

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

UPON THE APPLICATION OF CONTINENTAL RESOURCES, INC. TO DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 13, 24 AND 25, T26N-R53E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION WITH RESPECT TO THE DEVIN FIU 3-13H AND DEVIN FIU 4-13H WELLS.

ORDER 91-2022

Docket No. 101-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. James Parrot, attorney, Scott Davis, landman, Leila Harris, geologist, and Chase Haddican, reservoir engineer, appeared on behalf of Continental Resources, Inc.
3. The lands described in the caption were designated an overlapping temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 82-2019. Additional wells were authorized within the temporary spacing unit by Board Order 84-2019. Applicant has completed the Devin FIU 3-13H and Devin FIU 4-13H wells as producing wells.
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. 91-2022

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 13, 24, and 25, T26N-R53E, Richland County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that the Devin FIU 3-13H and Devin FIU 4-13H wells are the authorized wells for said permanent spacing unit.

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF CONTINENTAL RESOURCES, INC. TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 13, 24 AND 25, T26N-R53E, 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 DEVIN FIU 3-13H AND DEVIN FIU 4-13H WELLS.

ORDER 92-2022

Docket No. 102-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. James Parrot, attorney, Scott Davis, landman, Leila Harris, geologist, and Chase Haddican, reservoir engineer, appeared on behalf of Continental Resources, Inc.
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 91-2022.
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, MCA.
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. 92-2022

Order

IT IS THEREFORE ORDERED by the Board that all interests in the permanent spacing unit comprised of all of Sections 13, 24, and 25, T26N-R53E, 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 Devin FIU 3-13H and Devin FIU 4-13H wells.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF CONTINENTAL RESOURCES, INC. TO DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTION 36, T27N-R53E AND ALL OF SECTIONS 1 AND 12, T26N-R53E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION WITH RESPECT TO THE TOLKSDORF 2-12H AND TOLKSDORF 3-12H WELLS.

ORDER 93-2022

Docket No. 103-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. James Parrot, attorney, Scott Davis, landman, Leila Harris, geologist, and Chase Haddican, reservoir engineer, appeared on behalf of Continental Resources, Inc.
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 81-2019. Additional wells were authorized within the temporary spacing unit by Board Order 83-2019. Applicant has completed the Tolksdorf 2-12H and Tolksdorf 3-12H wells as producing wells.
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 Section 36, T27N-R53E, and all of Sections 1 and 12, T26N-R53E, Richland County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that the Tolksdorf 2-12H and Tolksdorf 3-12H wells are the authorized wells for said permanent spacing unit.

BOARD ORDER NO. 93-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF CONTINENTAL RESOURCES, INC. TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 36, T27N-R53E AND ALL OF SECTIONS 1 AND 12, T26N-R53E, 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 TOLKSDORF 2-12H AND TOLKSDORF 3-12H WELLS.

ORDER 94-2022

Docket No. 104-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. James Parrot, attorney, Scott Davis, landman, Leila Harris, geologist, and Chase Haddican, reservoir engineer, appeared on behalf of Continental Resources, Inc.
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 93-2022.
4. At the time of hearing, the request to authorize recovery of non-consent penalties was withdrawn.
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 § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that all interests in the permanent spacing unit comprised of all of Section 36, T27N-R53E, and all of Sections 1 and 12, T26N-R53E, 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.

BOARD ORDER NO. 94-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 22, 27, AND 34, T26N-R57E, 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 95-2022

APPLICANT REQUESTS TO VACATE BOARD ORDER 302-2010 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 15 AND 22, T26N-R57E AND BOARD ORDER 120-2011 THAT DESIGNATED A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 27 AND 34, T26N-R57E.

Docket No. 105-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.
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 § 82-11-201, MCA have been met.

BOARD ORDER NO. 95-2022

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 22, 27, and 34, T26N-R57E, 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 Order 302-2010 and 120-2011 are hereby vacated.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 22, 27, AND 34, T26N-R57E, RICHLAND COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 96-2022

Docket No. 106-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.

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 95-2022.

4. Evidence presented at the time of the hearing supports the drilling of three additional horizontal Bakken/Three Forks interval wells in Section 22, 27, and 34, T26N-R57E, Richland County, Montana.

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 Kraken Oil & Gas LLC is authorized to drill up to three additional horizontal Bakken/Three Forks Formation wells in the temporary spacing unit comprised of all of Sections 22, 27, and 34, T26N-R57E, 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.

BOARD ORDER NO. 96-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 6, 7, AND 18, T28N-R59E, 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. 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 97-2022

APPLICANT REQUESTS THAT BOARD ORDER 145-2013 PERTAINING TO SECTIONS 6 AND 7, T28N-R59E BE AMENDED TO CLARIFY THAT SAID ORDER IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE CRUSCH RANCH 6-7 #1H WELL AND THAT ORDER 378-2013 BE PARTIALLY VACATED TO THE EXTENT SAID ORDER AUTHORIZED MORE THAN ONE ADDITIONAL WELL IN THE SPACING UNIT.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 58-2013 PERTAINING TO SECTIONS 18 AND 19, T28N-R59E BE AMENDED TO CLARIFY THAT SAID ORDER IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE WILLARD 19-18 #1H AND THAT ORDER 379-2013 THAT AUTHORIZED ADDITIONAL WELLS IN THAT SPACING UNIT BE VACATED.

Docket No. 107-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).

BOARD ORDER NO. 97-2022

3. Sections 6 and 7, T28N-R59E, were designated a permanent spacing unit by Order 144-2013, and Bakken/Three Forks interests within the spacing unit were pooled by Order 145-2013. Sections 18 and 19, T28N-R59E, were designated a permanent spacing unit by Order 420-2012, and Bakken/Three Forks interests within the spacing unit were pooled by Order 58-2013.

4. Kraken is the majority working interest owner in the proposed overlapping temporary spacing unit and the operator of the Crusch Ranch 6-7 #1H and Willard 19-18 #1H wells.

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 6, 7, and 18, T28N-R59E, Roosevelt County, Montana, is designated an overlapping temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said overlapping 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 the pooling order established by Board Order 145-2013 is limited to only oil and associated natural gas produced from the Bakken/Three Forks Formation through the wellbore of Crusch Ranch 6-7 #1H well, and the pooling order established by Board Order 58-2013 is limited to only oil and associated natural gas produced from the Bakken/Three Forks Formation through the wellbore of Willard 19-18 #1H well.

IT IS FURTHER ORDERED that Board Order 379-2013 is hereby vacated and Board Order 378-2013 is vacated to the extent said order authorized more than one additional well to be drilled in the permanent spacing unit established by Board Order 144-2013.

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. 97-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 AN ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, AND 18, T28N-R59E, ROOSEVELT COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 98-2022

Docket No. 108-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.

3. The lands described in the caption were designated an overlapping temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 97-2022.

4. Evidence presented at the time of the hearing supports the drilling of an additional horizontal Bakken/Three Forks interval well in Section 6, 7, and 18, T28N-R59E, Roosevelt County, Montana.

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.

BOARD ORDER NO. 98-2022

Order

IT IS THEREFORE ORDERED by the Board that Kraken Oil & Gas LLC is authorized to drill an additional horizontal Bakken/Three Forks Formation well in the overlapping temporary spacing unit comprised of all of Sections 6, 7, and 18, T28N-R59E, Roosevelt County, Montana, said well to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 19, 30, AND 31, T28N-R59E, 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. 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 99-2022

APPLICANT REQUESTS THAT BOARD ORDER 58-2013 PERTAINING TO SECTIONS 18 AND 19, T28N-R59E BE AMENDED TO CLARIFY THAT SAID ORDER IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE WILLARD 19-18 #1H AND THAT ORDER 379-2013 THAT AUTHORIZED ADDITIONAL WELLS IN THAT SPACING UNIT BE VACATED.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 59-2013 PERTAINING TO SECTIONS 30 AND 31, T28N-R59E BE AMENDED TO CLARIFY THAT SAID ORDER IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE WILDE 30-31 #1H AND THAT ORDER 380-2013 THAT AUTHORIZED ADDITIONAL WELLS IN THAT SPACING UNIT BE VACATED.

Docket No. 109-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).

BOARD ORDER NO. 99-2022

3. Sections 18 and 19, T28N-R59E, were designated a permanent spacing unit by Order 420-2012, and Bakken/Three Forks interests within the spacing unit were pooled by Order 58-2013. Sections 30 and 31, T28N-R59E, were designated a permanent spacing unit by Order 421-2012, and Bakken/Three Forks interests within the spacing unit were pooled by Order 59-2013.

4. Kraken is the majority working interest owner in the proposed overlapping temporary spacing unit and the operator of the Willard 19-18 #1H and Wilde 30-31 #1H wells.

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 19, 30, and 31, T28N-R59E, Roosevelt County, Montana, is designated an overlapping temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said overlapping 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 the pooling order established by Board Order 58-2013 is limited to only oil and associated natural gas produced from the Bakken/Three Forks Formation through the wellbore of Willard 19-18 #1H well, and the pooling order established by Board Order 59-2013 is limited to only oil and associated natural gas produced from the Bakken/Three Forks Formation through the wellbore of Wilde 30-31 #1H well.

IT IS FURTHER ORDERED that Board Order 379-2013 and 380-2013 are hereby vacated.

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. 99-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 AN ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 19, 30, AND 31, T28N-R59E, ROOSEVELT COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 100-2022

Docket No. 110-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.

3. The lands described in the caption were designated an overlapping temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 99-2022.

4. Evidence presented at the time of the hearing supports the drilling of an additional horizontal Bakken/Three Forks interval well in Section 19, 30, and 31, T28N-R59E, Roosevelt County, Montana.

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.

BOARD ORDER NO. 100-2022

Order

IT IS THEREFORE ORDERED by the Board that Kraken Oil & Gas LLC is authorized to drill an additional horizontal Bakken/Three Forks Formation well in the overlapping temporary spacing unit comprised of all of Sections 19, 30, and 31, T28N-R59E, Roosevelt County, Montana, said well to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 12, 13, AND 24, T26N-R58E, 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. 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 101-2022

APPLICANT REQUESTS THAT BOARD ORDER 149-2013 PERTAINING TO SECTIONS 13 AND 24, T26N-R58E BE AMENDED TO CLARIFY THAT SAID ORDER IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE SHIRLEY 13-24 #1H AND THAT ORDER 381-2013 THAT AUTHORIZED ADDITIONAL WELLS IN THAT SPACING UNIT BE VACATED.

Docket No. 111-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC (Kraken).
3. Sections 13 and 24, T26N-R58E, were designated a permanent spacing unit by Order 148-2013, and Bakken/Three Forks interests within the spacing unit were pooled by Order 149-2013.
4. Kraken is the majority working interest owner in the proposed overlapping temporary spacing unit and the operator of the Shirley 13-24 #1-H well.
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.

BOARD ORDER NO. 101-2022

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 12, 13, and 24, T26N-R58E, Richland County, Montana, is designated an overlapping temporary spacing unit to drill a horizontal Bakken/Three Forks Formation well anywhere within said overlapping 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 the pooling order established by Board Order 149-2013 is limited to only oil and associated natural gas produced from the Bakken/Three Forks Formation through the wellbore of Shirley 13-24 #1-H well.

IT IS FURTHER ORDERED that Board Order 381-2013 is hereby vacated.

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. 101-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 AN ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL ANYWHERE WITHIN THE OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 12, 13, AND 24, T26N-R58E, RICHLAND COUNTY, MONTANA, BUT NOT CLOSER THAN 200' (HEEL/TOE SETBACK) AND 500' (LATERAL SETBACK) TO THE EXTERIOR BOUNDARIES THEREOF.

ORDER 102-2022

Docket No. 112-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.
3. The lands described in the caption were designated an overlapping temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 101-2022.
4. Evidence presented at the time of the hearing supports the drilling of an additional horizontal Bakken/Three Forks interval well in Section 12, 13, and 24, T26N-R58E, Richland County, Montana.
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.

BOARD ORDER NO. 102-2022

Order

IT IS THEREFORE ORDERED by the Board that Kraken Oil & Gas LLC is authorized to drill an additional horizontal Bakken/Three Forks Formation well in the overlapping temporary spacing unit comprised of all of Sections 12, 13, and 24, T26N-R58E, Richland County, Montana, said well to be located anywhere within said spacing unit but not closer than 200' (heel/toe setback) and 500' (lateral setback) to the boundaries thereof.

IT IS FURTHER ORDERED that a federal communitization agreement for spacing units which contain both federal and non-federal land shall be submitted to the authorized officer of the Bureau of Land Management prior to or upon completion of a producible well.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 24, 25, AND 36, T26N-R58E AND ALL OF SECTIONS 19, 30, AND 31, T26N-R59E, RICHLAND AND ROOSEVELT COUNTIES, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL AT A LOCATION PROXIMATE TO THE COMMON BOUNDARY BETWEEN ALL OF SECTIONS 24, 25, AND 36, T26N-R58E AND ALL OF SECTIONS 19, 30, AND 31, T26N-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 103-2022

Docket No. 113-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.
3. Sections 25 and 36, T26N-R58E were designated a permanent spacing unit by Order 172-2015 and Section 24, T26N-R58E was designated part of an overlapping temporary spacing unit by Order 101-2022. Sections 19, 30, and 31, T26N-R59E were designated an overlapping temporary spacing by Order 99-2022.
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 24, 25, and 36, T26N-R58E and all of Sections 19, 30, and 31, T26N-R59E, Richland and Roosevelt Counties, 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 all of Sections 24, 25, and 36, T26N-R58E and all of Sections 19, 30, and 31, T26N-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.

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.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 1, 12, AND 13, T26N-R58E AND ALL OF SECTIONS 6, 7, AND 18, T26N-R59E, RICHLAND AND ROOSEVELT COUNTIES, MONTANA, TO DRILL A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL AT A LOCATION PROXIMATE TO THE COMMON BOUNDARY BETWEEN ALL OF SECTIONS 1, 12, AND 13, T26N-R58E AND ALL OF SECTIONS 6, 7, AND 18, T26N-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 104-2022

Docket No. 114-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, Justin Payne, landman, and Joshua Lachner, reservoir engineer, appeared on behalf of Kraken Oil & Gas LLC.
3. Section 1, T26N-R58E was designated part of a permanent spacing unit by Order 41-2014 and Sections 12 and 13, T26N-R58E were designated part of an overlapping temporary spacing unit by Order 101-2022. Sections 6, 7, and 18, T26N-R59E were designated an overlapping temporary spacing unit by Order 97-2022.
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. 104-2022

Order

IT IS THEREFORE ORDERED by the Board that all of Sections 1, 12, and 13, T26N-R58E and all of Sections 6, 7, and 18, T26N-R59E, Richland and Roosevelt Counties, 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 all of Sections 1, 12, and 13, T26N-R58E and all of Sections 6, 7, and 18, T26N-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.

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.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF FORZA OPERATING, LLC TO DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF THE W½W½ OF SECTION 34, T35N-R1E, TOOLE COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE NISKU FORMATION WITH RESPECT TO THE TURNER 34-1H WELL.

ORDER 105-2022

Docket No. 115-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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 Ronnie Montgomery, landman, appeared on behalf of Forza Operating, LLC.
3. Applicant has completed the Turner 34-1H well as a producing well but did not provide production data or well economics.
4. Staff recommended the docket be continued to the December public hearing where that data can be reviewed.
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 taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board that Docket 115-2022 is continued until the December 8, 2022, public hearing.

IT IS FURTHER ORDERED that Forza Operating, LLC must provide production data and well economics.

BOARD ORDER NO. 105-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF AVANTI ENERGY MONTANA, INC. TO DRILL A NATURAL GAS TEST WELL TO A FORMATION BELOW THE TOP OF THE MADISON GROUP AT A PROPOSED WELL LOCATION APPROXIMATELY 706' FSL AND 1,375' FWL IN SECTION 13, T36N-R6E, LIBERTY COUNTY, MONTANA, AS AN EXCEPTION TO A.R.M. 36.22.702(11). APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 106-2022

Docket No. 116-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. Don Lee, attorney, Kevin Morrissette, geologist, Ren Gardner, petroleum engineer, and Chad Lerner, director of business development and landman, appeared on behalf of Avanti Energy Montana, Inc.
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 § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board that Avanti Energy Montana, Inc. is authorized to drill a natural gas test well to a formation below the top of the Madison Group at the proposed location of approximately 706' FSL and 1,375' FWL in Section 13, T36N-R6E, Liberty County, Montana, as an exception to A.R.M. 36.22.702(11).

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

BOARD ORDER NO. 106-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member (recused)

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist

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

UPON THE APPLICATION OF LUSTRE OIL COMPANY LLC TO CREATE A TEMPORARY SPACING UNIT COMPRISED OF THE SE¼SW¼ AND SW¼SE¼ OF SECTION 17, T31N-R44E, VALLEY COUNTY, MONTANA, TO DRILL A VERTICAL MADISON FORMATION WELL AT ANY LOCATION NOT CLOSER THAN 330' FROM THE EXTERIOR BOUNDARIES THEREOF, AS AN EXCEPTION TO BOARD ORDER 19-1983. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION. (LUSTRE FIELD)

ORDER 107-2022

Docket No. 117-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, and Eric Johnson, consulting geologist, appeared on behalf of Lustre Oil Company LLC.
3. Applicant proposes to drill a Madison Formation well at a location not in compliance with Lustre Field rules established by Board Order 19-1983.
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. 107-2022

Order

IT IS THEREFORE ORDERED by the Board that the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T31N-R44E, Valley County, Montana, is designated a temporary spacing unit to drill a vertical Madison Formation well anywhere within said temporary spacing unit but not closer than 330' to the exterior boundaries thereof, as an exception to Lustre Field rules under Board Order 19-1983.

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

IT IS FURTHER ORDERED that the temporary spacing unit created by this order will terminate if the drilling of the well is unsuccessful.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

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 DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF THE W $\frac{1}{2}$ OF SECTION 11 AND THE W $\frac{1}{2}$ OF SECTION 14, T10N-R34E, ROSEBUD COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE HEATH FORMATION WITH RESPECT TO THE FLYING MONKEY #1H WELL.

ORDER 108-2022

Docket No. 85-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, and Carter Stewart, president and geologist, appeared on behalf of Bluebird Energy, LLC.
3. The lands described in the caption were designated a temporary spacing unit for production from the Heath Formation by Montana Board of Oil and Gas Conservation Order 48-2019. Applicant has completed the Flying Monkey #1H well as a producing well.
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 the W $\frac{1}{2}$ of Section 11 and the W $\frac{1}{2}$ of Section 14, T10N-R34E, Rosebud County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Heath Formation.

IT IS FURTHER ORDERED that the Flying Monkey #1H well is the authorized well for said permanent spacing unit.

BOARD ORDER NO. 108-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member (recused)

Jeff Wivholm, Board Member

ATTEST:

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 DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF THE W½ OF SECTION 9 AND THE W½ OF SECTION 16, T11N-R34E, ROSEBUD COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE HEATH FORMATION WITH RESPECT TO THE GOLDEN MONKEY #1H WELL.

ORDER 109-2022

Docket No. 86-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, and Carter Stewart, president and geologist, appeared on behalf of Bluebird Energy, LLC.
3. The lands described in the caption were designated a temporary spacing unit for production from the Heath Formation by Montana Board of Oil and Gas Conservation Order 46-2019. Applicant has completed the Golden Monkey #1H well as a producing well.
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 the W½ of Section 9 and the W½ of Section 16, T11N-R34E, Rosebud County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Heath Formation.

IT IS FURTHER ORDERED that the Golden Monkey #1H well is the authorized well for said permanent spacing unit.

BOARD ORDER NO. 109-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member (recused)

Jeff Wivholm, Board Member

ATTEST:

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 51 WELLS IN GLACIER AND TOOLE COUNTIES, MONTANA, FROM CROFT PETROLEUM CO TO MONTALBAN OIL & GAS OPERATIONS, INC. 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 CROFT PETROLEUM CO IS RESPONSIBLE FOR 40 PRODUCING WELLS COVERED BY A MULTIPLE WELL BOND AND 11 FEDERALLY BONDED WELLS. A LIST OF THE WELLS IS AVAILABLE ONLINE OR IN THE BILLINGS OFFICE FOR REVIEW.

ORDER 110-2022

Docket No. 94-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, and Patrick Montalban, president and CEO, appeared on behalf of Montalban Oil & Gas Operations, Inc. (Montalban)
3. The Board and its staff reviewed Montalban's change of operator request from Croft Petroleum Co (Croft).
4. Montalban has two separate multiple well plugging and reclamation bonds in the amounts of \$50,000 and \$200,000. Montalban requested the Croft wells be added to the \$200,000 multiple well bond.
6. The Board determined that Montalban's existing plugging and reclamation bonds are adequate and in accordance with ARM 36.22.1308(3).
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.

BOARD ORDER NO. 110-2022

Order

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

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 APEX ENERGY LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY PENALTIES SHOULD NOT BE CONSIDERED FOR FAILURE TO REMEDY THE FIELD VIOLATIONS.

ORDER 111-2022

Docket No. 120-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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. Grant Kelly, attorney, and Sheldon VanVoast, president, appeared on behalf of Apex Energy LLC (Apex).
3. At the August 17, 2022, business meeting, Apex was brought to the Board's attention for several field violations, primarily vegetation control, at its wells in Richland County.
4. Mr. VanVoast stated that before the August business meeting, Apex hired a professional to handle the vegetation at the well locations but not all the vegetation was removed. Prior to this hearing, additional vegetation control took place. Going forward, a preventative ground sterilizer will be applied in the spring to help prevent vegetation, a grounds keeper or contractor will be hired to keep the locations in compliance, and an electronic monitoring system will be set up to help with production and field issues.
5. Apex will repair the washed-out access road to the FLB Spokane 1 well and will evaluate their plans for this well.
6. Staff will continue to monitor Apex.
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 the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

BOARD ORDER NO. 111-2022

Order

IT IS THEREFORE ORDERED by the Board that Apex must submit a written plan for controlling vegetation for the upcoming year and provide future plans of the FLB Spokane 1 well, API # 25-083-21188, located in the NE¼SE¼ of Section 7, T22N-R60E, Richland County, Montana.

IT IS FURTHER ORDERED that Docket 120-2022 is continued until the December 8, 2022, public hearing.

IT IS FURTHER ORDERED that Board staff has the authority to dismiss the docket if the plans are received prior to the December 8, 2022, public hearing.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 BUTLER PETROLEUM LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ITS PLUGGING AND RECLAMATION BOND SHOULD NOT BE FORFEITED FOR FAILURE TO BEGIN TO PLUG AND ABANDON OR TRANSFER ITS EPU 120 WELL, API # 25-085-21820, LOCATED IN THE SW¼NW¼ OF SECTION 29, T29N-R51E, ROOSEVELT COUNTY, MONTANA, PRIOR TO THE OCTOBER 13, 2022, PUBLIC HEARING.

ORDER 112-2022

Docket No. 121-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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 Butler Petroleum LLC (Butler Petroleum).
3. At the February 16, 2022, business meeting, Butler Petroleum was brought to the Board's attention for its EPU 120 inactive well that has not produced in over two years.
4. Poplar Resources LLC has expressed an interest in taking over ownership of the well and incorporating it into its operations within the East Poplar Field. No change of operation request has been filed.
5. Butler Petroleum has an outstanding fine of \$2,000 for failure to appear at the April 14, 2022, and June 16, 2022, public hearings.
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 by the Board that the plugging and reclamation bond for Butler Petroleum LLC is hereby forfeited.

BOARD ORDER NO. 112-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 GENESIS ST
OPERATING LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS,
WHY PENALTIES SHOULD NOT BE CONSIDERED FOR FAILURE
TO REMEDY THE FIELD VIOLATIONS.

ORDER 113-2022

Docket No. 122-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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, and Katie Hynes, land manager, appeared on behalf of Genesis ST Operating LLC (Genesis).
3. At the August 17, 2022, business meeting, Genesis was brought to the Board's attention for several field violations, primarily vegetation control, at its wells in Roosevelt County.
4. Ms. Hynes stated that Genesis is working to resolve the outstanding compliance issues.
5. Staff will continue to monitor Genesis.
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 by the Board that Genesis must submit a written plan for controlling vegetation for the upcoming year.

IT IS FURTHER ORDERED that Docket 122-2022 is continued until the December 8, 2022, public hearing.

IT IS FURTHER ORDERED that Board staff has the authority to dismiss the docket if the plans are received prior to the December 8, 2022, public hearing.

BOARD ORDER NO. 113-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 SEYMOUR,
JAMES & LORRAINE TO APPEAR AND SHOW CAUSE, IF ANY IT
HAS, WHY IT SHOULD NOT IMMEDIATELY PLUG AND ABANDON
ITS WELL IN TOOLE COUNTY, MONTANA.

ORDER 114-2022

Docket No. 123-2022

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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 Seymour, James & Lorraine (Seymour).
3. Seymour has not paid the outstanding fine of \$1,120. This fine amount includes a \$120 penalty for delinquent reporting and \$1,000 for failure to appear at the June 16, 2022, public hearing.
4. Board staff has been in contact with James Seymour. He indicated that Seymour is unable to pay the fine. Seymour has one well on its bond with the last reported production in 2012.
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 Seymour must begin to plug and abandon its State 8-8 well, API # 25-101-22239, located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T37N-R4W, Toole County, Montana, prior to the December 8, 2022, public hearing. Failure to begin to plug and abandon the well 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. 114-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 BLACK GOLD ENERGY RESOURCE DEVELOPMENT, LLC TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY PENALTIES SHOULD NOT BE CONSIDERED FOR FAILURE TO REMEDY VIOLATIONS AT ITS INDIAN MOUND 1 WELL, SECTION 15, T23N-R55E, RICHLAND COUNTY, MONTANA.

ORDER 116-2022

Docket No. 108-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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 Resource Development, LLC (Black Gold).
3. In June 2021, severe storms destroyed the building that housed a disposal pit at the upper portion of the Indian Mound 1 location leaving the pit open to the environment. The pit contained produced water, waste oil, and oil sludge.
4. A field inspection on September 15, 2021, discovered the open pit and other field compliance violations including:
 - contaminated soil around the location and at leaking tanks
 - scattered garbage and debris
 - used filter socks on the ground and in open dumpsters
 - weeds
5. A certified letter was sent to Black Gold on September 16, 2021, and delivered on September 18, 2021, addressing the field violations, with a deadline of the October 13, 2021, business meeting, to come into compliance or the matter would be discussed in front of the Board. Mr. Blount was also informed of the violations through a telephone call on September 21, 2021.
6. On the October 13, 2021, deadline, no work had been done to address the field violations, and Black Gold was ordered to appear at the December 2, 2021, public hearing.
7. At the December 2, 2021, public hearing, the violations remained unresolved. Black Gold failed to appear with legal counsel and the matter was continued to the February 17, 2022, public hearing.

BOARD ORDER NO. 116-2022

8. At the February 17, 2022, public hearing, Black Gold again failed to appear with legal counsel and was fined \$1,000. Board Order 14-2022 was issued that established a \$250 per day fine beginning on March 4, 2022, for each day that Black Gold failed to fence, screen, and net the open pit that contained oil as required by ARM 36.22.1223. The docket was continued to the April 14, 2022, public hearing.

9. At the April 14, 2022, public hearing, Black Gold again failed to appear with legal counsel and was fined \$1,000. Staff reported the pit was not fenced, screened or netted by March 4, 2022, and the \$250 per day daily fine was in effect. The docket was continued to the June 16, 2022, public hearing.

10. At the June 16, 2022, public hearing, Black Gold appeared with legal counsel and testified that it could achieve full compliance by August 1, 2022. Subsequent Board Order 60-2022 required Black Gold to be in full compliance by August 1, 2022.

11. By the August 18, 2022, public hearing, the pit had a roof constructed over it and no longer needed to be fenced, screened, and netted. The \$250 daily fine ceased as of August 17, 2022. Due to the pit not being fully contained within a building, it is required that an earthen dike be constructed to surround the pit in accordance with ARM 36.22.1102.

12. At the August 18, 2022, public hearing Black Gold was ordered to cease operations at the Indian Mound 1 well and to not transport additional fluids to the location until violations are remedied and compliance is confirmed by inspection. Board Order 88-2022 was issued that established a \$10,000 per day fine beginning on September 16, 2022, for each day that Black Gold failed to resolve the violations.

13. At the time of the October 13, 2022, public hearing, several violations at the Indian Mound 1 well remained. The earthen dike around the pit had yet to be finished, and there were still filter socks and contaminated soil on location.

14. To date, Black Gold has an outstanding fine of \$183,500. The fine includes \$2,000 for failure to appear at the February 17, 2022, and April 14, 2022, public hearings, \$41,500 accrued fine for failure to have the pit fenced, screened, and netted for 166 days, and \$140,000 accrued fine for failure to resolve the outstanding violations.

15. Staff recommended a reduction of the \$183,500 outstanding fine to the statutory maximum of \$125,000 with a requirement of monthly fine payments of \$10,500 beginning January 2023.

16. Mr. Blount offered to pay the outstanding fine balance, as of August 18, 2022, in the amount of \$41,500 by the February 2, 2023, public hearing.

17. 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.

The Board concludes that the respondent was properly notified of the hearing, per the requirements of § 82-11-141, MCA.

The Board concludes that the respondent is in violation of ARM 36.22.1102, ARM 36.22.1104, ARM 36.22.1105, and Board Order 60-2022.

BOARD ORDER NO. 116-2022

Order

IT IS THEREFORE ORDERED by the Board that Black Gold must be in full compliance with Board rules by December 31, 2022.

IT IS FURTHER ORDERED that Black Gold's outstanding fine of \$183,500 is reduced to the statutory maximum of \$125,000 and must be paid through a monthly payment plan of \$10,500 for twelve months with the first payment due January 3, 2023. Subsequent payments are due by February 1st, March 1st, April 3rd, May 1st, June 1st, July 3rd, August 1st, September 1st, October 2nd, November 1st, and December 1st.

IT IS FURTHER ORDERED that Docket 108-2021 is continued until the June 2023, public hearing at which time compliance will be reviewed and a determination will be made concerning the remainder of the fine.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

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 BLACK GOLD ENERGY RICHLAND FACILITY, INC. TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY PENALTIES SHOULD NOT BE CONSIDERED FOR FAILURE TO REMEDY VIOLATIONS AT ITS VELMA SWD 1-10 WELL, SECTION 10, T23N-R58E, RICHLAND COUNTY, MONTANA.

ORDER 115-2022

Docket No. 109-2021

Report of the Board

The above entitled cause came on regularly for hearing on October 13, 2022, 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 Richland Facility, Inc. (Black Gold).
3. Black Gold remedied the existing field violations and paid the outstanding fine of \$2,000 for failure to appear at the February 17, 2022, and April 14, 2022, public hearings.
4. Black Gold is working with a contractor to clean the tanks and replace old parts. One significant replacement is the valve on a leaking tank.
5. Staff recommended the docket be dismissed.
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 109-2021 is dismissed.

IT IS FURTHER ORDERED that compliance must be confirmed by inspection prior to commencing operations at the Velma SWD 1-10 well.

BOARD ORDER NO. 115-2022

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 13th day of October, 2022.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Roy Brown, Chairman

Steven Durrett, Vice-Chairman

Paul Gatzemeier, Board Member

Mac McDermott, Board Member

Joseph Michael Weber, Board Member

Corey Welter, Board Member

Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist