

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

UPON THE APPLICATION OF KRAKEN OIL & GAS LLC TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 6 AND 7, T25N-R59E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH SECTION 82-11-202(2), M.C.A., WITH RESPECT TO THE RKT CARDA 7-6 #2H, RKT CARDA 7-6 #3H, AND RKT CARDA 7-6 #4H WELLS.

ORDER 74-2021

Docket No. 77-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. John Lee, attorney, Justin Payne, landman, and Lindsey Meszaros, consulting landman, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. Dan Snedigar, attorney, appeared on behalf of Phoenix Capital Group Holdings (Phoenix Capital) to protest the application. Phoenix Capital recently acquired its interest from Kathryn Solis.
4. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 52-2018. Interests in Bakken/Three Forks production in the spacing unit were pooled under Order 53-2018.
5. Kathryn Solis was a mineral owner of record at the time of Kraken's well proposals for the RKT Carda 7-6 #2H, RKT Carda 7-6 #3H, and RKT Carda 7-6 #4H wells were prepared. Several attempts were made to acquire leases from Ms. Solis and to deliver copies of the well proposals, but the mailings were returned as unclaimed.
6. Kraken also testified that when contacted by telephone, Ms. Solis stated that she had no interest in leasing or participating in the drilling of the wells and that she did not want to be contacted again.
7. Subsequent certified mailings sent by Kraken to acquire her refusal in writing were also returned as unclaimed.
8. Phoenix Capital later acquired Solis's interest. Phoenix Capital believed it was not provided an opportunity to participate in the well.
9. All refusing owners were given proper and sufficient notice as required under § 82-11-202.

BOARD ORDER NO. 74-2021

10. In particular, Ms. Solis failed or refused to pay her share of the costs of development or other operations after written demand under § 82-11-202(2)(b).

11. 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.

Conclusions of Law

The Board concludes that Kraken Oil & Gas LLC has made an unsuccessful, good faith attempt to acquire voluntary pooling of interests in the spacing unit as required by § 82-11-202(1)(b), Mont. Code Ann.

The Board further concludes that Kathryn Solis failed or refused to pay her share of the costs of development or other operations after written demand under § 82-11-202(2)(b), Mont. Code Ann. Phoenix Capital is bound by this decision as the successor to her interest.

Kraken Oil & Gas LLC has satisfied the requirements of § 82-11-202 for forced pooling and assessment of costs.

Order

IT IS THEREFORE ORDERED by the Board that all interests in the permanent spacing unit comprised of all of Sections 6 and 7, T25N-R59E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the RKT Carda 7-6 #2H, RKT Carda 7-6 #3H, and RKT Carda 7-6 #4H wells.

BOARD ORDER NO. 74-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF KRAKEN OIL & GAS LLC TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 17 AND 20, T25N-R59E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH SECTION 82-11-202(2), M.C.A., WITH RESPECT TO THE MAYSON PHOENIX 17-20 #2H, MAYSON PHOENIX 17-20 #3H, AND MAYSON PHOENIX 17-20 #4H WELLS.

ORDER 75-2021

Docket No. 78-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. John Lee, attorney, and Justin Payne, landman, appeared on behalf of Kraken Oil & Gas LLC.
3. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 54-2018.
4. The applicant has made a good-faith attempt to voluntarily pool the interests within the permanent spacing unit but has been unsuccessful.
5. All refusing owners were given proper and sufficient notice as required under § 82-11-202.
6. 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.

Conclusions of Law

The Board concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

BOARD ORDER NO. 75-2021

Order

IT IS THEREFORE ORDERED by the Board that all interests in the permanent spacing unit comprised of all of Sections 17 and 20, T25N-R59E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Mayson Phoenix 17-20 #2H, Mayson Phoenix 17-20 #3H, and Mayson Phoenix 17-20 #4H wells.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF HYDRA MT, LLC TO DRILL THE KALYPSO 15-1 WELL IN THE NW¼NE¼ OF SECTION 15, T27N-R57E, ROOSEVELT COUNTY, MONTANA (WILDCAT) AS A SALTWATER DISPOSAL WELL IN THE DAKOTA FORMATION AT A DEPTH OF APPROXIMATELY 4,741-6,190 FT. AN AQUIFER EXEMPTION IS BEING REQUESTED SINCE THE INJECTION ZONE CONTAINS WATER WITH LESS THAN 10,000 MG/L TOTAL DISSOLVED SOLIDS.

ORDER 77-2021

Docket No. 81-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to 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.

Conclusions of Law

The Board concludes that the applicant demonstrated the requirements of ARM 36.22.1403 have been met.

Order

IT IS THEREFORE ORDERED by the Board that the application of Hydra MT, LLC is granted as applied for subject to stipulations on the sundry notice.

BOARD ORDER NO. 77-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

REQUEST FOR A CHANGE OF OPERATOR, AND AS REQUIRED BY BOARD POLICY, THE BOARD WILL HOLD A HEARING TO CONSIDER APPROVAL OF THE TRANSFER OF PLUGGING AND RECLAMATION RESPONSIBILITIES FOR THREE WELLS IN LIBERTY COUNTY, MONTANA, IDENTIFIED IN THE APPLICATION FROM GALUSKA EXPLORATION & PRODUCTION LLC AND GALUSKA, GEORGE R. TO THREE FORKS RESOURCES, LLC AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA.

ORDER 76-2021

Docket No. 82-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. Don Lee, attorney appeared on behalf of Three Forks Resources, LLC (Three Forks).
3. The Board and its staff reviewed Three Forks' change of operator request from Galuska Exploration & Production LLC and Galuska, George R.
4. Three Forks is making an effort to reduce its plugging liability. Three Forks is in the bidding process of plugging four wells and in returning Utopia gas field to production.
5. The Board determined that Three Forks' existing plugging and reclamation bond of \$50,000 to cover its multiple producing wells was adequate and in accordance with ARM 36.22.1308(3).
6. 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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that staff may proceed with administrative review and approval of the change of operator request.

BOARD ORDER NO. 76-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

REQUEST FOR A CHANGE OF OPERATOR, AND AS REQUIRED BY BOARD POLICY, THE BOARD WILL HOLD A HEARING TO CONSIDER APPROVAL OF THE ASSUMPTION OF THE PLUGGING AND RECLAMATION RESPONSIBILITIES FOR FIVE ORPHANED WELLS IN TOOLE COUNTY, MONTANA BY A.B. ENERGY, LLC, AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA.

ORDER 78-2021

AS REQUIRED BY BOARD ORDER 29-2021, A.B. ENERGY LLC IS ALSO TO APPEAR AND PROVIDE THE BOARD A PROGRESS UPDATE OF ITS EFFORTS TO REDUCE ITS PLUGGING LIABILITY AND REVIEW ITS CURRENT PLUGGING AND RECLAMATION BONDING.

Docket No. 83-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. Don Lee, attorney, appeared on behalf of A.B. Energy LLC (A.B. Energy).
3. The Board and its staff reviewed A.B. Energy's pending orphan well change of operator request. A.B. Energy is making a good faith effort to reduce its plugging liability.
4. The Board determined that A.B. Energy's existing plugging and reclamation bond of \$50,000 to cover the five orphan wells was adequate and in accordance with ARM 36.22.1308(3).
5. 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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that staff may proceed with administrative review and approval of the change of operator request.

BOARD ORDER NO. 78-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE AMERICAN  
MIDWEST OIL & GAS CORP. TO APPEAR AND SHOW CAUSE, IF  
ANY IT HAS, FOR WHY IT SHOULD NOT IMMEDIATELY PLUG  
AND ABANDON ITS NON-PRODUCING WELLS IN TOOLE  
COUNTY, MONTANA.

ORDER 81-2021

Docket No. 88-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of American Midwest Oil & Gas Corp (American Midwest).
3. American Midwest has an outstanding fine in the amount of \$1,220. This fine amount includes \$220 for delinquent reporting and \$1,000 fine for failure to appear at the August 12, 2021, public hearing.
4. American Midwest remains delinquent on production reports.
5. 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.

Conclusions of Law

The Board concludes that the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

Order

IT IS THEREFORE ORDERED by the Board that American Midwest is fined \$1,000 for failure to appear at the October 14, 2021, public hearing.

IT IS FURTHER ORDERED by the Board that American Midwest must begin to plug and abandon its wells in Toole County, Montana prior to the December 2, 2021, public hearing. Failure to begin to plug and abandon the wells may result in additional penalties or the forfeiture of the plugging and reclamation bond in its entirety, as permitted by § 82-11-123(5), MCA.

BOARD ORDER NO. 81-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE KYKUIT  
RESOURCES, LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS,  
TO WHY IT SHOULD NOT IMMEDIATELY PLUG AND ABANDON  
ITS WELLS THAT ARE NOT CAPABLE OF PRODUCTION.

ORDER 82-2021

Docket No. 89-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Kykuit Resources, LLC (Kykuit).
3. Kykuit has an outstanding fine in the amount of \$4,940. This fine amount includes \$940 for delinquent reporting and \$4,000 fine for failure to appear at the February 4, 2021, April 8, 2021, June 10, 2021, and August 12, 2021, public hearings.
4. Kykuit remains delinquent on production reports.
5. 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.

Conclusions of Law

The Board concludes that the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

Order

IT IS THEREFORE ORDERED by the Board that Kykuit is fined \$1,000 for failure to appear at the October 14, 2021, public hearing.

IT IS FURTHER ORDERED by the Board that Kykuit must begin to plug and abandon its wells not capable of production prior to the December 2, 2021, public hearing. Failure to begin to plug and abandon the wells may result in additional penalties or the forfeiture of the plugging and reclamation bond in its entirety, as permitted by § 82-11-123(5), MCA.

BOARD ORDER NO. 82-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member (absent)

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE ROLAND OIL  
AND GAS TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY IT  
SHOULD NOT IMMEDIATELY PLUG AND ABANDON ITS WELLS  
IN GLACIER AND PONDERA COUNTIES, MONTANA.

ORDER 80-2021

Docket No. 90-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. Don Lee, attorney, appeared on behalf of Roland Oil and Gas (Roland).
3. Mr. Lee stated that Roland's wells are capable of production and that Keesun Corporation and LaMarsa Corp. are working with Roland to take over the wells but need additional time.
4. Roland has an outstanding fine of \$3,400. This fine amount includes a \$400 penalty for delinquent reporting and \$3,000 for failure to appear at the August 6, 2020, December 3, 2020, and August 12, 2021, public hearings.
5. 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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that Docket 90-2021 is continued until the December 2, 2021, public hearing.

BOARD ORDER NO. 80-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE ZEIDERS BROS. OIL & GAS, LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY IT SHOULD NOT IMMEDIATELY PLUG AND ABANDON ITS RUDOLPH HAYNIE 1-5 WELL, API # 25-055-21207, LOCATED IN THE SE¼NE¼ OF SECTION 5, T22N-R47E, MCCONE COUNTY, MONTANA BEFORE THE OCTOBER 1, 2020, PUBLIC HEARING AND PAY THE OUTSTANDING FINE IN THE AMOUNT OF \$10,500, AS REQUIRED BY BOARD ORDER 3-2020, AND FOR FAILURE TO PAY THE \$1,000 FINE ASSESSED FOR NOT APPEARING AT THE DECEMBER 3, 2020, PUBLIC HEARING.

ORDER 83-2021

Docket No. 52-2020

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Zeiders Bros. Oil & Gas, LLC (Zeiders).
3. Zeiders plugged the Rudolph Haynie 1-5 well prior to this hearing.
4. Zeiders has an outstanding fine in the amount of \$12,500. This fine amount includes an \$8,500 balance from a daily fine that has been stopped and \$4,000 fine for failure to appear at the October 10, 2019, December 5, 2019, December 3, 2020, and August 12, 2021, public hearings.
5. 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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that Docket 52-2020 is dismissed.

IT IS FURTHER ORDERED that the outstanding fine of \$12,500 remains in effect.

BOARD ORDER NO. 83-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE FORWARD ENERGY, LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY THEY SHOULD NOT BE REQUIRED TO PROVIDE A PLAN AND TIMELINE FOR THE PLUGGING AND ABANDONMENT OF ITS WELLS IN YELLOWSTONE COUNTY, MONTANA.

ORDER 84-2021

Docket No. 32-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Forward Energy, LLC (Forward).
3. Forward Energy requested additional time to come into compliance.
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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that Docket 32-2021 is continued until the December 2, 2021, public hearing.

IT IS FURTHER ORDERED that Forward and its legal counsel must appear at the December 2, 2021, public hearing.

BOARD ORDER NO. 84-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

\_\_\_\_\_  
Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE HIGHLANDS MONTANA CORPORATION TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY IT SHOULD NOT BEGIN TO RESTORE THE LOCATION OF THE HELIOS 5-52 16-21 WELL, FILE MISSING COMPLETION DATA FOR THE HELIOS 5-52 16-32 WELL, AND BEGIN TO PLUG AND ABANDON THE HELIOS 5-52 16-22 WELL.

ORDER 79-2021

Docket No. 73-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. Don Lee, attorney, appeared on behalf of Highlands Montana Corporation (Highlands).
3. Mr. Lee stated that a contractor has been retained to plug and reclaim the Helios 5-52 16-22 well and restore the location of the Helios 5-52 16-21 well. Mr. Lee expects the work to begin shortly.
4. Highlands paid the outstanding fine of \$1,000 that was assessed for failure to appear at the August 12, 2021, public hearing.
5. Staff noted that missing completion data must be filed for the Helios 5-52 16-32 well, as required by ARM 36.22.1013.
6. 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.

Conclusions of Law

The Board concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that Docket 73-2021 is continued until the December 2, 2021, public hearing.

BOARD ORDER NO. 79-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

\_\_\_\_\_  
Jennifer Breton, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE PAMECT OIL, KEITH E. TYNER DBA AND LOWRANCE-TYNER OPERATING TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ADDITIONAL PENALTIES SHOULD NOT BE ASSESSED FOR FAILURE TO FILE DELINQUENT PRODUCTION AND INJECTION REPORTS, FAILURE TO PAY THE PENALTY ASSESSED TO PAMECT FOR DELINQUENT REPORTING IN THE AMOUNT OF \$240, AND FOR FAILURE TO PAY THE OUTSTANDING \$200 ANNUAL INJECTION WELL FEE FOR BOTH COMPANIES.

ORDER 85-2021

Docket No. 75-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 14, 2021, at the Board's hearing room at 2535 St. Johns Avenue 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, 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 an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Pamect Oil, Keith E. Tyner DbA (Pamect) and Lowrance-Tyner Operating (Lowrance-Tyner).
3. Pamect and Lowrance-Tyner has an outstanding fine of \$1,640. This fine amount includes a \$240 penalty for delinquent reporting, \$200 annual well injection operating fee for each company, and \$1,000 for failure to appear at the August 12, 2021, public hearing.
4. Lowrance-Tyner failed to maintain mechanical integrity on its injection well.
5. Pamect and Lowrance-Tyner remains delinquent on reporting.
6. 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.

Conclusions of Law

The Board concludes that the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

Order

IT IS THEREFORE ORDERED that Pamect and Lowrance-Tyner must show cause at the December 2, 2021, public hearing for why it should not immediately plug and abandon its non-producing wells in Pondera and Teton Counties, Montana.

BOARD ORDER NO. 85-2021

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 14<sup>th</sup> day of October, 2021.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

\_\_\_\_\_  
Roy Brown, Chairman

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Steven Durrett, Vice-Chairman

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Paul Gatzemeier, Board Member

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Mac McDermott, Board Member

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Joseph Michael Weber, Board Member

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Corey Welter, Board Member

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Jeff Wivholm, Board Member

ATTEST:

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Jennifer Breton, Program Specialist