant to NDAC § 43 02-03-88.1 authorizing the flaring of gas from the Alexandria #1-33-28HTF well located in Lot 3 of Section 1, T.160N., R.101W., Divide County, ND, Alexandria-Bakken Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Case No. 21377: (Continued) Application of Continental Resources, Inc. for an order amending the field rules for the North Tioga and Stoneview-Bakken Pools, Burke, Divide and Williams Counties, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zones III, IV, V, VI, VII, and VIII in the North Tioga-Bakken Pool; and Zones V, VI, VII, VIII, IX and X in the Stoneview-Bakken Pool; and a total not to exceed twenty-eight wells on each existing 2560-acre spacing unit within Zones IX and X in the

North Tioga-Bakken Pool; and Zones XI, XII, XIII, XIV and XV in the Stoneview-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 21580: Application of Continental Resources, Inc. for an order amending the field rules for the Dolphin and Upland-Bakken Pools, Divide County, ND, authorizing a total not to exceed fourteen wells on each existing 1280-acre spacing unit within Zone II of the Dolphin-Bakken Pool; and Zones I, II and III in the Upland-Bakken Pool, eliminating any tool error requirements and such other relief as is appropriate.

Signed by,  
Jack Dalrymple, Governor  
Chairman, ND Industrial

(11-27)