

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

UPON THE APPLICATION OF FOUNDATION ENERGY MANAGEMENT, LLC TO AMEND BOARD ORDER 45-2011 TO AUTHORIZE THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS ANYWHERE WITHIN THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 14 AND 23, T28N-R58E, ROOSEVELT COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 68-2023

Docket No. 85-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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. Uriah Price, attorney, Lee Garvie, land manger, and Kenneth Daniel, geologist, appeared on behalf of Foundation Energy Management, LLC (Foundation Energy).
3. The lands described in the caption were designated a permanent spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 44-2011 with one additional well authorized by Montana Board of Oil and Gas Conservation Order 45-2011.
4. Evidence presented at the time of the hearing supports the drilling of three additional horizontal Bakken/Three Forks interval wells in Section 14 and 23, T28N-R58E, Roosevelt County, Montana.
5. No protest to the application of Foundation Energy was made.
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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 68-2023

Order

IT IS THEREFORE ORDERED by the Board that Board Order 45-2011 is amended to authorize the drilling of up to three additional horizontal Bakken/Three Forks Formation wells in the permanent spacing unit comprised of all of Sections 14 and 23, T28N-R58E, Roosevelt County, Montana, said wells to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 NORTHERN OIL PRODUCTION, INC. TO CREATE A TEMPORARY SPACING UNIT COMPRISED OF LOTS 6 AND 7, E½SW¼, SE¼ (S½) OF SECTION 6, T34N-R52E, SHERIDAN COUNTY, MONTANA, TO DRILL A HORIZONTAL WINNIPEGOSIS FORMATION WELL AT ANY LOCATION NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 660' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF, AS AN EXCEPTION TO BOARD ORDER 30-1967 (REDSTONE FIELD). APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 69-2023

Docket No. 86-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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, Jeff Wingerter, consulting geologist, Tom Hohn, consulting petroleum engineer, and Brian Nieuwenhuis, secretary/treasurer, appeared on behalf of Northern Oil Production, Inc. (Northern Oil).
3. Northern Oil proposes to drill a well to test the Winnipegosis formation at a location not in compliance with Redstone Field rules established by Board Order 30-1967 and is requesting the designation of a new temporary spacing unit for the well.
4. No protest to the application of Northern Oil was made.
5. 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 § 82-11-201(4), MCA have been met and that an exception is reasonably necessary.

BOARD ORDER NO. 69-2023

Order

IT IS THEREFORE ORDERED by the Board that Lots 6 and 7, E½SW¼, SE¼ (S½) of Section 6, T34N-R52E, Sheridan County, Montana, is designated a temporary spacing unit to drill a Winniepegosis Formation at any location not closer than 200' (heel/toe setback) and 660' (lateral setback) from the exterior boundaries thereof, as an exception to Board Order 30-1967.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 BLUEBIRD ENERGY, LLC TO CREATE A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 24, 25, AND 36, T29N-R57E, ROOSEVELT COUNTY, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN SAID SPACING UNIT BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 70-2023

APPLICANT REQUESTS TO VACATE BOARD ORDER 519-2012 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 13 AND 24, T29N-R57E.

APPLICANT FURTHER REQUESTS TO VACATE BOARD ORDER 210-2010 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T29N-R57E.

Docket No. 87-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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. Member Corey Welter recused himself and took no part in 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, 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. Scotti Gray, attorney, Pete Sheehan, landman, Daniel Green, consulting petroleum engineer, and Carter Stewart, owner and geologist, appeared on behalf of Bluebird Energy, LLC (Bluebird Energy).
3. No protest to the application of Bluebird Energy was made.
4. 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.

BOARD ORDER NO. 70-2023

Conclusions of Law

The Board concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 24, 25, and 36, T29N-R57E, Roosevelt County, Montana, is designated a temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said temporary spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the exterior boundaries thereof, provided that operations for the drilling of said well be commenced within one year of the date of this order.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

IT IS FURTHER ORDERED that Board Orders 210-2010 and 519-2012 are hereby vacated.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, Board Member

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Corey Welter, Board Member (recused)

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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 BLUEBIRD ENERGY, LLC TO AUTHORIZE THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS ANYWHERE WITHIN THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 24, 25, AND 36, T29N-R57E, ROOSEVELT COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 71-2023

Docket No. 88-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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. Member Corey Welter recused himself and took no part in 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, 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. Scotti Gray, attorney, Pete Sheehan, landman, Daniel Green, consulting petroleum engineer, and Carter Stewart, owner and geologist, appeared on behalf of Bluebird Energy, LLC (Bluebird Energy).
3. The lands described in the caption were designated a temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 70-2023.
4. Evidence presented at the time of the hearing supports the drilling of three additional horizontal Bakken/Three Forks interval wells in Section 24, 25, and 36, T29N-R57E, Roosevelt County, Montana.
5. No protest to the application of Bluebird Energy was made.
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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 71-2023

Order

IT IS THEREFORE ORDERED by the Board that Bluebird Energy is authorized to drill up to three additional horizontal Bakken/Three Forks Formation wells in the temporary spacing unit comprised of all of Sections 24, 25, and 36, T29N-R57E, Roosevelt County, Montana, said wells to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, Board Member

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Corey Welter, Board Member (recused)

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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 AMEND BOARD ORDER 63-2022 TO PROVIDE THAT OPERATIONS FOR THE DRILLING OF A WELL IN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, AND 18, T26N-R59E MUST BE COMMENCED PRIOR TO AUGUST 18, 2024. ALL OTHER PROVISIONS IN SAID ORDER REMAINS UNCHANGED AND IN FULL FORCE AND EFFECT.

ORDER 72-2023

Docket No. 89-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. No protest to the application of Kraken was made.
4. 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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that Board Order 63-2022 is hereby amended to provide that drilling operations must commence not later than August 18, 2024.

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. 72-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 AMEND BOARD ORDER 65-2022 TO PROVIDE THAT OPERATIONS FOR THE DRILLING OF A WELL IN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 19, 30, AND 31, T26N-R59E MUST BE COMMENCED PRIOR TO AUGUST 18, 2024. ALL OTHER PROVISIONS IN SAID ORDER REMAINS UNCHANGED AND IN FULL FORCE AND EFFECT.

ORDER 73-2023

Docket No. 90-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. No protest to the application of Kraken was made.
4. 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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that Board Order 65-2022 is hereby amended to provide that drilling operations must commence not later than August 18, 2024.

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. 73-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 AMEND BOARD ORDER 69-2022 TO PROVIDE THAT OPERATIONS FOR THE DRILLING OF A WELL IN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 19, 20, 29, 30, 31, AND 32, T26N-R59E MUST BE COMMENCED PRIOR TO AUGUST 18, 2024. ALL OTHER PROVISIONS IN SAID ORDER REMAINS UNCHANGED AND IN FULL FORCE AND EFFECT.

ORDER 74-2023

Docket No. 92-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. No protest to the application of Kraken was made.
4. 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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that Board Order 69-2022 is hereby amended to provide that drilling operations must commence not later than August 18, 2024.

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. 74-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 CREATE A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T28N-R58E, ROOSEVELT COUNTY, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN SAID SPACING UNIT BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 75-2023

APPLICANT REQUESTS TO VACATE BOARD ORDER 45-2010 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T28N-R58E WITH 660' SETBACKS TO THE EXTERIOR BOUNDARIES THEREOF.

Docket No. 93-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. No protest to the application of Kraken was made.
4. 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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 75-2023

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 25 and 36, T28N-R58E, Roosevelt County, Montana, is designated a temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said temporary spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the exterior boundaries thereof, provided that operations for the drilling of said well be commenced within one year of the date of this order.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

IT IS FURTHER ORDERED that Board Orders 45-2010 is hereby vacated.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 AUTHORIZE THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS ANYWHERE WITHIN THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T28N-R58E, ROOSEVELT COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 76-2023

Docket No. 94-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. The lands described in the caption were designated a temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 75-2023.
4. Evidence presented at the time of the hearing supports the drilling of three additional horizontal Bakken/Three Forks interval wells in Section 25 and 36, T28N-R58E, Roosevelt County, Montana.
5. No protest to the application of Kraken was made.
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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 76-2023

Order

IT IS THEREFORE ORDERED by the Board that Kraken is authorized to drill up to three additional horizontal Bakken/Three Forks Formation wells in the temporary spacing unit comprised of all of Sections 25 and 36, T28N-R58E, Roosevelt County, Montana, said wells to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 CREATE AN OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T28N-R58E, AND ALL OF SECTIONS 30 AND 31, T28N-R59E, ROOSEVELT COUNTY, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL AT A LOCATION PROXIMATE TO THE COMMON BOUNDARY BETWEEN THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, T28N-R58E AND THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 30 AND 31, T28N-R59E, WITH A 200' HEEL/TOE SETBACK TO THE EXTERIOR BOUNDARIES THEREOF. OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD. THE OVERLAPPING TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL, AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 77-2023

Docket No. 95-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. Sections 25 and 36, T28N-R58E were designated a temporary spacing unit by Order 75-2023 and Sections 30 and 31, T28N-R59E were designated a permanent spacing unit by Order 421-2012.
4. No protest to the application of Kraken was made.
5. 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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 25 and 36, T28N-R58E, and all of Sections 30 and 31, T28N-R59E, Roosevelt County, Montana, is designated an overlapping temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well at a location proximate to the common boundary between the temporary spacing unit comprised of all of Sections 25 and 36, T28N-R58E and the permanent spacing unit comprised of all of Sections 30 and 31, T28N-R59E but not closer than 200' (heel/toe setback) to the exterior boundaries thereof, provided that operations for the drilling of said well be commenced within one year of the date of this order.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 CREATE A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, 18, AND 19, T24N-R59E, RICHLAND COUNTY, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN SAID SPACING UNIT BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 78-2023

APPLICANT REQUESTS TO VACATE BOARD ORDER 209-2014 AND 321-2014 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, AND 18 T24N-R59E AND AUTHORIZED ADDITIONAL WELLS IN THAT SPACING UNIT.

Docket No. 96-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. No protest to the application of Kraken was made.
4. 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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 78-2023

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 6, 7, 18, and 19, T24N-R59E, Richland County, Montana, is designated a temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said temporary spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the exterior boundaries thereof, provided that operations for the drilling of said well be commenced within one year of the date of this order.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

IT IS FURTHER ORDERED that Board Orders 209-2014 and 321-2014 are hereby vacated.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 AUTHORIZE THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS ANYWHERE WITHIN THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, 18, AND 19, T24N-R59E, RICHLAND COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 79-2023

Docket No. 97-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. The lands described in the caption were designated a temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 78-2023.
4. Evidence presented at the time of the hearing supports the drilling of three additional horizontal Bakken/Three Forks interval wells in Section 6, 7, 18, and 19, T24N-R59E, Richland County, Montana.
5. No protest to the application of Kraken was made.
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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 79-2023

Order

IT IS THEREFORE ORDERED by the Board that Kraken is authorized to drill up to three additional horizontal Bakken/Three Forks Formation wells in the temporary spacing unit comprised of all of Sections 6, 7, 18, and 19, T24N-R59E, Richland County, Montana, said wells to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 MIKE 10-1H SWD WELL IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 10, T25N-R58E, RICHLAND COUNTY, MONTANA (WILDCAT) AS A SALTWATER DISPOSAL WELL IN THE DAKOTA FORMATION AT A DEPTH OF APPROXIMATELY 4,920 – 5,859 FT KBTVD. AN AQUIFER EXEMPTION IS BEING REQUESTED SINCE THE INJECTION ZONE CONTAINS WATER WITH LESS THAN 10,000 MG/L TOTAL DISSOLVED SOLIDS.

ORDER 80-2023

Docket No. 98-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 protest to the application of Hydra MT, LLC was made.
3. 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. 80-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 HERITAGE ENERGY OPERATING, LLC TO CREATE A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 3 AND 4, T28N-R57E, ROOSEVELT COUNTY, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN SAID SPACING UNIT BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 81-2023

Docket No. 52-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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. Uriah Price, attorney, Joshua Cornell, CEO, and William Diggs, COO and petroleum engineer, appeared on behalf of Heritage Energy Operating, LLC (Heritage).
3. No protest to the application of Heritage was made.
4. 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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 3 and 4, T28N-R57E, Roosevelt County, Montana, is designated a temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said temporary spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the exterior boundaries thereof, provided that operations for the drilling of said well be commenced within one year of the date of this order.

IT IS FURTHER ORDERED that applicant must apply for permanent spacing within 90 days of successful well completion.

BOARD ORDER NO. 81-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 66 WELLS IN BLAINE, DAWSON, RICHLAND, ROOSEVELT, SHERIDAN, AND WIBAUX COUNTIES, MONTANA, FROM LEGACY RESERVES OPERATING LP TO EAGLE OPERATING INC. AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA. BOARD RECORDS SHOW LEGACY RESERVES OPERATING LP IS RESPONSIBLE FOR 49 PRODUCING WELLS COVERED BY A MULTIPLE WELL BOND, 9 INJECTION WELLS WHICH ARE BONDED SEPARATELY, AND 7 FEDERALLY BONDED WELLS. ONE WELL INCLUDED IN THE TRANSFER REQUEST HAS BEEN PLUGGED AND RELEASED FROM BOND. A LIST OF THE WELLS IS AVAILABLE ONLINE OR IN THE BILLINGS OFFICE FOR REVIEW.

ORDER 82-2023

Docket No. 99-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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, Jake Haseman, attorney, Bob Mau, CEO, Nathaniel Trelease, COO, and Sam McClure, petroleum engineer, appeared on behalf of Eagle Operating Inc. (Eagle Operating).
3. The Board and its staff reviewed Eagle Operating's change of operator request from Legacy Reserves Operating LP.
4. Eagle Operating has a \$50,000 multiple well plugging and reclamation bond and a \$50,000 UIC plugging and reclamation well bond. Eagle Operating will increase its \$50,000 UIC plugging and reclamation well bond to \$90,000 to cover the nine injection wells.
5. The Board determined that Eagle Operating's proposed plugging and reclamation bonds are adequate and in accordance with ARM 36.22.1308(3) and ARM 36.22.1408.
6. No protest to the application of Eagle Operating was made.

BOARD ORDER NO. 82-2023

7. 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 requests.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 26 WELLS IN TOOLE COUNTY, MONTANA, FROM ENNEBERG OIL & GAS TO S&H ENERGY AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA. OF THE WELLS INVOLVED IN THE TRANSFER, BOARD RECORDS SHOW ENNEBERG OIL & GAS IS RESPONSIBLE FOR 17 PRODUCING WELLS COVERED BY A MULTIPLE WELL BOND AND 9 FEDERALLY BONDED WELLS. A LIST OF THE WELLS IS AVAILABLE ONLINE OR IN THE BILLINGS OFFICE FOR REVIEW.

ORDER 83-2023

Docket No. 100-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 S&H Energy.
3. S&H Energy has not submitted a signed change of operator request (Form 20) for the wells that are going to be transferred from Enneberg Oil & Gas prior to this hearing.
4. Staff recommended the docket be dismissed.
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 100-2023 is dismissed.

BOARD ORDER NO. 83-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 THE INDIAN MOUND 1 WELL, API # 25-083-21377, LOCATED IN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 15, T23N-55E, RICHLAND COUNTY, MONTANA, FROM BLACK GOLD ENERGY RESOURCE DEVELOPMENT, LLC TO WILDCAT FLUID SOLUTIONS LLC AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA.

ORDER 85-2023

Docket No. 101-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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, and Juan Cruz Aguilar, CFO, appeared on behalf of Wildcat Fluid Solutions LLC (Wildcat Fluids).
3. Board staff expressed concern about transferring the well when the sole owner, Chris Blount, has pending compliance issues through Docket 108-2021 that will be reviewed at the December 7, 2023, public hearing.
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

1. Pursuant to Admin. R. Mont. 36.22.1308(9), the Board administrator may "delay or deny any change of operator request if he determines that either the transferor or the transferee is not in substantial compliance with the board's statutes, rules, or orders."
2. The Board concludes that the transferor is not in substantial compliance with the Board's statutes, rules, and orders.
3. The Board concludes that continuance of the change of operator request until the October 5, 2023, public hearing is appropriate.

BOARD ORDER NO. 85-2023

Order

IT IS THEREFORE ORDERED that Docket 101-2023 is continued until the October 5, 2023, public hearing.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 THE VELMA SWD 1-10H WELL, API # 25-083-22531, LOCATED IN THE NW¼NW¼ OF SECTION 10, T23N-58E, RICHLAND COUNTY, MONTANA, FROM BLACK GOLD ENERGY RICHLAND FACILITY, INC. TO WILDCAT FLUID SOLUTIONS LLC AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA.

ORDER 84-2023

Docket No. 102-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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, and Juan Cruz Aguilar, CFO, appeared on behalf of Wildcat Fluid Solutions LLC (Wildcat Fluids).
3. The Board and its staff reviewed Wildcat Fluids' change of operator request from Black Gold Energy Richland Facility, Inc.
4. The Board determined that the \$20,000 plugging and reclamation bond currently covering the Velma SWD 1-10H commercial disposal well, in accordance with ARM 36.22.1308(3), is appropriate and should be maintained.
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.

BOARD ORDER NO. 84-2023

Order

IT IS THEREFORE ORDERED by the Board that Wildcat Fluids must submit a UIC plugging and reclamation bond in the amount of \$20,000 for the Velma SWD 1-10H well.

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

IT IS FURTHER ORDERED that compliance must be confirmed by a field inspector prior to resumption of injection on the well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 THE SHERIDAN FACILITY SWD WELL, API # 25-091-21892, LOCATED IN THE SW¼SW¼ OF SECTION 18, T33N-58E, SHERIDAN COUNTY, MONTANA, FROM CYPRESS ENERGY PARTNERS - SHERIDAN SWD, LLC TO BLACK GOLD ENERGY SHERIDAN FACILITY, INC. AND TO DETERMINE IF THE PROPOSED PLUGGING AND RECLAMATION BOND COVERAGE IS ADEQUATE UNDER § 82-11-123(5), MCA.

ORDER 86-2023

Docket No. 46-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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, and Chris Blount, president, appeared on behalf of Black Gold Energy Sheridan Facility, Inc.
3. The Board and its staff reviewed the change of operator request.
4. Due to the number of field and administrative compliance issues the sole owner, Chris Blount, has had with other wells he operates, the Board discussed doubling the \$10,000 UIC well bond, 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.

BOARD ORDER NO. 86-2023

Order

IT IS THEREFORE ORDERED by the Board that Black Gold must submit a UIC plugging and reclamation bond in the amount of \$20,000 for the Sheridan Facility SWD well.

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

IT IS FURTHER ORDERED that Black Gold must pass a mechanical integrity test prior to resumption of injection on the well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, Board Member

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Jeff Wivholm, Board Member

**I dissent**

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Corey Welter, 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 INTERSTATE EXPLORATIONS, LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY IT SHOULD NOT BE REQUIRED TO PROVIDE A PLAN AND TIMELINE FOR THE PLUGGING AND ABANDONMENT OF ITS INACTIVE WELLS IN DAWSON AND WIBAUX COUNTIES, MONTANA.

ORDER 87-2023

Docket No. 104-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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. Scotti Gray, attorney, appeared on behalf of Interstate Explorations, LLC (Interstate).
3. At the June 14, 2023, business meeting, Interstate was brought to the Board's attention for its four wells that were drilled and never produced.
4. On July 6, 2023, Interstate emailed staff and stated that it is looking for service companies to plug the wells. On July 7, 2023, staff requested the plans and timelines for the plugging and abandonment of its inactive wells. No response was received.
5. Interstate testified that it was working with a landowner for a surface use agreement to begin using the permitted SWD well and plans to plug and abandon its two Nelson wells, but no timeframe was provided.
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 that Docket 104-2023 is continued until the December 7, 2023, public hearing.

BOARD ORDER NO. 87-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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 BRANDON OIL COMPANY TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY IT SHOULD NOT BE ASSESSED ADDITIONAL PENALTIES OR HAVE ITS PLUGGING AND RECLAMATION BOND FORFEITED AS PERMITTED BY § 82-11-123(5), MCA FOR FAILURE TO BEGIN TO PLUG AND ABANDON ITS TURNER 13-22 WELL (API #101-22965) AND TORDALE 42-21 WELL (API #101-22755), LOCATED IN TOOLE COUNTY, MONTANA, PRIOR TO THE AUGUST 10, 2023, PUBLIC HEARING AS REQUIRED BY BOARD ORDER 65-2023.

ORDER 88-2023

Docket No. 105-2023

Report of the Board

The above entitled cause came on regularly for hearing on August 10, 2023, 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 Brandon Oil Company (Brandon Oil).
3. At the April 12, 2023, business meeting, Brandon Oil was brought to the Board's attention for its Turner 13-22 well and Tordale 42-21 well that have not produced in over two years.
4. Brandon Oil responded that due to its financial conditions it is unable to plug the wells, but it would reclaim the existing pits, removal all the equipment, clean-up sites and restore the locations back to the natural contour.
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, and has not shown cause why its bond should not be forfeited.

Order

IT IS THEREFORE ORDERED by the Board that the plugging and reclamation bond for Brandon Oil Company is hereby forfeited.

BOARD ORDER NO. 88-2023

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 10<sup>th</sup> day of August, 2023.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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Steven Durrett, Chairman

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Paul Gatzemeier, Vice-Chairman

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Roy Brown, Board Member

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Mac McDermott, Board Member

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W. John Tietz, 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