

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Randall Mosser, Douglas Mosser, )  
 Marilyn Koon, and Jayne Harkin, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 Denbury Resources, Inc., and Debury )  
 Onshore, LLC, )  
 )  
 Defendants. )

**ORDER**

Case No. 1:13-cv-148

On June 9, 2016, the parties’ filed a stipulation wherein plaintiffs agreed to dismiss their trespass and nuisance claims and in return defendants agreed that they” will no longer oppose or argue for the dismissal of Plaintiff’s claim for surface damages pursuant to N.D.C.C. ch. 38-11.1 based on Plaintiff’s alleged failure to notify Denbury of any alleged damages within two years as required by N.D.C.C. § 38-11.1-07.”

The court **ADOPTS** the parties’ stipulation (Doc. No. 90) and dismisses plaintiffs’ trespass and nuisance claims. The sole issue remaining is plaintiff’s claim for damages under N.D.C.C. ch. 38-11.1

**IT IS SO ORDERED.**

Dated this 10th day of June, 2016.

*/s/ Charles S. Miller, Jr.* \_\_\_\_\_  
 Charles S. Miller, Jr., Magistrate Judge  
 United States District Court