

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

UPON THE APPLICATION OF
BEARTOOTH OIL & GAS COMPANY TO
CONVERT THE BNI 35-6 WELL (API #25-065-21217)
IN THE SE¼NW¼ OF SECTION 35, T11N-R27E,
MUSSELSHELL COUNTY, MONTANA, (LITTLE WALL
CREEK FIELD) TO A SALTWATER INJECTION WELL
IN THE TYLER FORMATION AT A DEPTH OF
APPROXIMATELY 3805-3840 FEET.

ORDER 52-2009

Docket No. 53-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 Beartooth Oil & Gas Company is granted as applied for, subject to stipulations on the Sundry Notice.

BOARD ORDER NO. 52-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
TOMAHAWK OIL COMPANY, INC., TO
CONVERT THE STENSVAD #9 WELL
(API #25-087-05401) IN THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ OF
SECTION 11, T11N-R31E, ROSEBUD COUNTY,
MONTANA, (STENSVAD FIELD) TO A SALTWATER
INJECTION WELL IN THE TYLER FORMATION AT
A DEPTH OF APPROXIMATELY 5312-5425 FEET.

ORDER 53-2009

Docket No. 54-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 Tomahawk Oil Company Inc. is granted as applied for, subject to stipulations on the Sundry Notice.

BOARD ORDER NO. 53-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
ALTAMONT OIL & GAS, INC. TO CREATE
THE LONEMAN COULEE FIELD COMPRISED OF
THE FOLLOWING LANDS IN PONDERA COUNTY, MONTANA;
S½ OF SECTION 34, T29N-R6W, AND THE NW¼ OF SECTION 3
AND THE NE¼ OF SECTION 4, T28N-R6W; AND TO ESTABLISH
SPACING FOR PRODUCTION OF OIL FROM THE ABOVE NAMED
LANDS FROM THE SAWTOOTH AND MADISON FORMATIONS
WITH EACH SPACING UNIT TO BE COMPRISED OF ONE
GOVERNMENTAL QUARTER-QUARTER SECTION WITH UP
TO TWO WELLS PER SPACING UNIT TO BE LOCATED NOT
CLOSER THAN 330 FEET TO THE UNIT BOUNDARIES.
APPLICANT ALSO REQUESTS THAT FUTURE DRILLING PERMITS
BE ISSUED FOR LOCATIONS WITHIN THE LONEMAN COULEE FIELD
WITHOUT FURTHER PUBLICATION OF NOTICE FOR PUBLIC HEARING.

ORDER 54-2009

Docket No. 56-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 Loneman Coulee Field is hereby established for production of oil from the Sawtooth and Madison Formations and is comprised of the following lands in Pondera County, Montana: S½ of Section 34, T29N-R6W, and the NW¼ of Section 3 and the NE¼ of Section 4, T28N-R6W.

IT IS FURTHER ORDERED that the Loneman Coulee Field is delineated with 20-acre spacing units comprised of one-half of a regular quarter section and oriented north-south or east-west at the operator's discretion.

IT IS FURTHER ORDERED that the authorized well for each spacing unit shall be located no closer than 330 feet to the spacing unit boundaries.

IT IS FURTHER ORDERED that future drilling permits may be issued for locations within the Loneman Coulee Field without further notice.

BOARD ORDER NO. 54-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
PERMANENT SPACING UNIT COMPRISED
OF THE N½ OF SECTION 31, T34N-R56E, SHERIDAN
COUNTY, MONTANA, FOR PRODUCTION OF OIL
AND ASSOCIATED NATURAL GAS FROM THE RED
RIVER FORMATION.

ORDER 55-2009

Docket No. 58-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 N½ of Section 31, T34N-R56E, Sheridan County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Red River Formation.

BOARD ORDER NO. 55-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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

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 POOL
ALL INTERESTS IN THE PERMANENT
SPACING UNIT COMPRISED OF THE
N½ OF SECTION 31, T34N-R56E, SHERIDAN COUNTY,
MONTANA, FOR PRODUCTION OF RED RIVER
FORMATION OIL AND ASSOCIATED NATURAL GAS
FROM THE FRIEDRICH TRUST 31-1 WELL, AND
AUTHORIZING IMPOSITION OF NON-JOINDER PENALTIES
AS AUTHORIZED BY SECTION 82-11-702 (2), M.C.A.

ORDER 56-2009

Docket No. 59-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 all interests in the permanent spacing unit comprised of N½ of Section 31, T34N-R56E, Sheridan County, Montana, are hereby pooled on the basis of surface acreage for production of Red River Formation oil and associated natural gas from the Friedrich Trust 31-1 well.

IT IS FURTHER ORDERED that applicant is authorized to recover non-joinder penalties as authorized by Section 82-11-702 (2), M.C.A.

BOARD ORDER NO. 56-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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

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 A TEMPORARY OVERLAPPING SPACING
UNIT CONSISTING OF ALL OF SECTIONS 4, 5, 8 AND 9,
T24N-R53E, RICHLAND COUNTY, MONTANA, TO DRILL
A BAKKEN FORMATION HORIZONTAL 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. APPLICANT REQUESTS THAT THE PROPOSED
TEMPORARY SPACING UNIT BE LIMITED TO PRODUCTION
FROM THE PROPOSED HORIZONTAL WELL.

ORDER 57-2009

Docket No. 60-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 4, 5, 8 and 9, T24N-R53E, Richland County, Montana, is designated a temporary overlapping spacing unit to drill a horizontal Bakken Formation test well.

IT IS FURTHER ORDERED that the lateral of the above-mentioned horizontal test well shall 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.

BOARD ORDER NO. 57-2009

IT IS FURTHER ORDERED that the proposed 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 28th day of May, 2009.

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
CONTINENTAL RESOURCES, INC. TO
CREATE A TEMPORARY OVERLAPPING SPACING UNIT
CONSISTING OF ALL OF SECTIONS 25 AND 36, T25N-R52E
AND ALL OF SECTIONS 30 AND 31, T25N-R53E, RICHLAND
COUNTY, MONTANA, TO DRILL A BAKKEN FORMATION
HORIZONTAL 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. APPLICANT REQUESTS THAT THE PROPOSED
TEMPORARY SPACING UNIT BE LIMITED TO PRODUCTION
FROM THE PROPOSED HORIZONTAL WELL.

ORDER 58-2009

Docket No. 61-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 Sections 25 and 36, T25N-R52E and all of Sections 30 and 31, T25N-R53E, Richland County, Montana, is designated a temporary overlapping spacing unit to drill a horizontal Bakken Formation test well.

IT IS FURTHER ORDERED that the lateral of the above-mentioned horizontal test well shall 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.

BOARD ORDER NO. 58-2009

IT IS FURTHER ORDERED that the proposed 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 28th day of May, 2009.

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
CONTINENTAL RESOURCES, INC. TO
CREATE A TEMPORARY OVERLAPPING SPACING UNIT
CONSISTING OF ALL OF SECTIONS 28, 29, 32 AND 33,
T25N-R53E, RICHLAND COUNTY, MONTANA, TO DRILL
A BAKKEN FORMATION HORIZONTAL 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.
APPLICANT REQUESTS THAT THE PROPOSED TEMPORARY
SPACING UNIT BE LIMITED TO PRODUCTION FROM
THE PROPOSED HORIZONTAL WELL.

ORDER 59-2009

Docket No. 62-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 28, 29, 32 and 33, T25N-R53E, Richland County, Montana, is designated a temporary overlapping spacing unit to drill a horizontal Bakken Formation test well.

IT IS FURTHER ORDERED that the lateral of the above-mentioned horizontal test well shall 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.

BOARD ORDER NO. 59-2009

IT IS FURTHER ORDERED that the proposed 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 28th day of May, 2009.

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
CONTINENTAL RESOURCES, INC. TO
CREATE A TEMPORARY OVERLAPPING SPACING UNIT
CONSISTING OF ALL OF SECTIONS 29, 30, 31 AND 32,
T25N-R53E, RICHLAND COUNTY, MONTANA, TO DRILL
A BAKKEN FORMATION HORIZONTAL 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. APPLICANT REQUESTS
THAT THE PROPOSED TEMPORARY SPACING UNIT BE LIMITED T
O PRODUCTION FROM THE PROPOSED HORIZONTAL WELL.

ORDER 60-2009

Docket No. 63-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 29, 30, 31 and 32, T25N-R53E, Richland County, Montana, is designated a temporary overlapping spacing unit to drill a horizontal Bakken Formation test well.

IT IS FURTHER ORDERED that the lateral of the above-mentioned horizontal test well shall 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.

BOARD ORDER NO. 60-2009

IT IS FURTHER ORDERED that the proposed 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 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
COMPRISED OF THE SW¼ OF SECTION 13,
SE¼ OF SECTION 14, NE¼ OF SECTION 23,
AND THE NW¼ OF SECTION 24, T33N-R14E,
HILL COUNTY, MONTANA, TO DRILL A NIOBRARA
FORMATION WELL ANYWHERE WITHIN SAID SPACING
UNIT BUT NOT CLOSER THAN 990 FEET FROM THE
EXTERIOR BOUNDARIES THEREOF.

ORDER 61-2009

Docket No. 65-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 the SW¼ of Section 13, SE¼ of Section 14, NE¼ of Section 23, and the NW¼ of Section 24, T33N-R14E, Hill County, Montana, is designated a temporary spacing unit to drill a Niobrara Formation well anywhere within said spacing unit but not closer than 990 feet from the exterior boundaries thereof.

BOARD ORDER NO. 61-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY TO
CREATE A TEMPORARY SPACING UNIT FOR
THE EAGLE FORMATION COMPRISED OF THE N½ OF
SECTION 25, T33N-R14E, HILL COUNTY, MONTANA,
AND TO DRILL A GAS WELL ANYWHERE WITHIN SAID
SPACING UNIT BUT NO CLOSER THAN 660 FEET FROM
THE EXTERIOR BOUNDARIES THEREOF. [BADLANDS FIELD]

ORDER 62-2009

Docket No. 66-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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. Section 25 is located within the Badlands Field and comprises a 640-acre permanent spacing unit within said field. Applicant is requesting that the existing permanent spacing unit be vacated and that the N½ of the section be designated a temporary spacing unit for the drilling of an Eagle Formation gas test well.
3. 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 N½ and S½ of Section 25, T33N-R14E, Hill County, Montana, , are designated as temporary spacing units for production of gas from the Eagle Formation.

IT IS FURTHER ORDERED that one Eagle Formation gas test well is authorized in each spacing unit with said well to be located no closer than 660 feet to the exterior boundaries thereof.

IT IS FURTHER ORDERED that an application for permanent spacing shall be filed within ninety (90) days of successful completion of a well.

BOARD ORDER NO. 62-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
FOR THE EAGLE FORMATION COMPRISED OF
THE SW¼ OF SECTION 26, T36N-R14E, HILL COUNTY,
MONTANA, AND TO DRILL A GAS WELL ANYWHERE
WITHIN SAID SPACING UNIT BUT NO CLOSER THAN
660 FEET FROM THE EXTERIOR BOUNDARIES THEREOF.

ORDER 63-2009

Docket No. 67-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 SW¼ of Section 26, T36N-R14E, Hill County, Montana, is designated a temporary spacing unit for the Eagle Formation to drill a gas well anywhere within said spacing unit but not closer than 660 feet from the exterior boundaries thereof.

BOARD ORDER NO. 63-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
FOR THE EAGLE AND NIOBRARA FORMATIONS
COMPRISED OF THE N½ OF SECTION 34, T36N-R14E,
HILL COUNTY, MONTANA, AND TO DRILL A GAS WELL
ANYWHERE WITHIN SAID SPACING UNIT BUT NO CLOSER
THAN 660 FEET FROM THE EXTERIOR BOUNDARIES THEREOF.

ORDER 64-2009

Docket No. 68-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 N½ of Section 34, T36N-R14E, Hill County, Montana, is designated a temporary spacing unit for the Eagle and Niobrara Formations to drill a gas well anywhere within said spacing unit but not closer than 660 feet from the exterior boundaries thereof.

BOARD ORDER NO. 64-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
FOR THE EAGLE FORMATION COMPRISED OF
THE S½ OF SECTION 26, T34N-R17E, BLAINE
COUNTY, MONTANA, AND TO DRILL A GAS WELL
ANYWHERE WITHIN SAID SPACING UNIT BUT NO
CLOSER THAN 660 FEET FROM THE EXTERIOR
BOUNDARIES THEREOF.

ORDER 65-2009

Docket No. 69-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 S½ of Section 26, T34N-R17E, Blaine County, Montana, is designated a temporary spacing unit for the Eagle Formation to drill a gas well anywhere within said spacing unit but not closer than 660 feet from the exterior boundaries thereof.

BOARD ORDER NO. 65-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT FOR
THE EAGLE FORMATION COMPRISED OF THE
S½ OF SECTION 5 AND THE N½ OF SECTION 8, T35N-R18E,
BLAINE COUNTY, MONTANA, AND TO DRILL A GAS
WELL ANYWHERE WITHIN SAID SPACING UNIT BUT
NO CLOSER THAN 990 FEET FROM THE EXTERIOR
BOUNDARIES THEREOF.

ORDER 66-2009

Docket No. 70-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 S½ of Section 5 and the N½ of Section 8, T35N-R18E, Blaine County, Montana, is designated a temporary spacing unit for the Eagle Formation to drill a gas well anywhere within said spacing unit but not closer than 990 feet from the exterior boundaries thereof.

BOARD ORDER NO. 66-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
FOR THE EAGLE FORMATION COMPRISED OF
THE S½ OF SECTION 7, T35N-R18E, BLAINE COUNTY,
MONTANA, AND TO DRILL A GAS WELL ANYWHERE
WITHIN SAID SPACING UNIT BUT NO CLOSER THAN
660 FEET FROM THE EXTERIOR BOUNDARIES THEREOF.

ORDER 67-2009

Docket No. 71-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 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 S½ of Section 7, T35N-R18E, Blaine County, Montana, is designated a temporary spacing unit for the Eagle Formation to drill a gas well anywhere within said spacing unit but not closer than 660 feet from the exterior boundaries thereof.

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. 67-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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

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
J. BURNS BROWN OPERATING COMPANY
TO CREATE A TEMPORARY SPACING UNIT
FOR THE EAGLE FORMATION COMPRISED OF
THE W½ OF SECTION 9, T35N-R18E, BLAINE COUNTY,
MONTANA, AND TO DRILL A GAS WELL ANYWHERE
WITHIN SAID SPACING UNIT BUT NO CLOSER THAN
660 FEET FROM THE EXTERIOR BOUNDARIES THEREOF.

ORDER 68-2009

Docket No. 72-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 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 W½ of Section 9, T35N-R18E, Blaine County, Montana, is designated a temporary spacing unit for the Eagle Formation to drill a gas well anywhere within said spacing unit but not closer than 660 feet from the exterior boundaries thereof.

BOARD ORDER NO. 68-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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

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
J. BURNS BROWN OPERATING COMPANY TO CREATE
A PERMANENT SPACING UNIT FOR THE EAGLE
FORMATION COMPRISED OF THE S $\frac{1}{2}$ SE $\frac{1}{4}$ OF SECTION 18
AND THE N $\frac{1}{2}$ NE $\frac{1}{4}$ OF SECTION 19, T34N-R19E, BLAINE
COUNTY, MONTANA, AND TO DESIGNATE APPLICANT'S
STUKER #18-34-19F WELL AS THE AUTHORIZED WELL
FOR SAID PERMANENT SPACING UNIT.

ORDER 69-2009

Docket No. 74-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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 S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 19, T34N-R19E, Blaine County, Montana, is designated a permanent spacing unit for the Eagle Formation.

IT IS FURTHER ORDERED that applicant's Stuker #18-34-19F well is the authorized well for said permanent spacing unit.

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. 69-2009

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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

ORDER 70-2009

UPON THE BOARD'S OWN MOTION TO REQUIRE
ATHENA ENERGY LLC AND RED MAPLE ENERGY INC.
TO APPEAR AND SHOW CAUSE, IF ANY THEY HAVE,
WHY THEIR BONDS SHOULD NOT BE FORFEITED OR
PENALTIES ASSESSED FOR FAILURE TO RESTORE
THE DRILLING LOCATION FOR THE SCHALLER
FARMS 11-30 WELL (API 025-041-22940) IN HILL
COUNTY, MONTANA; FAILURE TO RECLAIM A
WORKOVER PIT AT THE AAGESON 34-22 WELL
(API 025-041-23012) IN HILL COUNTY, MONTANA;
FAILURE TO RECLAIM DRILLING PITS AND POST
WELL IDENTIFICATION ON THE LANE 1101-52 SHUT
IN GAS WELL (API -025-071-22909) IN PHILLIPS COUNTY,
MONTANA; AND FAILURE TO REPORT PRODUCTION
ON THE FOLLOWING WELLS SINCE APRIL 2008:
PATRICK 21-6 (025-041-22939) – HILL
BARKER 11-7 (025-041-22999) – HILL
AAGESON 34-22 (025-041-23012) – HILL
WANKEN FARMS 14-1 (025-051-21771) – LIBERTY
C&A FARMS 42-18 (025-051-21718) – LIBERTY
MINNEHAN 44-33 (025-051-21770) – LIBERTY
EAGLE CREEK FED 43-15 (025-051-21774) – LIBERTY
EAGLE CREEK FED 32-15 (025-051-21775) – LIBERTY
ANDERSON 43-8 (025-051-21784) – LIBERTY
O'NEILL 24-29 (025-051-21719) – LIBERTY
OLSEN 12-24 (025-071-22743) – PHILLIPS
FEDERAL 2210-51 (025-071-22825) – PHILLIPS
LANE 1101-52 (025-071-22909) - PHILLIPS
FED 1204-1 (025-105-21074) – VALLEY

Docket No. 21-2009

Report of the Board

The above entitled cause came on regularly for hearing on the 28th day of May, 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. 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.

BOARD ORDER NO. 70-2009

2. This matter was continued from the Board's April 2, 2009 hearing, as set forth in Board Order 49-2009.
3. Mr. Tim German and Ms. Devra Hofferber of Athena Energy, LLC's (Athena) Butte office appeared at the hearing.
4. The Board's Chief Field Inspector, Steve Sasaki, reported that Athena has completed all work the Board required and has submitted all delinquent production reports.
5. The Board's Geologist said Athena still owes a fine of \$70.00 for delinquent production reports. Ms. Hofferber issued a check to the Board for that amount.
6. 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 this matter is dismissed.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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 BOARD'S OWN MOTION TO REQUIRE
MOUNTAIN PACIFIC GENERAL INC. TO APPEAR
AND SHOW CAUSE, IF ANY IT HAS, WHY ITS BOND
SHOULD NOT BE FORFEITED OR PENALTIES ASSESSED
FOR FAILURE TO ABANDON THE FOSSOM #10-8 WELL
(API # 25-101-21912) LOCATED IN SECTION 8, T35N-R1E,
TOOLE COUNTY, MONTANA, AND FOR FAILURE TO
PROVIDE A PLUGGING PLAN FOR THE COPENHAVER #1
WELL (API # 25-073-21195) LOCATED IN SECTION 32,
T27N-R2E, PONDERA COUNTY, MONTANA .

ORDER 71-2009

Docket No. 52-2009

Report of the Board

The above entitled cause was scheduled for hearing on the 28th day of May, 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. 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. Mr. Jeff Lyon of Mountain Pacific General Inc. (Mountain Pacific) was present at the hearing. He thinks the Fossum well could be economic but has low pressure in the lines of about 20-30 mdf/day. The last production from the Copenhaver well was in 1991. He has not produced the Copenhaver well since he took it over and he thinks it should be plugged.
3. Chief Field Inspector Sasaki recommended they both be plugged by August 20, 2009 and all the equipment removed.
3. Mr. Richmond suggested the BLM request the Fossum well be tested and the results be forwarded to the Board. If the well is capable of economic production it could remain shut in. If it is not economic it should be plugged.
4. 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 Copenhaver #1 well in Section 32, T27N-R2E, Pondera County, Montana be plugged and properly abandoned by August 20, 2009.

BOARD ORDER NO. 71-2009

IT IS FURTHER ORDERED that the Fossum #10-8 well in Section 8, T35N-R1E, Toole County, Montana, shall be tested for economic capability by August 20, 2009, with a report forwarded to the Board.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 28th day of May, 2009.

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