

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

UPON THE APPLICATION OF
M&K OIL COMPANY, INC. TO CONVERT
THE ANDERSON FEDERAL #2 WELL
(API # 25-075-21820) IN THE SE¼NW¼ OF
SECTION 9, T8S-R53E, POWDER RIVER
COUNTY, MONTANA, TO A CLASS II
SALTWATER INJECTION WELL IN THE
MUDDY FORMATION AT A DEPTH OF
APPROXIMATELY 4690 FEET. AN AQUIFER
EXEMPTION IS BEING REQUESTED AS PART
OF THE APPLICATION, AS WATER IN THE
PROPOSED INJECTION ZONE CONTAINS
LESS THAN 10,000 MG/L TOTAL DISSOLVED
SOLIDS. [WRIGHT CREEK FIELD]

ORDER 1-2010

Docket No. 2-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 M&K Oil Company, Inc. is granted as applied for, subject to stipulations on the Sundry Notice.

BOARD ORDER NO. 1-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CREATE A PERMANENT
SPACING UNIT COMPRISED OF ALL OF
SECTIONS 2 AND 3, T22N-R59E, RICHLAND
COUNTY, MONTANA, FOR PRODUCTION OF
OIL AND ASSOCIATED NATURAL GAS FROM
THE BAKKEN FORMATION THROUGH THE
WELLBORE OF THE BIG PHEASANT 12X-1 WELL.

ORDER 2-2010

Docket No. 3-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 all of Sections 2 and 3, T22N-R59E, Richland County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Bakken Formation through the wellbore of the Big Pheasant 12X-1 well.

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.

BOARD ORDER NO. 2-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CREATE A TEMPORARY OVERLAPPING SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 26, T22N-R59E, RICHLAND COUNTY, MONTANA, TO DRILL AN ADDITIONAL BAKKEN FORMATION HORIZONTAL WELL GENERALLY ORIENTED IN A NORTH-SOUTH AZIMUTH PROXIMATE TO THE COMMON BOUNDARY LINE BETWEEN THE EXISTING PERMANENT SPACING UNITS AT A LOCATION NOT CLOSER THAN 660 FEET TO THE BOUNDARIES OF SAID TEMPORARY OVERLAPPING SPACING UNIT AS AN EXCEPTION TO BOARD ORDERS 331-2004 AND 5-2005; AND TO PROVIDE THAT SAID TEMPORARY OVERLAPPING SPACING UNIT IS LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL.

ORDER 3-2010

Docket No. 4-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 25 and 26, T22N-R59E, Richland County, Montana, is delineated an overlapping temporary spacing unit to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between the existing permanent spacing units at a location not closer than 660 feet to the boundaries of said temporary overlapping spacing unit as an exception to Board Orders 331-2004 and 5-2005.

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

BOARD ORDER NO. 3-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CREATE A TEMPORARY OVERLAPPING SPACING UNIT COMPRISED OF ALL OF SECTION 25, T22N-R59E AND ALL OF SECTION 30, T22N-R60E, RICHLAND COUNTY, MONTANA, TO DRILL AN ADDITIONAL BAKKEN FORMATION HORIZONTAL WELL GENERALLY ORIENTED IN A NORTH-SOUTH AZIMUTH PROXIMATE TO THE COMMON BOUNDARY LINE BETWEEN SAID SECTIONS 25 AND 30 AT A LOCATION NOT CLOSER THAN 660 FEET TO THE BOUNDARIES OF SAID TEMPORARY OVERLAPPING SPACING UNIT AS AN EXCEPTION TO BOARD ORDERS 5-2005 AND 12-2008; AND TO PROVIDE THAT SAID TEMPORARY OVERLAPPING SPACING UNIT IS LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL.

ORDER 4-2010

Docket No. 5-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 all of Section 25, T22N-R59E and Section 30, T22N-R60E, Richland County, Montana, is delineated an overlapping temporary spacing unit to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between said Sections 25 and 30 at a location not closer than 660 feet to the boundaries of said temporary overlapping spacing unit as an exception to Board Orders 5-2005 and 12-2008.

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

BOARD ORDER NO. 4-2010

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 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CREATE A TEMPORARY OVERLAPPING
SPACING UNIT COMPRISED OF ALL OF
SECTION 27 AND THE E½ OF SECTION 28,
T24N-R57E, RICHLAND COUNTY, MONTANA,
TO DRILL AN ADDITIONAL BAKKEN
FORMATION HORIZONTAL WELL GENERALLY
ORIENTED IN A NORTH-SOUTH AZIMUTH
PROXIMATE TO THE COMMON BOUNDARY
LINE BETWEEN SAID SECTIONS 27 AND 28 AT
A LOCATION NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES OF SAID TEMPORARY
OVERLAPPING SPACING UNIT AS AN EXCEPTION
TO BOARD ORDERS 134-2000 AND 201-2004; AND
TO PROVIDE THAT SAID TEMPORARY
OVERLAPPING SPACING UNIT IS LIMITED TO
PRODUCTION FROM THE PROPOSED HORIZONTAL
WELL.

ORDER 5-2010

Docket No. 6-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 all of Section 27 and the E½ of Section 28, T24N-R57E, Richland County, Montana, is delineated an overlapping temporary spacing unit to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between said Sections 27 and 28 at a location not closer than 660 feet to the boundaries of said temporary overlapping spacing unit as an exception to Board Orders 134-2000 and 201-2004.

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

BOARD ORDER NO. 5-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CREATE A TEMPORARY OVERLAPPING SPACING UNIT COMPRISED OF ALL OF SECTIONS 31 AND 32, T24N-R57E, RICHLAND COUNTY, MONTANA, TO DRILL AN ADDITIONAL BAKKEN FORMATION HORIZONTAL WELL GENERALLY ORIENTED IN A NORTH-SOUTH AZIMUTH PROXIMATE TO THE COMMON BOUNDARY LINE BETWEEN THE EXISTING PERMANENT SPACING UNITS AT A LOCATION NOT CLOSER THAN 660 FEET TO THE BOUNDARIES OF SAID TEMPORARY OVERLAPPING SPACING UNIT AS AN EXCEPTION TO BOARD ORDERS 41-2003 AND 251-2003; AND TO PROVIDE THAT SAID TEMPORARY OVERLAPPING SPACING UNIT IS LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL.

ORDER 6-2010

Docket No. 7-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 all of Sections 31 and 32, T24N-R57E, Richland County, Montana, is delineated an overlapping temporary spacing unit to drill an additional horizontal Bakken Formation well generally oriented in a north-south azimuth proximate to the common boundary line between the existing permanent spacing units at a location not closer than 660 feet to the boundaries of said temporary overlapping spacing unit as an exception to Board Orders 41-2003 and 251-2003.

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

BOARD ORDER NO. 6-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 SECTION 1 AND THE N½ OF
SECTION 12, T22N-R59E, RICHLAND COUNTY,
MONTANA, TO BE LOCATED ANYWHERE
WITHIN SAID PERMANENT SPACING UNIT BUT
NOT CLOSER THAN 660 FEET TO THE
BOUNDARIES THEREOF.

ORDER 7-2010

Docket No. 8-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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. 7-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 2 AND 3, T22N-R59E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID
PERMANENT SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 8-2010

Docket No. 9-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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.

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.

BOARD ORDER NO. 8-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 2 AND 3, T22N-R59E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID
PERMANENT SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 9-2010

Docket No. 10-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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.

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.

BOARD ORDER NO. 9-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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
PERMANENT SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 10-2010

Docket No. 11-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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.

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.

BOARD ORDER NO. 10-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 SECTION 27 AND THE N½ OF
SECTION 34, T22N-R59E, RICHLAND COUNTY,
MONTANA, TO BE LOCATED ANYWHERE
WITHIN SAID PERMANENT SPACING UNIT BUT
NOT CLOSER THAN 660 FEET TO THE
BOUNDARIES THEREOF.

ORDER 11-2010

Docket No. 12-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 XTO Energy, Inc. is granted as applied for.

BOARD ORDER NO. 11-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 6 AND 7, T22N-R60E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID
PERMANENT SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 12-2010

Docket No. 13-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 XTO Energy, Inc. is granted as applied for.

BOARD ORDER NO. 12-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 19 AND 20, T22N-R60E,
RICHLAND COUNTY, MONTANA, TO BE
LOCATED ANYWHERE WITHIN SAID
PERMANENT SPACING UNIT BUT NOT CLOSER
THAN 660 FEET TO THE BOUNDARIES THEREOF.

ORDER 13-2010

Docket No. 14-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 XTO Energy, Inc. is granted as applied for.

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.

BOARD ORDER NO. 13-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 CABOT
OIL & GAS CORPORATION TO CREATE A
TEMPORARY SPACING UNIT COMPRISED OF ALL
OF SECTION 27, T12N-R31E, ROSEBUD COUNTY,
MONTANA, TO DRILL A HORIZONTAL HEATH
FORMATION WELL ANYWHERE WITHIN SAID
TEMPORARY SPACING UNIT BUT NOT CLOSER
THAN 330 FEET TO THE BOUNDARIES THEREOF.

ORDER 14-2010

Docket No. 15-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 Cabot Oil & Gas Corporation is granted as applied for.

BOARD ORDER NO. 14-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 ST. MARY
LAND & EXPLORATION COMPANY TO
DRILL AND PRODUCE A SECOND HORIZONTAL
BAKKEN FORMATION WELL IN THE PERMANENT
SPACING UNIT COMPRISED OF ALL OF SECTION 23,
T25N-R54E, RICHLAND COUNTY, MONTANA, AS
AN EXCEPTION TO BOARD ORDER 255-2005.

ORDER 15-2010

Docket No. 16-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 St. Mary Land & Exploration Company is granted as applied for.

BOARD ORDER NO. 15-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 ST. MARY
LAND & EXPLORATION COMPANY TO
DRILL AND PRODUCE A SECOND HORIZONTAL
BAKKEN FORMATION WELL IN THE PERMANENT
SPACING UNIT COMPRISED OF ALL OF SECTION 8,
T23N-R57E, RICHLAND COUNTY, MONTANA, AS
AN EXCEPTION TO BOARD ORDER 235-2004.

ORDER 16-2010

Docket No. 17-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 St. Mary Land & Exploration Company is granted as applied for.

BOARD ORDER NO. 16-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 ST. MARY
LAND & EXPLORATION COMPANY TO
DRILL AND PRODUCE A SECOND HORIZONTAL
BAKKEN FORMATION WELL IN THE PERMANENT
SPACING UNIT COMPRISED OF ALL OF SECTION 6,
T24N-R55E AND ALL OF SECTION 35, T25N-R54E,
RICHLAND COUNTY, MONTANA, AS AN
EXCEPTION TO BOARD ORDER 41-2004.

ORDER 17-2010

Docket No. 18-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 St. Mary Land & Exploration Company is granted as applied for.

BOARD ORDER NO. 17-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BRIGHAM
OIL & GAS, LP TO CREATE A TEMPORARY
SPACING UNIT COMPRISED OF ALL OF SECTIONS 13
AND 24, T28N-R55E, ROOSEVELT COUNTY, MONTANA,
TO DRILL A HORIZONTAL BAKKEN FORMATION
WELL ANYWHERE WITHIN SAID TEMPORARY
SPACING UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 18-2010

Docket No. 22-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 Brigham Oil & Gas, LP is granted as applied for.

BOARD ORDER NO. 18-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BRIGHAM
OIL & GAS, LP TO CREATE A TEMPORARY
SPACING UNIT COMPRISED OF ALL OF SECTIONS 4
AND 9, T28N-R56E, ROOSEVELT COUNTY, MONTANA,
TO DRILL AHORIZONTAL BAKKEN FORMATION
WELL ANYWHERE WITHIN SAID TEMPORARY
SPACING UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 19-2010

Docket No. 23-2010

Report of the Board

The above entitled cause came on regularly for hearing on the 25th day of February, 2010 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. 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 taking the following action is in the best interest of protection of correlative rights and 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 Brigham Oil & Gas, LP is granted as applied for.

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.

BOARD ORDER NO. 19-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BRIGHAM
OIL & GAS, LP TO CREATE A TEMPORARY
SPACING UNIT COMPRISED OF ALL OF SECTIONS 10
AND 15, T28N-R56E, ROOSEVELT COUNTY, MONTANA,
TO DRILL AHORIZONTAL BAKKEN FORMATION
WELL ANYWHERE WITHIN SAID TEMPORARY
SPACING UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 20-2010

Docket No. 24-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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 taking the following action 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 Brigham Oil & Gas, LP is granted as applied for.

BOARD ORDER NO. 20-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BRIGHAM
OIL & GAS, LP TO CREATE A TEMPORARY
SPACING UNIT COMPRISED OF THE S $\frac{1}{2}$ OF SECTION 15
AND ALL OF SECTION 22, T28N-R56E, ROOSEVELT
COUNTY, MONTANA, TO DRILL A VERTICAL NISKU
FORMATION WELL ANYWHERE WITHIN SAID
TEMPORARY SPACING UNIT BUT NOT CLOSER THAN
660 FEET TO THE BOUNDARIES THEREOF.

ORDER 21-2010

Docket No. 25-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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. At the hearing applicant's attorney, Scotti Gray, amended the application by changing the composition of the proposed temporary unit to the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 22, T28N-R56E, Roosevelt County, Montana.
3. The evidence indicates that taking the following action 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 S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 22, T28N-R56E, Roosevelt County, Montana, is delineated a temporary spacing unit to drill a vertical Nisku Formation well to be located anywhere within said temporary spacing unit but no closer than 660 feet to the exterior boundaries thereof.

IT IS FURTHER ORDERED that applicant shall return for permanent spacing within 90 days of first production.

BOARD ORDER NO. 21-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BRIGHAM
OIL & GAS, LP TO CREATE A TEMPORARY
SPACING UNIT COMPRISED OF ALL OF SECTIONS 26
AND 35, T28N-R56E, ROOSEVELT COUNTY, MONTANA,
TO DRILL AHORIZONTAL BAKKEN FORMATION
WELL ANYWHERE WITHIN SAID TEMPORARY
SPACING UNIT BUT NOT CLOSER THAN 660 FEET TO
THE BOUNDARIES THEREOF.

ORDER 22-2010

Docket No. 26-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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 taking the following action 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 Brigham Oil & Gas, LP is granted as applied for.

BOARD ORDER NO. 22-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 BAYSWATER
EXPLORATION AND PRODUCTION, LLC
TO CREATE A PERMANENT SPACING UNIT COMPRISED
OF ALL OF SECTIONS 13 AND 24, T3N-R18E,
SWEET GRASS COUNTY, MONTANA, FOR PRODUCTION
OF GAS FROM ALL ZONES AND FORMATIONS BELOW
THE BASE OF THE TELEGRAPH CREEK FORMATION
THROUGH THE WELLBORE OF THE
STIMPSON #15-13B WELL.

ORDER 23-2010

Docket No. 36-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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 taking the following action 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 13 and 24, T3N-R18E, Sweet Grass County, Montana, is designated a permanent spacing unit for production of gas from all zones and formations below the base of the Telegraph Creek Formation through the wellbore of the Stimpson #15-13B well.

BOARD ORDER NO. 23-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 DECKER
OPERATING COMPANY, LLC TO DRILL AND
PRODUCE ITS PROPOSED MLFU #2379-1 NATURAL
GAS TEST WELL AT A LOCATION APPROXIMATELY
920' FSL AND 1374' FEL OF SECTION 23, T37N-R29E,
PHILLIPS COUNTY, MONTANA, AS AN EXCEPTION
TO A.R.M. 36.22.702. APPLICANT REQUESTS A
100-FOOT TOLERANCE IN THE LOCATION IDENTIFIED
ABOVE FOR TOPOGRAPHIC OR ARCHEOLOGIC
REASONS AND AUTHORITY TO COMMINGLE GAS
FROM MULTIPLE ZONES OR FORMATIONS.
APPLICANT ALSO STATES A REQUEST FOR PERMANENT
SPACING WILL BE FILED WITHIN NINETY DAYS OF
FIRST PRODUCTION IF THE PROPOSED WELL IS
COMMERCIAL.

ORDER 24-2010

Docket No. 37-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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 taking the following action 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 Decker Operating Company, LLC is granted as applied for.

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.

BOARD ORDER NO. 24-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 OMIMEX
CANADA, LTD. TO CREATE A PERMANENT
SPACING UNIT COMPRISED OF THE NE¼ OF
SECTION 34, T33N-R33E, IN THE BOWDOIN FIELD IN
PHILLIPS COUNTY, MONTANA, FOR PRODUCTION
OF NATURAL GAS FROM ALL FORMATIONS
BETWEEN THE TOP OF THE NIOBRARA AND THE
BASE OF THE BELLE FOURCHE, AND FOR
AUTHORIZATION TO DRILL A NATURAL GAS TEST
WELL AT A LOCATION APPROXIMATELY 990' FEL
AND 1220' FNL OF SAID SECTION 34.

ORDER 25-2010

Docket No. 41-2010

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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 taking the following action 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 NE¼ of Section 34, T33N-R33E, in the Bowdoin Field in Phillips County Montana, is designated a permanent spacing unit for production of natural gas from all formations between the top of the Niobrara and the base of the Belle Fourche.

IT IS FURTHER ORDERED that applicant is authorized to drill a natural gas test will at a location approximately 990' FEL and 1220' FNL of said Section 34.

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.

BOARD ORDER NO. 25-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

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 POOL ALL INTERESTS IN
THE SPACING UNIT COMPRISED OF ALL OF
SECTIONS 18 AND 19, T22N-R59E, RICHLAND
COUNTY, MONTANA, FOR PRODUCTION OF OIL
AND ASSOCIATED NATURAL GAS FROM THE
BAKKEN FORMATION AND TO AUTHORIZE
RECOVERY OF NON-CONSENT PENALTIES IN
ACCORDANCE WITH SECTION 82-11-202 (2), M.C.A.
WITH RESPECT TO THE HAFFNER #11X-18 WELL.

ORDER 26-2010

Docket No. 130-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 25th day of February, 2010 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. 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. Attorney Loren J. O'Toole, II appeared to protest the imposition of non-consent penalties against his client Cherokee Oil Corporation, a working interest owner in Tract 8. He said XTO did not drill the Haffner #11X-18 well, Headington did. He does not believe a successor in interest that did not take the risk associated with drilling the well can assess risk penalties three years after the well was drilled. He does not believe this is an action that a reasonable and prudent operator would take. The Board determined statute is clear that non-consent penalties must be assessed.
3. The evidence indicates that taking the following action 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 interests in the permanent spacing unit consisting of all of Sections 18 and 19, T22N-R59E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken Formation.

IT IS FURTHER ORDERED that recovery of non-consent penalties in accordance with Section 82-11-202 (2), M.C.A. with respect to the Haffner #11X-18 well is hereby authorized.

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.

BOARD ORDER NO. 26-2010

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 25th day of February, 2010.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Ronald S. Efta, Board Member

Jay Gunderson, Board Member

Jack King, Board Member

Bret Smelser, Board Member

ATTEST:

Terri H. Perrigo, Executive Secretary

I dissent. Neither XTO nor Headington brought pooling of interests before the Board in a reasonable and prudent manner by waiting over three years.

Don Bradshaw, Board Member