

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

Geokinetics USA, Inc.,	)	
	)	
Plaintiff,	)	<b>ORDER ADOPTING STIPULATION</b>
	)	
vs.	)	
	)	
Wayne H. Marmon and	)	
Brenda B. Marmon,	)	Case No. 4:08-cv-104
	)	
Defendants.	)	

Upon the basis of the Stipulation of the Parties for the Entry of Judgment (Docket No. 13) and upon the findings and conclusions in the Court’s Order Granting Ex Parte Temporary Restraining Order (Docket No. 4), the Court finds and concludes that:

- (1) The Plaintiff has obtained a geophysical exploration permit from the North Dakota Industrial Commission that grants the Plaintiff the right to conduct geophysical exploration activities in and under the following property (Marmon Property) located in Mountrail County, North Dakota:

Section 29, Township 156 North, Range 92 West  
SW/4, SE/4NW/4 Less 500', SW/4NW4 Less Cemetery

- (2) The Plaintiff has the right to use so much of the Marmon Property as is reasonably necessary to conduct geophysical exploration.
- (3) The Plaintiff has complied with all requirements, statutory or otherwise, necessary for the Plaintiff to move on the Marmon Property and conduct geophysical exploration operations, by all methods, in and under the Marmon Property.
- (4) The Plaintiff has the right to move on, and use, the Marmon Property for geophysical exploration.

Accordingly, the Court **ADOPTS** the parties’ stipulation (Docket No. 13) in its entirety and

**ORDERS** that:

- (1) Declaratory judgment be **ENTERED** allowing the Plaintiff to move on and use the Marmon Property for geophysical exploration.
- (2) Permanent injunction be **ENTERED** permanently restraining and enjoining the Defendants from interfering with the Plaintiff's attempts to access and use the Marmon Property for geophysical exploration.
- (3) Each party shall bear its own costs and attorneys' fees.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 29th day of December, 2008.

*/s/ Daniel L. Hovland*

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Daniel L. Hovland, Chief Judge  
United States District Court