36.22.1223 FENCING, SCREENING, AND NETTING OF PITS

(1) Open storage vessels, earthen pits, or ponds that contain oil must be fenced, screened, and netted.

(2) Open receptacles, earthen pits, or ponds that contain produced water with more than 15,000 parts per million total dissolved solids must be fenced.

(3) This rule does not apply to earthen pits used solely for the purpose of drilling, completing, recompleting, working over, or plugging a well.

Authorizing statute(s): 82-11-111, MCA

Implementing statute(s): 82-11-123, 82-11-124, MCA

History: NEW, 1992 MAR p. 654, Eff. 4/1/92.

EXHIBIT 2

HERTHA L. LUND
PETER B. TAYLOR
ATTORNEYS AT LAW
662 S. Ferguson Ave., Unit 2
Bozeman, MT 59718
Telephone: (406) 586-6254
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www.Lund-Law.com

LEGAL MEMORANDUM

TO: MONTANA BOARD OF OIL AND GAS CONSERVATION
FROM: LUND LAW, PLLC
DATE: APRIL 9, 2025
RE: REVIEW AND DISCUSSION OF ARM 36.22.1223

A. Introduction:

Landowners near Kevin, Montana respectfully request the Montana Board of Oil and Gas Conservation (the "Board") amend ARM 36.22.1223 (Fencing, Screening, and Netting of Pits) such that it would require all open receptacles, earthen pits, and evaporation pits or ponds containing produced water of any quality be fenced. The landowners request this simple amendment to ARM 36.22.1223 for the following primary reasons:

(1) The amendment will align ARM 36.22.1223 with recognized industry best practices that are already observed by most producers;

(2) The amendment will make ARM 36.22.1223 consistent with existing water quality laws that producers are already required to follow, which require an oil producer to obtain a Montana Pollutant Discharge Elimination System (MPDES) produced water general permit prior to discharging produced water for consumption by livestock or wildlife;

(3) The requested amendment will make ARM 36.22.1223 consistent with those in surrounding states, including Wyoming; and

(4) The requested amendment to ARM 36.22.1223 will acknowledge and align with current animal science and animal husbandry practices, which recognize that numerous water quality parameters and standards must be analyzed before allowing livestock or wildlife to consume produced water, as consumption of poor or reduced quality water can be detrimental to livestock and wildlife health, including but not limited to reduced weight gain, inability to maintain weight, infertility, lower conception rates, reduced milk production, inability to carry offspring to full term, reduction in number of years females are able to produce offspring, lower overall body condition scores, and reduced overall health.

B. Current ARM 36.22.1223 (Fencing, Screening, and Netting of Pits):

ARM 36.22.1223 (Fencing, Screening, and Netting of Pits) currently reads as follows:

(1) Open storage vessels, earthen pits, or ponds that contain oil must be fenced, screened, and netted.

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(2) Open receptacles, earthen pits, or ponds that contain produced water with more than 15,000 parts per million total dissolved solids must be fenced.

(3) This rule does not apply to earthen pits used solely for the purpose of drilling, completing, recompleting, working over, or plugging a well.

C. Proposed Amendment to ARM 36.22.1223 (Fencing, Screening, and Netting of Pits):

Landowners respectfully request the Board amend ARM 36.22.1223 as follows:

(1) Open storage vessels, earthen pits, or ponds that contain oil must be fenced, screened, and netted.

(2) Open receptacles, earthen pits, or ponds that contain produced water must be fenced unless a current MPDES discharge permit has been obtained from Montana DEQ and the adjacent landowners' consent has been obtained, in writing, for their livestock to consume the produced water stored therein.

(3) This rule does not apply to earthen pits used solely for the purpose of drilling, completing, recompleting, working over, or plugging a well.

D. Wyoming Rule:

(bb) All pits shall be fenced completely and for any produced water pit, workover, completions, or emergency pit found containing oil, sheens, condensate, other hydrocarbons or chemicals proven to be hazardous to public health, safety and welfare, or to wildlife, domestic animals, or migratory birds, the Owner or Operator shall have these fluids removed as soon as practical or in accordance with Chapter 4, Section 1(dd) of these rules. If timely fluid removal is not possible, the pit should be netted or otherwise secured in a manner that avoids the loss of wildlife, domestic animals, or migratory birds. Alternative methods of netting or securing pits may be authorized at the discretion of the Supervisor…

055-0001-4 Wyo. Code R. § 1 (Lexis Advance through March 18, 2025)

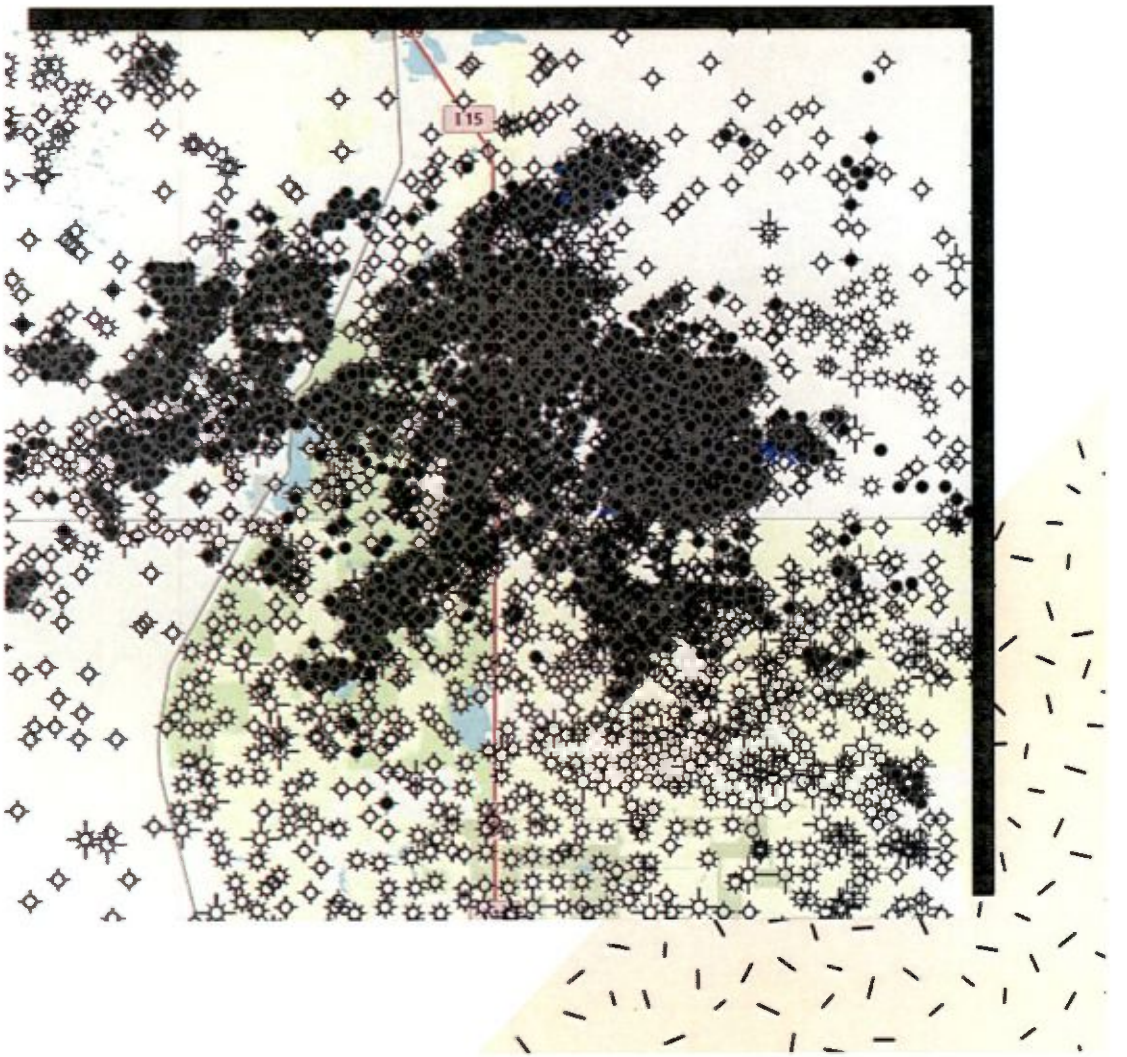
EXHIBIT 3

KEVIN-SUNBURST OILFIELD ISSUES

DNRC, DEQ and BOGC
Joint Meeting
January 30th, 2025

HISTORY

- Oil discovered north of Kevin in March of 1922
- Thousands of wells drilled since discovery- Many of which are plug or abandoned



SOMONT OIL COMPANY


Oil company dinged for dodging royalties also hit with jury award to ranchers for spill

PHOEBE TOLLEFSON

- 1007 Wells with 374 listed as producing
- Owned by Charles Jansky
- Company policy of not paying damages
- Most of the leases are old oil wells they picked up as other producers left them idle with no record of surface leases
- Large number of wells with evaporation pits that have intentionally been allowed to flow down coulees to dispose of the water
- Somont found liable for not properly maintaining fence around an evaporation pit and

REMOVAL OF FENCES AROUND PITS

- Following the Stene lawsuit Somont sent a letter to all of the surface owners saying they would "gift" the fences to the landowners if they will accept responsibility for keeping their livestock out of Somonts pits
- Bye's, Fauques and Gillispie's decided not to accept this offer and began the process of challenging this in the legal system

SOMONT OIL CO., INC.
16126 Chasemore Drive
Spring, TX 77379
281-251-4398
somontoil@gmail.com

1 November 2019

Wayne A. Gillespie
P.O. Box 109
Kevin, MT 59454

Re: Notice being sent to surface owners and/or surface lessees on oil leases that Somont operates on which water evaporation pits are currently fenced – for Wayne Gillespie including but not limited to Page 56, Fryberger, Van Note, Engstrom, and Goedertz leases

Dear Mr. Gillespie:

Most of you are presumably aware of the recent court case in which we were held liable for damage caused to cattle when they trespassed on our property because it was not established that the fence surrounding our water evaporation pit was a legal fence at the time of the incident. Ironically, it was made clear by the Court that since it was our fence, we were responsible to maintain it and that if we did not have a fence in place, we may not have been liable.

This being the case, we no longer plan to fence our water pits unless legally required to do so under the terms of the lease. Before removing the fences, we are offering them to you with the understanding that if you accept them, they will belong to you and we will have no further responsibility or liability for their maintenance.

If you want to keep any of our fences around the evaporation pits on your pastures, please sign and return a copy of this letter to our Oilmont Office in the next 30 days (92 Oilmont Highway; Oilmont, MT 59466 – phone 406-337-3310). If we do not hear back from you before then, we will be removing the fences as our schedule permits.

Very truly yours,

Somont Oil Co., Inc.

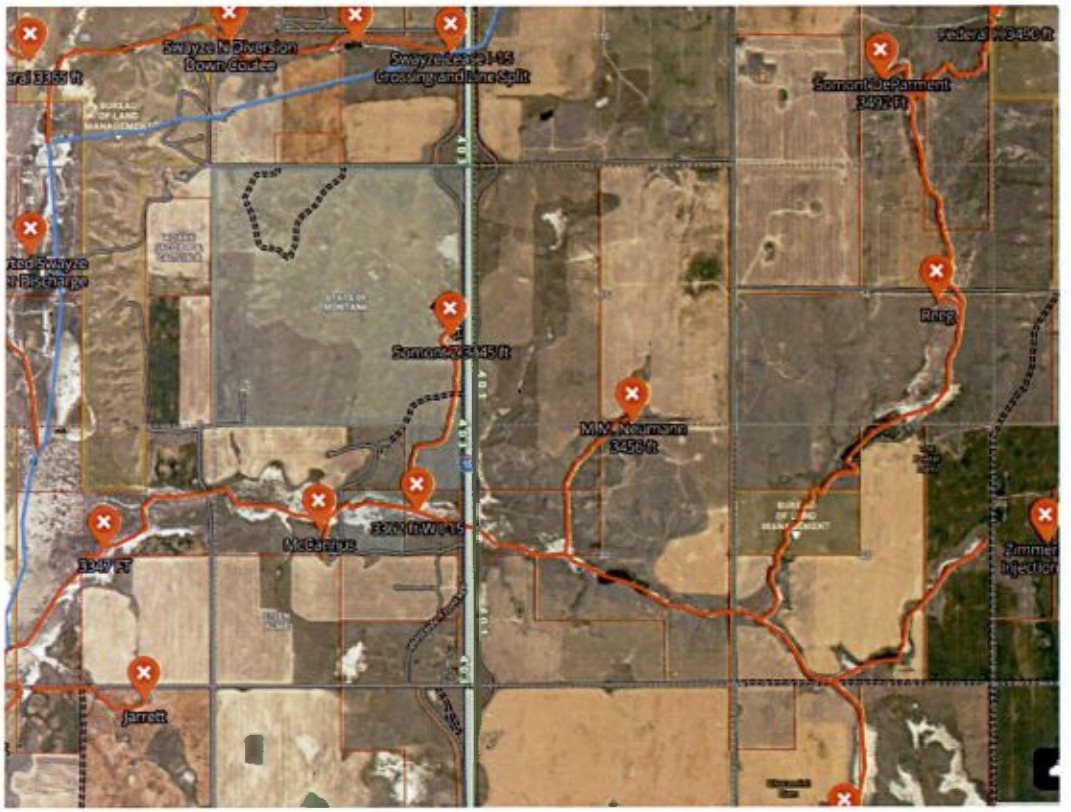
Charles Jansky

President


USE OF DRAINAGES AND IMPACTS
Swazye Lease 3478 ft
Chelin LLC Pit 2
Somont Oil Pit
Bruins 3472 ft
Federal 3365 ft
Somont Department 3492 Ft
Goeddertz
Engstrom
Edwards
Reeg
T35N R1W
3362 ft WI-15
3247 FT
Zimmerman Injection Well
Sohn
Van Note
3336 ft
Thompson
Abell Lease Pit 3457 ft
Leech
Ahlstedt
Green
Smith
T34N R3W
T34N R2W

EASY TO SPOT INTENTIONAL DISCHARGES FROM SATELLITE IMAGES

HUGE LONG TERM SALT IMPACTS



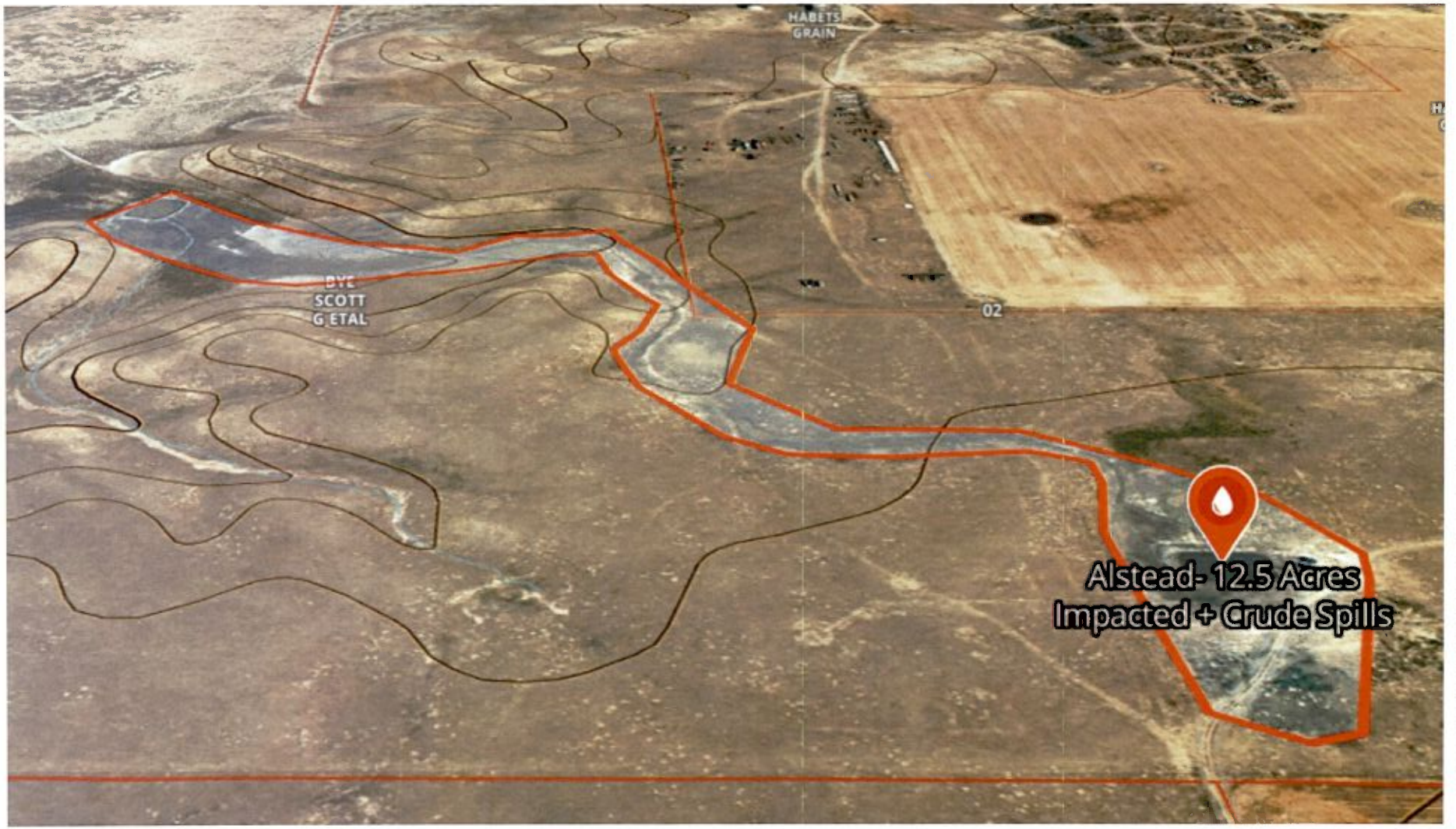
STATE LAND IMPACTS

- 1021 Acres acres of state land with little to no vegetation from production water discharges (This is just what was found in a 30 minute search. I'm sure more can be found with more time spent)


GREEN ROBERT L
250.4 yds
467 yds
110.5 yds
307.3 yds
380.6 yds
298.6 yds
228.6 yds
146.5 yds
839.9 yds
0.6 mi
487.83
402.4 yds
281.1 yds
371.8 yds
664.9 yds
215.4 yds
179.4 yds
158.6 yds
STATE OF MONTANA
Kleier Rd
403


646.3 yds
207.8 yds
360.9 yds
286.5 yds
92.44 acres
191.4 yds
Dakota State
382.8 yds
277.8 yds
347.8 yds
449.5 yds
160.8 yds
231.8 yds
STATE OF MONTANA
STATE OF MONTANA
STATE OF MONTANA

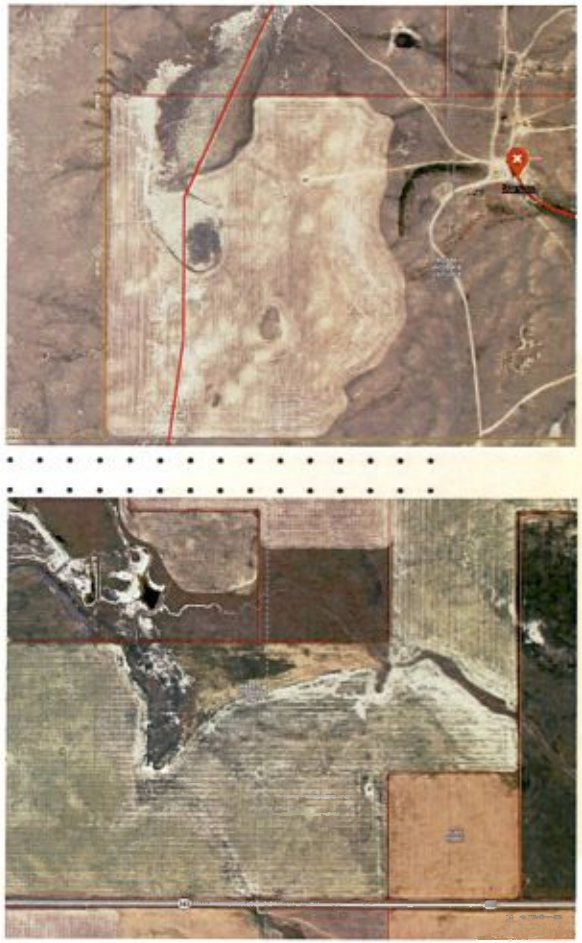

Swayze- 92
Acres Impacted
Somont
Bruins- 8 Acres
Westside Frontage
401
403
03
3500ft
15


HABETS GRAIN
BYE SCOTT G ETAL
02
Alstead- 12.5 Acres
Impacted + Crude Spills


ellinnson- 29 Acres
DOUBLE
LLC

DEQ PERMIT DISCHARGING INTO DNRC PROJECT

- Vonk Living Trust is working with DNRC to improve a reservoir and stock it with fish at the same time DEQ is permitting a discharge into it.



SALINE SEEPS IN FARM FIELDS

DOWNSTREAM STOCK POND AND RESERVOIR IMPACTS

SOMONT LEASE VIOLATIONS

- 2" Siphon still laying over ditch- proof of intentional discharge
- Mess around pit and oil spills
- Leaking production water pits

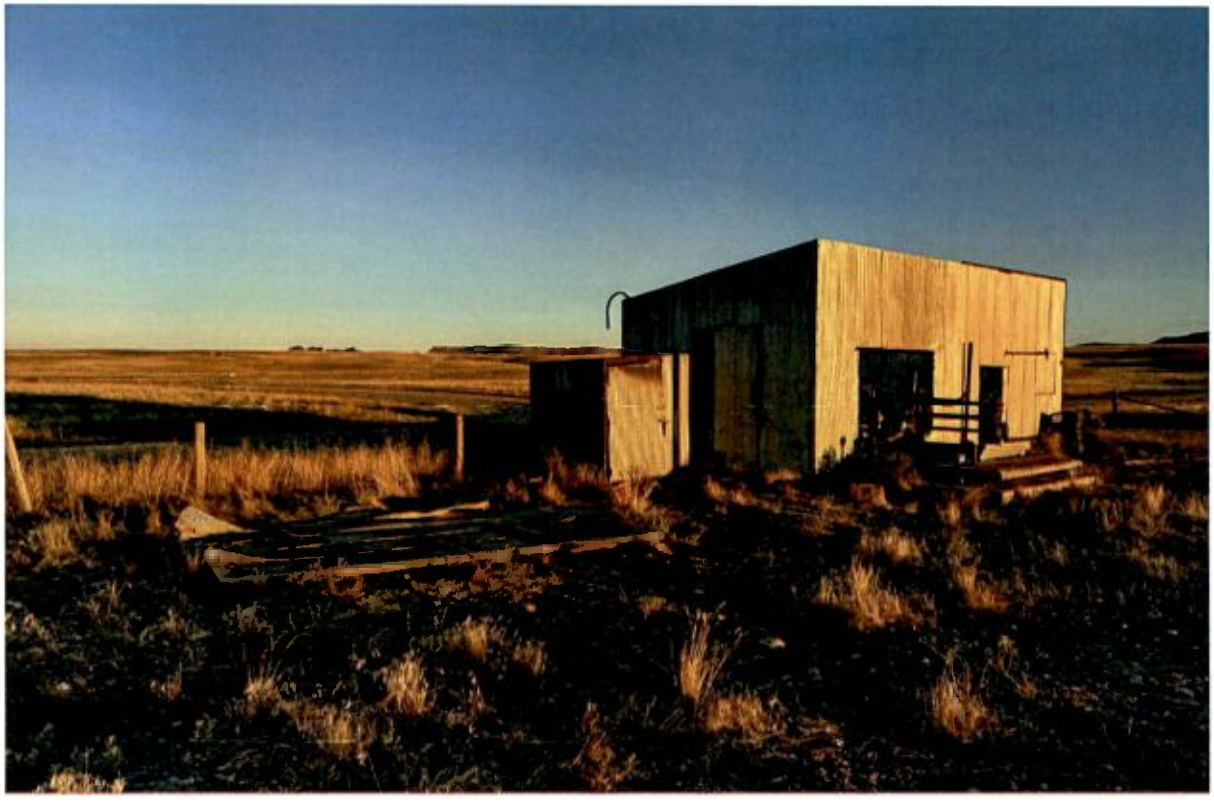
ALSTEAD LEASE SE OF KEVIN

Now moving on to the pumping units that are on the well heads. Below is a shot of Ahlstead 1 which has been "shut in".

The only thing I can think of is that they needed the pumping unit someplace else and removed it.

A lot of oil was left inside this tank. You can see where they have been walking around inside.

Cows being cows, one of the threats is that they will get in these tanks and not get out. Don't ask me how that happens, but I have certainly heard stories of it happening.



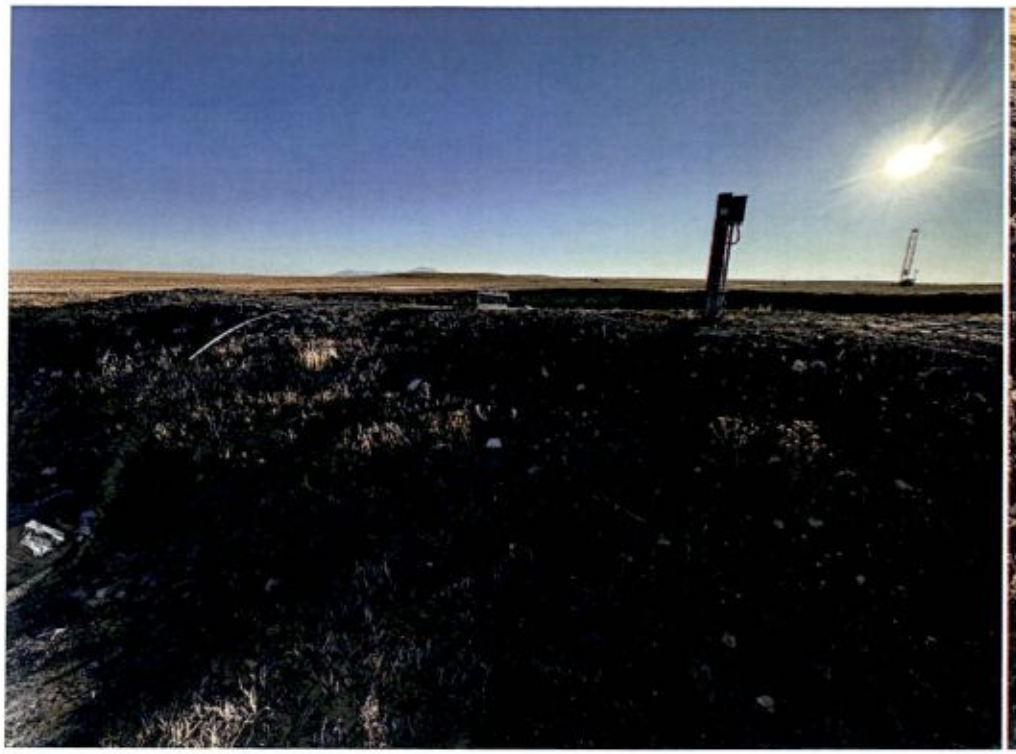
This line terminates on the far side of this old compressor building where the top has blown off and has garbage scattered around it. More Somont items for cows to play on and us to clean up.

Energy Laboratories Test Results from Leach Evaporation Pit:

- PH Level 8.8. This is above the recommended 8.5
- Sulphate 2040 ppm.
- Totally Dissolved Solids (TDS) 6210 ppm. Well above the 5000 ppm recommended for lactating or pregnant cattle.
- Sodium 2040 ppm. Recommend under 1000 ppm (chronic exposure criteria)

This is all contained in the spreadsheet and lab analysis from Energy Laboratories in Attachment 2.

BRUINS LEASE



SWAZYE LEASE

- Huge area of impact from production water
- Oil constantly on pit with out fence or netting
- Soil Contamination from evaporating production water

2006

2011

2006

2024


Federal 3365 ft
Swayze N Diversion
Down Coulee
Swayze Line
leaking water into
Fauque Pasture
Swayze Lease I-15
Crossing and Line Split
BUREAU
OF LAND
MANAGEMENT
BLM
FAUQUE
RANDALL J
ROARK
DANIEL
& TINA L
WOLFER
DONALD
H ETAL
ROARK
JACOB &
CAITLIN
ROARK
JACOB P &
CAITLYNN A
Diverted Swayze
Water Discharge
STATE
STATE OF
MONTANA
North Frontage Rd
403
401
15
Weat
1,000 ft

FOLLOW THE WATER- INITIAL PIT

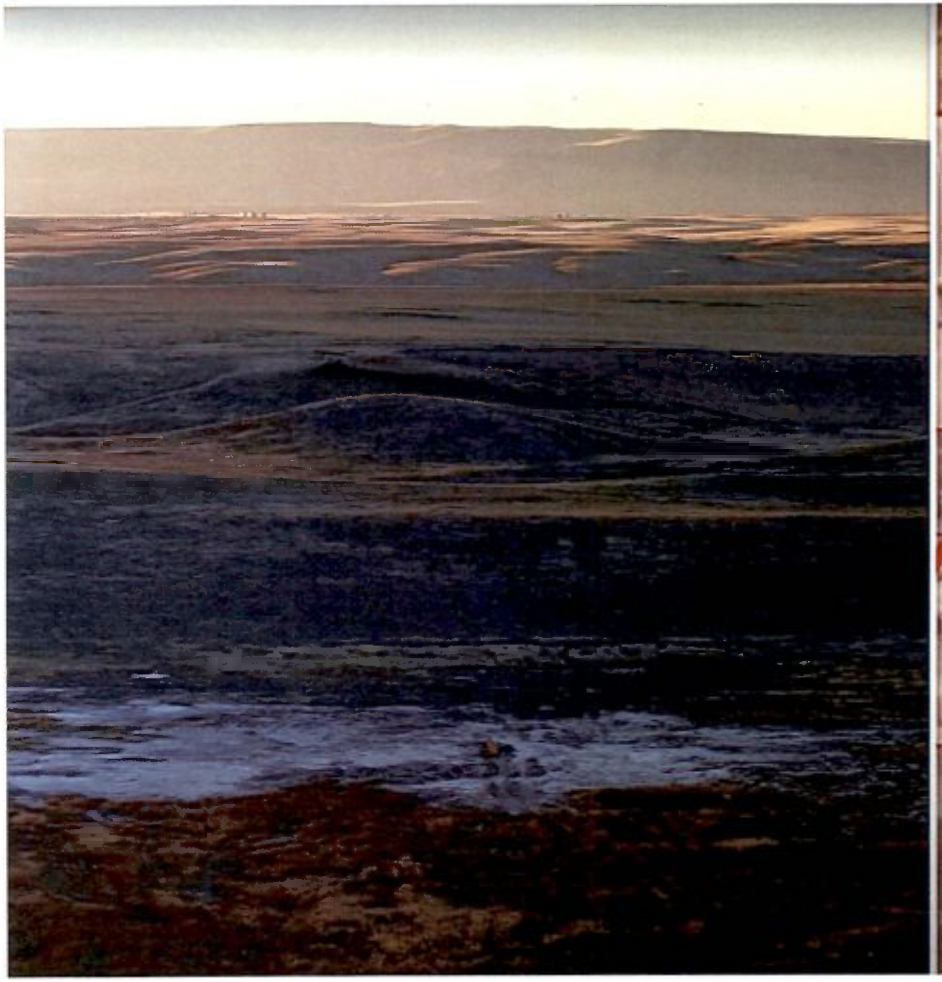
WATER PUMPED ACROSS THE ROAD- LINE LEAKING

WASTE POND CREATED BY PIPE LEAK

3″ DISCHARGE PIPE AT COULEE HEAD

1 MILE DOWN COULEE

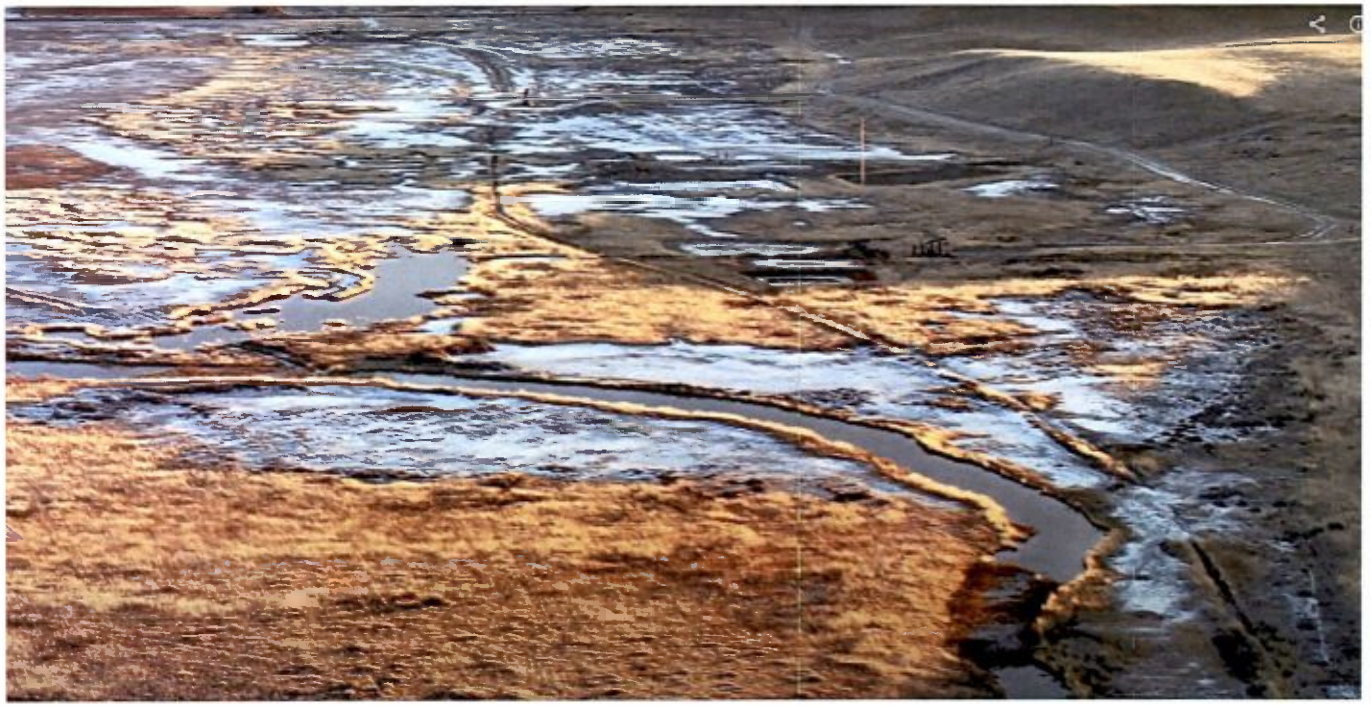
1.5 MILES DOWN



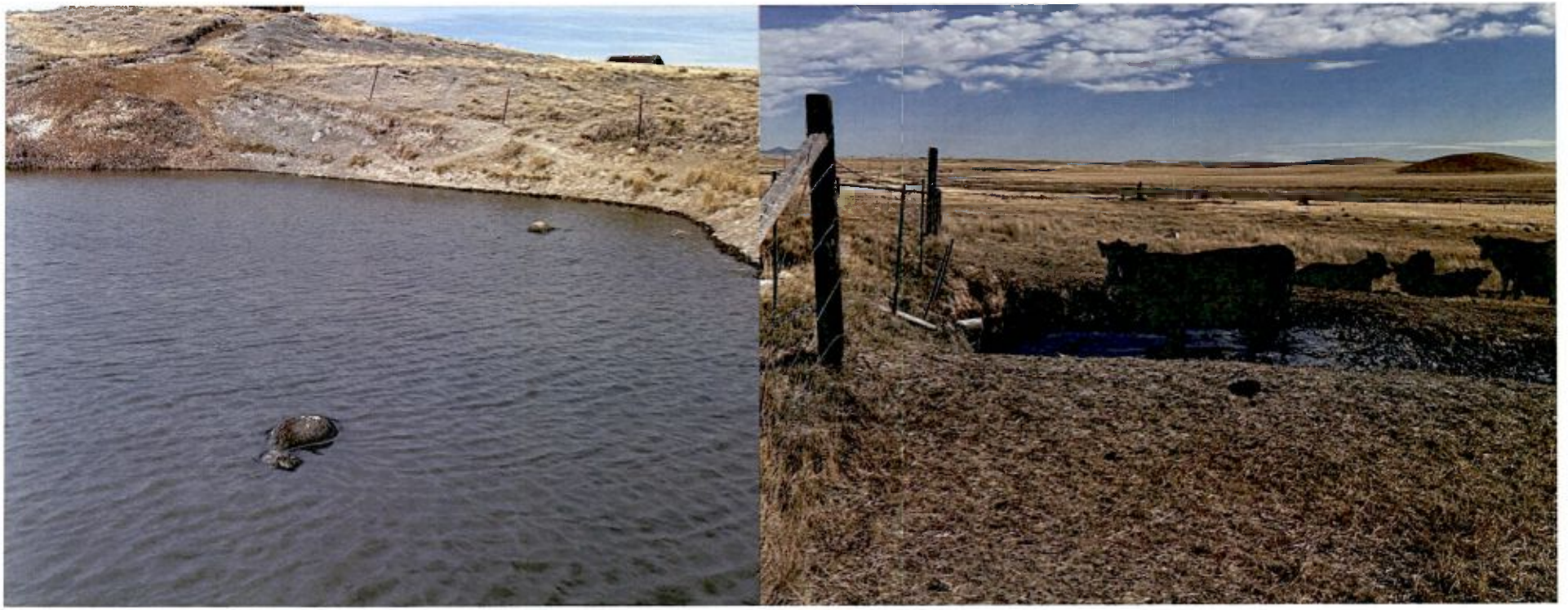

08
Swayze N Diversion
Down Coulee
Federal 3365 ft
Swayz
Cros
Div...rt...d Swayz...
Wat...r Discharg...
16
Somo
3362 ft V
21

DITCHED WATER TOWARDS HESLA

WASTELAND CREATED BY DISCHARGE FROM MULTIPLE LEASES



LIVESTOCK RISK



BONDING REQUIRMENTS

- Max standard cleanup bond for oil companies $50,000 in Montana
- Somont has 1007 wells that have a high potential for needing reclaimation
- That means they would have $50/well set aside for cleanup

WHAT NEEDS DONE

- Board of Oil and Gas enforce cleanup of sites and junk
- DEQ enforce water regulations beyond pits
- Damages paid to landowners for damage done to land with production practices

TESTING SUMMARY

- The TDS and pH can vary a lot from pit to pit
- 90% of the tests come back way over the safe limit for Fluoride
- Over 50% above the university standards for Arsenic
- A lot of oil and grease exceedances
- Everything accumulates over time as the water evaporates and leaves the minerals and toxins behind (Some of these pits are 50+ years old)
- Swayze soil tests show what can happen in a short period of time with a lot of evaporation

WATER QUALITY

	A	B	C	D	E	F	G	H	I	J	K	L
1					Korey Fauque Readings			Energy Laboratory Readings				
2	Tank Battery/ Lease Name	Sample Number	Sample Date	Time	Nitrate (PPM)	TDS (PPM)	Salinity (PPM)	Nitrate (PPM)	TDS (PPM)	Sodium (PPM)	Sulphate (PPM)	PH
3	Ahlstead	2201107	8/27/2024	10:43 AM	50	7320	6400	NA	6960	2300	2150	9.2
4	Anna Aronow	2201106	8/27/2024	1:28 PM	78	6800	5800	0.01	5910	2190	573	9.7
5	Bruins	2201104	8/27/2024	9:02 AM	240	8500	7700	NA	7760	2940	546	9.3
6	Ellingson "A"	2300312	8/27/2024	10:10 AM	110	4250	3600	0.02	3410	1250	23	8.2
7	Goeddertz	2300367	8/27/2024	11:32 AM	36	5000	4300	NA	4590	1640	583	8.9
8	Leach	2201101	8/27/2024	11:58 AM	56	6500	5500	NA	6210	2040	1710	8.8
9	Page 56	2300132	8/27/2024	12:22 PM	25	4900	4250	NA	4310	1580	635	9.4
10	Swayze	2201113	8/27/2024	9:38 AM	33	4700	4500	0.03	3960	1440	5	7.4
11												

Table 1. Received and potential levels of pollutants in fracture water supplies

SOIL TESTS

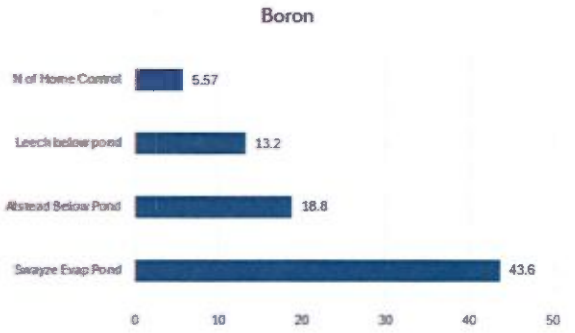
Q: Why is the arsenic cleanup level 20 ppm?

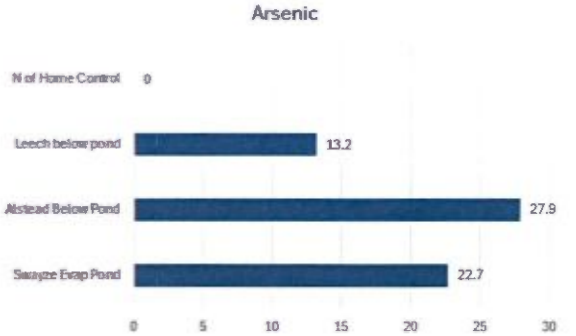
A: Ecology sets cleanup levels based on state law—the Model Toxics Control Act. For cancer-causing contaminants, we set cleanup levels to protect people against an increased lifetime cancer risk at one in a million. For arsenic, the risk-based cleanup number would be 0.67 ppm. However, arsenic occurs naturally in soils at levels higher than 0.67 ppm. In Washington, we consider "urban background" arsenic to be 20 ppm. That is where we set the cleanup level.

Q: What is the risk level at 20 ppm arsenic?

A: We estimate that being exposed to 20 ppm arsenic in soils may increase cancer risk by 30 in one million. That means in a population one million people, there may be 30 cases above the background cancer rate. In other words, there would be 30 more cases of cancer than if there were no arsenic in soil.

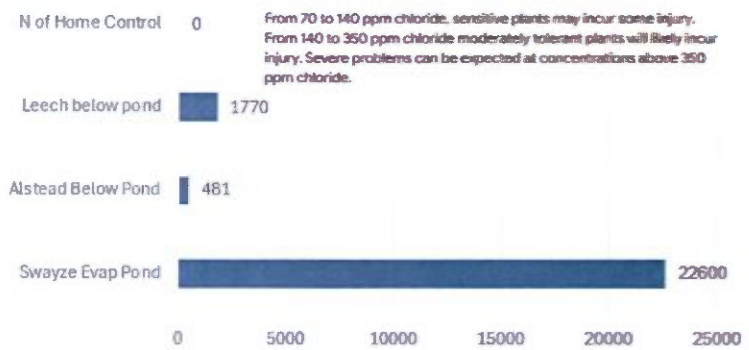
Boron toxicity in soil occurs when levels exceed **0.5 to 1 parts per million (ppm)**. Boron is a mineral that's essential for plant growth in small amounts, but can be toxic in excess.



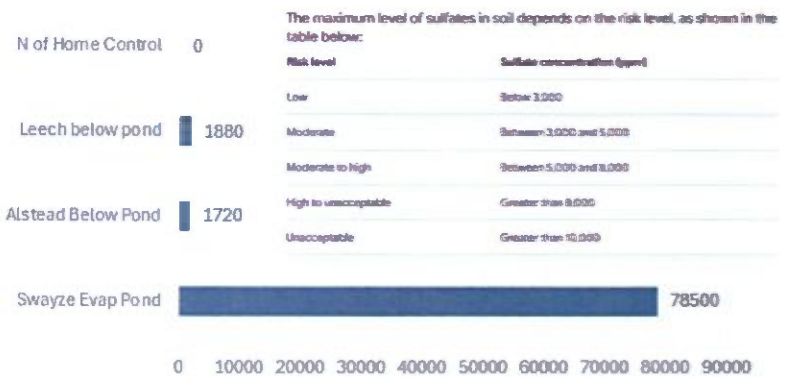


SALTS

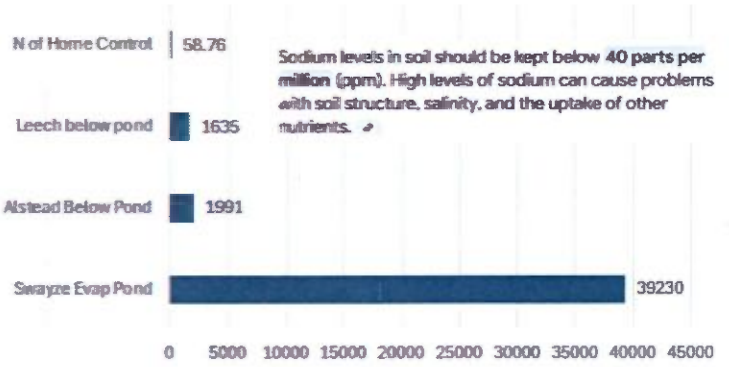
Chloride



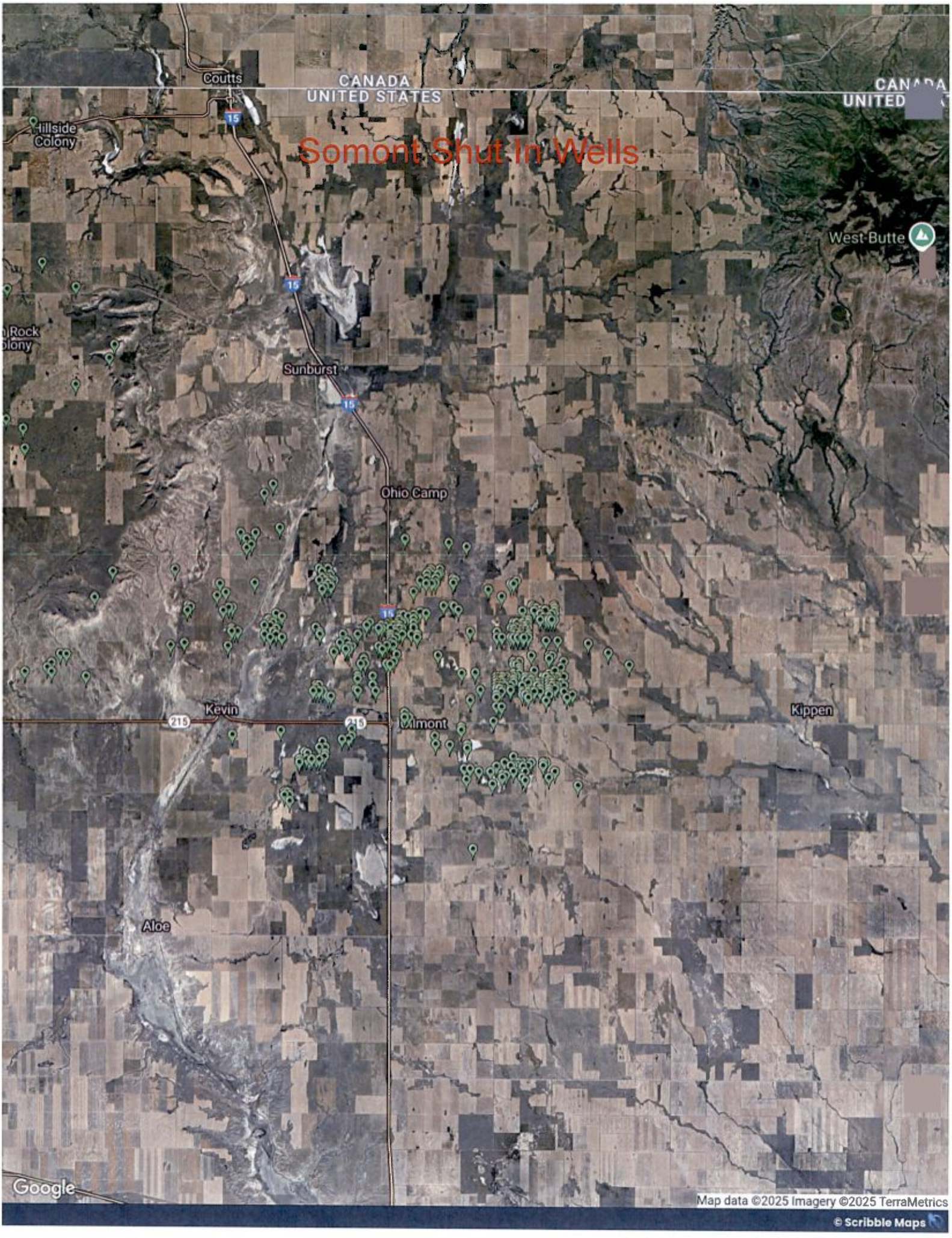
Sulfate



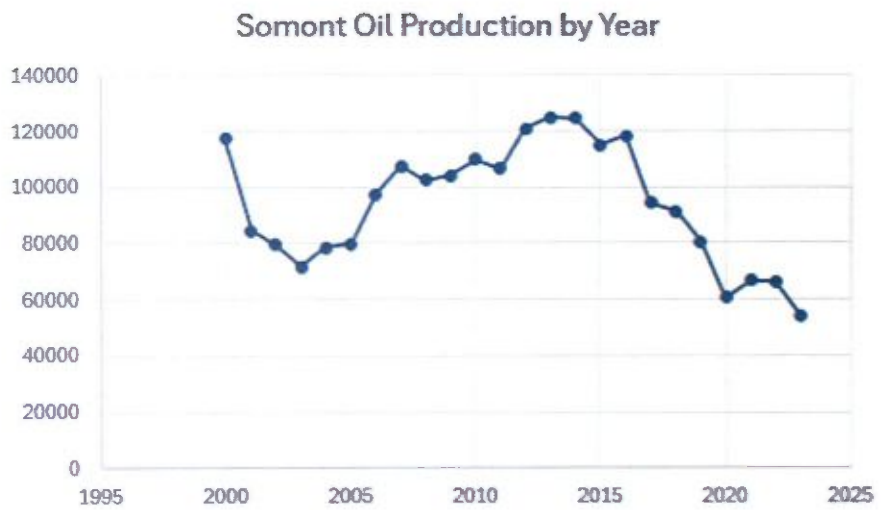
Sodium

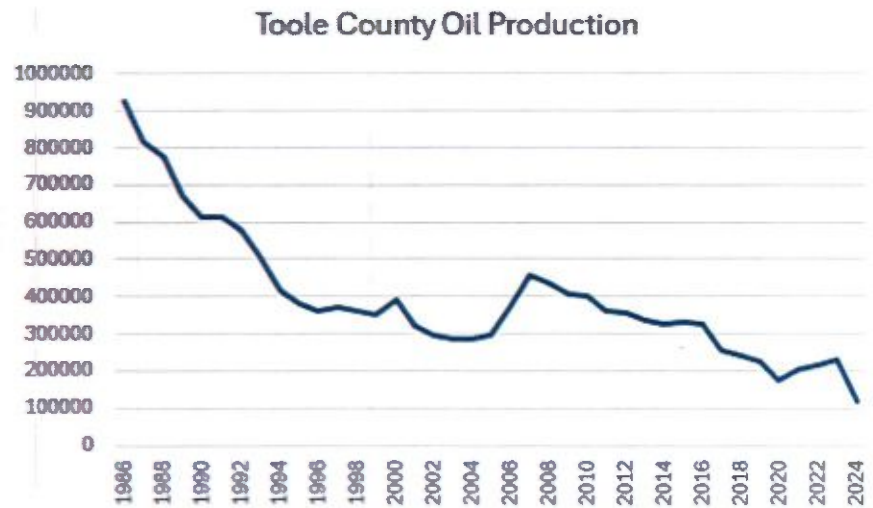



Somont Active Wells
CANADA
UNITED STATES
Coutts
Hillside Colony
Sunburst
Ohio Camp
Kevin
Oilmont
Aloe
15
215
Google
Map data ©2025 Imagery ©2025 TerraMetrics
© Scribble Maps


Somont Shut In Wells
Coutts
CANADA
UNITED STATES
Hillside Colony
West Butte
Sunburst
Ohio Camp
Kevin
Somont
Kippen
Aloe
Google
Map data ©2025 Imagery ©2025 TerraMetrics
© Scribble Maps

OILFIELD IN DECLINE





DEQ Montana Department of Environmental Quality

Water Quality Division
Montana Pollutant Discharge Elimination System (MPDES)
Fact Sheet for Produced Water General Permit

Permit Number:	MTG310000
Facility:	Oil and Natural Gas Production Operations
Receiving Water:	Statewide Ephemeral Water Bodies of Montana (Except Indian Reservations and the state waters in Rosebud Creek, Tongue, Powder, and Little Powder River watersheds)
Facility Contact:	Applicant
Fact Sheet Date:	April 2020

I. Permit Information

A. Permit Status

DEQ proposes to reissue the MPDES *Produced Water General Permit* (General Permit or PWGP), MTG310000. This Fact Sheet identifies changes from the 2015-General Permit and explains the legal requirements and technical rationale for the permit development process.

The PWGP was first issued by Montana DEQ April 1, 1990. This is the sixth reissuance of the PWGP, the most recent version became effective May 1, 2015 and expired April 30, 2020. Before expiration, DEQ administratively extended the PWGP on April 25, 2020.

B. Proposed Permit Changes

The major changes proposed with this renewal include:

- Applicants are required to include a consultation letter from the Montana Sage Grouse Habitat Conservation Program if the operation is in sage grouse core, general, or connectivity habitat.
- The monitoring frequency for effluent flow rate, oil and grease, total dissolved solids, electrical conductivity, and sulfate will be increased to quarterly.
- All applicants must submit a water quality analysis with the Notice of Intent package for it to be deemed complete. The special condition allowing applicants to submit the water quality analysis within 6 months of the Notice of Intent data submission will be discontinued.
- If the applicant is proposing a new well that has not discharged, DEQ will accept an anticipated water quality analysis from a nearby well or similar source with the NOI-31 form. Permittees will be required to submit a water quality analysis for new wells within 3 months of discharging produced water.

II. Coverage

A. Area of Coverage

This PWGP applies to all areas of the State of Montana except for Indian Lands, National Parks, and the state waters in Rosebud Creek, Tongue, Powder, and Little Powder River watersheds.

B. Overview

Produced water is separated process wastewater generated from oil or natural gas production. The raw product pumped from oil and gas production wells contains water and crude oil or entrained natural gas. Various methods can be used to separate the oil and gas from the produced water including heat treatment, gravity separation, emulsion breaking chemicals, and skim ponds. After the petroleum is separated from the raw product, the produced water is ready for disposal.

Because produced water is ground water held in formation with oil and gas, its chemical composition is determined by the type of hydrocarbon product, the geological host formation, and the ground water origin. Therefore, produced water quality falls along a wide spectrum, with some waters suitable for beneficial use with

minimal treatment, and others requiring intensive treatment. Produced water can contain high concentrations of oil and grease and total dissolved solids (salinity), which is primarily composed of minerals (salts) dissolved in water.

Federal regulations allow discharge of produced water from onshore oil and gas operation if the quality is good enough to be used for wildlife or livestock watering or other agricultural uses. DEQ does not consider produced water to be suitable for irrigation because waters high in salinity can impact soil structure and cause detriment to crops. Therefore, this General Permit has been developed in consideration of livestock and wildlife, which tolerate saline waters if concentrations are not too high. Because there are no other beneficial uses, this General Permit does not allow direct discharge to intermittent or perennial streams or discharge leading to the runoff of produced water into intermittent or perennial streams.

C. Allowed Operations/Discharges

This General Permit authorizes the disposal of produced water into ephemeral drainages and impoundments constructed in ephemeral drainages for beneficial uses only. Oil and gas production operations in Standard Industrial Classification 1311 and North American Industry Classification System 2111 may discharge produced water into state waters mentioned above. Allowed operations for this General Permit are as follows:

1. ***Discharge to Ephemeral Receiving Waters, ARM 17.30.602***
   An ephemeral stream flows only in direct response to precipitation in the immediate watershed or in response to the melting of snow and ice whose channel bottom is always above the local ground water table. This General Permit only authorizes produced water discharge that can be contained in ephemeral drainages and/or impoundments constructed in ephemeral drainages.

   Discharge of produced water must be less than the storage volume of an ephemeral drainage or impoundment, and must not lead to produced water runoff into intermittent or perennial streams. It is the applicants' responsibility to ensure qualification for coverage under this General Permit by identifying available ephemeral drainages and/or impoundments and evaluating their capacity for containing produced water.

2. ***Produced Water from Oil and Gas Operations, 40 CFR 435.11***
   Produced water is the water (brine) brought up from the hydrocarbon-bearing strata during the extraction of oil and gas. Produced water can include formation water, injection water, and any chemicals added downhole or during the oil/water separation process.

3. ***Discharge for Wildlife Propagation, 40 CFR 435.51***
   The produced water must be of good enough quality to be used for wildlife or livestock watering or other agriculture uses. The produced water must also be put to actual use during periods of discharge. Therefore, drinking water quality requirements for livestock or wildlife must be considered when determining which specific produced waters are usable for beneficial uses. See **Section IX.B** of this fact sheet for additional discussion.

D. Prohibited Operations/Discharges

Facilities which do not qualify for coverage under the Produced Water General Permit must apply for a MPDES individual permit. The following are excluded from coverage under this General Permit, consistent with ARM 17.30.1341(4):

1. Applicants unable to comply with effluent limits or other terms and conditions of the permit, water quality standards, or any additional requirements that DEQ determines are necessary.

2. If an MPDES permit or authorization for the same operation has been previously denied or revoked.

3. Discharge different in degree or nature from the sources or activities described in the General Permit:

   a. ***Produced Water from Coal Bed Natural Gas Operations***
      Coal bed natural gas operations involve depletion of shallow alluvial and coal bed ground water aquifers resulting in potentially large volumes of effluent for discharge, as well as potentially

different effluent quality from traditional oil and gas production. Therefore, coal bed natural gas discharges are excluded from coverage under the Produced Water General Permit, and must apply for individual MPDES permit coverage. Also, the national Effluent Limitation Guidelines specified in 40 CFR Part 435, Subpart E were promulgated for traditional oil and gas production, but not for coal bed natural gas production.

b. ***Discharge to Intermittent or Perennial Streams***
This General Permit does not allow produced water to be discharged to intermittent or perennial streams, which are subject to specific water quality standards set forth in ARM 17.30.620-670 and in Circular DEQ-7. Produced water must not lead to runoff into intermittent or perennial streams, so discharge exceeding the storage volume of an ephemeral drainage or impoundment is not allowed. It is the applicants' responsibility to identify available ephemeral drainages and/or impoundments and to evaluate their capacity for containing produced water volume to ensure qualification for coverage under this General Permit. No discharge to any other state waters besides ephemeral drainages is authorized by this permit.

c. ***Discharge to Rosebud Creek, Tongue, Powder, and Little Powder River Watersheds***
Facilities proposing to discharge produced water into the Rosebud Creek, Tongue, Powder, and Little Powder River watersheds are not eligible for coverage under this PWGP and must apply for coverage under a MPDES individual permit. ARM 17.30.670 specifies numeric water quality standards for electrical conductivity and sodium adsorption ratio in all tributaries and surface waters in these watersheds.

d. ***Discharge that Exceeds the Water Quality Requirements for Livestock and Wildlife***
Facilities are not eligible for PWGP coverage if the produced water discharge exceeds the water quality criteria for livestock and wildlife.

4. Discharges included within an application or is subject to review under the Major Facility Siting Act.

5. Point sources in an area of unique ecological or recreational significance, as determined by Montana stream classifications, impacts on fishery resources, local conditions at proposed discharge sites, designations of wilderness areas, or designations of wild and scenic rivers.

E. Obtaining Permit Coverage and Application Process

Facilities seeking coverage under this PWGP will need to apply to DEQ by submitting a complete Notice of Intent (NOI) Package. Once a complete NOI package is received, DEQ will review the application and decide whether to deny or issue a confirmation letter for coverage under the General permit, which is only valid when accompanied by the PWGP. Each authorization under the General Permit will be to a specific owner/operator of a gas or natural gas production facility. The operation will be allowed only in the area specified in the authorization letter, and discharge is only allowed via identified outfalls to specified receiving waters.

1. Requirements for Authorization – Notice of Intent Package
Planned produced water operations must submit a complete Notice of Intent (NOI) package to DEQ. A complete NOI package consists of the following:

a. Notice of Intent Form for Produced Water General Permit (NOI-31 form): The updated NOI-31 form is located on DEQ's website at http://deq.mt.gov/Water/permits/Discharges.

b. Livestock and Wildlife Drinking Water Criteria and Water Quality Analysis: Applicants must submit a water quality analysis of the produced water proposed to be discharged for all parameters specified in **Section II.D** of the General Permit. Applicants will be ineligible for permit coverage if water quality does not meet Livestock and Wildlife Drinking Water Criteria.
- The analysis must be done in accordance with EPA test procedures (40 CFR Part 136) and each parameter must meet the required reporting value (RRV) from the most recent Circular DEQ-7.
- If the applicant is proposing a new well that has not discharged, DEQ will accept an anticipated water quality analysis from a nearby well or similar source with the NOI-31 form. Once discharge

commences, permittees are required to submit a water quality analysis for new wells within 3 months of initial discharge.

c. If Constructing an Impoundment - Produced Water Storage Capacity Self Evaluation: Applicants must certify that the discharged produced water is less than the storage volume of an impoundment and does not lead to produced water runoff into intermittent or perennial streams. The updated evaluation requirements are part of the NOI-31 form located on DEQ's website at http://deq.mt.gov/Water/permits/Discharges.

d. Sage Grouse Habitat Executive Order No. 12-2015: If the operation is in sage grouse core, general, or connectivity habitat, the applicant must include a consultation letter from the Sage Grouse Habitat Conservation Program, https://sagegrouse.mt.gov/.

e. Analyses for New Sources: If the proposed discharge is to a new source or new authorization, applicants must obtain analyses from:
   - Montana National Heritage Program
   - Montana State Historic Preservation Office

f. Required Fee: Fees are required under ARM 17.30.201 Schedule I.B, and determined by NOI-31 status:
   - New Application Fee: $1,200
   - Renewal Application Fee: $900

2. ***New Authorization Under the 2020-General Permit***

The process for obtaining first time coverage under the General Permit is as follows:

a. At least 30 days prior to operation, applicants must submit a complete NOI Package to DEQ.

b. DEQ will review the NOI package for completeness.
   - If there are no deficiencies during the review, DEQ will issue an authorization letter.
   - If the NOI package is deficient, permit coverage will not be granted. DEQ will notify the applicant of required information.

   Applicants are not allowed to discharge without an authorization letter from DEQ.

3. ***Continuing Authorization Under the 2020-General Permit***

Continued coverage applies to active permittees currently covered under the 2015-issued General Permit, unless they are excluded according to the conditions in **Section I.B** of the General Permit. DEQ will reissue authorization to existing permittees through the process outlined below:

a. Eligible applicants with **current** general permit authorization (2015-issued General Permit) must submit a complete renewal request (NOI package) for continued coverage. The NOI package must be submitted **within 60 days of the effective date of the 2020-General Permit**.

b. DEQ will review the NOI package for completeness.
   - If deficiencies are not found during the review, DEQ will issue an authorization letter.
   - If the NOI package is deficient, permit coverage will not be granted. DEQ will notify the applicant of required information.

4. **Terminating Authorization**

The options for terminating permit coverage are listed below:

a. Permittees must complete and submit a Notice of Termination (NOT) form to DEQ.
   - The NOT form is available at http://deq.mt.gov/water/resources/Forms
   - Annual fees accrue until DEQ receives a Notice of Termination.

b. Current permittees may request to be excluded from coverage under this General Permit by applying for and obtaining an individual MPDES permit.
   - If an individual MPDES permit is issued, coverage under this General Permit will be terminated on the effective date of the final individual MPDES permit.

5. **Transferring Permit Coverage**
DEQ may transfer authorization to a new owner or operator under the General Permit. A permit transfer constitutes written notice to DEQ under the Montana Water Quality Act that the new owner or operator assumes responsibility and liability for all the terms and conditions in the permit, including fees.
   a. The current owner and new owner must submit a completed Permit Transfer Notification (PTN) form to DEQ at least 30 days before the effective date of the proposed transfer. The PTN form is available at http://deq.mt.gov/water/resources/Forms
   b. The PTN form may not be used to transfer permit coverage to a new or different site location or to modify the terms and conditions of the permit.

6. **Denied Authorizations**
If a permittee is denied authorization to operate under the General Permit, DEQ will proceed to process the request for authorization through the individual MPDES permit requirements, unless the applicant withdraws the NOI or modifies the proposed discharge to meet the requirements of the General Permit. If the applicant withdraws the application, they must reapply with a full NOI package and applicable fees if they intend to seek future coverage under the General Permit.

III. Effluent Characteristics and Discharging Facilities

A. Previous Permit Limits

Table 1: 2015-Permit Limits

Parameter	Units	Average Monthly Limit	Maximum Daily Limit
Oil and Grease	mg/L	-	10
Total Dissolved Solids (TDS)	mg/L	5,000	-

B. Effluent Characteristics

The 2015-PWGP required semiannual monitoring for basis for several parameters. **Table 2** summarizes effluent quality as reported on discharge monitoring reports through NetDMR during the period of record. For conductivity and sulfate, the minimum, maximum, and average values are the reported monthly minimum average, monthly maximum, and average of the reported monthly average values, respectively. Flow rate and TDS values are taken from reported monthly averages, and oil and grease values are based on the reported monthly maximum.

Table 2. Effluent Characteristics Reported on Discharge Monitoring Reports by All Permittees June 2015-December 2019

Parameter	Units	Min	Max	Average	Sample Size	Permit Limit Exceedances
Effluent Flow Rate	gal/min	0.03	117	19.2	155	no limit
Oil and Grease	mg/L	0	29	3.9	118	6
Total Dissolved Solids	mg/L	0	10,127	3,249	148	6
Sulfate	mg/L	0	6,510	805.4	145	(1)
Electrical Conductivity (EC)	µS/cm	0	13,100	4,834	147	(1)

(1) No permit limit.

A special condition of the 2015-General Permit required permittees to submit a water quality analysis with the Notice of Intent package. This analysis was compared to livestock and wildlife drinking water quality requirements that were established and updated in previous permit cycles using recommendations from industry research and publications. Applicants whose discharge exceeded the water quality requirement were allowed to conduct additional sampling until they could demonstrate their ability to comply with the criteria.

Table 3 summarizes the water quality analyses submitted by applicants in the period of record. Of the 30 permitted facilities, 23 submitted complete a complete water quality analysis, 5 submitted an incomplete analysis, and 7 did not submit. In the renewed General Permit, DEQ will not grant permit coverage without a complete and updated water quality analysis that meets drinking water criteria.

Table 3. Wildlife and Livestock Drinking Water Quality Analyses 2015-2019

Parameter	Units	Min	Max	Average	Sample Size	Criteria	Exceedances
Arsenic	mg/L	0.001	0.013	0.3	23	0.5	4
Boron	mg/L	0.26	6.1	1.7	26	5.0	6
Copper	mg/L	0.001	0.024	0.005	23	0.5	0
Electrical Conductivity (EC)	µS/cm	1690	9430	5403	27	11,000	2
Fluoride	mg/L	0.1	5.3	2.4	24	3.0	7
Lead	mg/L	0.0003	0.03	0.005	23	0.1	0
Nitrate	mg/L	0.01	0.41	0.061	19	100	0
Nitrite	mg/L	0.01	0.11	0.026	18	10	0
Oil and Grease	mg/L	0.6	30	3.4	29	10	1
pH	s.u.	7.0	9.0	8.3	25	6.0 - 9.0	0
Selenium	mg/L	0.001	0.025	0.006	23	0.05	0
Sodium	mg/L	36	2037	1140	24	2,250	0
Sodium Absorption Ratio (SAR)	-	0.46	83.3	41.1	23	NA	NA
Sulfate	mg/L	43	2730	712	27	2,500	1
Total Dissolved Solids (TDS)	mg/L	690	6280	3270	25	5,000	2
Zinc	mg/L	0.008	5.82	0.330	23	25	0

C. Current Permitted Facilities

There are currently 30 permittees authorized under the 2015-PWGP. Some of the permittees reported "Operation Shutdown" or "No discharge" intermittently. The renewed permit will increase the required monitoring frequency from biannual to quarterly.

IV. Technology Based Effluent Limits

Technology-based effluent limits (TBELs) represent the minimum level of treatment or control and are based on implementing available treatment technologies to reduce pollutants. TBELs are based on currently available treatment technologies and allow the permittee the discretion to choose applicable controls to meet those standards.

A. ELGs for Oil and Gas Extraction Point Source Category, 40 CFR Part 435:

Dischargers other than publicly-owned treatment works are held to effluent limitation guidelines (ELGs), which are defined in 40 CFR Subchapter N. ELGs are national regulatory standards based on the performance of treatment and control technologies.

B. Agricultural and Wildlife Water Use Subcategory, 40 CFR Part 435 Subpart E:

The effluent limits in this Produced Water General Permit represent the degree of effluent reduction attainable by the application of **best practicable control technology currently available (BPT)** in produced water for agriculture or wildlife beneficial uses.

a. There shall be no discharge of waste pollutants into navigable waters from any source (other than produced water) associated with production, field exploration, drilling, well completion, or well treatment (i.e., drilling muds, drilling cuttings, and produced sands).

b. Produced water discharge shall not exceed the following daily maximum limitation:
   - Oil and Grease: 35 mg/L.

V. Water Quality Based Effluent Limits

Permits are required to include Water Quality-Based Effluent Limits (WQBELs) when TBELs are not adequate to protect state water quality standards. WQBELs are developed for each parameter demonstrating reasonable potential to cause or contribute to an excursion from any water quality standard, including narrative criteria.

A. Scope and Authority

The Montana Water Quality Act states that a permit may only be issued if DEQ finds that it will not result in pollution of any state waters. No wastes may be discharged that can reasonably be expected to violate any state water quality standards. Montana water quality standards define water use classifications for all state waters and numeric and narrative standards that protect those designated uses.

B. Receiving Waters: Ephemeral

This General Permit authorizes produced water discharges that can be contained in ephemeral drainages and/or impoundments constructed in ephemeral drainages. An ephemeral stream flows only in direct response to precipitation in the immediate watershed or in response to melting of snow and ice whose channel bottom is always above the local ground water table. State waters means any body of water, irrigation system, or drainage system, either surface or underground. This definition includes lakes and ponds, both natural and man-made, and ephemeral drainages.

Discharges into the Rosebud Creek, Tongue, Powder, and Little Powder River watersheds are not eligible for coverage under this PWGP. ARM 17.30.670 specifies numeric water quality standards for electrical conductivity and sodium adsorption ratio in all tributaries and surface waters in these watersheds.

Discharge of produced water must be less than the storage volume of an ephemeral drainage or impoundment, and must not lead to produced water runoff into intermittent or perennial streams. It is the applicant's responsibility to:

- Identify available ephemeral drainages and/or impoundments
- Evaluate capacity for containing produced water volume

C. Beneficial Use: Wildlife or Livestock Watering

The Produced Water General Permit only authorizes discharge of produced water for the specific beneficial use of wildlife or livestock watering. DEQ does not consider produced water to be suitable for irrigation because waters high in total dissolved solids/salinity can impact soil structure and cause detriment to crops. Because there are no other beneficial uses, this General Permit does not allow discharge to lead to the runoff of produced water to intermittent or perennial streams. Irrigation with produced water to agricultural fields or rangeland is not considered a beneficial use of produced water.

D. Applicable Water Quality Standards

Discharges to state waters are subject to specific water quality standards. Water quality standards apply to all state waters, meaning a body of water, irrigation system, or drainage system either on the surface or underground. State waters include ephemeral and intermittent drainages, isolated ponds, lakes, and other water bodies.

1. Standards Applicable to Ephemeral Waters

Treatment requirements for discharges to ephemeral streams must be no less than the minimum treatment requirements set forth in ARM 17.30.1203. Ephemeral streams are subject to ARM 17.30.635 through 17.30.637, 17.30.640, 17.30.641, 17.30.645, and 17.30.646 but not to the specific water quality standards of ARM 17.30.620 through 17.30.629.

2. General Prohibitions

Produced water discharges must comply with general prohibitions (narrative standards) which require that state waters be free from substances which will:

a. Settle to form objectionable sludge deposits or emulsions beneath the surface of the water or upon adjoining shorelines;
b. Create floating debris, scum, a visible oil film (or be present in concentrations at or in excess of 10 mg/L), or globules of grease or other floating materials

c. Produce odors, colors, or other conditions which create a nuisance or render undesirable tastes to fish flesh or make fish flesh inedible;
d. Create concentrations or combinations of materials which are toxic or harmful to human, animal, plant, or aquatic life; and
e. Create conditions which produce undesirable aquatic life.

Discharges into all classified waters are not allowed to cause an increase above naturally occurring concentrations of sediment or suspended sediment, settleable solids, oils, or floating solids, which are likely to create a nuisance or render the waters harmful to public health, recreation, safety, welfare, livestock, wild animals, birds, fish, or other wildlife.

3. ***Drinking Water Requirements for Wildlife and Livestock***
DEQ updated the water quality criteria for livestock and wildlife using guidelines from National Research Council (NRC), Canadian Council of Ministries of the Environment (CCME), and the National Academy of Sciences (NAS). The requirements are for minerals that are most likely to reach toxic levels in natural water supplies, and consider that animal tolerance depends on many variables, such as type of dissolved minerals, type of animal, climate, feed, and metabolic demands. Some minerals are essential for animal health and productivity, but all minerals can have adverse effect on animals when amounts become excessive. Naturally occurring minerals in water typically do not result in acute toxicosis, but lead to chronic conditions of poor animal performance or increased health problems.
   - The Special Condition to submit a prerequisite water quality analysis with the Notice of Intent Package will be continued. See **Section IX.B** of this Fact Sheet.

E. General Permit Pollutant Analysis

1. ***Oil and Grease:*** Montana regulations require that state waters be free from substances attributable to industrial discharges that will result in concentrations of oil and grease at or in excess of 10 mg/L. This limit will be included in the permit renewal, and is consistent with the 2015-PWGP.

2. ***Total Dissolved Solids (TDS):*** TDS (salinity) measures the concentration of dissolved organic and inorganic substances but does not specify the specific dissolved solids present. Because TDS is composed primarily of dissolved minerals (salts), it is often referred to as salinity. TDS does not identify the specific minerals present in produced water, but instead is useful as a general water quality indicator. Also, concentrations above 5,000 mg/L are not safe for growing, pregnant, or lactating animals. TDS also affects palatability, with high levels causing a decrease in consumption, and ultimately performance.
   - The effluent limit of 5,000 mg/L will be continued.
   - Monitoring will be required quarterly.

3. ***Electrical Conductivity (EC):*** Electrical conductivity is an indirect method for estimating TDS, as cations and anions from dissolved minerals conduct electricity. Sudden increases in EC can alert the permittee of increased concentrations of inorganic dissolved solids without extensive water quality testing, so the monitoring requirement for EC will be continued. However, the prerequisite water quality criteria will be removed to reduce redundancy, as there is a requirement for TDS.
   - Monitoring will be required quarterly.

4. ***Sulfate:*** There was no limit for sulfate in the 2015 permit, but monitoring for this parameter was required, as it is a common pollutant in produced waters that can easily exceed concentrations of 1,000 mg/L. The monitoring requirement will be continued.
   - Monitoring will be required quarterly.

VI. Final Effluent Limits

Beginning on the effective date of this permit and lasting through the duration of the permit, the quality of effluent discharged at all outfalls must, at a minimum, meet the effluent limits presented below and in **Table 4** . All limits are applicable at the end of the pipe, prior to discharge impoundments or ephemeral drainages.

Table 4: Final Effluent Limits – All Outfalls (1)

Parameter	Units	Average Monthly Limit	Maximum Daily Limit
Oil and Grease	mg/L	-	10
Total Dissolved Solids (TDS)	mg/L	5,000	-

(1) See Definition section at the end of the permit for explanation of terms.

There shall be no discharge of waste pollutants into state waters other than ephemeral drainages from any source (other than produced water) associated with production, field exploration, drilling, well completion, or well treatment (including but not limited to drilling muds, drilling cuttings, and produced sands.)

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no discharge which causes visible oil sheen in the receiving water.

There shall be no discharge that settles to form objectionable sludge deposits or emulsions beneath the surface of the water or upon adjoining shorelines.

VII. Nondegradation Analysis

For all state waters, existing and anticipated uses and the water quality necessary to protect those uses must be maintained and protected. DEQ has determined that produced water operations that comply with the PWGP will result in nonsignificant changes in water quality for the following reasons:

- There is low potential for harm to human health or the environment.
- The PWGP imposes pollutant effluent limits to ensure that water quality is protective of the beneficial use of receiving waters.
- The PWGP includes monitoring and reporting requirements to establish, confirm, and maintain compliance with the permit limits.

VIII. Monitoring and Reporting Requirements

A. Requirement to Monitor and Report

All permittees must monitor their effluent. The samples collected and analyzed must be representative of the volume and nature of the facility's discharge. The Required Reporting Value (RRV) is DEQ's best determination of a level of analysis that can be achieved by the majority of commercial, university, or governmental laboratories using EPA-approved methods or methods approved by DEQ, unless another reporting level is specified by DEQ, in writing.

- Monitoring will start with the effective date of the permit and last for the duration of the permit cycle.
- All analytical procedures must comply with the specifications of 40 CFR Part 136.
- Permittees must submit monitoring results electronically through NetDMR.
- Monitoring must meet the requirements with sample type, frequency, and required reporting values (RRVs) as presented in **Table 5.**

B. Monitoring Locations, Frequency, and Sampling

- Monitoring of the effluent must be representative of the volume and nature of the discharge.
- Effluent quality must be monitored at the discharge location (outfall) after all treatment has occurred and prior to entering the receiving ephemeral drainage and/or impoundment.
- Monitoring is required twice per year during periods of discharge. Permittees must collect sampling at least 5 months apart.
- If there is an anticipated shutdown that would prevent sampling during part of the year, permittees must sample prior to shut down and submit documentation of the activity to DEQ.
- DEQ may adjust monitoring frequency for parameters on a case-by-case basis. Changes will be specified in the permittee's authorization letter.

Table 5: Outfall Monitoring Requirements (1)

Parameter	Units	Frequency	Sample Type (1)	RRV (2)
Effluent Flow	gal/min	Quarterly	Instantaneous	1
Oil and Grease	mg/L	Quarterly	Grab	1
Total Dissolved Solids (TDS)	mg/L	Quarterly	Grab	5
Sulfate	mg/L	Quarterly	Grab	0.1
Electrical Conductivity (EC)	µS/cm (3)	Quarterly	Instantaneous	10

(1) See Definition section oat the end of the permit for explanation of terms.
(2) See Circular DEQ-7 for minimum RRVs.
(3) microSiemens/cm

IX. Special Conditions

Special conditions in MPDES permits supplement effluent limits and require activities designed to reduce the potential for discharge of pollutants. Special conditions also serve the purpose of collecting information that could be used to determine future permit requirements. The applicant must meet the following prerequisites to be authorized to discharge under the Produced Water General Permit:

A. Produced Water Storage Capacity Self-Evaluation

If discharging to an impoundment, permittees must demonstrate that the discharged produced water is less than the storage volume of an impoundment and does not lead to produced water runoff into intermittent or perennial streams.

- All applicants must complete a storage capacity self-evaluation and submit the results on DEQ Form PW-1 with the Notice of Intent package.

B. Water Quality Analysis

Applicants must demonstrate the produced water is of high enough quality for beneficial use. A water quality analysis is a prerequisite for permit coverage, and the produced water discharge must meet the maximum allowable concentrations for the pollutants of concern in **Table 6.**

- The Special Condition to submit a prerequisite water quality analysis (using 40 CFR methods and Circular DEQ-7 Required Reporting Values) with the Notice of Intent Package will be continued.
- If a parameter is reported as not detected, the RRV or lower must be achieved.
- Produced waters which do not meet the wildlife and livestock drinking water criteria are excluded from PWGP coverage.
- If the permittee cannot demonstrate with a single sample that the wildlife and livestock drinking water criteria are achieved, the permittee may collect additional samples, and demonstrate to DEQ that the average value will not exceed water quality criteria.

Table 6. Wildlife and Livestock Drinking Water Criteria

Parameter [1]	Units	RRV [2]	Criteria
Total Dissolved Solids (TDS) [3]	mg/L	5	5000
Oil and Grease [4]	mg/L	1	10
pH [4]	s.u.	0.1	6.0 – 9.0
Arsenic, Total Recoverable [5][6]	µg/L	1	500
Cadmium, Total Recoverable [7]	µg/L	0.03	80
Chromium, Total Recoverable [3][6]	µg/L	10	1000
Cobalt, Total Recoverable [3][6][7]	µg/L	50	1000
Copper, Total Recoverable [3][6][7]	µg/L	2	500
Fluoride [3][6][7]	µg/L	200	2000
Lead, Total Recoverable [3][6][7]	µg/L	0.3	100
Nitrate as N [6][7]	mg/L	0.02	100
Nitrite as N [6][7]	mg/L	0.01	10
Selenium, Total Recoverable [7]	µg/L	1	50
Sulfate [6][7]	mg/L	100	2500
Zinc, Total Recoverable [3][6]	mg/L	0.008	25

(1) Sample type for all parameters is grab. See Definition section at the end of the permit for explanation of terms.
(2) Required Reporting Value. See Circular DEQ-7 for minimum RRVs. If a parameter is reported as not detected, then the RRV or lower must be achieved.
(3) National Academy of Sciences
(4) Administrative Rules of Montana, 17.30 Subchapter 6
(5) Canadian Council of Ministries of the Environment, 1987; Best Professional Judgement
(6) National Research Council, 2005
(7) Canadian Council of Ministries of the Environment, 1997

X. Information Sources

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Subchapter 2 - *Water Quality Permit and Application Fees.*
Subchapter 5 - *Mixing Zones in Surface and Ground Water.*
Subchapter 6 - *Montana Surface Water Quality Standards and Procedures.*
Subchapter 7- *Nondegradation of Water Quality.*
Subchapter 12 - *MPDES Standards.*
Subchapter 13 - *MPDES Permits.*

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University Livestock Water Standards

			Acceptable Levels or Expected Ranges by Source:										
Water Test Result:	Comments	Sources of Contamination	Summary Recommendations (Oetzel)	EPA (human standards)	Dairy NRC 2001	Canadian Task Force, 1987	Jim Linn's Review Paper, 1991 Four-State Conf.	John Parsen, UW SPAL Info Sheet, ~1991	Dairyland Labs (10/11/01)	Dairyland Labs (12/05)	Rock River Labs* (6/25/04)	Mike Socha - DHM article (10/01)	Comments, Other Sources
Index Measures:													
pH	Only EPA info available; no cow studies have been done. Low pH (<6) causes corrosiveness and gives water a metallic taste. High pH gives the water a slippery feel, soda taste, and leaves deposits.		6.0 to 9.0	6.5 to 8.5 (secondary)	6.5 to 8.5				<8.3	5.5 to 8.3	<8.5		
Corrosivity	Corrosive water corrodes pipes and fixtures, causes staining, and adds a metallic taste to the water.	Low pH water, other factors? There are specific testing procedures for water corrosivity (EPA).	---	Non-corrosive (secondary)									
Salinity, TDS, TSS	Mostly from NaCl; bicarbonate, sulfate, Ca, Mg, and silica may also contribute. May add color to the water and reduce water intake. Gives water a salty taste.		<1000 ppm	<500 ppm (secondary)	<1000 safe, 1000-2999 can be used	<3000 ppm			<1000 ppm		<960 to 5000 ppm*		
Hardness	Sum of Ca and Mg; reported as equivalent amount of $CaCO_3$; hard water may clog pipes over time. Hard water leaves scaly deposits on plumbing and fixtures. Hard water also decreases the cleaning action of soaps and detergents. Hard waters may be more palatable than soft waters.	Naturally dissolved Ca and Mg from soil and limestone.	---	no EPA limit			0-60 ppm is soft, 61-120 is moderate, 121-180 is hard, and >180 ppm is very hard; 1 grain/gallon equals 17.1 ppm.				<44 ppm		
Alkalinity	Measured as the capacity of water to buffer acid; high alkalinity is associated with high pH. High alkalinity waters may have a distinctly flat, unpleasant taste.	Alkalinity comes from carbonates, bicarbonates, and hydroxides dissolved in the water.	<500 ppm	no EPA limit		>500 ppm has a laxative effect							Buffers low pH waters to reduce corrosion
Nitrate-nitrogen	Toxic to infants less than 6 months of age; causes shortness of breath and blue-baby syndrome.	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion of natural deposits.	<25 ppm	<10 ppm (legal)	<10 ppm		<100 ppm	Public water should not exceed 10 ppm	<50 ppm		<10 to 20 ppm*	<25 ppm	
Nitrite-nitrogen	Same toxicity as nitrate	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion of natural deposits.	<10 ppm	<1 ppm (legal)			<10 ppm						
Ammonia-nitrogen	An indication of pollution		---	no EPA limit				Public water should not exceed .5 ppm					
Sulfates	>150 ppm causes noticeable salty taste. Sulfate salts are laxatives, with Na_2SO_4 the most potent laxative. H_2S is the most toxic form of S (formed on anode rod of hot water heater or by iron bacteria). SO_4 is 33% S.		<250 ppm	<250 ppm (secondary)	<500 ppm calves and <1000 ppm adult cows	<1000 ppm	<500 ppm calves and <1000 ppm adult cows	Public water should be <250 ppm due to taste and laxative effects	<300 ppm	<300 ppm		<125 ppm	>200 ppm may cause odors, taste bitter, and have a temporary laxative effect.
Microminerals:													
Aluminum	May add color to the water; no health effects listed (EPA).		<5 ppm	<.05 to .20 ppm (secondary)	<.5 ppm	<5 ppm	<5 ppm	Rarely >.2 ppm			<5 to 10 ppm*		
Arsenic	Causes skin damage, circulatory system problems, and increased risk of cancer.	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes.	<.2 ppm	<.05 ppm (legal)	<.05 ppm	<.50 ppm	<.20 ppm	Range of .005 to .34 ppm; median of .06 ppm			<.20 ppm		
Boron			---	no EPA limit	<5 ppm	<5 ppm	<5 ppm				<5 to 1000 ppm*		
Cadmium	Toxicity causes repro problems, possible anemia; EPA lists kidney damage in humans.	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints.	<.05 ppm	<.005 ppm (legal)	<.005 ppm	<.02 ppm	<.05 ppm				<.01 to .05 ppm*		
Chromium	Toxicity causes skin and soft tissue problems; EPA lists allergic dermatitis.	Rarely found in natural waters; indicates industrial pollution (runoff from steel and pulp mills); erosion of natural deposits.	<1 ppm	<.1 ppm (legal)	<.1 ppm	<1 ppm	<1 ppm				<.1 to 1 ppm*		
Cobalt			<1 ppm	no EPA limit	<1 ppm	<1 ppm	<1 ppm						

Water Quality Standards for Livestock Water

revised 1/4/08

			Acceptable Levels or Expected Ranges by Source:										
Water Test Result:	Comments	Sources of Contamination	Summary Recommendations (Oetzel)	EPA (human standards)	Dairy NRC 2001	Canadian Task Force, 1987	Jim Linn's Review Paper, 1991 Four-State Conf.	John Parsen, UW SPAL Info Sheet, ~1991	Dairyland Labs (10/11/01)	Dairyland Labs (12/05)	Rock River Labs* (6/25/04)	Mike Socha - DHM article (10/01)	Comments, Other Sources
Copper	>.1 ppm causes milk oxidative flavor; >.6 ppm may cause dairy liver damage. Copper gives water a bad taste / odor if >1.0 ppm (EPA). May also add color to the water. Short-term exposure causes GI distress; long-term exposure causes liver and/or kidney failure.	Corrosion of household plumbing systems; erosion of natural deposits. May see blue-green staining of plumbing with high copper water.	<.5 ppm	<1.3 ppm (legal), and <1.0 ppm (secondary)	<1.0 ppm	<5.0 ppm (swine); <.6 ppm (dairy)	<.5 ppm	<1.0 ppm for public drinking: usually .01 to .28 ppm	<.3 ppm	<.5 ppm	<.2 to .5 ppm*	<.2 ppm	
Flourine	Excess causes loss of tooth enamel, bone disease (pain and tenderness of the bones); children may get mottled teeth.	Water additives which promote strong teeth; erosion of natural deposits; discharge from fertilizer and aluminum factories.	<2 ppm	<4 ppm (legal), and <2 ppm (secondary). Added at .7 to 1.2 ppm for prevention of tooth decay.	<2 ppm	<2 ppm	<2 ppm				<2 ppm		
Iron	>.3 ppm can stain clothes, support growth of iron bacteria (foul smell), and potentially reduce water intake. May add a rusty color to the water and cause reddish to orange staining of plumbing and fixtures. May tie up zinc, other microminerals? Also a pro-oxidant, which might interfere with anti-oxidants? No health problems listed (EPA).	Iron leaches out of high iron rocks into the aquifer. Deep wells with low dissolved oxygen content and/or high carbonate content will have higher dissolved iron content. Iron may also come from pipes carrying corrosive water.	<.3 ppm	<.3 ppm (secondary)		<.3 ppm	not defined	Taste detection begins at .1 ppm; public water should be <.3 ppm	<.3 ppm	<.3 ppm	<.2 to .4 ppm*	<.2 ppm	Water softeners can remove up to about 3 ppm iron from water. Taste problems are the main issue with high iron water
Lead	Toxicity may cause abortion (goats). Children show delays in physical and mental development; adults may show kidney problems and high blood pressure.	Acidic soft water standing in lead pipes can dissolve excessive lead. Also erosion of natural deposits.	<.10 ppm	<.015 ppm (legal)	<.015 ppm	<.10 ppm	<.10 ppm	Range of .002 to .64 ppm expected.			<.05 to .10 ppm*		
Manganese	Ties up zinc (see Zinpro?, although milligram amounts are very small), maybe other minerals? Gives water a bitter, metal taste and bad odor if >.05 ppm. Turns water black or brown and causes black staining of plumbing and fixtures. Mn bacteria may clog pipes with black "sludge." No health problems listed (EPA).	Deep wells with low dissolved oxygen content; also wells with high carbonate content.	<.05 ppm	<.05 ppm (secondary)	<.05 ppm	no guideline	not defined	Public water should be <.05 ppm to prevent black stains; >.15 ppm causes brownish laundry stains and objectional taste; rarely >1 ppm	<.05 ppm	<.05 ppm	<.05 to .50 ppm*	<.05 ppm	
Mercury	Kidney damage	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills and croplands.	<.01 ppm	<.002 ppm (legal)	<.01 ppm	<.003 ppm	<.01 ppm	Public water should not exceed .002 ppm.			<.01 ppm		
Molybdenum			---	no EPA limit		<.5 ppm	not defined				<.03 to .06 ppm*		
Nickel			<1 ppm	no EPA limit	<.25 ppm	<1 ppm	<1 ppm	Irrigation waters should contain less than .2 ppm.			<.25 to 1.00 ppm*		
Selenium	"Blind staggers" or "bob-tailed disease" if excessive. Human toxicity signs include hair or fingernail loss; numbness in fingernails or toes; circulatory problems.	Discharge from petroleum refineries; erosion of natural deposits; discharge from mines.	<.05 ppm	<.05 ppm (legal)	<.05 ppm	<.05 ppm	<.05 ppm				<.05 to .10 ppm*		
Uranium			<.2 ppm	no EPA limit		<.2 ppm							
Vanadium			<.1 ppm	no EPA limit	<.1 ppm	<.1 ppm	<.1 ppm				<.1 ppm		
Zinc	Gives water a metallic taste. No health problems listed (EPA).	From galvanized pipes carrying corrosive water.	<25 ppm	<5 ppm (secondary)	<5 ppm	<50 ppm	<25 ppm	Public water should be <5 ppm (based on bitter taste); usually .06 to 7.0 ppm.	<25 ppm	<25 ppm	<25 ppm	<25 ppm	
Macrominerals:													
Calcium	Public water should be below about 200 ppm; related to water hardness. No health problems listed (EPA).	Naturally dissolved Ca from soil and limestone.	<200 ppm	no EPA limit		<1000 ppm		usually 50 to 200 ppm	<200 ppm	<200 ppm	<100 to 200 ppm*	<100 ppm	
Chloride	Important anion - contributes to acidosis. May cause bad odor or taste (salty taste) if >250 ppm (EPA). May also increase corrosiveness of the water. No health problems listed (EPA).		<250 ppm	<250 ppm (secondary)				Usually 0 to 540 ppm (median of 13 ppm). High Cl / low pH harms metallic pipes and growing plants.	<200 ppm		<100 to 300 ppm*	<100 ppm	Estimated dairy cow rejection threshold of about 5,000 ppm; Use 2 to 3 ounces bleach/50 gallons water to kill bacteria and algae in tanks.

			Acceptable Levels or Expected Ranges by Source:										
Water Test Result:	Comments	Sources of Contamination	Summary Recommendations (Oetzel)	EPA (human standards)	Dairy NRC 2001	Canadian Task Force, 1987	Jim Linn's Review Paper, 1991 Four-State Conf.	John Parsen, UW SPAL Info Sheet, ~1991	Dairyland Labs (10/11/01)	Dairyland Labs (12/05)	Rock River Labs* (6/25/04)	Mike Socha - DHM article (10/01)	Comments, Other Sources
Magnesium	Epsom's salts ($MgSO_4$) is a laxative. Water >125 ppm Mg may cause diarrhea in some people; try to keep public water <30 ppm. No health problems listed (EPA).	Naturally dissolved Mg from soil and limestone.	<80 ppm	no EPA limit		<300 to 400 ppm		usually 25 to 150 ppm; >125 ppm may be cathartic and diuretic	<80 ppm	<80 ppm	<50 to 100 ppm*	<50 ppm	
Phosphorus		Run-off from cropland, other sources?	<1 ppm	no EPA limit				most water is <.03 ppm	<.7 ppm	<.7 ppm	<.7 ppm		
Potassium	Excessive intakes might cause diarrhea? No health problems listed (EPA).		<20 ppm	no EPA limit				most water is <5 ppm; only rarely >20 ppm	<20 ppm	<20 ppm	<10 to 20 ppm*	<10 ppm	
Sodium	Glauber's salts (Na_2SO_4) is a laxative. Sodium contributes to extracellular fluid volume and controls blood pressure. No health problems listed (EPA).	Softening water by ion exchange increases Na by about 8 ppm for each grain/gallon of hardness removed (1 grain/gallon equals 17.1 ppm). Sodium is the main contributor to high salinity (TDS, TSS) water.	<100 ppm	no EPA limit. The National Academy of Sciences suggests that public water should be <100 ppm Na; this keeps water Na below 10% of total Na intake. Heart and kidney patients should not drink water >20 ppm sodium.		>800 ppm may cause diarrhea		usually 1 to 175 ppm; should be <20 ppm if on a Na-restricted diet	<150 ppm	<150 ppm	<50 to 300 ppm*	<50 ppm	
Sulfur	Usually expressed as sulfates instead (SO_4 is 33% S). Important anion - contributes to acidosis if soluble. No health problems listed (EPA).		<100 ppm	no EPA limit				usually from 0 to 600 ppm (mean of 25 ppm).			<50 to 300 ppm*	<50 ppm	
EPA Notes: (www.epa/gov/safewater)	Corrosion control (pH, etc.) in public water systems reduces iron, copper, and zinc concentrations. This extends the life of water mains and service lines; decreases energy costs because water is pumped through smooth, uncorroded lines; and reduces water losses through leaking or broken plumbing. Corrosion control also reduces water colors and metallic flavors.			Comments on iron and manganese removal (from various extension bulletins):		Chlorination can kill iron bacteria, thus reducing the foul smell and orange film formation from high iron waters. Water softeners can reduce iron if it is 3 to 10 ppm in the natural water (depending on the softener type and manufacturer). Most softeners cannot handle very high Fe or Mn and will become plugged. Chlorination and filtration work better with very high Fe and Mn.					*Rock River Lab - the lower value is the level at which water intake for livestock might start to be impaired, and the higher value is the level at which both water intake and animal health might start to be impaired. They attribute their upper levels to ZinPro.		

Data From ECHO Site
Aresenic Should Be below 200
Floride Below 2000
Oil and Grease Below 10

Discharge Point: 001 - External Outfall

Pollutant: Oil & Grease

Monitoring Location: Effluent Gross

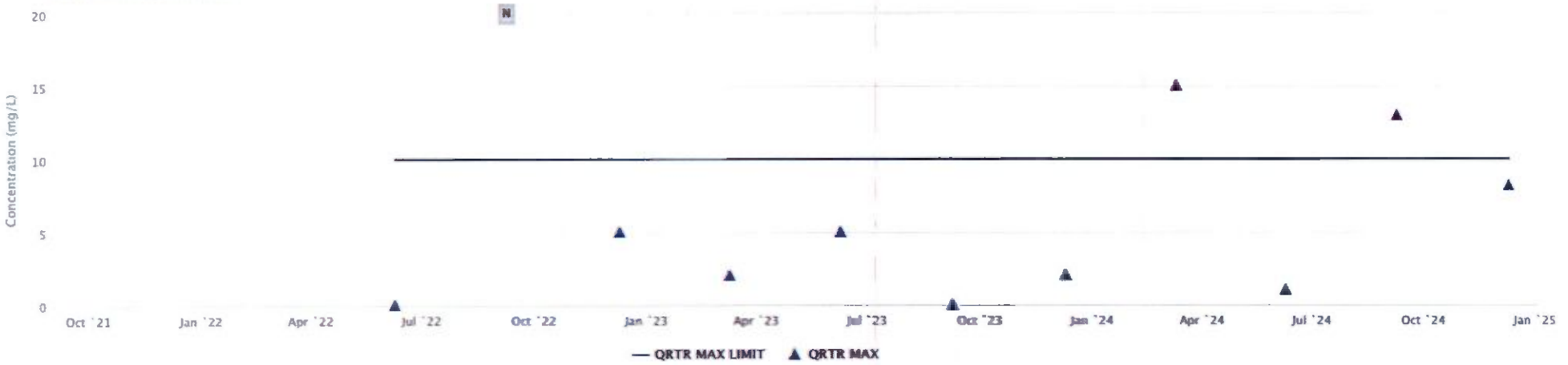
Download Data | Chart Legend | Help

Concentration

Download Chart

Late/Missing Reports Timeline

Non-Numeric Value Timeline



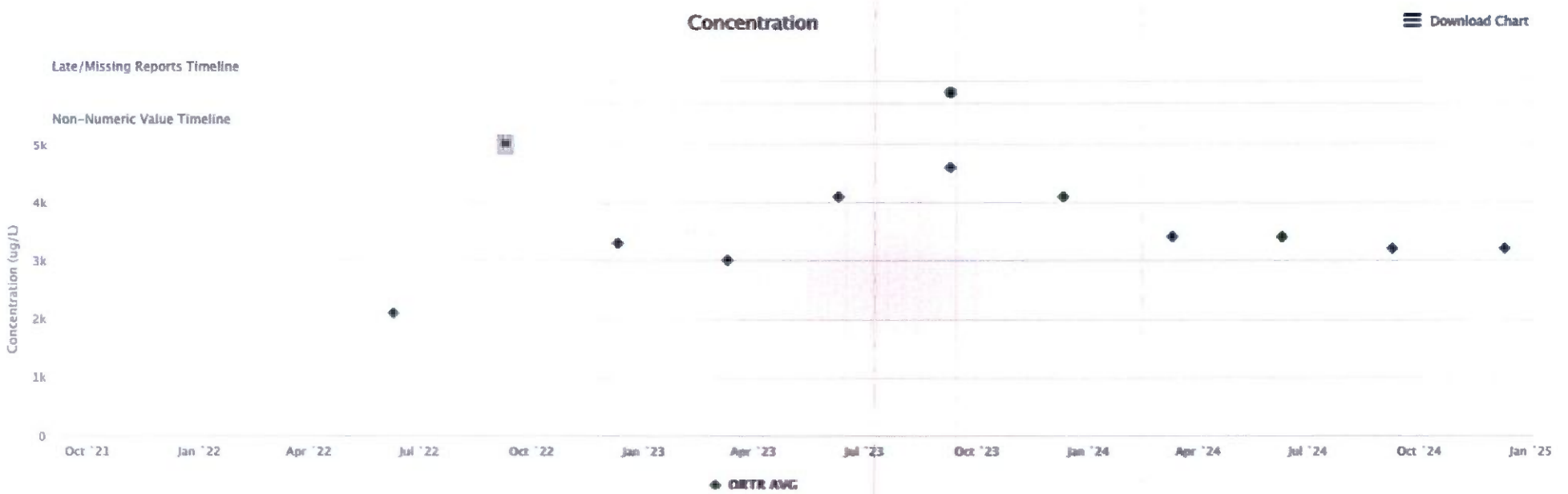
Discharge Point: 001 - External Outfall

Pollutant: Fluoride

Monitoring Location: Effluent Gross

Show/Hide Table

Download Data | Chart Legend | Help



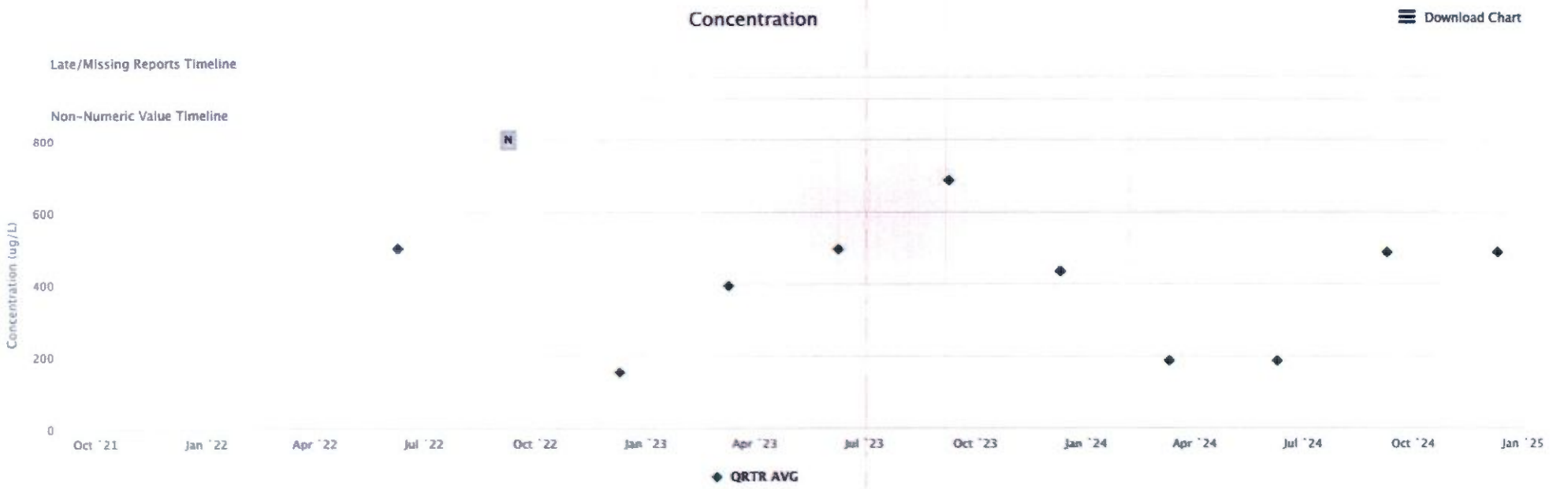
Discharge Point: 001 - External Outfall

Pollutant: Arsenic, total recoverable

Monitoring Location: Effluent Gross

Show/Hide Table

Download Data | Chart Legend | Help



Montana Salinity Control Sampling

Korey,

Attached are the results of the soil and water sampling and analysis, map of sites and full Energy labs results .

For the soil samples you will see that Chloride is high to very high at all the sites. Rarely with the local soils do we find chloride above 250 mg/l . This high chloride is directly from produced water that has run over land and spread out on the soil.

The sulfate is also very high which is from the local soils that are being saturated by produced water. The location the samples taken was in low areas where shale bedrock is close to the surface. There is no downwards movement of water into the bedrock so the sulfate continues to build up as the water evaporates. None of these sites have any vegetation present which also basically makes them act like evaporation pits. Magnesium is also common in the local bedrock and goes into solution just like sulfate when the bedrock is saturated.

Normally, soil TPH is less than 50 mg/kg. In this case, your soil TPH is higher than normal in the Nichols, Gillespie, and Roark locations with Nichols being the highest at 718 mg/kg. Most of the hydrocarbons present at this sampling depth of 0-6" have volatized. Produced water does have most of the hydrocarbons removed from it, so it is mainly salt water comprised of Sodium Chloride going out onto the fields. Samples KFW1 And KFW2 show that pretty well.

The two water samples are very high in chloride salts and contain very little sulfate. If you were sampling normal saline seep water you would see the exact opposite, low chloride and high sulfate.

We did not sample a site with no known produced water around. If that is needed for a comparison, please let us know.

Also attached is the MSCA invoice for the lab fee, mileage and sampling.

Thank you,

Scott Brown

Montana Salinity Control Association

3615 29th Street SW

Great Falls, MT 59404

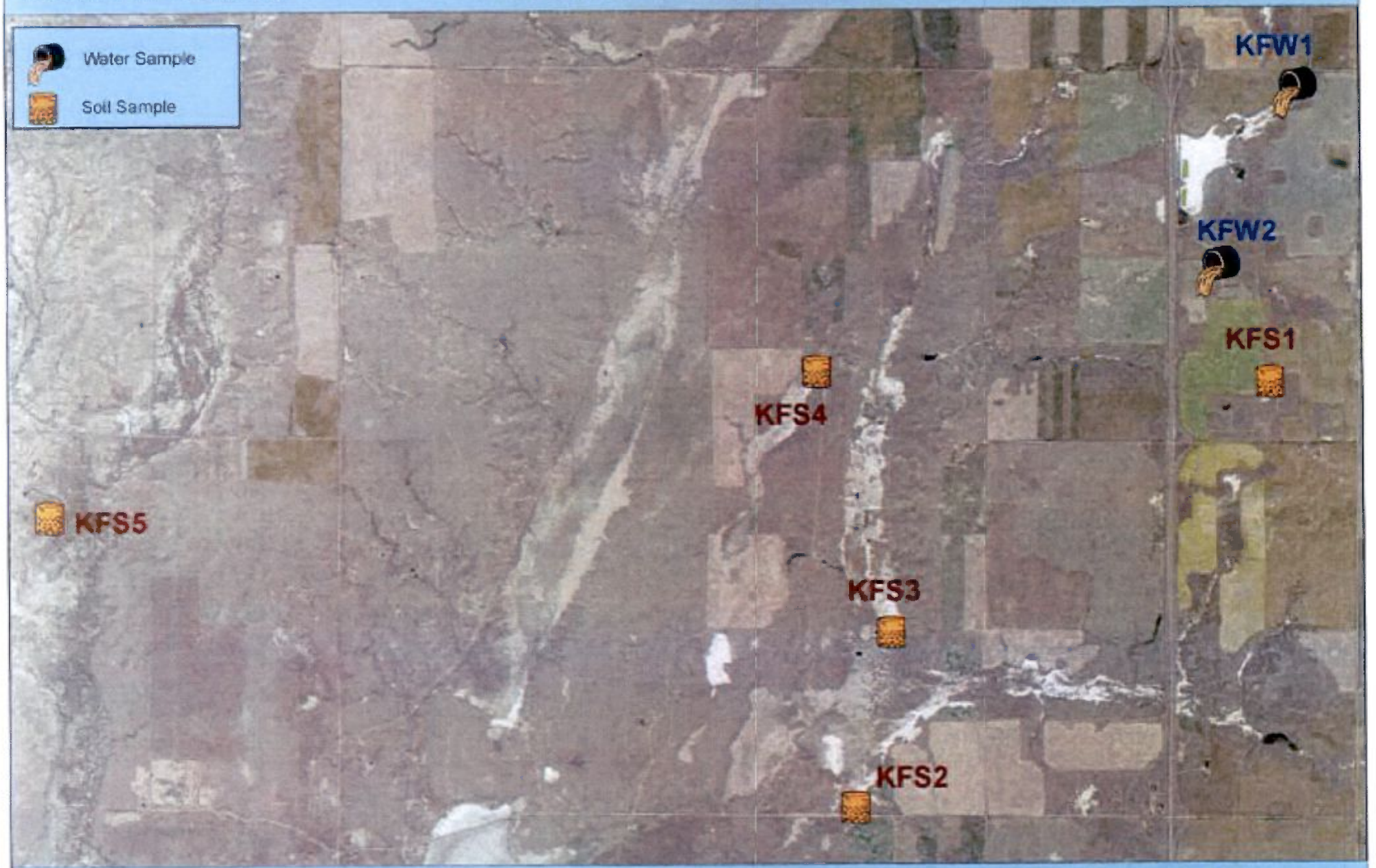
Office 406- 868-1463

Mobile 406-899-3492

Name: Korey Fauque
Location: North Toole County

Sample Location Map

Project Number: SPTO-23
Sample Date: 12/4/2024



Montana Salinity Control Association
3615 29th ST SW Great Falls, MT 59404
mtsalinity@Gmail.com 406-868-1463

Montana Salinity Control Association

Soil and water sampling results from sampling on 12/4/24 Toole County

Water Analysis

Date	Sample ID	Location Lat Long	Location Local Name	Conductivity umhos/cm	TDS mg/l	Arsenic mg/l	Chloride mg/l	Sulfate mg/l	Bromide mg/l	Barium mg/l	Calcium mg/l	Magnesium mg/l	Strontium mg/l	TPH mg/l
12/4/2024	KFW1	48.82468 -111.850158	Swayze Evap Pit	5710	3720	0.30	660	6	2.5	8.15	98	45	2.48	7.6
12/4/2024	KFW2	48.81118 -111.857360	Bruins Pit Leak	5900	4040	0.03	980	7	3.2	0.82	93	51	3.21	45

Soil Analysis

0-6" sampling depth

Date	Sample ID	Location Lat Long	Location Local Name	Conductivity umhos/cm	TDS mg/l	Chloride mg/l	Sulfate mg/l	Bromide mg/l	Barium mg/kg	Calcium mg/kg	Magnesium mg/kg	Strontium mg/kg	TPH mg/kg
12/4/2024	KFS1	48.80282 -111.851049	Bruins Old Pit	43.1	---	405	100000	ND	176	1250	11300	27	48
12/4/2024	KFS2	48.76918 -111.899844	Nichols	53.4	---	3600	214000	ND	133	14600	20100	41	718
12/4/2024	KFS3	48.78324 -111.985984	Gillespie	41.2	---	3480	30400	11	278	2530	7540	65	61
12/4/2024	KFS4	48.80410 -111.904689	Roark	62	---	23400	33600	76	318	2490	12200	119	63
12/4/2024	KFS5	48.79187 -111.993813	Agen	47.9	---	4330	86200	13	211	11800	19900	123	24

ATTACHMENT 1

SOMONT OIL CO., INC.
16126 Chasemore Drive
Spring, TX 77379
281-251-4398
somontoil@gmail.com

1 November 2019

Scott Bye et al
P.O. Box 227
Kevin, MT 59454-0227

Re: Notice being sent to surface owners and/or surface lessees on oil leases that Somont operates on which water evaporation pits are currently fenced – for Byes including but not limited to Anna Aronow, Clapper, Leach, Ahlstead, and Thompson leases

Dear Mr. Bye:

Most of you are presumably aware of the recent court case in which we were held liable for damage caused to cattle when they trespassed on our property because it was not established that the fence surrounding our water evaporation pit was a legal fence at the time of the incident. Ironically, it was made clear by the Court that since it was our fence, we were responsible to maintain it and that if we did not have a fence in place, we may not have been liable.

This being the case, we no longer plan to fence our water pits unless legally required to do so under the terms of the lease. Before removing the fences, we are offering them to you with the understanding that if you accept them, they will belong to you and we will have no further responsibility or liability for their maintenance.

If you want to keep any of our fences around the evaporation pits on your pastures, please sign and return a copy of this letter to our Oilmont Office in the next 30 days (92 Oilmont Highway, Oilmont, MT 59466 – phone 406-337-3310). If we do not hear back from you before then, we will be removing the fences as our schedule permits.

Very truly yours,

Somont Oil Co., Inc.

Charles Jansky

President

I want to keep the existing fences around the evaporation pits on my pasture(s) and will accept responsibility and liability for the condition of the fences.

_____ _____
Printed Name Date

_____
Signature

ATTACHMENT 2

	Tank Battery/ Lease Name	Sample Number	Sample Date	Time	Korey Fauque Readings: Nitrate (PPM)	Korey Fauque Readings: TDS (PPM)	Korey Fauque Readings: Salinity (PPM)	Energy Laboratory Readings: Nitrate (PPM)	Energy Laboratory Readings: TDS (PPM)	Energy Laboratory Readings: Sodium (PPM)	Energy Laboratory Readings: Sulphate (PPM)	Energy Laboratory Readings: PH
3	Ahlstead	2201107	8/27/2024	10:43 AM	50	7320	6400	NA	6960	2300	2150	9.2
4	Anna Aronow	2201106	8/27/2024	1:28 PM	78	6800	5800	0.01	5930	2190	573	9.7
5	Bruins	2201104	8/27/2024	9:02 AM	240	8500	7700	NA	7760	2940	546	9.3
6	Ellingson "A"	2300312	8/27/2024	10:10 AM	110	4250	3600	0.02	3410	1250	23	8.2
7	Goeddertz	2300367	8/27/2024	11:32 AM	36	5000	4300	NA	4590	1640	583	8.9
8	Leach	2201101	8/27/2024	11:58 AM	56	6500	5500	NA	6210	2040	1710	8.8
9	Page 56	2300132	8/27/2024	12:22 PM	25	4900	4250	NA	4310	1580	635	9.4
10	Swayze	2201113	8/27/2024	9:38 AM	33	4700	4500	0.03	3960	1440	5	7.4

Table 1. Desired and potential levels of pollutants in livestock water supplies.

Substance	Desired range	Problem range
Fecal coliform per 100 milliliters	<1	>1 for young animals >10 for older animals
Fecal strep per 100 milliliters	<1	>3 for young animals >30 for older animals
pH	6.8 to 7.5	<6.5 or >8.5
Dissolved solids, milligrams per liter	<500	>2,000
Total alkalinity, milligrams per liter	<400	>5,000
Sulfate, milligrams per liter	<250	>2,000
Phosphate, milligrams per liter	<1	not established
Turbidity, jackson units	<30	not established

Source: From the Agricultural Waste Management Field Handbook, pages 1 to 16. Based on research literature and field experience in the northeastern United States.
Note: 1 milligram per liter (mg per L) is approximately equal to 1 part per million (ppm).

Some Energy Laboratory Guidelines

~ Sodium content recommended under 1000, serious problems, including death, above 5000

~ TDS Above 5000 should be avoided in pregnant or lactating animals

~ PH above 8.5 is in problem range

Notice the Descrepencies in Maximum or Problem Values

Table 4. Guide to use of waters containing nitrates for livestock.

Nitrate content* as parts per million (ppm) of nitrate nitrogen (NO_3-N)**	Comments
Less than 100	Experimental evidence indicates this water should not harm livestock or poultry.
100 to 300	This water by itself should not harm livestock or poultry, if hays or silages contain high levels of nitrate this water may contribute significantly to a nitrate problem in cattle, sheep, or horses.
More than 300	This water could cause typical nitrate poisoning in cattle, sheep, or horses, and its use for these animals is not recommended. Because this level of nitrate contributes to the salts content in a significant amount, use of this water for swine or poultry should be avoided.

Source: Water Quality for Livestock and Poultry, FO-1864-GO, University of Minnesota Extension Division, 1990.
** The values shown include nitrate and nitrite nitrogen. In no case should the waters contain more than 50 ppm nitrite nitrogen (NO_2-N) because of the greater toxicity of the nitrite form.*
***1 ppm of nitrate nitrogen is equivalent to 4.4 ppm of nitrate (NO_3).*
Note: The maximum level of nitrate as N in water for human consumption (as set by the US EPA) is 10 milligrams per liter.

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Gillette, WY 307.686.7175 • Helena, MT 406.442.0711

LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-001
Client Sample ID: PO Box 227 Kevin MT, Ahlstead

Report Date: 09/05/24
Collection Date: 08/27/24 10:43
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	9.2	s.u.	H	0.1		A4500-H B	08/28/24 10:12 / njp
pH Measurement Temp	21.0	°C		1.0		A4500-H B	08/28/24 10:12 / njp
Solids, Total Dissolved TDS @ 180 C	6960	mg/L		200		A2540 C	08/28/24 13:20 / bmm
INORGANICS							
Sulfate	2150	mg/L		50		E300.0	08/29/24 15:02 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	08/28/24 13:30 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 04:55 / aem
Molybdenum	ND	mg/L		0.001		E200.8	08/29/24 17:06 / aem
Selenium	ND	mg/L		0.001		E200.8	08/31/24 04:55 / aem
Sodium	2300	mg/L		1		E200.7	08/29/24 15:25 / enb

Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

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Gillette, WY 307.686.7175 • Helena, MT 406.442.0711

LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-006
Client Sample ID: PO Box 227 Kevin MT, Anna Aronow

Report Date: 09/05/24
Collection Date: 08/27/24 13:28
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	9.7	s.u.	H	0.1		A4500-H B	08/28/24 10:26 / njp
pH Measurement Temp	20.9	°C		1.0		A4500-H B	08/28/24 10:26 / njp
Solids, Total Dissolved TDS @ 180 C	5930	mg/L		200		A2540 C	08/28/24 15:38 / bmm
INORGANICS							
Sulfate	573	mg/L		50		E300.0	08/29/24 16:26 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	0.01	mg/L		0.01		E353.2	08/28/24 13:38 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 06:36 / aem
Molybdenum	0.006	mg/L		0.001		E200.8	08/29/24 17:48 / aem
Selenium	ND	mg/L		0.001		E200.8	08/31/24 06:36 / aem
Sodium	2190	mg/L		1		E200.7	08/29/24 15:33 / enb

Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-007
Client Sample ID: PO Box 227 Kevin MT, Bruins Lease

Report Date: 09/05/24
Collection Date: 08/27/24 09:02
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	9.3	s.u.	H	0.1		A4500-H B	08/28/24 10:29 / njp
pH Measurement Temp	20.8	°C		1.0		A4500-H B	08/28/24 10:29 / njp
Solids, Total Dissolved TDS @ 180 C	7760	mg/L		200		A2540 C	08/29/24 08:56 / bmm
INORGANICS							
Sulfate	546	mg/L		50		E300.0	08/29/24 16:43 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	08/28/24 13:39 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 05:13 / aem
Molybdenum	0.001	mg/L		0.001		E200.8	08/29/24 17:54 / aem
Selenium	0.004	mg/L		0.001		E200.8	08/31/24 05:13 / aem
Sodium	2940	mg/L		1		E200.7	08/29/24 15:34 / enb

Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-005
Client Sample ID: PO Box 227 Kevin MT, Ellingson

Report Date: 09/05/24
Collection Date: 08/27/24 10:10
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	8.2	s.u.	H	0.1		A4500-H B	08/28/24 10:24 / njp
pH Measurement Temp	20.9	°C		1.0		A4500-H B	08/28/24 10:24 / njp
Solids, Total Dissolved TDS @ 180 C	3410	mg/L		100		A2540 C	08/28/24 15:38 / bmm
INORGANICS							
Sulfate	23	mg/L		20		E300.0	08/29/24 16:09 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	0.08	mg/L		0.02		E353.2	08/28/24 13:37 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 05:07 / aem
Molybdenum	ND	mg/L		0.001		E200.8	08/29/24 17:30 / aem
Selenium	0.048	mg/L		0.001		E200.8	08/31/24 05:07 / aem
Sodium	1250	mg/L		1		E200.7	08/29/24 15:32 / enb

Report Definitions:
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QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-004
Client Sample ID: PO Box 227 Kevin MT, Goepdertz

Report Date: 09/05/24
Collection Date: 08/27/24 11:38
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	8.9	s.u.	H	0.1		A4500-H B	08/28/24 10:21 / njp
pH Measurement Temp	20.9	°C		1.0		A4500-H B	08/28/24 10:21 / njp
Solids, Total Dissolved TDS @ 180 C	4590	mg/L		200		A2540 C	08/28/24 15:38 / bmm
INORGANICS							
Sulfate	583	mg/L		20		E300.0	08/29/24 15:52 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	08/28/24 13:35 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 06:30 / aem
Molybdenum	ND	mg/L		0.001		E200.8	08/29/24 17:24 / aem
Selenium	ND	mg/L		0.001		E200.8	08/31/24 06:30 / aem
Sodium	1640	mg/L		1		E200.7	08/29/24 15:31 / enb

Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

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LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-008
Client Sample ID: PO Box 227 Kevin MT, Leach

Report Date: 09/05/24
Collection Date: 08/27/24 11:58
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	8.8	s.u.	H	0.1		A4500-H B	08/28/24 10:33 / njp
pH Measurement Temp	20.8	°C		1.0		A4500-H B	08/28/24 10:33 / njp
Solids, Total Dissolved TDS @ 180 C	6210	mg/L		200		A2540 C	08/29/24 08:56 / bmm
INORGANICS							
Sulfate	1710	mg/L		20		E300.0	08/29/24 17:00 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	08/28/24 13:40 / krt
METALS, ACID-SOLUBLE							
Lead	0.001	mg/L		0.001		E200.8	08/31/24 05:31 / aem
Molybdenum	0.007	mg/L		0.001		E200.8	08/29/24 18:12 / aem
Selenium	ND	mg/L		0.001		E200.8	08/31/24 05:31 / aem
Sodium	2040	mg/L		1		E200.7	08/29/24 15:35 / enb

Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-003
Client Sample ID: PO Box 227 Kevin MT, Page

Report Date: 09/05/24
Collection Date: 08/27/24 12:22
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	9.4	s.u.	H	0.1		A4500-H B	08/28/24 10:18 / njp
pH Measurement Temp	20.9	°C		1.0		A4500-H B	08/28/24 10:18 / njp
Solids, Total Dissolved TDS @ 180 C	4310	mg/L		90		A2540 C	08/28/24 15:38 / bmm
INORGANICS							
Sulfate	635	mg/L		20		E300.0	08/29/24 15:36 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	08/28/24 13:34 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 06:24 / aem
Molybdenum	0.001	mg/L		0.001		E200.8	08/29/24 17:18 / aem
Selenium	ND	mg/L		0.001		E200.8	08/31/24 06:24 / aem
Sodium	1580	mg/L		1		E200.7	08/29/24 15:27 / enb

Report Definitions:
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MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)

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LABORATORY ANALYTICAL REPORT

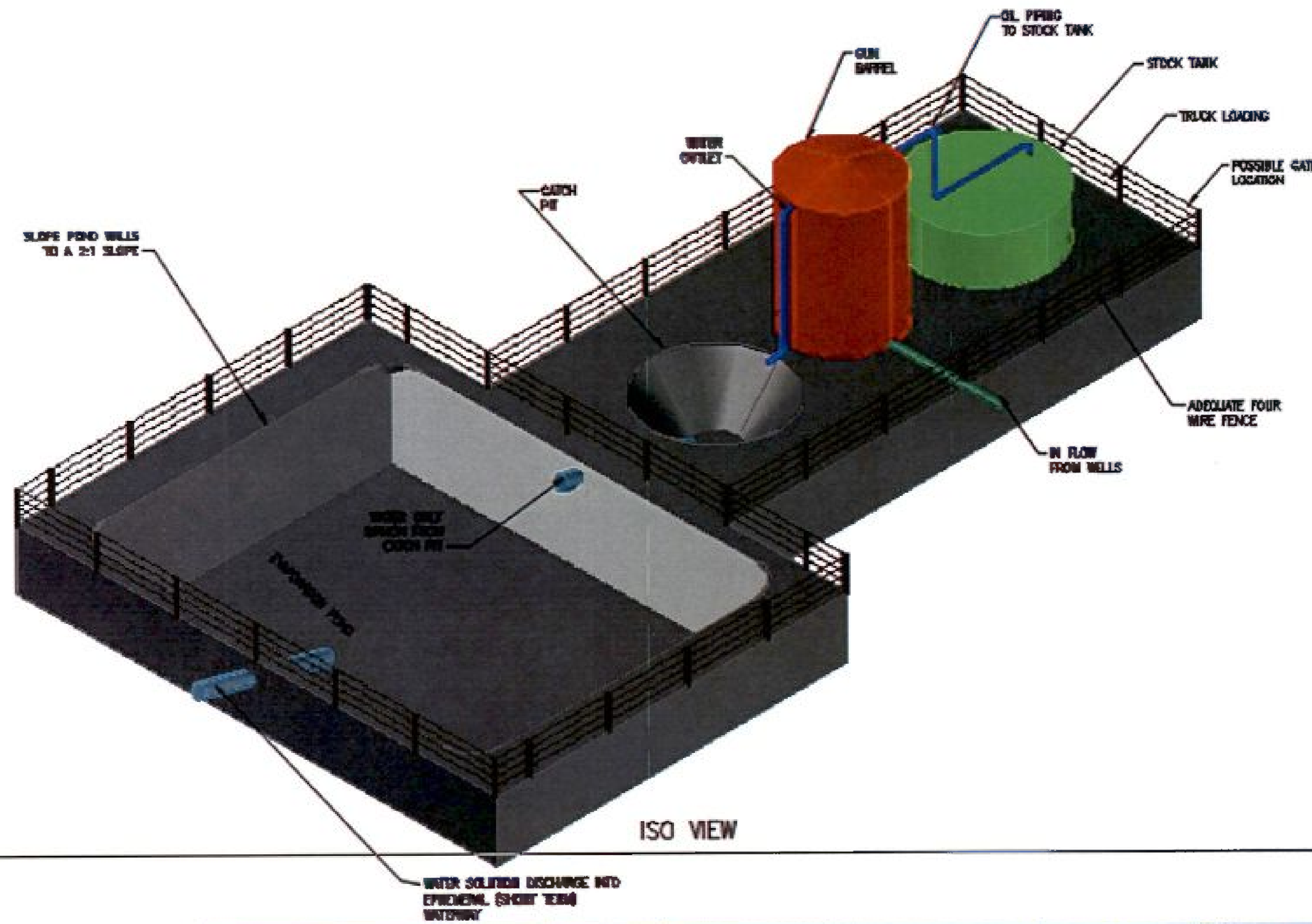
Prepared by Billings, MT Branch

Client: MSU Well Educated
Project: Scott Bye
Lab ID: B24082657-002
Client Sample ID: PO Box 227 Kevin MT, Swayze

Report Date: 09/05/24
Collection Date: 08/27/24 09:38
DateReceived: 08/28/24
Matrix: Drinking Water

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
pH	7.4	s.u.	H	0.1		A4500-H B	08/28/24 10:16 / njp
pH Measurement Temp	21.0	°C		1.0		A4500-H B	08/28/24 10:16 / njp
Solids, Total Dissolved TDS @ 180 C	3960	mg/L		90		A2540 C	08/28/24 13:20 / bmm
INORGANICS							
Sulfate	5	mg/L		5		E300.0	09/05/24 04:20 / caa
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	0.03	mg/L		0.02		E353.2	08/28/24 13:33 / krt
METALS, ACID-SOLUBLE							
Lead	ND	mg/L		0.001		E200.8	08/31/24 05:01 / aem
Molybdenum	ND	mg/L		0.001		E200.8	08/29/24 17:12 / aem
Selenium	0.076	mg/L		0.001		E200.8	08/31/24 05:01 / aem
Sodium	1440	mg/L		1		E200.7	08/29/24 15:26 / enb

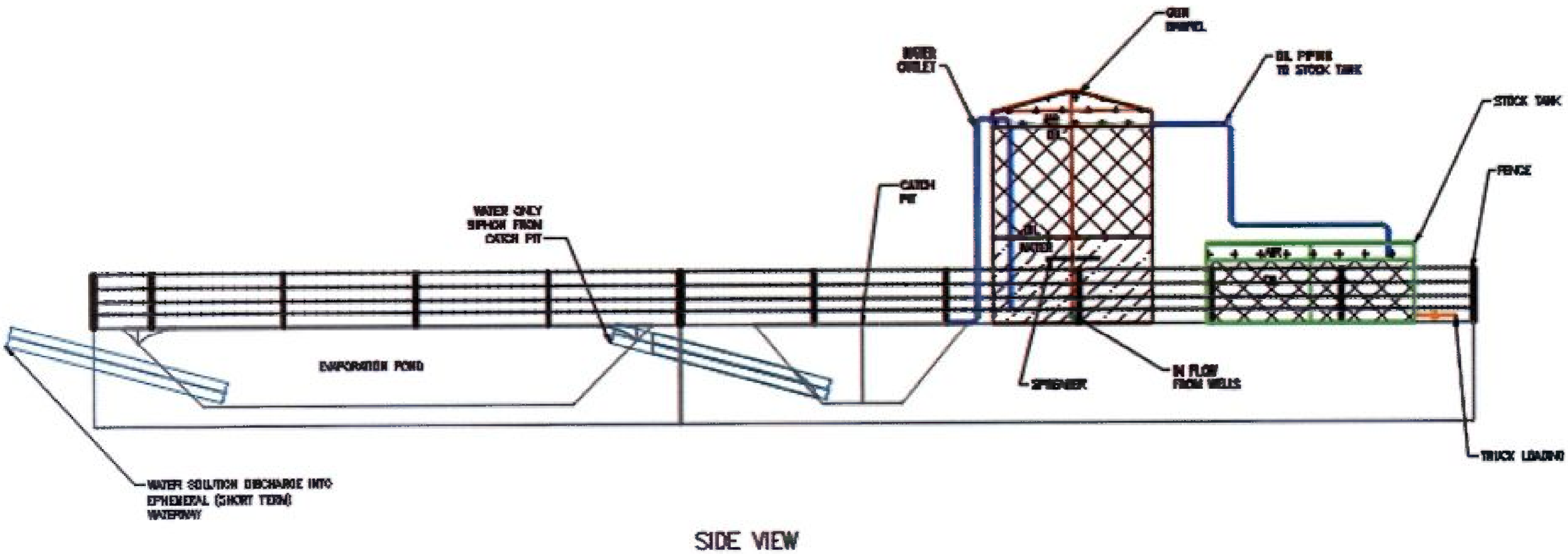
Report Definitions:
RL - Analyte Reporting Limit
QCL - Quality Control Limit
H - Analysis performed past the method holding time
MCL - Maximum Contaminant Level
ND - Not detected at the Reporting Limit (RL)



ISO VIEW

PROPRIETARY & CONFIDENTIAL	DO NOT SCALE DRAWING	BYE FARMS KEVIN, MT TANK BATTERY WITH FENCE ISO VIEW	COLUMBIA CONSTRUCTION SIZE: B DWG. NO. GUNBARREL-3 REV: – SHEET 1 OF 1

REV | REVISION DESCRIPTION | DATE | BY



PROPRIETARY & CONFIDENTIAL [illegible] THE SOLE PROPERTY OF COLUMBIA CONSTRUCTION. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF COLUMBIA CONSTRUCTION IS PROHIBITED.	[illegible] DO NOT SCALE DRAWING	BYE FARMS KEVIN, MT TANK BATTERY WITH FENCE SIDE VIEW	**COLUMBIA CONSTRUCTION** [illegible] SIZE: B — DWG. NO.: GUNBARREL-4 — REV: – DATE: 1/[illegible]/2025 DRAWN: BYE — SCALE: NOTED — SHEET 1 OF 1

REV	REVISION DESCRIPTION	DATE	BY

EXHIBIT 4

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

IN THE MATTER OF D90 ENERGY, LLC FOR FAILURE TO PAY THE ANNUAL INJECTION FEE FOR ITS 13 WELLS IN SHERIDAN COUNTY, MONTANA, IN ACCORDANCE WITH ARM 36.22.1423.

ADMINISTRATIVE ORDER 2-A-2025

D90 Energy, LLC (D90) is the operator of 13 injection wells in Sheridan County, Montana. In accordance with ARM 36.22.1423, a $200 annual injection fee is due for each permitted injection well.

At the April 9, 2025, business meeting, staff reported that D90 has not paid the annual injection fee that was due on January 31, 2025. Staff made several attempts to contact the operator. At this meeting, the Board assessed D90 a $100 per well late fee for failure to submit its injection well payment prior to the deadline.

IT IS THEREFORE ORDERED by the Board that D90 is assessed a $1,300 late fee for failure to pay the annual injection well fee by January 31, 2025. The total due in injection well fees and penalties is now $3,900.

IT IS FURTHER ORDERED by the Board that D90 must appear and show cause, if any it has, why additional penalties should not be imposed for failure to pay the annual injection fee for its permitted injection wells and the late fee assessed for nonpayment. Board staff has authority to dismiss the docket if D90 achieves compliance prior to the June 12, 2025, public hearing.

Dated this 9th day of April, 2025

Montana Board of Oil and Gas Conservation

_____

Benjamin Jones, Administrator

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

IN THE MATTER OF MONTANA ENERGY COMPANY, LLC FOR FAILURE TO PAY THE ANNUAL INJECTION FEE FOR ITS 21 WELLS IN MUSSELSHELL AND ROSEBUD COUNTIES, MONTANA, IN ACCORDANCE WITH ARM 36.22.1423.

ADMINISTRATIVE ORDER 3-A-2025

Montana Energy Company, LLC (MEC) is the operator of 21 injection wells in Musselshell and Rosebud Counties, Montana. In accordance with ARM 36.22.1423, a $200 annual injection fee is due for each permitted injection well.

At the April 9, 2025, business meeting, staff reported that MEC has not paid the annual injection fee that was due on January 31, 2025. Staff made several attempts to contact the operator. At this meeting, the Board assessed MEC a $100 per well late fee for failure to submit its injection well payment prior to the deadline.

IT IS THEREFORE ORDERED by the Board that MEC is assessed a $2,100 late fee for failure to pay the annual injection well fee by January 31, 2025. The total due in injection well fees and penalties is now $6,300.

IT IS FURTHER ORDERED by the Board that MEC must appear and show cause, if any it has, why additional penalties should not be imposed for failure to pay the annual injection fee for its permitted injection wells and the late fee assessed for nonpayment. Board staff has authority to dismiss the docket if MEC achieves compliance prior to the June 12, 2025, public hearing.

Dated this 9th day of April, 2025

Montana Board of Oil and Gas Conservation

_____

Benjamin Jones, Administrator

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

IN THE MATTER OF BIG SKY ENERGY, LLC FOR FAILURE TO PAY THE ANNUAL INJECTION FEE FOR ITS CHAPMAN 13-2 WELL IN CARBON COUNTY, MONTANA, IN ACCORDANCE WITH ARM 36.22.1423.

ADMINISTRATIVE ORDER 4-A-2025

Big Sky Energy, LLC (Big Sky) is the operator of the Chapman 13-2 well, API # 25-009-21165, located in the NE¼SW¼SW¼ of Section 2, T7S-R21E, Carbon County, Montana. In accordance with ARM 36.22.1423, a $200 annual injection fee is due for each permitted injection well.

At the April 9, 2025, business meeting, staff reported that Big Sky has not paid the annual injection fee that was due on January 31, 2025. Staff made several attempts to contact the operator. At this meeting, the Board assessed Big Sky a $100 per well late fee for failure to submit its injection well payment prior to the deadline.

IT IS THEREFORE ORDERED by the Board that Big Sky is assessed a $100 late fee for failure to pay the annual injection well fee by January 31, 2025. The total due in injection well fees and penalties is now $300.

IT IS FURTHER ORDERED by the Board that Big Sky must appear and show cause, if any it has, why additional penalties should not be imposed for failure to pay the annual injection fee for its permitted injection well and the late fee assessed for nonpayment. Board staff has authority to dismiss the docket if Big Sky achieves compliance prior to the June 12, 2025, public hearing.

Dated this 9th day of April, 2025

Montana Board of Oil and Gas Conservation

_____
Benjamin Jones, Administrator

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

IN THE MATTER OF BAD WATER DISPOSAL, LLC FOR FAILURE TO PROPERLY MAINTAIN THE WELLSITE FOR ITS FLB SPOKANE 3 WELL IN RICHLAND COUNTY, MONTANA AND TO PAY THE ANNUAL INJECTION FEE, IN ACCORDANCE WITH ARM 36.22.1423.

ADMINISTRATIVE ORDER 5-A-2025

Bad Water Disposal, LLC (Bad Water) is the operator of the FLB Spokane 3 well, API # 25-083-21259, located in the SE¼SE¼ of Section 7, T22N-R60E, Richland County, Montana.

On January 7, 2025, a field inspector discovered a spill at the FLB Spokane 3 well location.

On February 10, 2025, Bad Water was contacted via telephone to immediately address the compliance issue. In accordance with ARM 36.22.1104, the owner or operator must promptly control and clean up any leak, spill, escape, or discharge, regardless of the amount of oil, produced water, water containing more than 15,000 ppm TDS, or gas involved. An email was sent on March 12, 2025, with a deadline of April 9, 2025, to resolve the compliance issues or Bad Water would be discussed at the Board Business meeting. Bad Water was also contacted by email on February 10, 2025, regarding the $200 annual injection well fee. No response was received to this email.

At the April 9, 2025, business meeting, staff reported that Bad Water has not addressed the field violation and has not paid the annual injection fee that was due on January 31, 2025. In accordance with ARM 36.22.1423, a $200 annual injection fee is due for each permitted injection well. Staff made several attempts to contact the operator regarding both issues. At this meeting, the Board assessed Bad Water a $100 per well late fee for failure to submit its injection well payment prior to the deadline.

IT IS THEREFORE ORDERED by the Board that Bad Water is assessed a $100 late fee for failure to pay the annual injection well fee by January 31, 2025. The total due in injection well fees and penalties is now $300.

IT IS FURTHER ORDERED by the Board that Bad Water must appear and show cause, if any it has, why additional penalties should not be imposed for failure to pay the annual injection fee for its permitted injection well, the late fee assessed for nonpayment, and for failure to remedy the field violation. Board staff has authority to dismiss the docket if Bad Water achieves compliance prior to the June 12, 2025, public hearing.

Dated this 9th day of April, 2025

Montana Board of Oil and Gas Conservation

_____
Benjamin Jones, Administrator

EXHIBIT 5

From: Bryce Phillips <phillipslandassoc@gmail.com>
Date: March 17, 2025 at 2:15:38 PM CDT
To: Ben Jones <bdjones9@gmail.com>
Subject: O'Connor Location/Pad & Wellhead/Plan

Ben-

Good Afternoon.

Pursuant to our conversation this afternoon.

Today I received a Notice Of Hearing Letter, regarding TSAVOIL, LLC, for the upcoming April 9th docket.

I am the Managing Member of TSAVOIL.

TSAVOIL, LLC no longer operates any wells in Montana or any other state, but it has come to our attention that the O'Connor location remains to be remediated and at present TSAVOIL, LLC does not have a bond in place with the MBOGC covering the location.

Therefore, please let me perform the following;

1. I will check with the Montana Secretary of State to make sure that TSAVOIL, LLC is still a registered to do business in Montana, if not I will take the necessary steps to reinstate the company;

2. I will then get with First Interstate Bank to establish a $10K, single well bond;

3. Then have one of the contractors that we have worked with in the past go out an assess the scope of the remediation;

4. Then deliver to you a timeline for the completion of the remediation.

Also, as always if you have any questions please do not hesitate to call me @ 817-307-7021, and for future reference please change the mailing address you have on file for TSAVOIL to P.O. Box 101122, Fort Worth, Texas 76185. The old P.O. Box number 101173 is no longer in service.

Thank you for your cooperation and understanding.

All the best,

BPP

April 4, 2025

Ben Jones
Board Administrator
Montana Board of Oil and Gas Conservation
302 N. Roberts Street
P.O. Box 201440
Helena, MT 59620
bjones@mt.gov

Re: March 5, 2025 Letter to Production Energy Partners, LLC

Dear Mr. Jones,

Production Energy Partners, LLC ("PEP") has received the March 5, 2025 letter (the "Letter") from agency legal counsel Terisa Oomens on behalf of the Board of Oil and Gas Conversation (the "Board"). We write in response to the Letter.

In October 2024, PEP transferred approximately 54 wells and associated leases to its senior secured lender as part of an agreed transaction to address PEP's secured obligations. As part of that transaction, the operator of those wells, D90 Energy, LLC ("D90"), executed change of operator forms as to those wells at or around that time (but in any case, prior to D90 filing for bankruptcy). D90 clearly and expressly relinquished its rights to operatorship of those 54 wells, but to our knowledge has never relinquished or transferred its operating rights as to PEP's remaining wells.

On November 11, 2024 (the "Petition Date"), D90 filed a bankruptcy petition under chapter 7 of the United States Bankruptcy Code (the "Bankruptcy Code"). As the Letter references, a bankruptcy trustee has been appointed over D90's assets. D90's bankruptcy remains pending.

As you know, the filing of a bankruptcy petition effects an automatic stay, which is broadly applicable to all non-debtors and prohibits actions to interfere with rights or property of the bankrupt party. Specifically, Section 362 of the Bankruptcy Code prohibits "any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate." Section 541 of the Bankruptcy Code provides that property of the estate includes "all legal or equitable interests of the debtor in property as of the commencement of the case." Violation of the automatic stay is punishable by an award of actual damages, attorneys' fees and costs, and, in some circumstances, punitive damages. Furthermore, actions in violation of the automatic stay are voidable.

The operating rights for the 54 wells that D90 affirmatively relinquished prepetition do not implicate the automatic stay.

The remaining PEP wells are a different story. Contrary to the Letter's suggestion, D90 did not relinquish the right to operate the remaining PEP wells.[1] As a result, D90's right to operate those wells is property

[1] D90 operated other, non-PEP assets and appears to have transferred operating rights to some of the non-PEP assets, effective November 1, 2024. This was likely the transfer of operatorship, effective November 1, 2024, the trustee was referencing.

of the bankruptcy estate and any action to terminate that right or otherwise exercise control over that property—that is, the contractual and regulatory right to operate the remaining wells—implicates the automatic stay.

Thus, for multiple reasons, the actions the Letter urges are inappropriate at this time. First, there has been no change in the ownership or operation of the remaining PEP wells. They continue to be owned by PEP and D90 has not relinquished or transferred operatorship of those wells. ARM 36.22.1308(9) is not triggered. Second, the automatic stay remains in place as to D90. Unless and until D90's bankruptcy case is dismissed or the automatic stay is no longer applicable (or even potentially applicable), any action by PEP (or even the Board) to terminate, transfer, or exercise control over D90's right to operate the remaining wells is, at least, a potential violation of the automatic stay, creating potential damages exposure for the violating party. Third, any action to transfer operatorship in violation of the automatic stay is voidable, meaning that, even if attempts were made to transfer operatorship, they could be ineffectual.

* * *

PEP will continue to monitor the D90 bankruptcy case and will be in a position to revisit this issue if circumstances change.

Sincerely,

Production Energy Partners, LLC

Brad Morse

By: Brad Morse
Its: President

MONTANA BOARD OF OIL AND GAS CONSERVATION
FINANCIAL STATEMENT
As of 4/2/2025
Fiscal Year 2025: Percent of Year Elapsed - 76%

		Budget	Expends	%	Remaining
Regulatory	Personal Services	1,376,382	908,426	66	467,956
UIC	Personal Services	349,503	236,949	68	112,554
	Total	**1,725,885**	**1,145,374**	**66**	**580,511**
Regulatory	Equipment & Assets	73,800	-	-	73,800
UIC	Equipment & Assets	16,200	-	-	16,200
	Total	**90,000**	-	-	**90,000**
Regulatory	Operating Expenses:				
	Contracted Services	172,366	50,095	29	122,271
	Supplies & Materials	57,042	33,004	58	24,038
	Communication	50,495	35,863	71	14,632
	Travel	20,752	10,242	49	10,510
	Rent	1,354	618	46	736
	Utilities	23,778	11,315	48	12,463
	Repair/Maintenance	61,081	63,107	103	(2,026)
	Other Expenses	36,118	17,502	48	18,616
	Total Operating Expenses	422,986	221,747	52	201,239
UIC	Operating Expenses:				
	Contracted Services	37,481	9,917	26	27,564
	Supplies & Materials	12,521	6,572	52	5,949
	Communication	11,084	6,311	57	4,773
	Travel	4,555	7,456	164	(2,901)
	Rent	297	136	46	161
	Utilities	5,219	2,502	48	2,717
	Repair/Maintenance	13,408	12,790	95	618
	Other Expenses	7,929	8,747	110	(818)
	Total Operating Expenses	92,494	54,431	59	38,063
	Total	**515,480**	**276,178**	**54**	**239,302**
Regulatory	Debt Services	15,163	12,636	83	2,528
UIC	Debt Services	3,328	2,774	83	554
	Total	**18,491**	**15,409**	**83**	**3,082**

	Budget	Expends	%	Remaining
Carryforward FY23				
Personal Services	45,269	-	0	45,269
Operating Expenses	45,269	-	0	45,269
Equipment & Assests	45,269	-	0	45,269
Total	**135,807**	-	**0**	**135,807**

Funding Breakout	2024 Total Budget	2024 Total Expends	%
State Special	**2,349,856**	**1,436,962**	**61**
Federal 2024 UIC (10-1-2023 to 9-30-2024)	**133,000**	**132,999**	**100**
Federal 2025 UIC (10-1-2024 to 9-30-2025)	**133,000**	-	**0**
Total	**2,615,856**	**1,569,961**	**60**

REVENUE INTO STATE SPECIAL REVENUE ACCOUNT

	FY 25	FY 24
Oil & Gas Production Tax	$ 1,057,041	$ 4,428,833
Oil Production Tax	1,009,158	4,197,030
Gas Production Tax	47,884	231,803
Drilling Permit Fees	11,350	16,250
UIC Permit Fees	190,830	235,800
Interest on Investments	341,680	354,719
Copies of Documents	(401)	323
Miscellaneous Reimbursements	6,471	48,483
TOTAL	$ 1,606,972	$ 5,084,408
Account Balance	**$ 10,148,623**	

REVENUE INTO DAMAGE MITIGATION ACCOUNT

	FY 25	FY 24
RIT Investment Earnings:	-	400,935
July	-	-
August	-	39,095
September	-	26,736
October	-	33,325
November	-	33,864
December	-	28,116
January	-	40,140
February	-	34,541
March	-	35,353
April	-	28,579
May	-	37,618
June	-	63,569
Bond Forfeitures:	169,388	20,019
Interest on Investments	38,984	30,448
TOTAL	$ 208,372	$ 451,402
Account Balance	**$ 1,152,571**	

REVENUE INTO GENERAL FUND FROM FINES

		FY 25
GRASSY BUTTE LLC	8/2/2024	120
NOAH ENERGY INC	8/9/2024	650
JUSTICE SWD LLC	8/16/2024	120
COOL SPRING COLONY INC	8/23/2024	130
BLACK GOLD ENERGY	9/13/2024	70
BLACK GOLD ENERGY	9/13/2024	70
UNITED STATES ENERGY CORP	9/13/2024	60
CONTANGO RESOURCES	9/17/2024	4,000
RIMROCK COLONY	9/17/2024	130
JUSTICE SWD LLC	9/27/2024	1,000
D&A WATER DISPOSAL LLC	10/11/2024	160
BALLANTYNE VENTURES LLC	10/16/2024	90
MONTANA ENERGY COMPANY LLC	11/8/2024	2,500
RELENTLESS OILFIELD INNOVATION LLC	11/22/2024	140
PAUGH THEA OR JERRY	1/24/2025	80
YELLOWSTONE PETROLEUMS INC	**2/12/2025**	**150**
COMANCHE DRILLING LLC	**2/14/2025**	**200**
BUCKLEY PRODUCING CO	**2/21/2025**	**140**
HAWLEY OIL LLP	**2/28/2025**	**250**
WADMAN VALERIE	**3/28/2025**	**160**
TOTAL		$ 10,220

FEDERAL ORPHAN WELL PLUGGING CONTRACTS

Name	Authorized Amt	Expended	Balance	Status	Expiration Date
PLENTYWOOD PLUG AND RECLAIM WELLS	$ 3,547,496	$ 3,317,379	$ 230,118	Under Contract	9/30/2025
ROUNDUP B PLUG AND RECLAIM WELL	157,992	-	157,992	Under Contract	9/30/2025
SHELBY 2 PLUG AND RECLAIM WELLS	610,693	505,864	104,830	Under Contract	9/30/2025
SHELBY 3 PLUG AND RECLAIM WELLS	363,788	-	363,788	Under Contract	9/30/2025
SHELBY 4 PLUG AND RECLAIM WELLS	250,800	-	250,800	Under Contract	9/30/2025
SHELBY H2S PLUG AND RECLAIM WELLS	218,430	-	218,430	Under Contract	9/30/2025
ROUNDUP A PLUG AND RECLAIM WELL	3,579,402	3,498,162	81,241	Under Contract	9/30/2025
PLENTYWOOD WEST PLUG AND RECLAIM WELLS	1,079,997	-	1,079,997	Under Contract	9/30/2025
~~PLENTYWOOD WEST PLUG AND RECLAIM WELLS~~	~~1,602,967~~		~~1,602,967~~	~~Bond Forfeited~~	~~9/30/2025~~
SIDNEY PLUG AND RECLAIM WELLS	1,804,940	1,804,940	-	Completed	9/30/2025
GLENDIVE DISTRICT PLUG AND RECLAIM WELLS	791,250	791,250	-	Completed	9/30/2025
SHELBY 1 PLUG AND RECLAIM WELLS	676,361	607,140	69,221	Completed	9/30/2025
ROUNDUP C PLUG AND RECLAIM WELLS	289,530	238,464	51,066	Completed	9/30/2025
CBM PLUG AND RECLAIM WELLS	281,300	230,700	50,600	Completed	9/30/2025
MURRAY 1 PLUG AND RECLAIM WELL	266,620	222,183	44,437	Completed	9/30/2025
TURNER 13-22 AND TORDALE 42-21 PLUG AND RECLAIM WELLS	133,503	111,253	22,251	Completed	9/30/2025
HANNAH 5 PLUG AND RECLAIM WELL	47,113	47,113	-	Completed	9/30/2025
STATE 8-8 PLUG AND RECLAIM WELL	44,965	44,965	-	Completed	9/30/2025
TOI AG STATION RECLAMATION	26,232	26,232	-	Completed	9/30/2023
TOTAL	**$ 15,773,378**	**$ 11,445,643**	**$ 4,327,735**		

OPERATING CONTRACTS

Name	Authorized Amt	Expended	Balance	Status	Expiration Date
LED Lighting Upgrade Project	$ 33,990	$ 33,990	$ -	Completed	6/30/2025
Agency Legal Services 2025	70,000	11,541	58,459	Under Contract	6/30/2025
Billings Janitorial	21,110	15,777	5,333	Under Contract	9/30/2025
Billings Lawn and Snow Removal	48,000	36,920	11,080	Under Contract	9/30/2025
Shelby O&G Lease	110,946	104,783	6,164	Under Contract	5/31/2025
TOTAL	**$ 284,046**	**$ 203,012**	**$ 81,034**		

Agency Legal Services Expenditure Breakout

Case	Amt Spent
BOGC Duties	$ 11,541
Total	**$ 11,541**

Montana Board of Oil and Gas Conservation
Summary of Bond Activity

EXHIBIT 8

2/19/2025 Through 4/8/2025

Approved

A. B. Energy LLC Chester MT		693 M2	Approved Amount: Purpose:	2/28/2025 $50,000.00 Multiple Well Bond
Certificate of Deposit	$50,000.00	FIRST STATE BANK OF SHELBY		ACT
Black Dog Operating, LLC Houston TX		953 M1	Approved Amount: Purpose:	2/28/2025 $50,000.00 Multiple Well Bond
Certificate of Deposit	$50,000.00	FIRST INTERSTATE BANK		ACT
Hereford Resources, LLC Chester MT		941 G4	Approved Amount: Purpose:	2/28/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	GLACIER BANK FSB		ACT
Missouri River Holdings LLC East Fairview ND		954 T1	Approved Amount: Purpose:	2/28/2025 $10,000.00 UIC Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Phoenix Operating LLC Denver CO		935 T1	Approved Amount: Purpose:	3/14/2025 $10,000.00 UIC Single Well Bond
Surety Bond	$10,000.00	U.S. Specialty Insurance Co.		ACT

Canceled

Beartooth Energy, LLC Tallahassee FL		657 G1	Canceled Amount: Purpose:	3/31/2025 $10,000.00 Single Well Bond
Bison Oil & Gas III, LLC Denver CO		883 M1	Canceled Amount: Purpose:	3/7/2025 $50,000.00 Multiple Well Bond
Devon Energy Williston, L.L.C. Oklahoma City OK		882 T1	Canceled Amount: Purpose:	2/26/2025 $10,000.00 UIC Single Well Bond
Pondera Partners Limited Partnership Oroville WA		6177 B1	Canceled Amount: Purpose:	2/26/2025 $25,000.00 Blanket Bond

Forfeiture Ordered

Summit Gas Resources, Inc. Sheridan WY		676 U1	Forfeiture Ordered Amount: Purpose:	2/20/2025 $9,000.00 UIC Limited Bond
Surety Bond	$9,000.00	RLI INSURANCE COMPANY		ACT

Montana Board of Oil and Gas Conservation
Summary of Bond Activity

2/19/2025 Through 4/8/2025

Forfeiture Ordered

Summit Gas Resources, Inc. Sheridan WY		676 M1	Forfeiture Ordered Amount: Purpose:	2/20/2025 $50,000.00 Multiple Well Bond
Surety Bond	$50,000.00	RLI INSURANCE COMPANY		ACT

Letter Sent

Ridge Oil & Gas, LLC Plano TX		913 M2	Letter Sent Amount: Purpose:	3/13/2025 $50,000.00 Multiple Well Bond
Certificate of Deposit	$50,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 T1	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 UIC Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 G5	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 T2	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 UIC Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 G4	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 G3	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 G2	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 G1	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT
Ridge Oil & Gas, LLC Plano TX		913 T3	Letter Sent Amount: Purpose:	3/13/2025 $10,000.00 UIC Single Well Bond
Certificate of Deposit	$10,000.00	Stockman Bank of Montana		ACT

Montana Board of Oil and Gas Conservation
Summary of Bond Activity

2/19/2025 Through 4/8/2025

Letter Sent

Ridge Oil & Gas, LLC Plano TX		913 M1	Letter Sent Amount: Purpose:	3/13/2025 $50,000.00 Multiple Well Bond
Certificate of Deposit	$50,000.00	Stockman Bank of Montana		ACT

Incident Report

EXHIBIT 9

Company	Responsibility	Date	Incident	Oil Released	Water Released	Source	Contained	Latitude	Longitude	County	T-R-S
Ramhorn Energy, LLC	BOG	2/19/2025	Spill or Release	3 Barrels		Treater	Yes	47.70170	-104.19237	Richland	22N-59E-6 NWNE
Continental Resources Inc	BOG	2/19/2025	Spill or Release		260 Barrels	Tank or Tank Battery	No	47.83435	-105.01246	Richland	24N-52E-14 SESW
Denbury Onshore, LLC	BOG	2/25/2025	Spill or Release	12 Gallons	70 Barrels	Flow Line - Production	No	46.59516	-104.42681	Fallon	10N-58E-28 NWNE

93-2025	Prima Exploration, Inc.	Permanent spacing unit, Bakken/Three Forks Formation, 26N-59E- 1: all, 12: all, 13: all (Bullion 13-1 1H and Bullion 13-1 2H).	*TSU, order 10-2020* *Well density (2 total), order 11-2020* *Related applications: 93-2025, 94-2025*	☐
94-2025	Prima Exploration, Inc.	Pooling, permanent spacing unit, Bakken/Three Forks Formation, 26N-59E- 1: all, 12: all, 13: all (Bullion 13-1 1H and Bullion 13-1 2H). Non-consent penalties requested.	*Related applications: 93-2025, 94-2025*	☐
95-2025 7-2025 F	Kraken Oil & Gas LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-12: all, 13: all, 24: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order.	*Related applications: 95-2025, 96-2025*	☐
96-2025 8-2025 F	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-12: all, 13: all, 24: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 95-2025, 96-2025*	☐
97-2025 9-2025 F	Kraken Oil & Gas LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-5: all, 8: all, 17: all, 20: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Order 54-2011 (TSU, Bkn Formation, 27N-56E-17: all, 20: all).	*Related applications: 97-2025, 98-2025*	☐
98-2025 10-2025 F	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-5: all, 8: all, 17: all, 20: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 97-2025, 98-2025*	☐
99-2025	Kraken Oil & Gas LLC	Vacate order 327-2013 (Exception to drill up to four additional wells, permanent spacing unit, Bakken/Three Forks Formation, 28N-56E-25: all, 36: all, 200' heel/toe, 500' lateral setbacks.)	*Related application: 65-2025, 99-2025, 100-2025.*	☐
100-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-1: all and 28N-56E-25: all, 36: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Phoenix Operating submitted notice of protest, email received 2/14/25. Protest withdrawn, 4/7/25.* *Related application: 65-2025, 99-2025, 100-2025.* *Adjacent sections have 500' setbacks authorized*	☐
101-2025	Phoenix Operating LLC	Temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-6: all, 7: all, 18: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Orders 109-2010 & 341-2011 (TSU, Bkn Formation, 28N-57E-18: all, 19: all; 200' toe & heel, 1320' lateral setbacks. (Setback amended to 1320/200 by Order 341-2011.), 219-2010 (TSU, Bkn Formation, 28N-57E-6: all, 7: all) and Order 380-2011 (pertaining only to 28N-57E-6: all, 7: all, 18: all)	**Continued**	*Related applications: 101-2025, 102-2025* *Continued to the June hearing, email received 4/3/25.*	☐

102-2025	Phoenix Operating LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-6: all, 7: all, 18: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion.	**Continued**	*Related applications: 101-2025, 102-2025 Continued to the June hearing, email received 4/3/25.*	☐
103-2025 11-2025 F	Phoenix Operating LLC	Temporary spacing unit, Bakken/Three Forks Formation, 28N-56E-24: all and 28N-57E-19: all, 20: all, 21: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Orders 109-2010 & 341-2011 (TSU, Bkn Formation, 28N-57E-18: all, 19: all; 200' toe & heel, 1320' lateral setbacks. (Setback amended to 1320/200 by Order 341-2011.), 218-2010 (TSU, Bkn Formation, 28N-56E-13: all, 24: all) and Order 380-2011 (pertaining only to 28N-57E-19: all, 20: all, 21: all).	**Withdrawn**	*Section 20 & 21: TSU, order 33-2011 (not mentioned in application)* *Related applications: 103-2025, 104-2025 Withdrawn, email received 4/4/25. New application will be submitted.*	☐
104-2025 12-2025 F	Phoenix Operating LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 28N-56E-24: all and 28N-57E-19: all, 20: all, 21: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion.	**Withdrawn**	*Related applications: 103-2025, 104-2025 Withdrawn, email received 4/4/25. New application will be submitted.*	☐
105-2025	Kraken Oil & Gas LLC	Permanent spacing unit, Bakken/Three Forks Formation, 24N-59E- 6: all, 7: all, 18: all, 19: all (Nate 6-7-18-19 #1, Nate 6-7-18-19 #2, Nate 6-7-18-19 #3, and Nate 6-7-18-19 #4).		*TSU, order 78-2023* *Well density (4 total), order 79-2023* *Related applications: 105-2025, 106-2025*	☐
106-2025	Kraken Oil & Gas LLC	Pooling, permanent spacing unit, Bakken/Three Forks Formation, 24N-59E- 6: all, 7: all, 18: all, 19: all (Nate 6-7-18-19 #1, Nate 6-7-18-19 #2, Nate 6-7-18-19 #3, and Nate 6-7-18-19 #4). Non-consent penalties requested.		*Related applications: 105-2025, 106-2025*	☐
107-2025	Kraken Oil & Gas LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-16: all, 21: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Order 17-2011 (TSU, Bkn/TF Formation, 28N-58E-16: all, 21: all), Order 69-2017 (Amend Order 17-2011, TSU, Bkn/TF Formation, 28N-58E-16: all, 21: all, amend setbacks and that operations must commence within one year of date of order), and Order 9-2020 (Amend Order 17-2011 and 69-2017, authorize the drilling of up to four horizontal Bkn/TF Formation wells from a common pad anywhere within TSU, Bkn/TF Formation, 28N-58E-16: all, 21: all).	**Withdrawn**	*Related applications: 107-2025, 108-2025 Withdrawn, email received 4/2/25.*	☐
108-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-16: all, 21: all, 200' heel/toe setbacks and 500' lateral setbacks.	**Withdrawn**	*Related applications: 107-2025, 108-2025 Withdrawn, email received 4/2/25.*	☐
109-2025	Kraken Oil & Gas LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-27: all, 28: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order.		*Related applications: 109-2025, 110-2025*	☐

110-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-27: all, 28: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 109-2025, 110-2025*	☐
111-2025 13-2025 F	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-1: all and 28N-58E-5: all, 6: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 310-2014 to clarify that said order is limited to the Snyder 1-12 #1H well. Vacate Order 311-2014 (Authorization to drill up to four wells, PSU, Bkn/TF Formation, 28N-57E-1: all, 12: all).	*Sections 1 & 12: PSU, order 309-2014; pooled, order 310-2014* *Related applications: 111-2025, 112-2025*	☐
112-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-1: all and 28N-58E-5: all, 6: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 111-2025, 112-2025*	☐
113-2025 14-2025 F	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-12: all and 28N-58E-7: all, 8: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 310-2014 to clarify that said order is limited to the Snyder 1-12 #1H well. Vacate Order 311-2014 (Authorization to drill up to four wells, PSU, Bkn/TF Formation, 28N-57E-1: all, 12: all).	*Sections 1 & 12: PSU, order 309-2014; pooled, order 310-2014* *Related applications: 113-2025, 114-2025*	☐
114-2025 15-2025 F	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-57E-12: all and 28N-58E-7: all, 8: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 113-2025, 114-2025*	☐

115-2025 16-2025 F	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-1: all, 2: all, 3: all, 4: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 184-2012 to clarify that said order is limited to the Crusch 12-1 #1H well. Vacate Orders 186-2012 (drill up to four Bkn/TF Formation wells in spacing unit comprised of 28N-58E-1: all, 12: all), Order 48-2023 (OTSU, Bkn/TF Formation, 28N-58E-1: all, 2: all, 11: all, 12: all, 200' heel/toe setbacks, well at a location proximate to the common boundary between the TSU 28N-58E-2, 11, and PSU 28N-58E-1, 12), Order 153-2010 (Create two temporary spacing units, Bkn Formation, 28N-58E-2: all, 11: all and 28N-58E-14: all, 23: all. To drill one well per spacing unit utilizing one common pad, 660 setback with heel to be located no closer than 200' to the common spacing unit boundary. (Amend Orders 42-2010 and 44-2010). [AMENDED BY ORDER 48-2011 TO 660' SIDE AND 200' TOE AND HEEL SETBACK.]), Order 48-2011 (Amend Order 42-2010 and 153-2010, Bakken Formation, 28N-58E-2: all, 11: all, allow 660' east/west, 200' north/south setbacks), Order 115-2011 (TSU, Bkn/TF Formation, 28N-58E-3: all, 10: all), and Order 15-2011 (TSU, Bkn/TF Formation, 28N-58E-4: all, 9: all).	*Sections 1 & 12: PSU, order 181-2012; pooled, order 184-2012* *Related applications: 115-2025, 116-2025*	☐
116-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-1: all, 2: all, 3: all, 4: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 115-2025, 116-2025*	☐
117-2025 17-2025 F	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-9: all, 10: all, 11: all, 12: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 184-2012 to clarify that said order is limited to the Crusch 12-1 #1H well. Vacate Orders 186-2012 (drill up to four Bkn/TF Formation wells in spacing unit comprised of 28N-58E-1: all, 12: all), Order 48-2023 (OTSU, Bkn/TF Formation, 28N-58E-1: all, 2: all, 11: all, 12: all, 200' heel/toe setbacks, well at a location proximate to the common boundary between the TSU 28N-58E-2, 11, and PSU 28N-58E-1, 12), Order 153-2010 (Create two temporary spacing units, Bkn Formation, 28N-58E-2: all, 11: all and 28N-58E-14: all, 23: all. To drill one well per spacing unit utilizing one common pad, 660 setback with heel to be located no closer than 200' to the common spacing unit boundary. (Amend Orders 42-2010 and 44-2010). [AMENDED BY ORDER 48-2011 TO 660' SIDE AND 200' TOE AND HEEL SETBACK.]), Order 48-2011 (Amend Order 42-2010 and 153-2010, Bakken Formation, 28N-58E-2: all, 11: all, allow 660' east/west, 200' north/south setbacks), Order 115-2011 (TSU, Bkn/TF Formation, 28N-58E-3: all, 10: all), and Order 15-2011 (TSU, Bkn/TF Formation, 28N-58E-4: all, 9: all).	*Sections 1 & 12: PSU, order 181-2012; pooled, order 184-2012* *Related applications: 117-2025, 118-2025*	☐

118-2025 18-2025 F	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 28N-58E-9: all, 10: all, 11: all, 12: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 117-2025, 118-2025*	☐
119-2025	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-58E-17: all, 20: all, 29: all, 32: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 237-2014 to clarify that said order is limited to the Briske 1-20H well. Vacate Order 238-2014 (drill three additional wells, PSU, Bkn/TF Formation, 29N-58E-17: all, 20: all).	*Sections 17 & 20: PSU, order 236-2014; pooled, order 237-2014* *Related applications: 119-2025, 120-2025*	☐
120-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-58E-17: all, 20: all, 29: all, 32: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 119-2025, 120-2025*	☐
121-2025	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-58E-18: all, 19: all, 30: all, 31: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 282-2013 to clarify that said order is limited to the Langdon 1-19H well. Vacate Order 283-2013 (drill up to three additional wells, PSU, Bkn/TF Formation, 29N-58E-18: all, 19: all).	*Sections 18 & 19: PSU, order 281-2013; pooled, order 282-2013* *Related applications: 121-2025, 122-2025*	☐
122-2025	Kraken Oil & Gas LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-58E-18: all, 19: all, 30: all, 31: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 121-2025, 122-2025*	☐
123-2025	Phoenix Operating LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-1: all, 12: all, 13: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order.	*Related applications: 123-2025, 124-2025,* *Same as Black Dog: 25-2025, 134-2025*	☐
124-2025	Phoenix Operating LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-1: all, 12: all, 13: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion.	*Related applications: 123-2025, 124-2025* *Same as Black Dog: 25-2025, 134-2025*	☐
125-2025	Phoenix Operating LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-2: all, 11: all, 14: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate 258-2010 (TSU, Bkn/TF Formations, 29N-57E-2: all, 11: all).	*Related applications: 125-2025, 126-2025* *Same as Black Dog: 26-2025, 135-2025*	☐

126-2025	Phoenix Operating LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-2: all, 11: all, 14: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion.		*Related applications: 125-2025, 126-2025* *Same as Black Dog: 26-2025, 135-2025*	☐
127-2025	White Rock Oil & Gas, LLC	Amend Order 238-2008 (drill an additional Bkn Formation well, PSU, 24N-53E-6: all and 7: all, 660' setback). Amend setbacks to 200' heel/toe, 500' lateral.		*PSU: Order 279-2007* *Additonal well: Order 238-2008 (660' setbacks)* *PSU to west has 500' lateral setbacks (est in 2012, well drilled in 2014)*	☐
128-2025	White Rock Oil & Gas, LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 22N-60E-20: all, 29: all, 32: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Amend Order 305-2008 to clarify that said order is limited to the Scheetz 31X-19 well. Amend Order 110-2008 to clarify that said order is limited to the Richard 21X-29 well. Vacate Order 13-2010 (drill additional Bkn Formation well, PSU, 22N-60E-19: all, 20: all) and Order 118-2010 (OTSU, Bkn Formation, 22N-60E-17: all, 18: all, 19: all, 20: all).		*Sections 19 & 20: PSU, order 107-2008; pooled, order 305-2008* *Sections 29, 30, & 32: PSU, order 12-2008; pooled, order 110-2008*	☐
129-2025	White Rock Oil & Gas, LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 22N-60E-19: all, 30: all, 31: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Amend Order 305-2008 to clarify that said order is limited to the Scheetz 31X-19 well. Amend Order 110-2008 to clarify that said order is limited to the Richard 21X-29 well. Amend Order 359-2006 to clarify that said order is limited to the Matthew 1-31H well. Vacate Order 13-2010 (Exception to drill additional Bkn Formation well, PSU, 22N-60E-19: all, 20: all), Order 118-2010 (OTSU, Bkn Formation, 22N-60E-17: all, 18: all, 19: all, 20: all), Order 4-2010 (OTSU, Bkn Formation, 22N-59E-25: all and 22N-60E-30: all), and Order 64-2007 (drill additional Bkn Formation well, PSU, 22N-60E-31: all, 660' setback. [Permanent spacing by Order 359-2006.]).		*Sections 19 & 20: PSU, order 107-2008; pooled, order 305-2008* *Sections 29, 30, & 32: PSU, order 12-2008; pooled, order 110-2008*	☐
130-2025	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 25N-57E-6: all, 7: all, 18: all, 19: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 466-2012 to clarify that said order is limited to the Conaway 1-19H well. Vacate Order 467-2012 (drill up to three additional wells, PSU, Bkn/TF Formation, 25N-57E-18: all, 19: all).	**Continued**	*Sections 18 & 19: PSU, order 465-2012; pooled, order 466-2012* *Related applications: 131-2025, 15-2025, 49-2025, 50-2025* *Continued to the June hearing, email received 4/1/25.*	☐
131-2025	Continental Resources Inc	Authorize the drilling of two additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 25N-57E-6: all, 7: all, 18: all, 19: all, 200' heel/toe setbacks and 500' lateral setbacks.	**Continued**	*Related applications: 131-2025, 15-2025, 49-2025, 50-2025* *Continued to the June hearing, email received 4/1/25.*	☐

132-2025	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 24N-53E-1: all, 12: all and 24N-54E-4: W2, 5: all, 6: all, 7: all, 8: all, 9: W2, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 112-2005 to clarify that said order is limited to the Porky-Antone 9-14H, Porky-Theresa 9-15-HID3, and Porky-Carda 9-16H wells. Vacate Order 142-2009 (OTSU, Bkn Formation, 24N-54E-4: all, 5: all, 8: all and 9: all) and Order 14-2007 (drill additional dual lateral Bkn Formation well, PSU, 24N-53E-1: all and 12: all).	*Sections 1 & 12: PSU, order 217-2005* *Sections 1, 6, 7, 12: PSU, order 330-2008* *Sections 6 & 7: PSU, order 337-2004* *Sections 5, 6, 7, 8: PSU, order 129-2014* *Sections 5 & 8: PSU, order 289-2004* *Sections 4 & 9: PSU, order 112-2005* *Related applications: 132-2025, 133-2025, 16-2025, 203-2024, 204-2024*	☐
133-2025	Continental Resources Inc	Authorize the drilling of two additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 24N-53E-1: all, 12: all and 24N-54E-4: W2, 5: all, 6: all, 7: all, 8: all, 9: W2, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 132-2025, 133-2025, 16-2025, 203-2024, 204-2024*	☐
134-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-1: all, 12: all, 13: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 25-2025, 134-2025*	☐
135-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-2: all, 11: all, 14: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 26-2025, 135-2025*	☐
136-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-3: all, 10: all, 15: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 27-2025, 136-2025*	☐
137-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-4: all, 9: all, 16: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 28-2025, 137-2025*	☐
138-2025 19-2025 F	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-5: all, 8: all, 17: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 29-2025, 138-2025*	☐
139-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-6: all, 7: all, 18: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 30-2025, 139-2025*	☐
140-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-21: all, 28: all, 33: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 31-2025, 140-2025*	☐
141-2025	Black Dog Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-22: all, 27: all, 34: all, 200' heel/toe setbacks and 500' lateral setbacks.	*Related applications: 32-2025, 141-2025*	☐

142-2025	MorningStar Operating LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 25N-54E-33: all, 34: all and 24N-54E-1: all, 2: all, 11: all, 12: all, well at a location proximate to the common boundary between 25N-54E-33: all, 24N-54E-2: all, 11: all and 25N-54E-34: all, 24N-54E-1: all, 12: all, 200' heel/toe setbacks. Apply for permanent spacing within 90 days of completion. The overlapping temporary spacing unit shall be limited to production from the proposed horizontal well.	**Continued**	*Continued to the June hearing, email received 3/24/25.*	☐
143-2025	Continental Resources Inc	Expand aquifer exemption area for the Johnson 1-33 saltwater disposal well (API #25-083-22449), T25N-R55E-33: SESE, Richland County, Montana (Wildcat Richland), from the currently-permitted radius of 1,320 ft. to 1,866 ft., in the Dakota Formation at a depth of 5,066 – 5,178 ft.			☐
203-2024	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 24N-53E-1: all, 12: all and 24N-54E-5: all, 6: all, 7: all, 8: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Vacate Order 142-2009 (OTSU, Bkn Formation, 24N-54E-4: all, 5: all, 8: all and 9: all) and Order 14-2007 (additional dual lateral Bakken Formation well, PSU 24N-53E-1: all and 12: all).	**Protested**	*MorningStar Operating submitted notice of protest, email received 2/17/25.* *Sections 1 & 12: PSU by order 217-2005, well density order 14-2007* *Sections 6 & 7: PSU by order 377-2004* *Sections 5 & 8: PSU by order 289-2004* *Sections 1, 6, 7, & 12: OPSU by order 330-2008* *Sections 5, 6, 7, & 8: OPSU by order 129-2014* *Sections 4, 5, 8, & 9: OTSU by order 142-2009* *Related applications: 16-2025, 203-2024, 204-2024* *Continued to the February hearing, email received 11/25/24.* *At the February hearing, applicant continued to the April hearing.*	☐
204-2024	Continental Resources Inc	Authorize the drilling of two additional horizontal wells, overlapping temporary spacing unit, Bakken/Three Forks Formation, 24N-53E-1: all, 12: all and 24N-54E-5: all, 6: all, 7: all, 8: all, 200' heel/toe setbacks and 500' lateral setbacks.	**Protested**	*MorningStar Operating submitted notice of protest, email received 2/17/25.* *Related applications: 16-2025, 203-2024, 204-2024* *Continued to the February hearing, email received 11/25/24.* *At the February hearing, applicant continued to the April hearing.*	☐
15-2025	Heritage Energy Operating, LLC	Hearing on Heritage Energy Operating, LLC's application for permit to drill, Vitt 9-8-7 well, T25N-R57E: 7, 8, 9; protest filed by Continental Resources, Inc.	**Withdrawn**	*Published 11/30/24, protest received 12/10/24* *Related applications: 15-2025, 49-2025, 50-2025* *Continued to the April hearing, email received 2/17/25.* *Permit withdrawn, email received 4/8/25.*	☐
16-2025	MorningStar Operating LLC	Hearing on MorningStar Operating LLC's re-permit application for permit to drill, the Porky Herald 9-13-HSU well, T24N-R54E: 4, 5, 8, 9; protest filed by Continental Resources, Inc.	**Protested**	*OTSU, 142-2009* *Related applications: 16-2025, 203-2024, 204-2024* *At the February hearing, applicant continued to the April hearing.*	☐

25-2025	Black Dog Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-1: all, 12: all, 13: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order.	*500' lateral setback with only one well?* *Continued to the April hearing, email received 2/11/25.*	☐
26-2025	Black Dog Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-2: all, 11: all, 14: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate 258-2010 (TSU, Bkn/TF Formations, 29N-57E-2: all, 11: all).	*Continued to the April hearing, email received 2/11/25.*	☐
27-2025	Black Dog Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-3: all, 10: all, 15: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Order 520-2012 (TSU, Bkn/TF, 29N-57E-15: all, 22: all).	*Continued to the April hearing, email received 2/11/25.*	☐
28-2025	Black Dog Operating, LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-4: all, 9: all, 16: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Vacate Order 145-2010 (TSU, Bkn/TF Formations, 29N-57E-4: all, 9: all).	*Continued to the April hearing, email received 2/11/25.*	☐
29-2025 4-2025 F	Black Dog Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-5: all, 8: all, 17: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Order 231-2010 (TSU, Bkn Formation, 29N-57E-17: all, 20: all).	*Continued to the April hearing, email received 2/11/25.*	☐
30-2025	Black Dog Operating, LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-6: all, 7: all, 18: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 297-2013 to clarify that said order is limited to the Sorensen 1-6-7H well. Vacate Order 232-2010 (TSU, Bkn Formation, 29N-57E-18: all, 19: all).	*Continued to the April hearing, email received 2/11/25.*	☐
31-2025	Black Dog Operating, LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-21: all, 28: all, 33: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 253-2013 to clarify that said order is limited to the Carat 2-33H well.	*Continued to the April hearing, email received 2/11/25.*	☐

32-2025	Black Dog Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 29N-57E-22: all, 27: all, 34: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. Vacate Order 520-2012 (TSU, Bkn/TF, 29N-57E-15: all, 22: all) and Order 233-2010 (TSU, Bkn Formation, 29N-57E-27: all, 34: all).		*Continued to the April hearing, email received 2/11/25.*	☐
36-2025	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 23N-55E-1: all and 23N-56E-5: all, 6: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Vacate Order 88-2014 (OTSU, Bakken/Three Forks Formation, 24N-56E-32: all, 33: all and 23N-56E-4: all, 5: all).	**Withdrawn**	*Continued to the April hearing, email received 2/17/25.* *Withdrawn, email received 4/1/25.* *Sections 4, 5, 32, 33: OTSU, 88-2014* *Sections 1, 6, 31, 36: PSU, 426-2013* *Sections 1, 2, 35, 36: PSU, 270-2013* *Sections 5, 6, 31, 32: PSU, 269-2013* *Sections 6 & 31: PSU, 447-2005* *Sections 5 & 32: PSU, 440-2005* *Sections 1 & 36: PSU, 216-2005* *Sections 4 & 33: PSU, 210-2005*	☐
37-2025	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 24N-55E-36: all and 24N-56E-31: all, 32: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Vacate Order 88-2014 (OTSU, Bakken/Three Forks Formation, 24N-56E-32: all, 33: all and 23N-56E-4: all, 5: all).	**Withdrawn**	*Continued to the April hearing, email received 2/17/25.* *Withdrawn, email received 4/1/25.* *Sections 4, 5, 32, 33: OTSU, 88-2014* *Sections 1, 6, 31, 36: PSU, 426-2013* *Sections 1, 2, 35, 36: PSU, 270-2013* *Sections 5, 6, 31, 32: PSU, 269-2013* *Sections 6 & 31: PSU, 447-2005* *Sections 5 & 32: PSU, 440-2005* *Sections 1 & 36: PSU, 216-2005* *Sections 4 & 33: PSU, 210-2005*	☐
38-2025	Continental Resources Inc	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 23N-55E-1: all, 23N-56E-5: all, 6: all, 24N-55E-36: all, 24N-56E-31: all, 32: all, well at a location not further than 500' from the common boundary between TSU 23N-55E-1: all, 23N-56E-5: all, 6: all, and TSU 24N-55E-36: all, 24N-56E-31: all, 32: all, 200' heel/toe setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to production from the proposed horizontal well. Vacate Order 88-2014 (OTSU, Bakken/Three Forks Formation, 24N-56E-32: all, 33: all and 23N-56E-4: all, 5: all).	**Withdrawn**	*Continued to the April hearing, email received 2/17/25.* *Withdrawn, email received 4/1/25.* *Sections 4, 5, 32, 33: OTSU, 88-2014* *Sections 1, 6, 31, 36: PSU, 426-2013* *Sections 1, 2, 35, 36: PSU, 270-2013* *Sections 5, 6, 31, 32: PSU, 269-2013* *Sections 6 & 31: PSU, 447-2005* *Sections 5 & 32: PSU, 440-2005* *Sections 1 & 36: PSU, 216-2005* *Sections 4 & 33: PSU, 210-2005*	☐
49-2025	Heritage Energy Operating, LLC	Designate temporary spacing unit, Bakken/Three Forks Formation, 25N-57E-7: all, 8: all, 9: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Vacate Order 44-2012 (TSU, Bkn/TF Formations, 25N-57E-5: all, 8: all, 200' heel/toe, 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. [ORDER EXPIRES 3/8/2013.]) and Order 380-2011 (pertaining only to 25N-57E-7: all, 8: all, 9: all).	**Withdrawn**	*APD Protested by Continental in this proposed TSU (docket 15-2025)* *Related applications: 15-2025, 49-2025, 50-2025* *Continued to the April hearing, email received 2/17/25.* *Withdrawn, email received 4/3/25.*	☐

50-2025	Heritage Energy Operating, LLC	Authorize the drilling of three additional horizontal wells, temporary spacing unit, Bakken/Three Forks Formation, 25N-57E-7: all, 8: all, 9: all, 200' heel/toe setbacks and 500' lateral setbacks.	**Withdrawn**	*Related applications: 15-2025, 49-2025, 50-2025 Continued to the April hearing, email received 2/17/25.* *Withdrawn, email received 4/3/25.*	☐
65-2025	Kraken Oil & Gas LLC	Designate overlapping temporary spacing unit, Bakken/Three Forks Formation, 27N-56E-1: all and 28N-56E-25: all, 36: all, 200' heel/toe setbacks and 500' lateral setbacks. Apply for permanent spacing within 90 days of completion. Operations must commence within one year of date of order. The overlapping temporary spacing unit shall be limited to the production from the proposed horizontal well. Amend Order 326-2013 to clarify that said order is limited to the Christopher 25-36 #1H well.		*Phoenix Operating submitted notice of protest, email received 2/14/25. Protest withdrawn, 4/7/25.* *25 & 36: PSU, order 325-2013, pooled, order 326-2013, well density (5 total), order 327-2013* *Related application: 65-2025, 99-2025, 100-2025.* *Adjacent sections have 500' setbacks authorized* *At the February hearing, applicant continued to the April hearing.*	☐
75-2025	MorningStar Operating LLC	Convert the Charles Nevins 2-12H well, T23N-R57E -12: SW SW (API # 083-22640) to Class II Injection well, Dakota Formation. Aquifer exemption requested.		*Incorrect location in advertisement, continued to April*	☐
76-2025	Phoenix Operating LLC	Approval to drill, Class II SWD Injection well (Samurai 1 SWD), Dakota Formation, T28N-R58E -4: NW NW.		*Incorrect location in advertisement, continued to April*	☐
79-2025	WY Basin Operating, LLC	Change of operator of 54 wells from D90 Energy LLC to WY Basin Operating, LLC.		*Continued to the April hearing, email received 2/5/25.* *One well on UIC bond should be on producing bond (25-091-21777)*	☐
144-2025	Miller, Frank I.	Show Cause: failure to pay administrative fees assessed for delinquent reporting.	**Dismissed**	*The delinquent reports/fee was received. Docket administratively dismissed in accordance with policy.*	☐
145-2025	Big Sky Energy, LLC	Show Cause: why additional penalties, including respondent's production and injection being declared illegal under ARM 36.22.1245, should not be applied for failure to file delinquent production and injection report, failure to pay penalties assessed for delinquent reporting, and for failure to pay fines assessed for not appearing at the December 5, 2024 and February 20, 2025, public hearings.			☐
146-2025	D90 Energy, LLC	Show Cause: why additional penalties should not be assessed for failure to file delinquent injection reports, failure to pay the penalty assessed for delinquent reporting, and failure to pay the $1,000 fine assessed for not appearing at the February 20, 2025, public hearing			☐
147-2025	D&A Water Disposal LLC	Show Cause: why it should not begin to plug and abandon its two wells located in Section 11, T9N-R58E, Fallon County, Montana prior to the April 10, 2025, public hearing. Failure to begin to plug and abandon the wells may result in additional penalties or the forfeiture of the plugging and reclamation bonds in its entirety, as permitted by § 82-11-123(5), MCA.			☐

ALL APPLICATIONS, 4/10/2025

(In Order of Publication)

Docket	Applicant / Respondent	Status	Request
93-2025	Prima Exploration, Inc.		Spacing
94-2025	Prima Exploration, Inc.		Pooling
95-2025	Kraken Oil & Gas LLC		Temp. Spacing
96-2025	Kraken Oil & Gas LLC		Well Density
97-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
98-2025	Kraken Oil & Gas LLC		Well Density
99-2025	Kraken Oil & Gas LLC		Vacate Order
100-2025	Kraken Oil & Gas LLC		Well Density
101-2025	Phoenix Operating LLC	Continued	Temp. Spacing; Vacate Order
102-2025	Phoenix Operating LLC	Continued	Well Density
103-2025	Phoenix Operating LLC	Withdrawn	Temp. Spacing; Vacate Order
104-2025	Phoenix Operating LLC	Withdrawn	Well Density
105-2025	Kraken Oil & Gas LLC		Spacing
106-2025	Kraken Oil & Gas LLC		Pooling
107-2025	Kraken Oil & Gas LLC	Withdrawn	Temp. Spacing; Vacate Order
108-2025	Kraken Oil & Gas LLC	Withdrawn	Well Density
109-2025	Kraken Oil & Gas LLC		Temp. Spacing
110-2025	Kraken Oil & Gas LLC		Well Density
111-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
112-2025	Kraken Oil & Gas LLC		Well Density
113-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
114-2025	Kraken Oil & Gas LLC		Well Density
115-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
116-2025	Kraken Oil & Gas LLC		Well Density
117-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
118-2025	Kraken Oil & Gas LLC		Well Density
119-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
120-2025	Kraken Oil & Gas LLC		Well Density
121-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
122-2025	Kraken Oil & Gas LLC		Well Density
123-2025	Phoenix Operating LLC		Temp. Spacing
124-2025	Phoenix Operating LLC		Well Density
125-2025	Phoenix Operating LLC		Temp. Spacing; Vacate Order
126-2025	Phoenix Operating LLC		Well Density
127-2025	White Rock Oil & Gas, LLC		Well Density
128-2025	White Rock Oil & Gas, LLC		Temp. Spacing; Vacate Order
129-2025	White Rock Oil & Gas, LLC		Temp. Spacing; Vacate Order
130-2025	Continental Resources Inc	Continued	Temp. Spacing; Vacate Order
131-2025	Continental Resources Inc	Continued	Well Density
132-2025	Continental Resources Inc		Temp. Spacing; Vacate Order
133-2025	Continental Resources Inc		Well Density

134-2025	Black Dog Operating, LLC		Well Density
135-2025	Black Dog Operating, LLC		Well Density
136-2025	Black Dog Operating, LLC		Well Density
137-2025	Black Dog Operating, LLC		Well Density
138-2025	Black Dog Operating, LLC		Well Density
139-2025	Black Dog Operating, LLC		Well Density
140-2025	Black Dog Operating, LLC		Well Density
141-2025	Black Dog Operating, LLC		Well Density
142-2025	MorningStar Operating LLC	Continued	Temp. Spacing
143-2025	Continental Resources Inc	Default	Class II (Other)
203-2024	Continental Resources Inc	Protested	Temp. Spacing; Vacate Order
204-2024	Continental Resources Inc	Protested	Well Density
15-2025	Heritage Energy Operating, LLC	Withdrawn	APD Protest
16-2025	MorningStar Operating LLC	Protested	APD Protest
25-2025	Black Dog Operating, LLC		Temp. Spacing
26-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
27-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
28-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
29-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
30-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
31-2025	Black Dog Operating, LLC		Temp. Spacing
32-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
36-2025	Continental Resources Inc	Withdrawn	Temp. Spacing; Vacate Order
37-2025	Continental Resources Inc	Withdrawn	Temp. Spacing; Vacate Order
38-2025	Continental Resources Inc	Withdrawn	Temp. Spacing; Vacate Order
49-2025	Heritage Energy Operating, LLC	Withdrawn	Temp. Spacing; Vacate Order
50-2025	Heritage Energy Operating, LLC	Withdrawn	Well Density
65-2025	Kraken Oil & Gas LLC		Temp. Spacing
75-2025	MorningStar Operating LLC	Default	Class II Permit
76-2025	Phoenix Operating LLC	Default	Class II Permit
79-2025	WY Basin Operating, LLC		Change of Operator
144-2025	Miller, Frank I.	Dismissed	Show-Cause
145-2025	Big Sky Energy, LLC		Show-Cause
146-2025	D90 Energy, LLC		Show-Cause
147-2025	D&A Water Disposal LLC		Show-Cause

APPLICATIONS TO HEAR, 4/10/2025

(In Order of Hearing)

Docket	Applicant	Status	Request
93-2025	Prima Exploration, Inc.		Spacing
94-2025	Prima Exploration, Inc.		Pooling
95-2025	Kraken Oil & Gas LLC		Temp. Spacing
96-2025	Kraken Oil & Gas LLC		Well Density
97-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
98-2025	Kraken Oil & Gas LLC		Well Density
99-2025	Kraken Oil & Gas LLC		Vacate Order
65-2025	Kraken Oil & Gas LLC		Temp. Spacing
100-2025	Kraken Oil & Gas LLC		Well Density
105-2025	Kraken Oil & Gas LLC		Spacing
106-2025	Kraken Oil & Gas LLC		Pooling
109-2025	Kraken Oil & Gas LLC		Temp. Spacing
110-2025	Kraken Oil & Gas LLC		Well Density
111-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
112-2025	Kraken Oil & Gas LLC		Well Density
113-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
114-2025	Kraken Oil & Gas LLC		Well Density
115-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
116-2025	Kraken Oil & Gas LLC		Well Density
117-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
118-2025	Kraken Oil & Gas LLC		Well Density
119-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
120-2025	Kraken Oil & Gas LLC		Well Density
121-2025	Kraken Oil & Gas LLC		Temp. Spacing; Vacate Order
122-2025	Kraken Oil & Gas LLC		Well Density
127-2025	White Rock Oil & Gas, LLC		Well Density
128-2025	White Rock Oil & Gas, LLC		Temp. Spacing; Vacate Order
129-2025	White Rock Oil & Gas, LLC		Temp. Spacing; Vacate Order
132-2025	Continental Resources Inc		Temp. Spacing; Vacate Order
133-2025	Continental Resources Inc		Well Density
203-2024	Continental Resources Inc	Protested	Temp. Spacing; Vacate Order
204-2024	Continental Resources Inc	Protested	Well Density
16-2025	MorningStar Operating LLC	Protested	APD Protest

123-2025	Phoenix Operating LLC		Temp. Spacing
124-2025	Phoenix Operating LLC		Well Density
125-2025	Phoenix Operating LLC		Temp. Spacing; Vacate Order
126-2025	Phoenix Operating LLC		Well Density
25-2025	Black Dog Operating, LLC		Temp. Spacing
134-2025	Black Dog Operating, LLC		Well Density
26-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
135-2025	Black Dog Operating, LLC		Well Density
27-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
136-2025	Black Dog Operating, LLC		Well Density
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137-2025	Black Dog Operating, LLC		Well Density
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139-2025	Black Dog Operating, LLC		Well Density
31-2025	Black Dog Operating, LLC		Temp. Spacing
140-2025	Black Dog Operating, LLC		Well Density
32-2025	Black Dog Operating, LLC		Temp. Spacing; Vacate Order
141-2025	Black Dog Operating, LLC		Well Density
79-2025	WY Basin Operating, LLC		Change of Operator
145-2025	Big Sky Energy, LLC		Show-Cause
146-2025	D90 Energy, LLC		Show-Cause
147-2025	D&A Water Disposal LLC		Show-Cause

DEFAULT DOCKET, 4/10/2025

Docket	Applicant	Status	Request
143-2025	Continental Resources Inc		Class II (Other)
75-2025	MorningStar Operating LLC		Class II Permit
76-2025	Phoenix Operating LLC		Class II Permit

EXHIBIT 11

Inactive Wells 4/9/2025 Current Actions

Company Name	Total Wells SI	Status	Wells Intended for plugging 2025	Actions	Recommendations
Reserve Operating	1	0 Producing	1	Response received via email with P&A plan. Approved P&A plan on 3/15/2024.	No contact on when plugging will start. Monitor thru 1st Qtr 2025. Contact operator in May 2025.
Big Snowy Resources	7	0 Producing	0	1 intent to plug back and convert to water well, 1 intent to plug back and test zone. Ricky 14-1 Sundry Received 10/8/2024 for testing of well.	Fulfilled Admin Order 13-A-2024 with attached letter. Monitor activity thru 2025.
Pinnacle Ranch	1	0 Producing	0	Phone call on 2/8/2024 with operator with potential to turn well into disposal.	Monitor thru 3rd Qtr 2025.
Coalridge Disposal and Petroleum, Inc & Lustre Saltwater Disposal, Vernon R. Justice	4	0/1 Producing 0/2 Injecting	0	Under review with lawyers of proper ownership between family members.	Bonds: T1 $7,000 in 1998; T2 $7,000, B1 $10,000. Monitor situation.
R & A Oil	13	1/14 Producing 0/1 Injecting	0	Letter Received July 1, 2024 from operator with tax information.	2nd letter sent 6/4/2024 response received 7/1/2024. Monitor thru 2025.
Paug, Gerald W	1	0 Producing	0	Inactive Letter Sent November 1, 2024. Signed Return Receipt Received November 6, 2024. Letter received from operator 1/21/2025 asking to turn well into water well within 2 to 6 years.	Monitor thru 2025 and 2026 to see if water right happens
Homestake Oil & Gas Co.	10	100% Fee wells Shut-in. 5/10 wells producing.	0/5	Inactive Letter Sent November 1, 2024. USPS Tracking has letter picked up on November 7, 2024. Email received from operator November 11, 2024. See attached Email.	Monitor thru 2025
Montana Oil and Gas, LLC	6	6/8 Gas wells shut-in	0	Inactive Letter Sent November 1, 2024. Signed Return Receipt Received November 13, 2024.	Monitor thru 2025
BNV Energy Company LLC	2	2 wells shut-in	Unknown	Inactive Letter Sent November 1, 2024. USPS tracking has address vacant. Email notification sent via 2nd letter to last known email address due to vacant physical address 2/11/2025.	Waiting on response Due May 8, 2025

Inactive Wells 4/9/2025 Current Actions

Company Name	Total Wells SI	Status	Wells Intended for plugging 2025	Actions	Recommendations
Hesla Oil, LLC	9	0 Producing	Unknown	Sent 2nd letter February 11, 2025. Certified Return Receipt returned to BOGC on February 27, 2025 signed by operator.	Waiting on response Due May 8, 2025
Habets Oil & Gas, LLC	9	0 Producing	Unknown	Sent 2nd letter February 11, 2025. Certified Return Receipt returned to BOGC on February 27, 2025 signed by operator	Waiting on response Due May 8, 2025
D90 Energy LLC	146	146/198 Oil and Gas Wells shut-in	Unknown	Inactive Letter Sent November 6, 2024. USPS tracking moving through Houston, TX facility. Stuck in Houston, TX facility. Notice of filing for bankruptcy on 11/11/2024. Notice of transfer of 54 wells received by BOGC, to be heard at April 2025 hearing.	Monitor D90 Bankruptcy. Staff discussions with Production Energy Partners on ownership of remainder of wells.
Pride Energy Company	5	Wells plugged	Unknown	Sent Inactive Letter Addressing Reclamation on November 1, 2024. USPS Tracking has letter moving thru network on November 16, 2024. No new USPS Update.	Send second letter May 2025.
XOIL Inc.	2	Wells plugged	0	Response received from operator that they are out of business and won't be reclaiming locations. Administrative Order 1-A-2025 work needs to commence by May 8, 2025. If not $250 fine assessed per day and show-cause ordered for June 12, 2025. See Attached Order.	Operator has indicated no intent to do the work.
Noah Energy, Inc.	5	0/4 Producing 0/1 Injecting	Unknown	Email sent on 8/22/2023. Response received 9/27/2023. Compliance Issues referenced to Billings Office for well identification signs FIXED. Contact with Investor looking to take over wells per inactivity of Noah Energy. No action in 1st Qtr 2025.	Send second letter May 2025.
Cypress Energy Partners - Sheridan SV	1	0	Unknown	1 year + of no action since change of operator. Send letter for compliance issue and inacitivity of well. New operator has not bonded the well.	Letter sent 4/9/2025.
Total # of Wells	**222**				
Total Wells February 2025 Meeting	31				

Operators under Show Cause 2025				
CoName	**Total Wells SI**		**Actions**	
Yellowstone Petroleums Inc	32	6/38 Producing or Injecting	Update from Shelby Field office 3 wells producing in Brady Field and SWD activated. 2 wells pumping in Kevin-Sunburst Field. Increased shut in wells since 2/28/2023 where 27/38 were shut-in.	See attached Email for update. Update to be given at October 9th, 2024 business meeting per Order 48-2024 and Admininistrative Order 12-2024A. No Activity known as of 12/4/2024. Under Board Order 75-2025. See Attached.

Inactive Wells Plugged 2023-2024

CoName	Total Wells Plugged	Status	Current Shut-In %	
Genesis ST Operating, LLC	2	Operator plugged 11/7/2024, waiting on locations to be reclaimed	100%	With evaluation plans in 2025 to produce or plug
Delphi International	1	Operator plugged 11/17/2023	100%	With plan to Transfer 1 of 2 wells and produce the other
Midway Energy, LLC	4	Operator plugged 9/26/2024, waiting on locations to be reclaimed	50%	
Rimrock Oil Company	1	Operator plugged 12/22/2023	0%	
Mystiqe Resources Company	1	Bond forfeited, orphan well plugged 8/24/2023	0%	
Brandon Oil Company	2	Bond forfeited, orphan wells plugged 12/11/2023	0%	
Omimex Canada, Ltd.	21	Operator plugged 10/31/2024, waiting on locations to be reclaimed	0%	
Walter S Fees, Jr.& Son Oil and Gas LLC	2	Wells Plugged October 2024, waiting on locations to be reclaimed.	0%	
Pearson, Gabriel	1	Well Plugged December 2024, waiting on location to be reclaimed.	0%	
Total Wells	**35**			

Inactive Wells Bond Forfeited 2022-2025

CoName	Total Wells	Bond Forfeited Date of Board Order	
Powder River Gas, LLC	3	4/14/2022	Bond forfeited
Janssen Gas	2	4/14/2022	Bond forfeited
Powers Energy Inc.	1	4/14/2022	Bond forfeited
Forward Energy, LLC	3	4/14/2022	Bond forfeited
Butler Petroleum LLC	1	10/13/2022	Bond forfeited
Seymour, James & Lorraine	1	12/8/2022	Bond forfeited
Mystique Resources Company	1	4/13/2023	Bond forfeited
Brandon Oil Company	2	8/10/2023	Bond forfeited
Bootstrap Oil, LLC	3	8/15/2024	Bond forfeited, waiting to plug in 2025
Summit Gas Resources Inc.	135	2/20/2025	Bond forfeited, remain on orphan well list. Assess time to plan to plug
Total Wells	**152**		

676 A

		Wells	SI	%
Summit Gas Resources, Inc.	/ Well	137	137	100%

U1	UIC Limited Bond	$9,000	$1,800.00	5	5	100%
M1	Multiple Well Bond	$50,000	$384.62	130	130	100%
F1	Federal			2	2	100%

SI Two to Five Years	SI Five to Ten Years	SI Greater than Ten Years	Total
0	71	66	137

676/F1 Federal

									Last Non-Zero
676 F1	075-22462	BUPHI Fed 21-33-09-46	9S-46E-33	SW	787 FSL, 358 FEL	C	DH	--------
676 F1	075-22455	BUPHI Fed 22-35-09-46	9S-46E-35	SE SW	516 FSL, 1398 FWL	C	CBM	--------

676/M1 Multiple Well Bond

								Last Non-Zero
676 M1	003-22156	Porter 25-0841 6SA	8S-41E-25	SE NW	1874 FNL, 2231 FWL	RV	SWD	9/30/2015
676 M1	003-22165	Porter 26-0841 1SA	8S-41E-26	NE NE	899 FNL, 289 FEL	RV	SWD	8/31/2018
676 M1	003-22174	Lott 27-0841 9SA	8S-41E-27	NE SE	2041 FSL, 871 FEL	RV	SWD	--------
676 M1	003-22198	MT Royalty 34-0841 11SA	8S-41E-34	NE SW	2117 FSL, 1695 FWL	C	MON	--------
676 M1	003-22233	State 36-0841 13LCW	8S-41E-36	SW SW	538 FSL, 379 FWL	C	MON	--------
676 M1	003-22568	Wildcat 5-5 7-40	7S-40E-5	SW NW	1501 FNL, 1083 FWL	SI	CBM	--------
676 M1	003-22638	Well 15-30-7-40	7S-40E-30	SW SE	1047 FSL, 1362 FEL	SI	CBM	--------
676 M1	003-22767	State 08-41 13-16	8S-41E-16	SW SW	1151 FSL, 1163 FWL	SI	CBM	--------
676 M1	003-22766	AC State 08-41 11-16	8S-41E-16	NE SW	2260 FSL, 1856 FWL	SI	CBM	--------
676 M1	003-22073	Visborg 17-0841 13FG	8S-41E-17	SW SW	345 FSL, 675 FWL	SI	CBM	--------
676 M1	003-22076	Visborg 17-0841 15W	8S-41E-17	SW SE	527 FSL, 1913 FEL	SI	CBM	8/31/2019
676 M1	003-22074	Visborg 17-0841 13W	8S-41E-17	SW SW	391 FSL, 640 FWL	SI	CBM	8/31/2019
676 M1	003-22075	Visborg 17-0841 15FG	8S-41E-17	SW SE	496 FSL, 1871 FEL	SI	CBM	8/31/2019
676 M1	003-22648	CC 17-0841 14WP	8S-41E-17	SE SW	877 FSL, 2119 FWL	SI	CBM	8/31/2019
676 M1	003-22650	CC 17-0841 16WP	8S-41E-17	SE SE	380 FSL, 275 FEL	SI	CBM	6/30/2019
676 M1	003-22649	CC 17-0841 16FG	8S-41E-17	SE SE	432 FSL, 261 FEL	SI	CBM	--------
676 M1	003-22083	Visborg 19-0841 15FG	8S-41E-19	SW SE	895 FSL, 1575 FEL	SI	CBM	9/30/2010
676 M1	003-22081	Visborg 19-0841 9FG	8S-41E-19	NE SE	2011 FSL, 296 FEL	SI	CBM	10/31/2013
676 M1	003-22084	Visborg 19-0841 15W	8S-41E-19	SW SE	953 FSL, 1584 FEL	SI	CBM	2/28/2015
676 M1	003-22651	CC 19-0841 08FG	8S-41E-19	SE NE	1619 FNL, 281 FEL	SI	CBM	9/30/2019
676 M1	003-22652	CC 19-0841 08WP	8S-41E-19	SE NE	1579 FNL, 323 FEL	SI	CBM	4/30/2014
676 M1	003-22079	Visborg 19-0841 7FG	8S-41E-19	SW NE	2137 FNL, 1758 FEL	TA	CBM	--------
676 M1	003-22080	Visborg 19-0841 7W	8S-41E-19	SW NE	2153 FNL, 1703 FEL	TA	CBM	2/28/2015
676 M1	003-22082	Visborg 19-0841 9W	8S-41E-19	NE SE	2014 FSL, 353 FEL	SI	CBM	8/31/2018
676 M1	003-22092	Visborg 20-0841 7W	8S-41E-20	SW NE	1769 FNL, 1825 FEL	SI	CBM	8/31/2019
676 M1	003-22656	CC 20-0841 12WP	8S-41E-20	NW SW	2312 FSL, 777 FWL	SI	CBM	9/30/2019
676 M1	003-22655	CC 20-0841 12FG	8S-41E-20	NW SW	2287 FSL, 824 FWL	SI	CBM	--------
676 M1	003-22654	CC 20-0841 10WP	8S-41E-20	NW SE	2128 FSL, 1632 FEL	SI	CBM	9/30/2019
676 M1	003-22096	Visborg 20-0841 11W	8S-41E-20	NE SW	2178 FSL, 2390 FWL	TA	CBM	7/31/2019
676 M1	003-22095	Visborg 20-0841 11FG	8S-41E-20	NE SW	2180 FSL, 2327 FWL	TA	CBM	3/31/2011
676 M1	003-22093	Visborg 20-0841 9FG	8S-41E-20	NE SE	1967 FSL, 847 FEL	SI	CBM	9/30/2019
676 M1	003-22091	Visborg 20-0841 7FG	8S-41E-20	SW NE	1830 FNL, 1805 FEL	SI	CBM	4/30/2008
676 M1	003-22089	Visborg 20-0841 5FG	8S-41E-20	SW NW	1775 FNL, 957 FWL	SI	CBM	8/31/2015
676 M1	003-22087	Visborg 20-0841 3FG	8S-41E-20	NE NW	802 FNL, 2033 FWL	SI	CBM	8/31/2019
676 M1	003-22086	Visborg 20-0841 1W	8S-41E-20	NE NE	511 FNL, 322 FEL	SI	CBM	8/31/2015
676 M1	003-22085	Visborg 20-0841 1FG	8S-41E-20	NE NE	561 FNL, 346 FEL	SI	CBM	1/31/2006
676 M1	003-22653	CC 20-0841 10FG	8S-41E-20	NW SE	2129 FSL, 1686 FEL	SI	CBM	--------
676 M1	003-22094	Visborg 20-0841 9W	8S-41E-20	NE SE	1930 FSL, 802 FEL	SI	CBM	8/31/2015
676 M1	003-22101	Visborg 21-0841 5FG	8S-41E-21	SW NW	2317 FNL, 654 FWL	SI	CBM	8/31/2010
676 M1	003-22104	Visborg 21-0841 7W	8S-41E-21	SW NE	1648 FNL, 1852 FEL	SI	CBM	8/31/2015
676 M1	003-22102	Visborg 21-0841 5W	8S-41E-21	SW NW	2282 FNL, 613 FWL	SI	CBM	2/28/2015
676 M1	003-22100	Visborg 21-0841 3W	8S-41E-21	NE NW	955 FNL, 1812 FWL	SI	CBM	4/30/2018
676 M1	003-22097	Visborg 21-0841 1FG	8S-41E-21	NE NE	666 FNL, 1055 FEL	SI	CBM	7/31/2008

676	M1	003-22218	State 36-0841 3LCW	8S-41E-36	NE NW	422 FNL, 1702 FWL	SI	CBM	11/30/2008
676	M1	003-22217	State 36-0841 3CC	8S-41E-36	NE NW	360 FNL, 1717 FWL	SI	CBM	2/28/2009
676	M1	003-22215	State 36-0841 1LCW	8S-41E-36	NE NE	1012 FNL, 587 FEL	SI	CBM	7/31/2008
676	M1	003-22224	State 36-0841 7LCW	8S-41E-36	SW NE	2118 FNL, 2298 FEL	SI	CBM	11/30/2008
676	M1	003-22238	Reavis 29-0842 11CC	8S-42E-29	NE SW	1968 FSL, 1930 FWL	SI	CBM	5/31/2012
676	M1	003-22243	Reavis 29-0842 13CA	8S-42E-29	SW SW	721 FSL, 579 FWL	SI	CBM	8/31/2019
676	M1	003-22242	Reavis 29-0842 13LCW	8S-42E-29	SW SW	668 FSL, 469 FWL	SI	CBM	7/31/2019
676	M1	003-22241	Reavis 29-0842 13CC	8S-42E-29	SW SW	695 FSL, 527 FWL	SI	CBM	6/30/2012
676	M1	003-22239	Reavis 29-0842 11LCW	8S-42E-29	NE SW	2021 FSL, 1895 FWL	SI	CBM	1/31/2012
676	M1	003-22253	Reavis 31-0842 15CC	8S-42E-31	SW SE	564 FSL, 1699 FEL	SI	CBM	5/31/2011
676	M1	003-22251	Reavis 31-0842 9LCW	8S-42E-31	NE SE	1661 FSL, 309 FEL	SI	CBM	3/31/2019
676	M1	003-22247	Reavis 31-0842 6CC	8S-42E-31	SE NW	2208 FNL, 1500 FWL	SI	CBM	8/31/2019
676	M1	003-22254	Reavis 31-0842 15LCW	8S-42E-31	SW SE	520 FSL, 1732 FEL	SI	CBM	5/31/2011
676	M1	003-22246	Reavis 31-0842 5CA	8S-42E-31	SW NW	1919 FNL, 362 FWL	TA	CBM	10/31/2015
676	M1	003-22245	Reavis 31-0842 5LCW	8S-42E-31	SW NW	1814 FNL, 361 FWL	TA	CBM	1/31/2016
676	M1	003-22244	Reavis 31-0842 5CC	8S-42E-31	SW NW	1863 FNL, 361 FWL	TA	CBM	8/31/2016
676	M1	003-22250	Reavis 31-0842 9CC	8S-42E-31	NE SE	1629 FSL, 350 FEL	SI	CBM	11/30/2013
676	M1	003-22248	Reavis 31-0842 6LCW	8S-42E-31	SE NW	2248 FNL, 1549 FWL	SI	CBM	1/31/2012
676	M1	003-22378	NWBC State 08-44 15-36	8S-44E-36	SW SE	1131 FSL, 2370 FEL	SI	CBM	--------
676	M1	075-22274	State 6-16-8-45 WP	8S-45E-16	SE NW	1944 FNL, 1853 FWL	SI	CBM	--------
676	M1	003-22263	Porter 6-0942 15CC	9S-42E-6	SW SE	1028 FSL, 2008 FEL	SI	CBM	5/31/2015
676	M1	003-22260	Porter 6-0942 5LCW	9S-42E-6	SW NW	1384 FNL, 404 FWL	SI	CBM	--------
676	M1	003-22257	Porter 6-0942 3LCW	9S-42E-6	NE NW	804 FNL, 1777 FWL	SI	CBM	8/31/2011
676	M1	003-22256	Porter 6-0942 3CC	9S-42E-6	NE NW	740 FNL, 1769 FWL	SI	CBM	2/28/2014
676	M1	003-22686	DC 21-0942 07WA	9S-42E-21	SW NE	2356 FNL, 2056 FEL	SI	CBM	9/30/2007
676	M1	003-22782	FR State 36-09-43 11CC	9S-43E-36	NE SW	1911 FSL, 2335 FWL	SI	CBM	--------

676/U1 UIC Limited Bond

Last Non-Zero

676	U1	003-22119	Lott 23-0841 15SA	8S-41E-23	SW SE	800 FSL, 1610 FEL	RV	SWD	10/31/2007
676	U1	003-22123	Lott 23-0841 7SA	8S-41E-23	SW NE	2392 FNL, 2251 FEL	RV	SWD	11/30/2018
676	U1	003-22143	Rancholme 24-0841 9SA	8S-41E-24	NE SE	1914 FSL, 725 FEL	RV	SWD	--------
676	U1	003-22725	DP 31-0842 05SA	8S-42E-31	SW NW	1919 FNL, 312 FWL	RV	SWD	8/31/2011
676	U1	003-22158	Porter 25-0841 13LCW	8S-41E-25	SW SW	1050 FSL, 420 FWL	C	MON	1/31/2006

1 Operator(s) Included in Report

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

IN THE MATTER OF XOIL INC. FOR FAILURE TO RECLAIM ITS WELLS IN ROOSEVELT AND SHERIDAN COUNTIES, MONTANA.

ADMINISTRATIVE ORDER 1-A-2025

XOIL Inc. (XOIL) is the bonded operator of the Simard 26-16 well, API# 25-085-21430, located in the SE¼SE¼ of Section 26, T28N-58E, in Roosevelt County, Montana and the Richardson-Hoven 1-11, API # 25-091-21511, located in the SE¼SE¼ of Section 11, T34N-55E, in Sheridan County, Montana. Both wells have been plugged but reclamation remains.

On December 3, 2024, a certified letter was sent to XOIL to address the reclamation at the two well locations that are not in accordance with ARM 36.22.1307. The rule states that the owner of the well must restore the surface of the location to its previous grade and productive capability. A February 18, 2025, deadline was given to address the compliance issues, or this matter would be brought up at the Board Business meeting.

In a letter dated February 13, 2025, David Fee, president, stated that it has discontinued all operations as of 2025 and no longer has the personnel or assets necessary to perform reclamation efforts on the two wells.

IT IS THEREFORE ORDERED by the Board that XOIL must begin reclamation on its Simard 26-16 and Richardson-Hoven 1-11 wells prior to by the May 8, 2025, hearing application deadline.

IT IS FURTHER ORDERED that following the May 8, 2025, deadline, if no reclamation work has begun, a penalty of $250 per day be assessed until the above-mentioned work has commenced.

IT IS FURTHER ORDERED that XOIL is to appear at the June 12, 2025, public hearing and show-cause, if any it has, why additional penalties should not be assessed for failure to restore the well locations.

Dated this 19th day of February, 2025

Montana Board of Oil and Gas Conservation

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Benjamin Jones, Administrator

EXHIBIT 12

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

IN THE MATTER OF POWDER BATTALION HOLDINGS LLC AND AMENDMENT TO BOARD ORDER 76-2025.

ADMINISTRATIVE ORDER 6-A-2025

At the February 20, 2025, public hearing, the Board issued Board Order 76-2025 that ordered Powder Battalion Holdings LLC (Powder Battalion) to begin the process to plug and abandon its MT State 9-42 36-06CK well, API # 25-003-21858, located in the SE¼NW¼ of Section 36, T9S-R42E and either plug and abandon or convert its Remington 10-43 05-07CK well, API # 25-003-22754, located in the SW¼NE¼ of Section 5, T10S-R43E to a water well by the July 10, 2025, hearing application deadline. Following the July 10, 2025, deadline, a penalty of $250 per day be assessed until the above-mentioned work commenced.

Both wells are located in core sage grouse habitat, and to follow sage grouse timing restrictions that limit activities in core habitat from March 15th to July 15th, staff requested Board Order 76-2025 be amended to delay the requirement to begin to plug and abandon the wells until August 1, 2025 instead of July 10, 2025.

IT IS THEREFORE ORDERED by the Board that Powder Battalion's deadline to begin the process to plug and abandon its MT State 9-42 36-06CK and Remington 10-43 05-07CK wells has been modified to August 1, 2025.

IT IS FURTHER ORDERED that following the August 1, 2025, deadline a penalty of $250 per day be assessed until the above-mentioned work has commenced.

Dated this 9th day of April, 2025

Montana Board of Oil and Gas Conservation

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Benjamin Jones, Administrator

SUMMARY PAGE

- **Permitting Activity**
  - New Horizontal Locations
    - 1 APD in Roosevelt County
      - White Rock Oil & Gas LLC
  - 2 Vertical APDs
    - 1 APD in Hill County
      - Herford Resources LLC
    - 1 APD for SWD well in Roosevelt County
      - Phoenix Operating LLC
  - Re-Issued
    - 2 Wells
      - 1 Petroleum County Vertical Re-entry by Columbia Petroleum, Ltd.
      - 1 Richland County Horizontal Well by Kraken Operating, LLC
  - Pending APDs
    - 15 total APDs
      - 2 SWD APDs
      - 13 Horizontal APDs in Richland and Roosevelt County

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

BOARD OF OIL AND GAS CONSERVATION

2535 St. Johns Avenue, Billings, MT 59102 (406) 656-0040

ACTIVITIES: **2/21/2025 To 4/9/2025**

New Locations:

Hill Wildcat 041-23551
Hereford Resources, LLC Linda 1
SHL: NE SW 34-34N-9E (2010 FSL/2000 FWL) EL 3041' GR 33024
Proposed Depth: 6500' (Souris River Formation)
Approved: 03/21/2025

Roosevelt Wildcat 085-22086
Phoenix Operating LLC Ronin 1 SWD
SHL: SW SE 35-29N-57E (485 FSL/2416 FEL) EL 2101' GR 33021
Proposed Depth: 5537' (Inyan Kara Group)
Approved: 03/11/2025

Re-Issued Locations:

Petroleum Cat Creek, West Dome 069-21106
Columbia Petroleum, Ltd. Gel 5
SHL:SW NE NE 12-15N-28E (1020 FNL/1035 FEL) EL 2869' G 33023
Proposed Depth: 2125' (Morrison)
Approved: 03/21/2025

Richland Wildcat 083-23429
Kraken Operating, LLC Claire 34-22 #4H
SHL: NE SW 34-26N-59E (1424 FSL/2582 FWL) EL 2160' GR 33022
PBHL: 25080' 22-26N-59E (205 FNL/550 FEL) Bakken
Approved: 03/14/2025

Completions:

Richland Wildcat 083-23459
Kraken Operating, LLC Piano Man 7-6-31 1H
SHL: NW NE 18-25N-58E (1285 FNL/2517 FEL) EL 2364' GR
BHL: 26525' NW NE 31-26N-58E (235 FNL/648 FWL) Bakken
Completed 4/27/2024 (OIL). TD 26525'
IP 427 BOPD/391 MCFPD/3926 BWPD Bakken