

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION
MINUTES OF THE MEETING AND PUBLIC HEARING
February 11, 12, & 13, 2026

CALL TO ORDER

The regular business meeting of the Montana Board of Oil and Gas Conservation was called to order by Chairman Steven Durrett at 2:00 p.m., Wednesday, February 11, 2026, at its office at 2535 St. Johns Avenue in Billings, Montana. Board members present were Chairman Steven Durrett, Roy Brown, Mac McDermott, Barbara Skelton, John Tietz, Corey Welter, and Jeff Wivholm. Staff present was Ben Jones, Ben Davis, John Gizicki, Rob Stutz, Jennifer Breton, Scot Bloomfield, and Allison Young Swallow.

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS

Chris Bakker, CEO and co-founder, and Cam Buss, vice president of operations, appeared on behalf of Avanti Helium US, Inc. (Avanti). Avanti requested the Board consider a rule exception to its gas venting rules as it relates to nitrogen-dominant helium production streams. Avanti provided an overview of its proposed helium production processes and presented materials in support of this request, attached as Exhibit 1.

Mr. Jones noted that helium is a new topic for the Board and presents some challenges that the Board's current rules were not designed for. He suggested the exception request should be heard at a hearing, and recommended Avanti file an application for the April hearing. This would also give them a chance to address additional questions the presentation did not cover.

Mr. Davis asked if Avanti had talked with the Department of Environmental Quality (DEQ) or the Environmental Protection Agency (EPA) regarding the production facility. Avanti has spoken with the DEQ but not with the EPA at this time.

Mr. Zack Winfield, petroleum engineer with DNRC Trust Lands, requested the Board consider methodical and responsible development, pipeline infrastructure, and operatorship and well performance. The letter Mr. Winfield read is attached as Exhibit 2.

Ms. Wendy Johnson, attorney for Phoenix Operating, LLC (Phoenix), requested clarification on hearing procedures. Below were her questions:

1. Why is it necessary to extend a temporary spacing unit?
2. What is the purpose that operations must commence within one year of the order.
3. Board's preference to not allow multiple operators within the same TSU.

Mr. Jones stated that these topics regarding the questions will be discussed at the end of the meeting.

Mr. Mark Helsa of Hesla Oil, LLC (Hesla) is the surface owner and mineral owner of nine wells that were recently forfeited by the Board.

The compliance issue started last June with the inactive well review and delinquent reporting but eventually led to bond forfeiture.

Mr. Helsa wants to restore Helsa's bonds that were forfeited by the Board, pay the outstanding fine, and return these wells to production by May. The wells are part of his retirement plan and part of his family's history.

Mr. Helsa did not appear at any of the hearings nor did he request a rehearing of the bond forfeiture docket, so the bonds have been forfeited and can't be reinstated.

Mr. Jones stated that if Helsa posts a new \$13,500 bond, resolves its delinquent reporting issues, and pays its outstanding fine, Helsa can become the operator again.

KRAKEN OIL & GAS LLC REQUEST FOR REHEARING OF DOCKETS 312-2025/1-2026 FED, 313-2025/ 2-2026 FED, 421-2025, AND 422-2025

The Board issued Administrative Order 1-A-2026, attached as Exhibit 3.

Motion: Mr. Welter made the motion to deny the rehearing request of Dockets 312-2025/1-2026 FED, 313-2025/ 2-2026 FED, 421-2025, and 422-2025. Mr. Brown seconded and the motion passed. Mr. Teitz abstained from the vote.

PHOENIX OPERATING LLC REQUEST FOR REHEARING OF DOCKETS 465-2025 AND 466-2025

The Board issued Administrative Order 2-A-2026, attached as Exhibit 4.

Motion: Mr. Wivholm made the motion to deny the rehearing request of Dockets 465-2025 and 466-2025. Mr. Brown seconded and the motion passed. Mr. Teitz abstained from the vote.

APPROVAL OF MINUTES

A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the minutes of the December 10, 2025, business meeting.

FINANCIAL REPORT

Mrs. Breton discussed the financial statement, attached as Exhibit 5.

BOND SUMMARY & INCIDENT REPORT

Mr. Jones presented the bond report and the incident reported, attached as Exhibit 6 and 7.

DOCKET SUMMARY

Mr. Jones presented the docket summary, attached as Exhibit 8.

GAS FLARING EXCEPTIONS

Mr. Jones discussed the gas flaring report, attached as Exhibit 9.

At the December meeting, Phoenix was found to be flaring above the allowable limit and a fine was issued in the amount of \$250 per the flaring policy. Phoenix had until January 8, 2026 to pay the fine and submit the exception request or the matter will be docketed for the February 12, 2026 hearing. Prior to the hearing, staff received the exception request and the fine payment, so the docket was administratively dismissed. The well is currently under the limit, but Phoenix requested a 1-year exception in case its situation changes.

Mr. Jones recommended a six-month exception.

Motion: Mr. Brown made the motion to approve the recommendation. Mr. Welter seconded, and the motion passed unanimously.

INACTIVE WELL REVIEW

Mr. Davis reviewed a list of inactive well operators and their current statuses, attached as Exhibit 10.

ORPHAN WELL AND FEDERAL GRANT UPDATE

Final reclamation for the remaining four well locations has not yet been completed.

There has been no update on the formula and matching grants.

The Request for Proposal to plug and clean up the BN 12-11 SWD and BN 11-11 wells that were orphaned by D&A Water Disposal LLC is open to bidders. The bids will be reviewed, and the contract will be awarded once the solicitation closes.

There has been no further guidance from the Governor's office regarding the Class VI grant and pursuing a Class VI UIC primacy program.

STAFF REPORTS

Ben Davis

Mr. Davis provided the Board an update on well activity, attached as Exhibit 11.

Rob Stutz

The Board discussed the current handling of existing temporary spacing units (TSU) and the potential need for a policy.

The Board’s decisions are binding. However, there are instances where a TSU is created and then an application to vacate the newly created TSU is submitted. The Board needs to determine when docketing is appropriate in these cases. There is no statutory end date for TSUs.

The Board reviewed concerns related to the timeframe for commencing operations and the process for applications for permits to drill (APD) including expirations, granting extensions, and the requirements for filing a new APD.

The Board further considered whether a policy should be developed to establish a timeframe for docketing APD protests related to renewals, so protests aren’t heard every six months.

The Board discussed the value of soliciting input from industry and the public on whether such a policy is necessary and, if so, how it should be developed. Staff will add this item to the April business meeting for comment.

Mr. Jones explained that the original intent of the one-year requirement in the North Elm Coulee area arose from an operator’s request to use a 500-foot lateral setback for the first well in a temporary spacing unit (TSU), rather than the standard 1,320-foot setback established under the special statewide spacing order for the Bakken and Three Forks formations. Based on testimony presented at the time, the Board allowed the reduced setback on the condition that drilling commence within one year; otherwise, the setback would revert to the standard 1,320 feet. Mr. Jones noted that the requirement was not intended to function as an expiration date for TSUs and that, with advances in drilling technology and the practice of batch drilling wells within a TSU, the provision may be interpreted inconsistently with its original purpose. Mr. Jones indicated interest in removing the one-year stipulation.

Mr. Jones recommended that the Board solicit written comments on temporary spacing and permitting procedures prior to the next meeting and accept verbal comments at the next meeting.

Chairman Durett wants to hear from all affected parties.

Motion: Mr. Brown made the motion to add this discussion to the April business meeting agenda. Mr. Tietz seconded, and the motion passed unanimously.

Staff will prepare and send a letter to the operators regarding this matter.

Ben Jones

Mr. Jones is working to obtain another quote to upgrade the hearing room audio system.

OTHER BUSINESS

No other business discussed.

PUBLIC HEARING

The Board reconvened on Thursday, February 12, 2026, and Friday, February 13, 2026, at 9:00 a.m. at the Board's hearing room at its office at 2535 St. Johns Avenue in Billings, Montana, to hear the matters docketed for public hearing. As a result of the discussion, testimony, technical data, and other evidence placed before the Board, the following action was taken in each matter.

Docket 1-2026 – The application of Heritage Energy Operating, LLC was withdrawn.

Docket 2-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 82-2026.

Docket 3-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 84-2026.

Docket 4-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 5-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 6-2026 – A motion was made by Mr. Tietz, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 86-2026.

Docket 7-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 8-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 83-2026.

Docket 9-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 87-2026.

Docket 10-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 11-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 12-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 84-2026.

Docket 13-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 85-2026.

Docket 14-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 88-2026.

Docket 15-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 16-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 17-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 18-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 19-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 81-2026.

Docket 20-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 80-2026.

Docket 21-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 79-2026.

Docket 22-2026 – A motion was made by Mr. Tietz, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 89-2026.

Docket 23-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 24-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 90-2026.

Docket 25-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 26-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 27-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 28-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 29-2026 – A motion was made by Mr. Tietz, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 91-2026.

Docket 30-2026 – A motion was made by Mr. Tietz, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 92-2026.

Docket 31-2026 – A motion was made by Mr. Welter, seconded by Mr. Tietz and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 93-2026.

Docket 32-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 33-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 34-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 35-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 36-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 37-2026 – The application of Phoenix Operating LLC was dismissed.

Docket 38-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 85-2026.

Docket 39-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 40-2026 – The application of Continental Resources, Inc was dismissed.

Docket 41-2026 – The application of Continental Resources, Inc was dismissed.

Docket 42-2026 – The application of Continental Resources, Inc was dismissed.

Docket 43-2026 – A motion was made by Mr. Welter, seconded by Mr. Tietz and unanimously passed, to approve the application of Continental Resources, Inc as set forth in Board Order 93-2026.

Docket 44-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed, to approve the application of Continental Resources, Inc as set forth in Board Order 90-2026.

Docket 45-2026 – A motion was made by Mr. Tietz, seconded by Mr. Welter and unanimously passed, to approve the application of Continental Resources, Inc as set forth in Board Order 89-2026.

Docket 46-2026 – The application of Continental Resources, Inc was withdrawn.

Docket 47-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Heritage Energy Operating, LLC as set forth in Board Order 88-2026.

Docket 48-2026 – The application of Kraken Oil & Gas LLC was dismissed.

Docket 49-2026 – The application of Whiting Oil and Gas Corporation was dismissed.

Docket 50-2026 – The application of Whiting Oil and Gas Corporation was dismissed.

Docket 51-2026 – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 52-2026 – A motion was made by Mr. Tietz, seconded by Mrs. Skelton and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 94-2026.

Docket 53-2026 – The application of MorningStar Operating LLC was continued to the April 2026 hearing.

Docket 54-2026 – The application of MorningStar Operating LLC was continued to the April 2026 hearing.

Docket 55-2026 – The application of MorningStar Operating LLC was withdrawn.

Docket 56-2026 – The application of Devon Energy Williston, L.L.C. was continued to the April 2026 hearing.

Docket 57-2026 – The application of Devon Energy Williston, L.L.C. was continued to the April 2026 hearing.

Docket 58-2026 – A motion was made by Mr. McDermott, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 62-2026.

Docket 59-2026 – A motion was made by Mr. McDermott, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 66-2026.

Docket 60-2026 – A motion was made by Mr. McDermott, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 71-2026.

Docket 61-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 62-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 63-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 64-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 65-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 66-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 67-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of True Oil LLC as set forth in Board Order 1-2026.

Docket 68-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Brown and unanimously passed, to approve the application of White Rock Oil & Gas, LLC as set forth in Board Order 2-2026.

Docket 69-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Brown and unanimously passed, to approve the application of White Rock Oil & Gas, LLC as set forth in Board Order 3-2026.

Docket 70-2026 – The application of White Rock Oil & Gas, LLC was continued to the April 2026 hearing.

Docket 71-2026 – The application of White Rock Oil & Gas, LLC was continued to the April 2026 hearing.

Docket 72-2026 – The application of White Rock Oil & Gas, LLC was continued to the April 2026 hearing.

Docket 73-2026 – The application of White Rock Oil & Gas, LLC was continued to the April 2026 hearing.

Docket 74-2026 – A motion was made by Mrs. Skelton, seconded by Mr. Brown and passed, to approve the application of Fossil Hill Resources, LLC as set forth in Board Order 4-2026. Mr. Welter recused himself and took no part in this matter.

Docket 75-2026 – A motion was made by Mrs. Skelton, seconded by Mr. Brown and passed, to approve the application of Fossil Hill Resources, LLC as set forth in Board Order 5-2026. Mr. Welter recused himself and took no part in this matter.

Docket 76-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 6-2026.

Docket 77-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 7-2026.

Docket 78-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 8-2026.

Docket 79-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 9-2026.

Docket 80-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 10-2026.

Docket 81-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 11-2026.

Docket 82-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 12-2026.

Docket 83-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 13-2026.

Docket 84-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 14-2026.

Docket 85-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 15-2026.

Docket 86-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 76-2026.

Docket 87-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 77-2026.

Docket 88-2026 / 16-2026 FED – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 89-2026 – A motion was made by Mr. Tietz, seconded by Mr. McDermott and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 78-2026.

Docket 90-2026 / 17-2026 FED – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 91-2026 / 18-2026 FED – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 92-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 18-2026.

Docket 93-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 19-2026.

Docket 94-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 20-2026.

Docket 95-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 21-2026.

Docket 96-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 22-2026.

Docket 97-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 23-2026.

Docket 98-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 24-2026.

Docket 99-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing, as set forth in Board Order 24-2026.

Docket 100-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 25-2026.

Docket 101-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 25-2026.

Docket 102-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 26-2026.

Docket 103-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 27-2026.

Docket 104-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 28-2026.

Docket 105-2026 – A motion was made by Mr. Brown, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 29-2026.

Docket 106-2026 – A motion was made by Mr. Brown, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 30-2026.

Docket 107-2026 – A motion was made by Mr. Brown, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 31-2026.

Docket 108-2026 – A motion was made by Mr. Welter, seconded by Mr. Brown and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 32-2026.

Docket 109-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 110-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 111-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 112-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 113-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 114-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 115-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 116-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 117-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 118-2026 – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 33-2026.

Docket 119-2026 – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 34-2026.

Docket 120-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 35-2026.

Docket 121-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 36-2026.

Docket 122-2026 / 19-2026 FED – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 37-2026.

Docket 123-2026 / 20-2026 FED – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 38-2026.

Docket 124-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 39-2026.

Docket 125-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 40-2026.

Docket 126-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 127-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 128-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 129-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 130-2026 – A motion was made by Mrs. Skelton, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 41-2026.

Docket 131-2026 – A motion was made by Mrs. Skelton, seconded by Mr. Welter and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 42-2026.

Docket 132-2026 / 21-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 133-2026 / 22-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 134-2026 / 23-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 135-2026 / 24-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 136-2026 / 25-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 137-2026 / 26-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 138-2026 / 27-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 139-2026 / 28-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 140-2026 – A motion was made by Mr. Wivholm to deny the application of Phoenix Operating LLC. The motion failed.

A second motion was made by Mr. Welter, seconded by Mr. Tietz and passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 43-2026.

Docket 141-2026 – A motion was made by Mr. Wivholm to deny the application of Phoenix Operating LLC. The motion failed.

A second motion was made by Mr. Welter, seconded by Mr. Tietz and passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 44-2026.

Docket 142-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 45-2026.

Docket 143-2026 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 46-2026.

Docket 144-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 145-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 146-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 147-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 148-2026 – The application of Phoenix Operating LLC was continued to the June 2026 hearing.

Docket 149-2026 – The application of Phoenix Operating LLC was continued to the June 2026 hearing.

Docket 150-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 151-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 152-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 153-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 154-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 155-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 156-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 157-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 158-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 159-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 160-2026 / 29-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 161-2026 / 30-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 162-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 163-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 164-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 165-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 166-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 47-2026.

Docket 167-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 47-2026.

Docket 168-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 48-2026.

Docket 169-2026 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to continue the application of Phoenix Operating LLC to the April hearing as set forth in Board Order 48-2026.

Docket 170-2026 / 31-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 171-2026 / 32-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 172-2026 / 33-2026 FED – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 49-2026.

Docket 173-2026 / 34-2026 FED – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 50-2026.

Docket 174-2026 / 35-2026 FED – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 51-2026.

Docket 175-2026 / 36-2026 FED – A motion was made by Mr. Welter, seconded by Mr. McDermott and unanimously passed, to approve the application of Phoenix Operating LLC as set forth in Board Order 52-2026.

Docket 176-2026 / 37-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 177-2026 / 38-2026 FED – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 178-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 179-2026 – The application of Phoenix Operating LLC was continued to the April 2026 hearing.

Docket 180-2026 – The application of Phoenix Operating LLC was continued to the October 2026 hearing.

Docket 181-2026– The application of Phoenix Operating LLC was continued to the October 2026 hearing.

Docket 182-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 183-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 184-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 70-2026.

Docket 185-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 70-2026.

Docket 186-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 187-2026 – The application of Phoenix Operating LLC was withdrawn.

Docket 188-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 189-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 190-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 191-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 192-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 193-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 194-2026 / 39-2026 FED – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 195-2026 / 40-2026 FED – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 196-2026 / 41-2026 FED – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 197-2026 / 42-2026 FED – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 198-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 199-2026 – The application of Continental Resources Inc was continued to the April 2026 hearing.

Docket 200-2026 – Board staff placed this application on the Default Docket for approval without hearing if no protests or requests for hearing were received by 10:00 a.m. on the day of the hearing. None were received. The application of Baldwin Lynch Energy Corporation was approved as set forth in Board Order 14-2026.

Docket 201-2026 – A motion was made by Mr. McDermott, seconded by Mr. Welter and unanimously passed, that staff may proceed with administrative review and approval of the two change of operator requests from Denbury Onshore, LLC to MMGL MT I, LLC. This is set forth in Board Order 53-2026.

Docket 202-2026 – Board staff placed this application on the Default Docket for approval without hearing if no protests or requests for hearing were received by 10:00 a.m. on the day of the hearing. None were received. The application of Heritage Energy Operating, LLC was approved as set forth in Board Order 15-2026.

Docket 203-2026 – Board staff placed this application on the Default Docket for approval without hearing if no protests or requests for hearing were received by 10:00 a.m. on the day of the hearing. None were received. The application of Heritage Energy Operating, LLC was approved as set forth in Board Order 16-2026.

Docket 204-2026 – A motion was made by Mr. Wivholm, seconded by Mrs. Skelton and unanimously passed, to approve the application of Montalban Oil & Gas Operations Inc as set forth in Board Order 54-2026.

Docket 205-2026 – The application of MorningStar Operating LLC was continued to the April 2026 hearing.

Docket 206-2026 – Board staff placed this application on the Default Docket for approval without hearing if no protests or requests for hearing were received by 10:00 a.m. on the day of the hearing. None were received. The application of MorningStar Operating LLC was approved as set forth in Board Order 17-2026.

Docket 109-2025 – A motion was made by Mr. Brown, seconded by Mrs. Skelton and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 12-2026.

Docket 110-2025 – A motion was made by Mr. Brown, seconded by Mrs. Skelton and unanimously passed, to approve the application of Kraken Oil & Gas LLC as set forth in Board Order 13-2026.

Docket 310-2025 – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 311-2025 – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 312-2025 / 1-2026 FED – The rehearing request was denied.

Docket 313-2025 / 2-2026 FED – The rehearing request was denied.

Docket 316-2025 – The application of Kraken Oil & Gas LLC was continued to the April 2026 hearing.

Docket 323-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 67-2026.

Docket 324-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 68-2026.

Docket 325-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 59-2026.

Docket 326-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 60-2026.

Docket 327-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 63-2026.

Docket 328-2025 – A motion was made by Mr. Welter, seconded by Mrs. Skelton and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 64-2026.

Docket 337-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 338-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 339-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 340-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 374-2025 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 79-2026.

Docket 375-2025 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 80-2026.

Docket 384-2025 – The application of Heritage Energy Operating, LLC was withdrawn.

Docket 385-2025 – The application of Heritage Energy Operating, LLC was withdrawn.

Docket 386-2025 – The application of Heritage Energy Operating, LLC was withdrawn.

Docket 411-2025 – The application of Phoenix Operating LLC was dismissed.

Docket 412-2025 – The application of Phoenix Operating LLC was dismissed.

Docket 413-2025 / 9-2026 FED – The application of Phoenix Operating LLC was dismissed.

Docket 414-2025 – The application of Phoenix Operating LLC was dismissed.

Docket 421-2025 – The rehearing request was denied.

Docket 422-2025 – The rehearing request was denied.

Docket 423-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 424-2025 – The application of Phoenix Operating LLC was withdrawn.

Docket 435-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 69-2026.

Docket 436-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 69-2026.

Docket 437-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 65-2026.

Docket 438-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 65-2026.

Docket 439-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 61-2026.

Docket 440-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed, to deny the application of Phoenix Operating LLC as set forth in Board Order 61-2026.

Docket 460-2025 – The application of Continental Resources Inc was withdrawn.

Docket 461-2025 – The application of Continental Resources Inc was withdrawn.

Docket 462-2025 – The application of Continental Resources Inc was withdrawn.

Docket 463-2025 – The application of Continental Resources Inc was withdrawn.

Docket 465-2025 – The rehearing request was denied.

Docket 466-2025 – The rehearing request was denied.

Docket 467-2025 – A motion was made by Mr. Welter, seconded by Mr. Wivholm and unanimously passed, to approve the application of Continental Resources Inc as set forth in Board Order 81-2026.

Docket 207-2026 – The application of Diamond Halo Group LLC was dismissed.

Docket 208-2026 – The application of Hawley Oil Company was dismissed.

Docket 209-2026 – A motion was made by Mr. Wivholm, seconded by Mr. Tietz and unanimously passed that the plugging and reclamation bonds for McOil Montana One LLC are forfeited. This is set forth in Board Order 55-2026.

Docket 210-2026 – The application of Phoenix Operating, LLC was dismissed.

Docket 211-2026 – A motion was made by Mr. Tietz, seconded by Mrs. Skelton and unanimously passed to fine Poplar Resources LLC (Poplar) \$1,000 for failure to appear at the February 12, 2026, public hearing. Poplar is to appear at the April 9, 2026, public hearing and show-cause, if any it has, why additional penalties should not be assessed for failure to file production and injection reports, failure to pay the penalty assessed for delinquent reporting, and failure to appear at the February 12, 2026, public hearing. This is set forth in Board Order 56-2026.

Docket 212-2026 – The application of Texakoma Exploration & Production LLC was dismissed.

Docket 213-2026 – The application of Well Done Foundation, Inc was dismissed.

Docket 88-2025 – A motion was made by Mr. McDermott, seconded by Mr. Welter and unanimously passed that Docket 88-2025, Coalridge Disposal and Petroleum, Inc., is continued until the April 9, 2026, public hearing. This is set forth in Board Order 57-2026.

Docket 357-2025 – A motion was made by Mr. Wivholm, seconded by Mr. Welter and unanimously passed that Montana Energy Company, LLC must begin to plug and abandon or transfer its wells in Musselshell, Rosebud, Stillwater, and Sweetgrass Counties, Montana, prior to April 9, 2026, public hearing. Failure to begin to plug and abandon or transfer the wells may result in additional penalties or the forfeiture of the plugging and reclamation bond in its entirety, as permitted by § 82-11-123(5), MCA. This is set forth in Board Order 58-2026.

NEXT MEETING

The next business meeting of the Board will be Wednesday, April 8, 2026, at 2:00 p.m. at the Board's hearing room at its office at 2535 St. Johns Avenue in Billings, Montana. The next regular public hearing will be Thursday, April 9, 2026, beginning at 9:00 a.m. at the Board's hearing room at its office at 2535 St. Johns Avenue in Billings, Montana. The filing deadline for the April 9th public hearing is March 5, 2026.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Steven Durrett, Chairman
Corey Welter, Vice-Chairman
Roy Brown, Board Member
Mac McDermott, Board Member
Barbara Skelton, Board Member
W. John Tietz, Board Member
Jeff Wivholm, Board Member

ATTEST:

Jennifer Breton, Program Specialist