

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
SOMONT OIL CO., INC. TO: A) INCREASE
WELL DENSITY IN THE AMANDA FIELD
FOR THE SWIFT AND SUNBURST
FORMATIONS FROM 2 WELLS PER HALF
SECTION TO 8 WELLS PER HALF SECTION
(WITH FOUR WELLS PER QUARTER SECTION)
ON THE FOLLOWING LANDS IN TOOLE
COUNTY, MONTANA:

ORDER 136-2009

T37N-R3W

S½ OF SECTION 31

T36N-R3W

SECTIONS 5, 6, 7 AND 8

W½ OF SECTION 17

SECTION 18

T36N-R4W

SECTIONS 12, 13, 14, 22, 23 AND 24

W½ OF SECTION 25;

AND B) INCREASE DENSITIES FOR THE SWIFT
AND SUNBURST FORMATIONS FROM 1 WELL
PER QUARTER SECTION TO 4 WELLS PER
QUARTER SECTION IN SECTIONS 15 AND 26,
T36N-R4W, TOOLE COUNTY, MONTANA.

Docket No. 143-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. Derek Moretz of NaturEner was present to protest the application. He read his letter of protest into the record. NaturEner is developing a wind generation project on some of the lands included in this application.
3. Mr. Elias Hofer and others were present to protest the application on behalf of Rimrock Colony Inc. Attorney Richard Beatty also submitted a protest letter on behalf of Rimrock Colony Inc.

BOARD ORDER NO. 136-2009

4. Bruce and Doreen Gillespie were present to protest the application on behalf of themselves and other surface and mineral owners in the area. They do not want Somont's plans to jeopardize NaturEner's wind farm project

5. The Board did not to grant Somont's application as applied for.

6. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that well density in the Amanda Field for the Swift and Sunburst Formations is increased to four wells per half section (two wells per quarter section) on the lands described below in Toole County, Montana:

T37N-R3W
S½ of Section 31
T36N-R3W
Sections 5, 6, 7 and 8
W½ of Section 17
Section 18
T36N-R4W
Sections 12, 13, 14, 22, 23 and 24
W½ of Section 25

IT IS FURTHER ORDERED that well density for the Swift and Sunburst Formations is increased from one well per quarter section to two wells per quarter section in Sections 15 and 26, T36N-R4W, Toole County, Montana.

IT IS FURTHER ORDERED that said wells be located no closer than 660 feet to spacing unit boundaries.

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 2 AND 3,
T23N-R57E, RICHLAND COUNTY, MONTANA, TO
DRILL AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED IN A
NORTH-SOUTH AZIMUTH PROXIMATE TO THE
COMMON BOUNDARY LINE BETWEEN SAID
SECTIONS 2 AND 3, AT A LOCATION NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES OF SAID
OVERLAPPING TEMPORARY SPACING UNIT, AS
AN EXCEPTION TO BOARD ORDERS 145-2001,
17-2005 AND 312-2008, AND TO PROVIDE THAT
SAID OVERLAPPING TEMPORARY SPACING
UNIT SHALL BE LIMITED TO PRODUCTION FROM
THE PROPOSED HORIZONTAL WELL.

ORDER 137-2009

Docket No. 144-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Enerplus Resources (USA) Corporation is authorized to create an overlapping temporary spacing unit comprised of the NW¹/₄, SW¹/₄ and SE¹/₄ of Section 2 and all of Section 3, T23N-R57E, Richland County, Montana, to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between said Sections 2 and 3, at a location not closer than 660 feet to the boundaries of said overlapping temporary spacing unit as an exception to Board Orders 145-2001, 17-2005 and 312-2008.

IT IS FURTHER ORDERED that said overlapping temporary spacing unit shall be limited to production from the proposed horizontal well.

BOARD ORDER NO. 137-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 9 AND 10,
T23N-R57E, RICHLAND COUNTY, MONTANA, TO
DRILL AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED IN A
NORTH-SOUTH AZIMUTH PROXIMATE TO THE
SECTION LINE BETWEEN THE EXISTING
PERMANENT SPACING UNITS AT A LOCATION NOT
CLOSER THAN 660 FEET TO THE BOUNDARIES OF
SAID OVERLAPPING TEMPORARY SPACING UNIT
AS AN EXCEPTION TO BOARD ORDERS 147-2004
AND 219-2004, AND TO PROVIDE THAT SAID
OVERLAPPING TEMPORARY SPACING UNIT SHALL
BE LIMITED TO PRODUCTION FROM THE PROPOSED
HORIZONTAL WELL.

ORDER 138-2009

Docket No. 145-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 138-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION
TO CREATE AN OVERLAPPING TEMPORARY
SPACING UNIT COMPRISED OF ALL OF
SECTIONS 10 AND 11, T23N-R57E, RICHLAND
COUNTY, MONTANA, TO DRILL AN
ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED
IN A NORTH-SOUTH AZIMUTH PROXIMATE
TO THE COMMON BOUNDARY LINE BETWEEN
SAID SECTIONS 10 AND 11 AT A LOCATION
NOT CLOSER THAN 660 FEET TO THE
BOUNDARIES OF SAID OVERLAPPING
TEMPORARY SPACING UNIT AS AN EXCEPTION
TO BOARD ORDERS 147-2004, 17-2005 AND
312-2008, AND TO PROVIDE THAT SAID
OVERLAPPING TEMPORARY SPACING UNIT
SHALL BE LIMITED TO PRODUCTION FROM
THE PROPOSED HORIZONTAL WELL.

ORDER 139-2009

Docket No. 146-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.

2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

BOARD ORDER NO. 139-2009

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Enerplus Resources (USA) Corporation is authorized to create an overlapping temporary spacing unit comprised of all of Sections 10 and 11, T23N-R57E, Richland County, Montana, to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between said Sections 10 and 11 at a location not closer than 660 feet to the boundaries of said overlapping temporary spacing unit as an exception to Board Orders 147-2004, 17-2005 and 312-2008.

IT IS FURTHER ORDERED that said overlapping temporary spacing unit is limited to production from the proposed horizontal well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 29
AND 30, T24N-R57E, RICHLAND COUNTY, MONTANA,
TO DRILL AN ADDITIONAL HORIZONTAL
BAKKEN FORMATION WELL GENERALLY
ORIENTED IN A NORTH-SOUTH AZIMUTH
PROXIMATE TO THE SECTION LINE BETWEEN
THE EXISTING PERMANENT SPACING UNITS AT
A LOCATION NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES OF SAID OVERLAPPING
TEMPORARY SPACING UNIT AS AN EXCEPTION
TO BOARD ORDERS 4-2002 AND 143-2004, AND TO
PROVIDE THAT SAID OVERLAPPING TEMPORARY
SPACING UNIT SHALL BE LIMITED TO PRODUCTION
FROM THE PROPOSED HORIZONTAL WELL.

ORDER 140-2009

Docket No. 147-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 140-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 34 AND 35,
T24N-R57E, RICHLAND COUNTY, MONTANA, TO
DRILL AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED IN A
NORTH-SOUTH AZIMUTH PROXIMATE TO THE
SECTION LINE BETWEEN THE EXISTING
PERMANENT SPACING UNITS AT A LOCATION
NOT CLOSER THAN 660 FEET TO THE BOUNDARIES
OF SAID OVERLAPPING TEMPORARY SPACING
UNIT AS AN EXCEPTION TO BOARD ORDERS
147-2001 AND 98-2002, AND TO PROVIDE THAT SAID
OVERLAPPING TEMPORARY SPACING UNIT SHALL
BE LIMITED TO PRODUCTION FROM THE PROPOSED
HORIZONTAL WELL.

ORDER 141-2009

Docket No. 148-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 141-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 4, 5, 8
AND 9, T24N-R54E, RICHLAND COUNTY, MONTANA,
TO DRILL AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED IN A
NORTH-SOUTH AZIMUTH PROXIMATE TO THE
BOUNDARY BETWEEN THE EXISTING PERMANENT
SPACING UNITS AT A LOCATION NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES OF SAID
OVERLAPPING TEMPORARY SPACING UNIT AS AN
EXCEPTION TO BOARD ORDERS 289-2004 AND
112-2005, AND TO PROVIDE THAT SAID OVERLAPPING
TEMPORARY SPACING UNIT SHALL BE LIMITED TO
PRODUCTION FROM THE PROPOSED HORIZONTAL
WELL.

ORDER 142-2009

Docket No. 149-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 142-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY SPACING
UNIT COMPRISED OF ALL OF SECTIONS 31 AND 32,
T25N-R54E, RICHLAND COUNTY, MONTANA, TO
DRILL AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL GENERALLY ORIENTED IN A
NORTH-SOUTH AZIMUTH PROXIMATE TO THE
SECTION LINE BETWEEN THE EXISTING
PERMANENT SPACING UNITS AT A LOCATION NOT
CLOSER THAN 660 FEET TO THE BOUNDARIES OF
SAID OVERLAPPING TEMPORARY SPACING UNIT
AS AN EXCEPTION TO BOARD ORDERS 146-2004
AND 110-2005, AND TO PROVIDE THAT SAID
OVERLAPPING TEMPORARY SPACING UNIT SHALL
BE LIMITED TO PRODUCTION FROM THE PROPOSED
HORIZONTAL WELL.

ORDER 143-2009

Docket No. 150-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 143-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
ENERPLUS RESOURCES (USA) CORPORATION TO
CREATE AN OVERLAPPING TEMPORARY
SPACING UNIT COMPRISED OF ALL OF
SECTIONS 13 AND 14, T24N-R55E, RICHLAND COUNTY,
MONTANA, TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL
GENERALLY ORIENTED IN A NORTH-SOUTH
AZIMUTH PROXIMATE TO THE SECTION LINE
BETWEEN THE EXISTING PERMANENT SPACING
UNITS AT A LOCATION NOT CLOSER THAN 660
FEET TO THE BOUNDARIES OF SAID OVERLAPPING
TEMPORARY SPACING UNIT AS AN EXCEPTION TO
BOARD ORDERS 3-2002 AND 55-2002, AND TO
PROVIDE THAT SAID OVERLAPPING TEMPORARY
SPACING UNIT SHALL BE LIMITED TO PRODUCTION
FROM THE PROPOSED HORIZONTAL WELL.

ORDER 144-2009

Docket No. 151-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Enerplus Resources (USA) Corporation is granted as applied for.

BOARD ORDER NO. 144-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 1 AND 12, T22N-R58E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 145-2009

Docket No. 152-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.

2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 145-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 3 AND 4, T22N-R58E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 146-2009

Docket No. 153-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 146-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 9 AND 16, T22N-R59E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 147-2009

Docket No. 154-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 147-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 10 AND 11, T22N-R59E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 148-2009

Docket No. 155-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 148-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF THE S½ OF SECTION 12 AND ALL OF
SECTION 13, T22N-R59E, RICHLAND COUNTY,
MONTANA, TO BE LOCATED ANYWHERE
WITHIN SAID SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 149-2009

Docket No. 156-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 149-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
XTO ENERGY INC. TO DRILL AN ADDITIONAL
HORIZONTAL BAKKEN FORMATION WELL IN
THE PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 15 AND 22, T22N-R59E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 150-2009

Docket No. 157-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of XTO Energy Inc. is granted as applied for.

BOARD ORDER NO. 150-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
DEVON ENERGY PRODUCTION COMPANY, L.P. TO
DRILL AN ADDITIONAL EAGLE FORMATION GAS
WELL (THE BEUMEE 04-08-26-17 WELL) AT AN
APPROXIMATE LOCATION 2266' FNL AND 725' FEL
IN SECTION 4, T26N-R17E, CHOUTEAU COUNTY,
MONTANA, AS AN EXCEPTION TO A.R.M. 36.22.702.

ORDER 151-2009

Docket No. 158-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Devon Energy Production Company, L.P. is authorized to drill an additional Eagle Formation gas well (the Beumee 04-08-26-17 well) at an approximate location 2266' FNL and 725' FEL of Section 4, T26N-R17E, Chouteau County, Montana, as an exception to A.R.M. 36.22.702.

BOARD ORDER NO. 151-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
DEVON ENERGY PRODUCTION COMPANY, L.P. TO
DRILL AN ADDITIONAL EAGLE FORMATION GAS
WELL (THE ERHARD 26-13-32-15 WELL) AT AN
APPROXIMATE LOCATION 1105' FSL AND 504' FWL
IN SECTION 26, T32N-R15E, HILL COUNTY,
MONTANA, AS AN EXCEPTION TO
BOARD ORDER 10-70.

ORDER 152-2009

Docket No. 159-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Devon Energy Production Company, L.P. is authorized to drill an additional Eagle Formation gas well (the Erhard 26-13-32-15 well) at an approximate location 1105' FSL and 504' FWL of Section 26, T32N-R15E, Hill County, Montana, as an exception to Board Order 10-70.

BOARD ORDER NO. 152-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF ARMSTRONG
OPERATING INC. TO CREATE A TEMPORARY
SPACING UNIT FOR ALL FORMATIONS DOWN TO THE
DUPEROW COMPRISED OF THE SW¹/₄SW¹/₄ OF SECTION 25,
THE SE¹/₄SE¹/₄ OF SECTION 26, THE NE¹/₄NE¹/₄ OF SECTION 35
AND THE NW¹/₄NW¹/₄ OF SECTION 36, T32N-R48E,
ROOSEVELT COUNTY, MONTANA, TO DRILL A WELL TO
TEST THE DUPEROW FORMATION AT A LOCATION 150' FNL
AND 500' FEL IN SAID SECTION 35, AND TO DESIGNATE
SAID TEST WELL AS THE ONLY AUTHORIZED WELL FOR
SAID TEMPORARY SPACING UNIT AS AN EXCEPTION TO
A.R.M. 36.22.702 (3).

ORDER 153-2009

Docket No. 160-2009 and 2-2010 FED

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The application contains Tribal and allotted Indian lands. The order pertaining to those lands will be issued by the Bureau of Land Management of the United States Department of Interior.
3. Letters in support of the application were received from Fort Peck Energy Company and Fort Peck Tribes.
4. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the SW¹/₄SW¹/₄ of Section 25, the SE¹/₄SE¹/₄ of Section 26, the NE¹/₄NE¹/₄ of Section 35, and the NW¹/₄NW¹/₄ of Section 36, T32N-R48E, Roosevelt County, Montana, is delineated a temporary spacing unit for all formations down to and including the Duperow to drill a Duperow Formation test well at a location 150' FNL and 500' FEL of said Section 35.

IT IS FURTHER ORDERED that an application for permanent spacing shall be made within 120 days of first production from a successfully completed well.

BOARD ORDER NO. 153-2009

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
SHAKESPEARE OIL COMPANY, INC. TO CREATE A
TEMPORARY SPACING UNIT FOR THE RED RIVER
FORMATION COMPRISED OF THE SE¹/₄NE¹/₄ AND
NE¹/₄SE¹/₄ OF SECTION 10, AND THE SW¹/₄NW¹/₄ AND
NW¹/₄SW¹/₄ OF SECTION 11, T36N-R54E, SHERIDAN
COUNTY, MONTANA, TO DRILL A WELL TO TEST
THE RED RIVER FORMATION ANYWHERE WITHIN
SAID SPACING UNIT BUT NOT CLOSER THAN 660
FEET TO THE BOUNDARIES THEREOF AS AN
EXCEPTION TO A.R.M. 36.22.702 (3).

ORDER 154-2009

Docket No. 161-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The described lands were designated a permanent spacing unit by Board Order 12-74.
3. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the best interest of conservation of oil and gas in the State of Montana

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Shakespeare Oil Company, Inc. is authorized to drill a Red River Formation test well in the existing permanent spacing unit comprised of the SE¹/₄NE¹/₄ and NE¹/₄SE¹/₄ of Section 10, and the SW¹/₄NW¹/₄ and NW¹/₄SW¹/₄ of Section 11, T36N-R54E, Sheridan County, Montana, at a location anywhere within said spacing unit but not closer than 660 feet to the exterior boundaries thereof.

BOARD ORDER NO. 154-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
SHAKESPEARE OIL COMPANY, INC. TO CREATE
A TEMPORARY SPACING UNIT FOR THE RED
RIVER FORMATION COMPRISED OF THE W¹/₂ OF
SECTION 19, T36N-R55E, SHERIDAN COUNTY,
MONTANA, TO DRILL A WELL TO TEST THE RED
RIVER FORMATION ANYWHERE WITHIN SAID
SPACING UNIT BUT NOT CLOSER THAN 660 FEET
TO THE BOUNDARIES THEREOF AS AN
EXCEPTION TO A.R.M. 36.22.702 (3).

ORDER 155-2009

Docket No. 162-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the W¹/₂ of Section 19, T36N-R55E, Sheridan County, Montana, is delineated a temporary Red River spacing unit to drill a Red River Formation test well anywhere within said spacing unit but not closer than 660 feet to the boundaries thereof as an exception to A.R.M. 36.22.702 (3).

BOARD ORDER NO. 155-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
CONTINENTAL RESOURCES, INC. TO DRILL
AN ADDITIONAL HORIZONTAL BAKKEN
FORMATION WELL IN THE PERMANENT
SPACING UNIT COMPRISED OF ALL OF
SECTIONS 1 AND 12, T24N-R52E, RICHLAND
COUNTY, MONTANA, TO BE LOCATED
ANYWHERE WITHIN SAID SPACING UNIT
BUT NOT CLOSER THAN 660 FEET TO THE
EXTERIOR BOUNDARIES THEREOF.

ORDER 156-2009

Docket No. 163-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. Board member Jack King recused himself and took no further part in the proceedings on this matter. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of Continental Resources, Inc. is granted as applied for.

BOARD ORDER NO. 156-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
CONTINENTAL RESOURCES, INC. TO CREATE AN
OVERLAPPING TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 29, 30, 31 AND
32, T25N-R55E, RICHLAND COUNTY, MONTANA,
TO DRILL A HORIZONTAL BAKKEN FORMATION
TEST WELL WITH THE LATERAL TO BE LOCATED
NO FARTHER THAN 500 FEET FROM THE COMMON
BOUNDARY BETWEEN THE TWO EXISTING
PERMANENT SPACING UNITS AND NO CLOSER
THAN 660 FEET TO THE EXTERIOR BOUNDARIES
OF THE PROPOSED TEMPORARY SPACING UNIT,
AND TO PROVIDE THAT THE REQUESTED
TEMPORARY SPACING UNIT IS LIMITED TO
PRODUCTION FROM THE PROPOSED HORIZONTAL
WELL.

ORDER 157-2009

Docket No. 164-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all of Sections 29, 30, 31 and 32, T25N-R55E, Richland County, Montana, is delineated an overlapping temporary spacing unit to drill a horizontal Bakken Formation test well with the lateral to be located no farther than 500 feet from the common boundary between the two existing permanent spacing units and no closer than 660 feet to the exterior boundaries of the proposed temporary spacing unit.

IT IS FURTHER ORDERED that the temporary spacing unit is limited to production from the proposed horizontal well.

BOARD ORDER NO. 157-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
NFR BEAR PAW BASIN LLC TO VACATE
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTION 29,
T35N-R17E, HILL COUNTY, MONTANA,
WHICH WAS CREATED BY BOARD
ORDER 299-2007.

ORDER 158-2009

Docket No. 165-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the application of NFR Bear Paw Basin, LLC is granted as applied for.

BOARD ORDER NO. 158-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

UPON THE APPLICATION OF
OASIS PETROLEUM LLC TO CREATE A
PERMANENT SPACING UNIT COMPRISED
OF THE E½ OF SECTION 27, T28N-R58E,
ROOSEVELT COUNTY, MONTANA, FOR
PRODUCTION OF OIL AND ASSOCIATED
NATURAL GAS FROM THE RATCLIFFE
FORMATION.

ORDER 159-2009

Docket No. 137-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 10th day of December, 2009 in the conference room of the Billings Petroleum Club in the Crowne Plaza Billings in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. Chairman Linda Nelson was absent. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements and exhibits and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded opportunity present evidence, oral and documentary.
2. The evidence indicates that granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the E½ of Section 27, T28N-R58E, Roosevelt County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Ratcliffe Formation.

BOARD ORDER NO. 159-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10th day of December, 2009.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Wayne Smith, Vice-Chairman

Don Bradshaw, Board Member

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary