

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER CREATING A TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTIONS 27 AND 28, TOWNSHIP 28 NORTH, RANGE 58 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES OF SAID TSU, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

MBOGC DOCKET NO. 109-2025

APPLICATION

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024:

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Sections 27 and 28, Township 28 North, Range 58 East, M.P.M., Roosevelt County, Montana. Said Sections 27 and 28 are not presently subject to any specific MBOGC Orders.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well at a location within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, a TSU comprised of All of Sections 27 and 28, Township 28 North, Range 58 East, M.P.M.
3. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and other matters relating to production from said well.
4. Applicant notes that there do not appear to be any federal minerals affected by this application.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order creating a TSU comprised of All of Sections 27 and 28, Township 28 North, Range 58 East, M.P.M., Roosevelt County, Montana, and authorizing the drilling of a horizontal Bakken/Three Forks formation well at any location within such TSU but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, providing that operations for the drilling of such well must be commenced within one year from the date of such order.

DATED this 4th day of March, 2025.

~~KRAKEN OIL & GAS LLC~~

By _____

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTIONS 27 AND 28, TOWNSHIP 28 NORTH, RANGE 58 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AT ANY LOCATIONS NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES THEREOF, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

MBOGC DOCKET NO. 110-2025

APPLICATION

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024:

[A] Presents the following application:

1. Applicant is an interest owner and operator within all or portions of Sections 27 and 28, Township 28 North, Range 58 East, M.P.M., Roosevelt County, Montana. It is anticipated that said lands will comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Montana Board of Oil and Gas Conservation Order No. __-2025.
2. Applicant requests authority to drill up to three additional horizontal Bakken/Three Forks formation wells within said TSU, at any locations not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.
3. Applicant notes that there do not appear to be any federal minerals affected by this application.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order authorizing the Applicant to drill up to three additional horizontal Bakken/Three Forks formation wells at any locations within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, the TSU comprised of Section 27 and 28, Township 28 North, Range 58 East, M.P.M., Roosevelt County, Montana.

DATED this 4th day of March, 2025.

KRAKEN OIL & GAS LLC

By _____

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER CREATING A TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTION 25, TOWNSHIP 28 NORTH, RANGE 55 EAST, M.P.M., AND ALL OF SECTIONS 28, 29 AND 30, TOWNSHIP 28 NORTH, RANGE 56 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES OF SAID TSU, VACATING MBOGC ORDER NOS. 30-2011 AND 340-2011, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

MBOGC DOCKET NO. 310-2025

APPLICATION

RECEIVED

SEP 05 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024:

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Section 25, Township 28 North, Range 55 East, M.P.M., and Sections 28, 29 and 30, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana. Said Section 28 is presently subject to MBOGC Order Nos. 30-2011 and 340-2011. Said Sections 25, 29 and 30 are presently subject only to the area-wide rule for Bakken/Three Forks production, MBOGC Order No. 380-2011.

2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well at a location within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, a TSU comprised of All of Section 25, Township 28 North, Range 55 East, M.P.M., and Sections 28, 29 and 30, Township 28 North, Range 56 East, M.P.M. In order to grant the requested relief, it will be necessary to vacate MBOGC Order Nos. 30-2011 and 340-2011.

3. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and other matters relating to production from said well.

4. Applicant notes that federal minerals are located within certain tracts affected by this application, namely Lot 2 of Section 30, Township 28 North, Range 56 East, M.P.M.

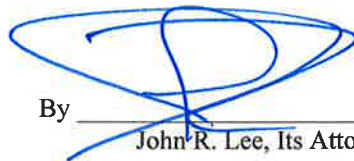
[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;

2. After hearing the matter, the Board enter its order (i) creating a TSU comprised of All of Section 25, Township 28 North, Range 55 East, M.P.M., and Sections 28, 29 and 30, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana, and authorizing the drilling of a horizontal Bakken/Three Forks formation well at any location within such TSU but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, providing that operations for the drilling of such well must be commenced within two years from the date of such order; and (ii) vacating MBOGC Order Nos. 30-2011 and 340-2011.

DATED this 29th day of August, 2025.

KRAKEN OIL & GAS LLC



By _____

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

RECEIVED

SEP 05 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTION 25, TOWNSHIP 28 NORTH, RANGE 55 EAST, M.P.M., AND ALL OF SECTIONS 28, 29 AND 30, TOWNSHIP 28 NORTH, RANGE 56 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AT ANY LOCATIONS NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES THEREOF, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

MBOGC DOCKET NO. 311-2025

APPLICATION

RECEIVED

SEP 05 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024;

[A] Presents the following application:

1. Applicant is an interest owner and operator within all or portions of Section 25, Township 28 North, Range 55 East, M.P.M., and Sections 28, 29 and 30, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana. It is anticipated that said lands will comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Montana Board of Oil and Gas Conservation Order No. ___-2025.

2. Applicant requests authority to drill up to three additional horizontal Bakken/Three Forks formation wells within said TSU, at any locations not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.

3. Applicant notes that federal minerals are located within certain tracts affected by this application, namely Lot 2 of Section 30, Township 28 North, Range 56 East, M.P.M.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;

2. After hearing the matter, the Board enter its order authorizing the Applicant to drill up to three additional horizontal Bakken/Three Forks formation wells at any locations within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, the TSU comprised of All of Section 25, Township 28 North, Range 55 East, M.P.M., and Sections 28, 29 and 30, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana.

DATED this 29th day of August, 2025.

KRAKEN OIL & GAS LLC

By

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

RECEIVED

SEP 05 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

**BEFORE THE BUREAU OF LAND MANAGEMENT, MONTANA STATE OFFICE
UNITED STATES DEPARTMENT OF THE INTERIOR**

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER CREATING A TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 55 EAST, M.P.M., AND ALL OF SECTIONS 31, 32 AND 33, TOWNSHIP 28 NORTH, RANGE 56 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES OF SAID TSU, VACATING MBOGC ORDER NOS. 30-2011 AND 340-2011, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

BLM DOCKET NO. 1-2026

MBOGC DOCKET NO. 312-2025

APPLICATION

RECEIVED

SEP 05 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024;

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Section 36, Township 28 North, Range 55 East, M.P.M., and Sections 31, 32 and 33, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana. Said Section 33 is presently subject to MBOGC Order Nos. 30-2011 and 340-2011. Said Sections 36, 31 and 32 are presently subject only to the area-wide rule for Bakken/Three Forks production, MBOGC Order No. 380-2011.

2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well at a location within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, a TSU comprised of All of Section 36, Township 28 North, Range 55 East, M.P.M., and Sections 31, 32 and 33, Township 28 North, Range 56 East, M.P.M. In order to grant the requested relief, it will be necessary to vacate MBOGC Order Nos. 30-2011 and 340-2011.

3. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and other matters relating to production from said well.

4. A portion of the subject lands is Indian land, namely the SE/4SE/4 of Section 32, Township 28 North, Range 56 East, M.P.M., and accordingly, the MOU between the United States BLM and the MBOGC is applicable hereto.

[B] Requests:

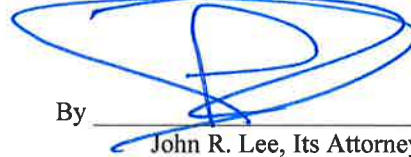
1. This matter be set for hearing in conjunction with the MBOGC hearings to be held October 9, 2025, with notice given as required by law and the MOU; and

2. After hearing the matter, the BLM and MBOGC enter their respective orders (i) creating a TSU comprised of All of Section 36, Township 28 North, Range 55 East, M.P.M., and Sections 31, 32 and 33, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana, and authorizing the drilling of a horizontal Bakken/Three Forks formation well at any location within such TSU but not closer than 200' (heel/toe setback)/500'

(lateral setback) to the exterior boundaries thereof, providing that operations for the drilling of such well must be commenced within two years from the date of such order, and (ii) vacating MBOGC Order Nos. 30-2011 and 340-2011.

DATED this 29th day of August, 2025.

KRAKEN OIL & GAS LLC



By _____

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

**BEFORE THE BUREAU OF LAND MANAGEMENT, MONTANA STATE OFFICE
UNITED STATES DEPARTMENT OF THE INTERIOR**

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 55 EAST, M.P.M., AND ALL OF SECTIONS 31, 32 AND 33, TOWNSHIP 28 NORTH, RANGE 56 EAST, M.P.M., ROOSEVELT COUNTY, MONTANA, AT ANY LOCATIONS NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES THEREOF, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

BLM DOCKET NO. 2-2026

MBOGC DOCKET NO. 313-2025

APPLICATION

RECEIVED

SEP 05 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024:

[A] Presents the following application:

1. Applicant is an interest owner and operator within all or portions of Section 36, Township 28 North, Range 55 East, M.P.M., and Sections 31, 32 and 33, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana. It is anticipated that said lands will comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Montana Board of Oil and Gas Conservation Order No. __-2025.

2. Applicant requests authority to drill up to three additional horizontal Bakken/Three Forks formation wells within said TSU, at any locations not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.

3. A portion of the subject lands is Indian land, namely the SE/4SE/4 of Section 32, Township 28 North, Range 56 East, M.P.M., and accordingly, the MOU between the United States BLM and the MBOGC is applicable hereto.


[B] Requests:

1. This matter be set for hearing in conjunction with the MBOGC hearings to be held October 9, 2025, with notice given as required by law and the MOU; and

2. After hearing the matter, the BLM and MBOGC enter their respective orders authorizing the Applicant to drill up to three additional horizontal Bakken/Three Forks formation wells at any locations within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, the TSU comprised of All of Section 36, Township 28 North, Range 55 East, M.P.M., and Sections 31, 32 and 33, Township 28 North, Range 56 East, M.P.M., Roosevelt County, Montana.

DATED this 29th day of August, 2025.

KRAKEN OIL & GAS LLC


By _____
John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

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

IN THE MATTER OF THE APPLICATION OF KRAKEN OIL & GAS LLC FOR AN ORDER CREATING A TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTION 31, TOWNSHIP 23 NORTH, RANGE 59 EAST, M.P.M., RICHLAND COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200' (HEEL/TOE SETBACK)/500' (LATERAL SETBACK) TO THE BOUNDARIES OF SAID TSU, AND SUCH OTHER AND FURTHER RELIEF AS THE MBOGC MAY DEEM APPROPRIATE

MBOGC DOCKET NO. 316-2025

APPLICATION

RECEIVED

SEP 08 2025

KRAKEN OIL & GAS LLC, 945 Bunker Hill Road, Suite 1200, Houston, Texas 77024:

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Section 31, Township 23 North, Range 59 East, M.P.M., Richland County, Montana. Said Section 31 is not presently subject to any specific MBOGC Orders.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well at a location within, but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries of, a TSU comprised of All of Section 31, Township 23 North, Range 59 East, M.P.M.
3. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and other matters relating to production from said well.
4. Applicant notes that there do not appear to be any federal minerals affected by this application.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order creating a TSU comprised of All of Section 31, Township 23 North, Range 59 East, M.P.M., Richland County, Montana, and authorizing the drilling of a horizontal Bakken/Three Forks formation well at any location within such TSU but not closer than 200' (heel/toe setback)/500' (lateral setback) to the exterior boundaries thereof, providing that operations for the drilling of such well must be commenced within two years from the date of such order.

DATED this 3rd day of September, 2025.

KRAKEN OIL & GAS LLC

By _____

John R. Lee, Its Attorney

CROWLEY FLECK PLLP
P.O. Box 2529
Billings, MT 59103-2529

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

IN THE MATTER OF THE APPLICATION OF CONTINENTAL RESOURCES INC. FOR AN ORDER DESIGNATING AN OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 15, 22, 27 AND 34, TOWNSHIP 26 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200 FEET FROM HEEL/TOE BOUNDARY AND 500 FEET FROM THE SIDE BOUNDARIES OF SAID TEMPORARY SPACING UNIT, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD, THE OVERLAPPING TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

MBOGC Docket No.

323-2025

APPLICATION

RECEIVED

SEP 09 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2012-76 PERTAINING TO SECTIONS 15 AND 22, TOWNSHIP 26 NORTH, RANGE 56 EAST BE AMENDED TO CLARIFY THAT SAID SPACING UNIT IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE HERNESS 1-15H WELL.

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within Sections 15, 22, 27 and 34, Township 26 North, Range 56 East Richland County, Montana which tracts are presently spaced with respect to the Bakken/Three Forks formation by Order:
 - 76-2012 – creating a permanent spacing unit comprised of All of Sections 15 and 22, T26N, R56E for oil and natural gas production from the Herness 1-15H well.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well within, but not closer than 200 feet to the heel/toe exterior boundaries and 500 feet to the lateral boundaries, of a temporary spacing unit (“TSU”) comprised of All of Sections 15, 22, 27 and 34, Township 26 North, Range 56 East Richland County, Montana, subject to the conditions that applicant must commence said well within one year of the date of the order issued by the Board and that the overlapping temporary spacing unit be limited to production from the proposed horizontal well.
4. Applicant further requests that Board Order 2012-76 pertaining to Sections 15 and 22, Township 26 North, Range 56 East, be amended to clarify that said spacing unit is limited to oil and natural gas from the Bakken/Three Forks Formation from the Herness 1-15H well.
5. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and all other matters relating to production of said well.

6. The proposed temporary spacing unit contains no Federal or Trust lands.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Montana Board of Oil & Gas Conservation enter its order that a TSU comprised of All Sections 15, 22, 27 and 34, Township 26 North, Range 56 East Richland County, Montana be established, subject to the condition that applicant must commence said well within one year of the date of the order issued by the Board;
3. Authorizing the Applicant to locate its proposed horizontal well anywhere within such TSU but not closer than 200 feet to the toe/heel boundaries and no further than 500 feet from the common boundary thereof;
4. Amending Order 2012-76 to clarify that said spacing unit is limited to oil and associated natural gas production from the Bakken/Three Forks Formation from the Herness 1-15H well.

Dated September 3, 2025.

CONTINENTAL RESOURCES INC.

By


Scotti Gray
Attorney for Applicant

RECEIVED

SEP 09 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION - BILLINGS**

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

IN THE MATTER OF THE APPLICATION
OF CONTINENTAL RESOURCES INC.
FOR AUTHORIZATION TO DRILL UP TO
THREE ADDITIONAL HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELLS IN THE SPACING UNIT
COMPRISED OF ALL OF SECTIONS 15,
22, 27 AND 34, TOWNSHIP 26 NORTH,
RANGE 56 EAST, RICHLAND COUNTY,
MONTANA, AT ANY LOCATION NOT
CLOSER THAN 500 FEET TO THE SIDE
BOUNDARIES AND 200 FEET TO THE
TOE/HEEL BOUNDARIES OF SAID
SPACING UNIT

MBOGC Docket No. 324 - 2025

AMENDED APPLICATION

RECEIVED

JAN 08 2026

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within the above-described lands:
2. The above-described lands are presently subject to a pending application to designate a temporary spacing unit ("TSU") comprised of said lands and authorize the drilling of a well in the TSU.
3. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Board enter its order authorizing applicant to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

Dated January 7, 2026.

CONTINENTAL RESOURCES INC.

By


Scotti Gray

Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION OF CONTINENTAL RESOURCES INC. FOR AN ORDER DESIGNATING AN OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 13, 24, 25 AND 36, TOWNSHIP 26 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200 FEET FROM HEEL/TOE BOUNDARY AND 500 FEET FROM THE SIDE BOUNDARIES OF SAID TEMPORARY SPACING UNIT, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD, THE OVERLAPPING TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2012-45 ESTABLISHING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 25 AND 36, TOWNSHIP 26 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA BE VACATED.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2013-37 PERTAINING TO SECTIONS 13 AND 24 TOWNSHIP 26 NORTH, RANGE 56 EAST BE AMENDED TO CLARIFY THAT SAID SPACING UNIT IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE LEWIS 1-13H WELL AND THAT ORDER 2013-38 AUTHORIZING THREE ADDITIONAL WELLS IN THOSE SAME LANDS BE VACATED.

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within Sections 13, 24, 25 and 36, Township 26 North, Range 56 East Richland County, Montana which tracts are presently spaced with respect to the Bakken/Three Forks formation by Orders:
 - 37-2013 – creating a permanent spacing unit comprised of All of Sections 13 and 24, T26N, R56E for oil and natural gas production from the Lewis 1-13H well.
 - 45-2012 – creating a temporary spacing unit comprised of All of Sections 25 and 36, T26N, R56E.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well within, but not closer than 200 feet to the heel/toe exterior boundaries and 500 feet to the lateral boundaries, of a temporary spacing unit ("TSU") comprised of All of Sections 13, 24, 25 and 36, Township 26 North, Range 56 East Richland County, Montana, subject to the conditions that applicant must commence said well within one year of the date of the order issued by the Board and that the overlapping temporary spacing unit be limited to production from the proposed horizontal well.

MBOGC Docket No.

325-2025

APPLICATION

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

3. Applicant further requests that Board Order 2012-45 creating a temporary spacing unit comprised of All of Sections 25 and 36, T26N, R56E be vacated.
4. Applicant further requests that Board Order 2013-37 pertaining to Sections 13 and 24, Township 26 North, Range 56 East, be amended to clarify that said spacing unit is limited to oil and natural gas from the Bakken/Three Forks Formation from the Lewis 1-13H well and that Order 2013-38 authorizing 3 additional wells in those same lands be vacated.
5. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and all other matters relating to production of said well.
6. The proposed temporary spacing unit contains no Federal or Trust lands.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Montana Board of Oil & Gas Conservation enter its order that a TSU comprised of All Sections 13, 24, 25 and 36, Township 26 North, Range 56 East Richland County, Montana be established, subject to the condition that applicant must commence said well within one year of the date of the order issued by the Board;
3. Authorizing the Applicant to locate its proposed horizontal well anywhere within such TSU but not closer than 200 feet to the toe/heel boundaries and no further than 500 feet from the common boundary thereof;
4. Vacating Orders 2013-38 and 2012-45 and amending Order 2013-37 to clarify that said spacing unit is limited to oil and associated natural gas production from the Bakken/Three Forks Formation from the Lewis 1-13H well.

Dated September 3, 2025.

RECEIVED

SEP 09 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

CONTINENTAL RESOURCES INC.

By

Scotti Gray
Scotti Gray

Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION
OF CONTINENTAL RESOURCES INC.
FOR AUTHORIZATION TO DRILL UP TO
THREE ADDITIONAL HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELLS IN THE SPACING UNIT
COMPRISED OF ALL OF SECTIONS 13,
24, 25 AND 36, TOWNSHIP 26 NORTH,
RANGE 56 EAST, RICHLAND COUNTY,
MONTANA, AT ANY LOCATION NOT
CLOSER THAN 500 FEET TO THE SIDE
BOUNDARIES AND 200 FEET TO THE
TOE/HEEL BOUNDARIES OF SAID
SPACING UNIT

MBOGC Docket No. 326 - 2025

AMENDED APPLICATION

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JAN 08 2026

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within the above-described lands:
2. The above-described lands are presently subject to a pending application to designate a temporary spacing unit ("TSU") comprised of said lands and authorize the drilling of a well in the TSU.
3. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Board enter its order authorizing applicant to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

Dated January 7, 2026.

CONTINENTAL RESOURCES INC.

By Scotti Gray
Scotti Gray
Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION OF CONTINENTAL RESOURCES INC. FOR AN ORDER DESIGNATING AN OVERLAPPING TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 14, 23, 26 AND 35, TOWNSHIP 26 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200 FEET FROM HEEL/TOE BOUNDARY AND 500 FEET FROM THE SIDE BOUNDARIES OF SAID TEMPORARY SPACING UNIT, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD, THE OVERLAPPING TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2012-46 ESTABLISHING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 26 AND 35, TOWNSHIP 26 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA BE VACATED.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2013-488 PERTAINING TO SECTIONS 14 AND 23 TOWNSHIP 26 NORTH, RANGE 56 EAST BE AMENDED TO CLARIFY THAT SAID SPACING UNIT IS LIMITED TO OIL AND ASSOCIATED NATURAL GAS PRODUCED FROM THE BAKKEN/THREE FORKS FORMATION FROM THE MABEL 1-14H WELL AND THAT ORDER 2013-489 AUTHORIZING THREE ADDITIONAL WELLS IN THAT SAME SPACING UNIT BE VACATED.

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within Sections 14, 23, 26 and 35, Township 26 North, Range 56 East Richland County, Montana which tracts are presently spaced with respect to the Bakken/Three Forks formation by Orders:
 - 488-2013 – creating a permanent spacing unit comprised of All of Sections 14 and 23, T26N, R56E for oil and natural gas production from the Mabel 1-14H well.
 - 46-2012 – creating a temporary spacing unit comprised of All of Sections 26 and 35, T26N, R56E.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well within, but not closer than 200 feet to the heel/toe exterior boundaries and 500 feet to the lateral boundaries, of a temporary spacing unit (“TSU”) comprised of All of Sections 14, 23, 26 and 35, Township 26 North, Range 56 East Richland County, Montana, subject to the conditions that applicant must commence said well within one year of the date of the order issued by the Board and that the overlapping temporary spacing unit be limited to production from the proposed horizontal well.

MBOGC Docket No.

327-2025

APPLICATION

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

3. Applicant further requests that Board Order 2012-46 creating a temporary spacing unit comprised of All of Sections 26 and 35, T26N, R56E be vacated.
4. Applicant further requests that Board Order 2013-488 pertaining to Sections 14 and 23, Township 26 North, Range 56 East, be amended to clarify that said spacing unit is limited to oil and natural gas from the Bakken/Three Forks Formation from the Mabel 1-14H well and that Order 2013-489 authorizing 3 additional wells in that same spacing unit be vacated.
5. Applicant will, within 90 days of successful completion of the proposed horizontal operation, file an application for Board consideration of permanent spacing and all other matters relating to production of said well.
6. The proposed temporary spacing unit contains the no Federal or Trust lands.


[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Montana Board of Oil & Gas Conservation enter its order that a TSU comprised of All Sections 14, 23, 26 and 35, Township 26 North, Range 56 East Richland County, Montana be established, subject to the condition that applicant must commence said well within one year of the date of the order issued by the Board;
3. Authorizing the Applicant to locate its proposed horizontal well anywhere within such TSU but not closer than 200 feet to the toe/heel boundaries and no further than 500 feet from the common boundary thereof;
4. Vacating Orders 2013-489 and 2012-46 and amending Order 2013-488 to clarify that said spacing unit is limited to oil and associated natural gas production from the Bakken/Three Forks Formation from the Lewis 1-13H well.

Dated September 3, 2025.

CONTINENTAL RESOURCES INC.

By


Scotti Gray

Attorney for Applicant

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SEP 09 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

IN THE MATTER OF THE APPLICATION
OF CONTINENTAL RESOURCES INC.
FOR AUTHORIZATION TO DRILL UP TO
THREE ADDITIONAL HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELLS IN THE SPACING UNIT
COMPRISED OF ALL OF SECTIONS 14,
23, 26 AND 35, TOWNSHIP 26 NORTH,
RANGE 56 EAST, RICHLAND COUNTY,
MONTANA, AT ANY LOCATION NOT
CLOSER THAN 500 FEET TO THE SIDE
BOUNDARIES AND 200 FEET TO THE
TOE/HEEL BOUNDARIES OF SAID
SPACING UNIT

MBOGC Docket No. 328 - 2025

AMENDED APPLICATION

RECEIVED

JAN 08 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within the above-described lands:
2. The above-described lands are presently subject to a pending application to designate a temporary spacing unit ("TSU") comprised of said lands and authorize the drilling of a well in the TSU.
3. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Board enter its order authorizing applicant to drill up to 3 additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

Dated January 7, 2025.

CONTINENTAL RESOURCES INC.

By Scotti Gray
Scotti Gray
Attorney for Applicant

RECEIVED

OCT 20 2025

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

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NOS. 217-2010, 174-2010,
106-2010, 219-2010 & 380-2011 AND
ADDITIONALLY DESIGNATING AND
DELINEATING A TEMPORARY SPACING
UNIT CONSISTING OF SECTIONS 1, 2 & 3,
TOWNSHIP 28 NORTH, RANGE 56 EAST,
AND SECTION 6, TOWNSHIP 28 NORTH,
RANGE 57 EAST, ROOSEVELT COUNTY,
AND AUTHORIZING THE DRILLING OF
AND PRODUCTION FROM A
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELL WITHIN AND UPON
THE REQUESTED TEMPORARY SPACING
UNIT AT ANY LOCATION NOT CLOSER
THAN 200' TO THE HEEL/TOE SETBACKS
AND 500' TO THE LATERAL SETBACKS
OF THE REQUESTED TEMPORARY
SPACING UNIT.

AMENDED APPLICATION

MBOGC DOCKET NO. 337 - 2025

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 1: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 641.52 acres

Section 2: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 642.52 acres

Section 3: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 644.12 acres

Township 28 North, Range 57 East, MPM

Section 6: Lots 1, 2, 3, 4, 5, 6 & 7,

S½NE¼, SE¼, SW¼NW¼,

E½SW½ (All)

Containing 611.56 acres

Containing 2,539.72 acres

2. Pursuant to Board Order No. 217-2010, dated October 14, 2010, this Board designated Sections 1 and 12, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
3. Pursuant to Board Order No. 174-2010, dated October 14, 2010, this Board designated Sections 2 and 11, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
4. Pursuant to Board Order No. 106-2010, dated June 17, 2010, this Board designated Sections 3 and 10, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
5. Pursuant to Board Order No. 219-2010, dated October 14, 2010, this Board designated Sections 6 and 7, Township 28 North, Range 57 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
6. Board Order No. 380-2011, dated and effective December 15, 2011, established special statewide temporary spacing units for wells drilled to the Bakken/Three Forks Formation. Applicant requests this Order be vacated and rescinded with regard to the lands the subject of this Application.
7. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 1, 2 and 3, Township 28 North, Range 56 East, and Section 6, Township 28 North, Range 57 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 1, 2 and 3, Township 28 North, Range 56 East, and Section 6, Township 28 North, Range 57 East, containing 2,539.72 acres.
8. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
9. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.

10. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Orders vacating and rescinding Board Order Nos. 217-2010, 174-2010, 106-2010, 219-2010 and 380-2011 and terminating the temporary spacing units created thereby.
3. After hearing this matter the Board enter its Order designating Sections 1, 2 and 3, Township 28 North, Range 56 East, and Section 6, Township 28 North, Range 57 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

Dated October 16, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

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

RECEIVED

SEP 08 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 1, 2 &
3, TOWNSHIP 28 NORTH, RANGE 56 EAST,
AND SECTION 6, TOWNSHIP 28 NORTH,
RANGE 57 EAST, ROOSEVELT COUNTY,
AT ANY LOCATIONS NOT CLOSER THAN
200' (HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 336-2025

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 1: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 641.52 acres

Section 2: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 642.52 acres

Section 3: Lots 1, 2, 3 & 4, S½N½, S½ (All)

Containing 644.12 acres

Township 28 North, Range 57 East, MPM

Section 6: Lots 1, 2, 3, 4, 5, 6 & 7,
S½NE¼, SE¼, SW¼NW¼,
E½SW½ (All)

Containing 611.56 acres

Containing 2,539.72 acres

2. Applicant requests an Order from this Board authorizing the drilling of and production from three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 1, 2 and 3, Township 28 North, Range 56 East, and Section 6,

Township 28 North, Range 57 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 1, 2 and 3, Township 28 North, Range 56 East, and Section 6, Township 28 North, Range 57 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated September 3, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

RECEIVED

SEP 08 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NOS. 217-2010, 174-2010,
106-2010, 219-2010 & 380-2011 AND
ADDITIONALLY DESIGNATING AND
DELINEATING A TEMPORARY SPACING
UNIT CONSISTING OF SECTIONS 10, 11 &
12, TOWNSHIP 28 NORTH, RANGE 56
EAST, AND SECTION 7, TOWNSHIP 28
NORTH, RANGE 57 EAST, ROOSEVELT
COUNTY, AND AUTHORIZING THE
DRILLING OF AND PRODUCTION FROM
A HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELL WITHIN AND UPON
THE REQUESTED TEMPORARY SPACING
UNIT AT ANY LOCATION NOT CLOSER
THAN 200' TO THE HEEL/TOE SETBACKS
AND 500' TO THE LATERAL SETBACKS
OF THE REQUESTED TEMPORARY
SPACING UNIT.**

AMENDED APPLICATION

MBOGC DOCKET NO. 339 - 2025

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 10: All

Section 11: All

Section 12: All

Containing 1,920.00 acres

Township 28 North, Range 57 East, MPM

Section 7: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Containing 602.12 acres

Containing 2,522.12 acres

2. Pursuant to Board Order No. 217-2010, dated October 14, 2010, this Board designated Sections 1 and 12, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well.

Pursuant to Board Order No. 174-2010, dated October 14, 2010, this Board designated Sections 2 and 11, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well.

Pursuant to Board Order No. 106-2010, dated June 17, 2010, this Board designated Sections 3 and 10, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well.

Pursuant to Board Order No. 219-2010, dated October 14, 2010, this Board designated 6 and 7, Township 28 North, Range 57 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well.

The proposed wells the subject of the above Orders were never drilled nor have said Orders been vacated by this Board and for good cause Applicant requests the foregoing Orders be vacated and rescinded.

3. Board Order No. 380-2011, dated and effective December 15, 2011, established special statewide temporary spacing units for wells drilled to the Bakken/Three Forks Formation. Applicant requests this Order be vacated and rescinded with regard to the lands the subject of this Application.
4. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 10, 11 and 12, Township 28 North, Range 56 East, and Section 7, Township 28 North, Range 57 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 10, 11 and 12, Township 28 North, Range 56 East, and Section 7, Township 28 North, Range 57 East, containing 2,522.12 acres.
5. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
6. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
7. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;

2. After hearing this matter this Board enter its Order vacating and rescinding Board Order Nos. 217-2010, 174-2010, 106-2010, 219-2010 and 380-2011 and terminating the temporary spacing units created thereby;
3. After hearing this matter the Board enter its Order designating Sections 10, 11 and 12, Township 28 North, Range 56 East, and Section 7, Township 28 North, Range 57 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

Dated October 16, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 10, 11
& 12, TOWNSHIP 28 NORTH, RANGE 56
EAST, AND SECTION 7, TOWNSHIP 28
NORTH, RANGE 57 EAST, ROOSEVELT
COUNTY, AT ANY LOCATIONS NOT
CLOSER THAN 200' (HEEL/TOE
SETBACKS) AND 500' (LATERAL
SETBACKS) TO THE BOUNDARIES
THEREOF, AND SUCH OTHER AND
FURTHER RELIEF AS THE BOARD MAY
DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 340-2025

RECEIVED

SEP 08 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 10: All

Section 11: All

Section 12: All

Containing 1,920.00 acres

Township 28 North, Range 57 East, MPM

Section 7: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Containing 602.12 acres

Containing 2,522.12 acres

2. Applicant requests an Order from this Board authorizing the drilling of and production from three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 10, 11 and 12, Township 28 North, Range 56 East, and Section 7, Township 28 North, Range 57 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.
WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 10, 11 and 12, Township 28 North, Range 56 East, and Section 7, Township 28 North, Range 57 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated September 3, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

RECEIVED

SEP 08 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION



GREG GIANFORTE, GOVERNOR

OIL AND GAS CONSERVATION DIVISION

STATE OF MONTANA

November 3, 2025

Heritage Energy Operating LLC
2448 E. 81st Street Suite 2036
Tulsa, OK 74137

Re: Demand For Opportunity to Be Heard

Dear Heritage Energy Operating LLC:

This letter is regarding a demand for opportunity to be heard that was filed in accordance with ARM 36.22.601 concerning Heritage Energy Operating, LLC's (Heritage) published notifications of the State 15-10-3 2H, State 15-10-3 3H, State 15-10-3 4H, W. Poff Trust 14-11-2 1H, and the W. Poff Trust 14-11-2 2H well applications for permits to drill and the renewal of the application for permit to drill of the State 15-10-3 1H well that expired November 2, 2025.

The request for hearing was filed by Phoenix Operating LLC who is an interested person in the above-mentioned applications for permits to drill. In accordance with ARM 36.22.601, the applications for permits to drill will be referred to the Montana Board of Oil and Gas (Board) at its next regularly scheduled hearing on December 11, 2025. At that time, consideration of the applications for permits to drill will be reviewed by the Board.

If you have any questions, please contact me at (406) 656-0040 or at bjones@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Jones".

Benjamin Jones
Administrator / Petroleum Engineer

cc: Josh Cornell: joshc@heritageenergyllc.com
Uriah Price: uprice@crowleyfleck.com
Don Lee: don@leelawofficepc.com
Mark Johnson: mjohnson@phxoperating.com

374-2025

DIVISION OFFICE
1539 11th AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601
(406) 444-6731

TECHNICAL AND
SOUTHERN FIELD OFFICE
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102-4693
(406) 656-0040

NORTHERN FIELD OFFICE
201 MAIN STREET
PO BOX 690
SHELBY, MONTANA 59474-0690
(406) 434-2422



November 4, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Attention: Ben Jones, Administrator/Petroleum Engineer

**Re: *Permit Protest re In the Matter of State 15-10-3 1H,
Heritage Energy Operating LLC, for a Renewal of
Permit to Drill an Oil and Gas Well***

Dear Mr. Jones:

Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby protests and requests a hearing on the Application of Heritage Energy Operating LLC ("Heritage") for a renewal of the Permit to Drill the State 15-10-3 1H in all of Sections 3, 10, and 15, Township 25 North, Range 56 East, Richland County, Montana on the following grounds:

1. Phoenix owns an estimated 62.33% working interest in Sections 1, 12 and 13, 51.03% working interest in Sections 3, 10 and 15, and 25.73% working interest in Sections 2, 11 and 14, all in Township 25 North, Range 56 East, Richland County, Montana.
2. Phoenix protests on the basis that awarding a permit to drill to Heritage for a spacing unit comprised of all of Sections 3, 10, and 15 T25N, R56E (Order 49-2025) does not promote the most orderly and efficient development of the oil and gas resource and may result in economic and physical waste as well as a violation of correlative rights to the owners of the surrounding area.
3. Phoenix plans to drill four wells in a spacing unit comprised of all of Sections 1, 12, and 13, T25N, R56E, four wells in a spacing unit comprised of all of Sections 2, 11, and 14 T25N, R56E, and four wells in a spacing unit comprised of all of Sections 3, 10 and 15, T25N, R56E, all in the year 2026. Phoenix's development plan results in production from twelve wells for owners in nine

sections. While Heritage has submitted three separate permits for these spacing units, all have either expired (State 15-10-3 1H on November 2, 2025), or are set to expire by December 19, 2025 (W. Poff Trust 14-11-2 4H) and January 24, 2026 (E. Poff Trust 13-12-1 1H), and Heritage has drilled none, and upon information and belief Heritage will drill none.

4. Heritage has recently submitted additional permits to drill additional wells within these spacing units, even though it has not utilized its expired or expiring permits. Allowing Heritage to proceed with the proposed permits encumbers nine sections with permits that may never be utilized, or underutilized by unknown third parties by, for example, drilling only one well within each spacing unit, and waiting for an indefinite future time while additional permits are applied for renewal, or not utilized.
5. Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has obtained no production.
6. In contrast, Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this spacing unit alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota.
7. The State 15-10-3 1H permit has been active since May 2, 2025. Heritage has had time to drill the State 15-10-3 1H well. Heritage's failure to develop under the State 15-10-3 1H while requesting a renewal of this permit and submission of additional permits while failing to drill is a deterrent to development, makes development more expensive by driving up the costs of development by a third party, and does not promote the conservation of oil and gas, the prevention of waste, or the protection of correlative rights.
8. Upon information and belief, it is Phoenix's understanding that Heritage has no intention of drilling and operating the State 15-10-3 1H well; rather to obtain an acreage position through the permitting process and to flip the acreage to a third party.
9. Phoenix will be filing its own APDs for the spacing units referenced above before the Board's December hearing and in time for the Board to review Phoenix's plans in contrast to Heritage's.

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION - BILLINGS

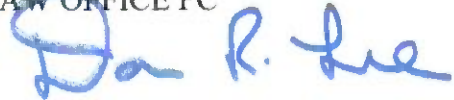
374-2025

10. Phoenix notes that recent temporary spacing orders issued by the Montana Board of Oil & Gas Conservation Commission ("MBOGC") require commencement of operations within one year of the issuance of said order. Thus, it is evident that the MBOGC shares Phoenix's concern that stagnant permits and temporary spacing orders can indirectly condemn lands otherwise available for development.
11. Should Heritage's permit renewal be approved, Phoenix, the majority working interest owner in two of the three spacing units, would delay development in Sections 1, 12, and 13, in Sections 2, 11, and in Sections 3, 10 and 15, all in T25N, R56E. Thus, Heritage's permit to flip plans affects owners across nine sections.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC



By: _____
Don R. Lee

DRL/kly

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL & GAS CONSERVATION • BUTTE, MT

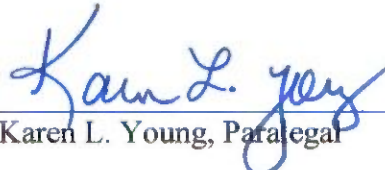
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

[X] U.S. Mail
[X] Facsimile
[] FedEx
[X] E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 28, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

RECEIVED

OCT 30 2025

Attention: Ben Jones, Administrator/Petroleum Engineer

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – State 15-10-3 2H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana ("MBOGC") on the Heritage Energy Operating LLC ("Heritage") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 North, Range 56 East, and a bottom hole location within and upon the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 25 North, Range 56 East, being the State 15-10-3 2H well ("Proposed Subject Well"). The referenced surface hole location and bottom hole location are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 3, 10 and 15 in Township 25 North, Range 56 East by Commission Order No. 49-2025 ("DSU") being the State 15-10-3 1H well (API No. 25-083-23497-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires November 2, 2025. Heritage should not be rewarded with more permits, when it hasn't utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has

374-2025

obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the MBOGC has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party. Further, Heritage has not obtained the necessary federal APD, required to drill through the federal acreage in the DSU, which is leased by Phoenix.

In contrast, Phoenix currently owns 51.03% of the working interest in the DSU with plans to acquire more. Phoenix has definite capital backed plans to drill four horizontal wells within the DSU in succession in 2026. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this DSU alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota. Phoenix will be filing its own APDs for the DSU before the MBOGC's December hearing and in time for the MBOGC to review Phoenix's plans in contrast to Heritage's. The Proposed Subject Well severely impacts the development plans of Phoenix, which plans are more beneficial to mineral owners and the State of Montana than Heritage's plans.

Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 28, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

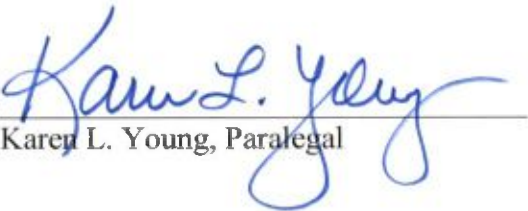
By: 
Karen L. Young, Paralegal

EXHIBIT "A"

Notice of Application

Published in Helena Independent Record on October 21, 2025

Location

Lewis and Clark County, Montana

Notice Text

Notice of Permit to Drill

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

In the Matter of the application of

State 15-10-3 2H

Heritage Energy Operating, LLC

for a Permit to Drill an oil and gas well.

NOTICE OF INTENTION TO APPLY

FOR PERMIT TO DRILL

OIL AND GAS WELL

1. Name and address of Applicant:

Heritage Energy Operating, LLC

2448 E. 81st Street, Suite 3600

Tulsa, OK 74137

2. Legal Description including County and Approximate Footages of
Surface Location of Proposed Oil and Gas Well: (and projected bottom-
hole location, if a directional or horizontal well)

Richland County, MT

SHL: S98° FSL, 1,960 FEL, Sec. 15, T25N-R56E SWSE

BHL: 200' FNL, 580' FWL, Sec. 3, T25N-R56E NWNW

3. Total Depth Proposed to be Drilled:

26,011' MD, 10,161' TVD

Notice is hereby given that an application for permit to drill an oil and
gas well at the surface location set forth above to the depth as stated
will be filed with the Montana Board of Oil and Gas Conservation.

Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of
Montana, an interested party may demand an opportunity to be heard
by the Montana Board of Oil and Gas Conservation concerning the
application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE
MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS
SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE
OF PUBLICATION OF THIS NOTICE. OR THE APPLICATION WILL BE
ACTED UPON BY THE BOARD'S PETROLEUM ENGINEER WITHOUT
HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS
AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR
OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED
WELL AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED
UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO
THE ADDRESS SET FORTH ABOVE; AND (3) A CERTIFICATE OF SERVICE
MUST ACCOMPANY THE DEMAND AS FILED WITH THE BOARD.

Montana Board of Oil and Gas Conservation

2535 St. Johns Avenue

Billings MT 59102

Office: (406) 656-0040

Fax: (406) 652-5305

October 21, 2025 COL-MT-201599 MNAXLP



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 28, 2025

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – State 15-10-3 3H***

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Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 3, 10 and 15 in Township 25 North, Range 56 East by Commission Order No. 49-2025 ("DSU") being for the State 15-10-3 1H well (API No. 25-083-23497-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires November 2, 2025. Heritage should not be rewarded with more permits, when it hasn't utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has

374-2025

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In contrast, Phoenix currently owns 51.03% of the working interest in the DSU with plans to acquire more. Phoenix has definite capital backed plans to drill four horizontal wells within the DSU in succession in 2026. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this DSU alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota. Phoenix will be filing its own APDs for the DSU before the MBOGC's December hearing and in time for the MBOGC to review Phoenix's plans in contrast to Heritage's. The Proposed Subject Well severely impacts the development plans of Phoenix, which plans are more beneficial to mineral owners and the State of Montana than Heritage's plans.

Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 28, 2025, I served a true and correct copy of the foregoing document to the following:

[X] U.S. Mail
[X] Facsimile
[] FedEx
[X] E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By: _____


Karen L. Young, Paralegal

EXHIBIT "A"

Notice of Application

Published in Helena Independent Record on October 21, 2025

Location

Lewis and Clark County, Montana

Notice Text

Notice of Permit to Drill

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

In the Matter of the application of

State 15-10-3 3H

Heritage Energy Operating, LLC
for a Permit to Drill an oil and gas well.

**NOTICE OF INTENTION TO APPLY
FOR PERMIT TO DRILL
OIL AND GAS WELL**

1. Name and address of Applicant:

**Heritage Energy Operating, LLC
2448 E. 81st Street, Suite 3600
Tulsa, OK 74137**

2. Legal Description including County and Approximate Footages of
Surface Location of Proposed Oil and Gas Well: (and projected bottom-
hole location, if a directional or horizontal well)

Richland County, MT

SHL: 631' FSL, 1,960' FEL, Sec. 15, T25N-R56E SWSE

BHL: 200' FNL, 1,980' FWL, Sec. 3, T25N-R56E NENW

3. Total Depth Proposed to be Drilled:

25,653' MD, 10,161' TVD

Notice is hereby given that an application for permit to drill an oil and gas well at the surface location set forth above to the depth as stated will be filed with the Montana Board of Oil and Gas Conservation. Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of Montana, an interested party may demand an opportunity to be heard by the Montana Board of Oil and Gas Conservation concerning the application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE, OR THE APPLICATION WILL BE ACTED UPON BY THE BOARD'S PETROLEUM ENGINEER WITHOUT HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED WELL, AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO THE ADDRESS SET FORTH ABOVE; AND (3) A CERTIFICATE OF SERVICE MUST ACCOMPANY THE DEMAND AS FILED WITH THE BOARD.

Montana Board of Oil and Gas Conservation

2535 St. Johns Avenue

Billings MT 59102

Office: (406) 656-0040

Fax: (406) 652-5305

October 21, 2025 COL-MT-201600 MNAXLP

374-2025



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 28, 2025

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

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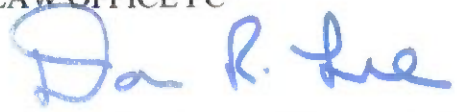
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LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

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☒ U.S. Mail
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☒ E-mail

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Attention: Josh Cornell, CEO
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Tulsa, OK 74137

By:

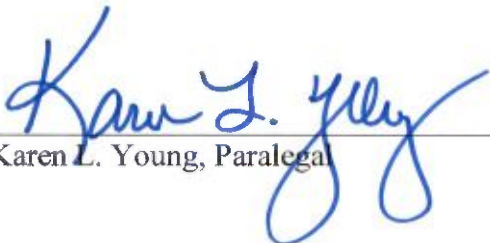

Karen L. Young, Paralegal

EXHIBIT "A"

Notice of Application

Published in Helena Independent Record on October 21, 2025

Location

Lewis and Clark County, Montana

Notice Text

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State 15-10-3 4H

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OIL AND GAS WELL

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BHL: 200' FNL, 660' FEL, Sec. 3, T25N-R56E NENE

3. Total Depth Proposed to be Drilled:

25,640' MD, 10,161' TVD.

Notice is hereby given that an application for permit to drill an oil and gas well at the surface location set forth above to the depth as stated will be filed with the Montana Board of Oil and Gas Conservation. Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of Montana, an interested party may demand an opportunity to be heard by the Montana Board of Oil and Gas Conservation concerning the application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE, OR THE APPLICATION WILL BE ACTED UPON BY THE BOARD'S PETROLEUM ENGINEER WITHOUT HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED WELL, AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO THE ADDRESS SET FORTH ABOVE; AND (3) A CERTIFICATE OF SERVICE MUST ACCOMPANY THE DEMAND AS FILED WITH THE BOARD.

Montana Board of Oil and Gas Conservation

2535 St. Johns Avenue

Billings MT 59102

Office: (406) 656-0040

Fax: (406) 652-5305

October 21, 2025 COL-MT-201598 MNAXLP

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION



GREG GIANFORTE, GOVERNOR

OIL AND GAS CONSERVATION DIVISION

STATE OF MONTANA

November 3, 2025

Heritage Energy Operating LLC
2448 E. 81st Street Suite 2036
Tulsa, OK 74137

Re: Demand For Opportunity to Be Heard

Dear Heritage Energy Operating LLC:

This letter is regarding a demand for opportunity to be heard that was filed in accordance with ARM 36.22.601 concerning Heritage Energy Operating, LLC's (Heritage) published notifications of the State 15-10-3 2H, State 15-10-3 3H, State 15-10-3 4H, W. Poff Trust 14-11-2 1H, and the W. Poff Trust 14-11-2 2H well applications for permits to drill and the renewal of the application for permit to drill of the State 15-10-3 1H well that expired November 2, 2025.

The request for hearing was filed by Phoenix Operating LLC who is an interested person in the above-mentioned applications for permits to drill. In accordance with ARM 36.22.601, the applications for permits to drill will be referred to the Montana Board of Oil and Gas (Board) at its next regularly scheduled hearing on December 11, 2025. At that time, consideration of the applications for permits to drill will be reviewed by the Board.

If you have any questions, please contact me at (406) 656-0040 or at bjones@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Jones".

Benjamin Jones
Administrator / Petroleum Engineer

cc: Josh Cornell: joshc@heritageenergyllc.com
Uriah Price: uprice@crowleyfleck.com
Don Lee: don@leelawofficepc.com
Mark Johnson: mjohnson@phxoperating.com

375-2025

DIVISION OFFICE
1539 11th AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601
(406) 444-6731

TECHNICAL AND
SOUTHERN FIELD OFFICE
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102-4693
(406) 656-0040

NORTHERN FIELD OFFICE
201 MAIN STREET
PO BOX 690
SHELBY, MONTANA 59474-0690
(406) 434-2422



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 28, 2025

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – W. Poff Trust 14-11-2 1H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana ("MBOGC") on the Heritage Energy Operating LLC ("Heritage") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 North, Range 56 East, and a bottom hole location within and upon the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 25 North, Range 56 East, being the W. Poff Trust 14-11-2 1H well ("Proposed Subject Well"). The referenced surface hole location and bottom location hole are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 2, 11 and 14 in Township 25 North, Range 56 East by Commission Order No. 48-2025 ("DSU") being for the W. Poff Trust 14-11-2 4H well (API No. 25-083-23501-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires December 19, 2025. Heritage should not be rewarded with more permits, when it hasn't utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and

375-2025

has obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the MBOGC has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party.

In contrast, Phoenix has definite capital backed plans to drill four horizontal wells within the DSU in succession in 2026. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this DSU alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota. Phoenix will be filing its own APDs for the DSU before the MBOGC's December hearing and in time for the MBOGC to review Phoenix's plans in contrast to Heritage's plans. The Proposed Subject Well severely impacts the development plans of Phoenix, which plans are more beneficial to mineral owners and the State of Montana than Heritage's plans.

Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS


CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 28, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

375 - 2025

EXHIBIT "A"

Notice of Application

Published in Helena Independent Record on October 21, 2025

Location

Levis and Clark County, Montana

Notice Text

Notice of Permit to Drill

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

In the Matter of the application of

W. Poff Trust 14-11-2 1H

Heritage Energy Operating, LLC

for a Permit to Drill an oil and gas well.

NOTICE OF INTENTION TO APPLY

FOR PERMIT TO DRILL

OIL AND GAS WELL

1. Name and address of Applicant:

Heritage Energy Operating, LLC

2448 E. 81st Street, Suite 3600

Tulsa, OK 74137

**2. Legal Description including County and Approximate Footages of
Surface Location of Proposed Oil and Gas Well: (and projected bottom-
hole location, if a directional or horizontal well)**

Richland County, MT

SHL: 697' FSL, 1,960 FEL, Sec. 15, T25N-R56E SWSE

BHL: 200' FNL, 660' FWL, Sec. 2, T25N-R56E NWNW

3. Total Depth Proposed to be Drilled:

26,046' MD, 10,161' TVD

Notice is hereby given that an application for permit to drill an oil and
gas well at the surface location set forth above to the depth as stated
will be filed with the Montana Board of Oil and Gas Conservation.

Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of
Montana, an interested party may demand an opportunity to be heard
by the Montana Board of Oil and Gas Conservation concerning the
application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE
MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS
SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE
OF PUBLICATION OF THIS NOTICE. OR THE APPLICATION WILL BE
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HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS
AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR
OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED
WELL AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED
UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO
THE ADDRESS SET FORTH ABOVE; AND (3) A CERTIFICATE OF SERVICE
MUST ACCOMPANY THE DEMAND AS FILED WITH THE BOARD.

Montana Board of Oil and Gas Conservation

2535 St. Johns Avenue

Billings MT 59102

Office: (406) 656-0040

Fax: (406) 652-5305

October 21, 2025 COL-MT-201604 MNAXLP

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375-2025



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 28, 2025

RECEIVED

OCT 30 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – W. Poff Trust 14-11-2 2H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana ("MBOGC") on the Heritage Energy Operating LLC ("Heritage") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 North, Range 56 East, and a bottom hole location within and upon the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 25 North, Range 56 East, being the W. Poff Trust 14-11-2 2H well ("Proposed Subject Well"). The referenced surface hole location and bottom hole location are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 2, 11 and 14 in Township 25 North, Range 56 East by Commission Order No. 48-2025 ("DSU") being for the W. Poff Trust 14-11-2 4H well (API No. 25-083-23501-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires December 19, 2025. Heritage should not be rewarded with more permits, when it hasn't utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and

375-2025

has obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the MBOGC has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party.


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Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 28, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

EXHIBIT "A"

Notice of Application

Published in Helena Independent Record on October 21, 2025

Location

Lewis and Clark County, Montana

Notice Text

Notice of Permit to Drill

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

In the Matter of the application of

W. Poff Trust 14-11-2 2H

Heritage Energy Operating, LLC

for a Permit to Drill an oil and gas well.

NOTICE OF INTENTION TO APPLY

FOR PERMIT TO DRILL

OIL AND GAS WELL

1. Name and address of Applicant:

Heritage Energy Operating, LLC

2448 E. 81st Street, Suite 3600

Tulsa, OK 74137

2. Legal Description including County and Approximate Footages of
Surface Location of Proposed Oil and Gas Well: (and projected bottom-
hole location, if a directional or horizontal well)

Richland County, MT

SHL: 730' FSL, 1,960' FEL, Sec. 15, T25N-R56E SWSE

BHL: 200' FNL, 1,980' FWL, Sec. 2, T25N-R56E NENW

3. Total Depth Proposed to be Drilled:

26,633' MD, 10,161' TVD

Notice is hereby given that an application for permit to drill an oil and
gas well at the surface location set forth above to the depth as stated
will be filed with the Montana Board of Oil and Gas Conservation.

Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of
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THE ADDRESS SET FORTH ABOVE; AND (3) A CERTIFICATE OF SERVICE
MUST ACCOMPANY THE DEMAND AS FILED WITH THE BOARD.

Montana Board of Oil and Gas Conservation

2535 St. Johns Avenue

Billings MT 59102

Office: (406) 656-0040

Fax: (406) 652-5305

October 21, 2025 COL-MT-201603 MNAXLP

375-2025



ATTORNEYS AT LAW
DON R. LEE | BRIAN D. LEE | CAYDON C. KELLER
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

November 4, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

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NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – W. Poff Trust 14-11-2 3H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana ("Board") on the Heritage Energy Operating LLC ("Heritage") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 25 North, Range 56 East, and a bottom hole location within and upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 25 North, Range 56 East, being the W. Poff Trust 14-11-2 3H well ("Proposed Subject Well"). The referenced surface hole location and the bottom hole location are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 2, 11 and 14 in Township 25 North, Range 56 East by Commission Order No. 48-2025 ("DSU") being the for the W. Poff Trust 14-11-2 4H well (API No. 25-083-23501-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires December 19, 2025. Heritage should not be rewarded with more permits, when it has not utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero

wells, and has obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the Board has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party.

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Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

RECEIVED

NOV 07 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

375-2025

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

[X] U.S. Mail
[X] Facsimile
[] FedEx
[X] E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

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NOV 07 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

375-2025



November 4, 2025

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NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

**Re: *Permit Protest re In the Matter of W. Poff Trust 14-11-2 4H,
Heritage Energy Operating LLC, for a Renewal of Permit to
Drill an Oil and Gas Well***

Dear Mr. Jones:

Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby protests and requests a hearing on the Application of Heritage Energy Operating LLC ("Heritage") for a renewal of the permit to drill the W. Poff Trust 14-11-2 4H in all of Sections 2, 11, and 14, Township 25 North, Range 56 East, Richland County, Montana on the following grounds:

1. Phoenix owns an estimated 62.33% working interest in Sections 1, 12 and 13, 51.03% working interest in Sections 3, 10 and 15, and 25.73% working interest in Sections 2, 11 and 14, all in Township 25 North, Range 56 East, Richland County, Montana.
2. Phoenix protests on the basis that awarding a permit to drill to Heritage for a spacing unit comprised of all of Sections 2, 11, and 14 T25N, R56E (Order 48-2025) does not promote the most orderly and efficient development of the oil and gas resource and may result in economic and physical waste as well as a violation of correlative rights to the owners of the surrounding area.
3. Phoenix plans to drill four wells in a spacing unit comprised of all of Sections 1, 12, and 13, T25N, R56E, four wells in a spacing unit comprised of all of Sections 2, 11, and 14 T25N, R56E, and four wells in a spacing unit comprised of all of Sections 3, 10 and 15, T25N, R56E, all in the year 2026. Phoenix's

development plan results in production from twelve wells for owners in nine sections. While Heritage has submitted three separate permits for these spacing units, all have either expired (State 15-10-3 1H on November 2, 2025), or are set to expire by December 19, 2025 (W. Poff Trust 14-11-2 4H) and January 24, 2026 (E. Poff Trust 13-12-1 1H), and Heritage has drilled none, and upon information and belief Heritage will drill none.

4. Heritage has recently submitted additional permits to drill additional wells within these spacing units, even though it has not utilized its expired or expiring permits. Allowing Heritage to proceed with the proposed permits encumbers nine sections with permits that may never be utilized, or underutilized by unknown third parties by, for example, drilling only one well within each spacing unit, and waiting for an indefinite future time while additional permits are applied for renewal, or not utilized.
5. Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has obtained no production.
6. In contrast, Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this spacing unit alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota.
7. The W. Poff Trust 14-11-2 4H permit has been active since June 19, 2025. Heritage has had time to drill the W. Poff Trust 14-11-2 4H well. Heritage's failure to develop under the W. Poff Trust 14-11-2 4H while requesting a renewal of this permit and submission of additional permits while failing to drill is a deterrent to development, makes development more expensive by driving up the costs of development by a third party, and does not promote the conservation of oil and gas, the prevention of waste, or the protection of correlative rights.
8. Upon information and belief, it is Phoenix's understanding that Heritage has no intention of drilling and operating the W. Poff Trust 14-11-2 4H well; rather to obtain an acreage position through the permitting process and to flip the acreage to a third party.
9. Phoenix will be filing its own APDs for the spacing units referenced above before the Board's December hearing and in time for the Board to review Phoenix's plans in contrast to Heritage's.

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10. Phoenix notes that recent temporary spacing orders issued by the Montana Board of Oil & Gas Conservation Commission ("MBOGC") require commencement of operations within one year of the issuance of said order. Thus, it is evident that the MBOGC shares Phoenix's concern that stagnant permits and temporary spacing orders can indirectly condemn lands otherwise available for development.
11. Should Heritage's permit renewal be approved, Phoenix, the majority working interest owner in two of the three spacing units, would delay development in Sections 1, 12, and 13, in Sections 2, 11, and in Sections 3, 10 and 15, all in T25N, R56E. Thus, Heritage's permit to flip plans affects owners across nine sections.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

RECEIVED

NOV 07 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

[X] U.S. Mail
[X] Facsimile
[] FedEx
[X] E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karch L. Young, Paralegal

RECEIVED

NOV 07 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BUSINESS**

375-2025

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

IN THE MATTER OF THE APPLICATION OF HERITAGE ENERGY OPERATING, LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE (3) ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTIONS 3, 10 AND 15, TOWNSHIP 25 NORTH, RANGE 56 EAST, M.P.M., RICHLAND COUNTY, MONTANA, AT ANY LOCATION NOT CLOSER THAN 200' (HEEL TOE SETBACK) / 500' (LATERAL SETBACK) TO THE BOUNDARIES OF THE TSU, AND SUCH OTHER AND FURTHER RELIEF AS THE BOARD MAY DEEM APPROPRIATE.

MBOGC DOCKET NO. 384-2025

APPLICATION

HERITAGE ENERGY OPERATING, LLC, 2448 E. 81st Street, Suite 3600, Tulsa, OK 74137:

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Sections 3, 10 and 15, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, which comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Board Order No. 49-2025.
2. Applicant requests authority to drill up to three (3) additional horizontal Bakken/Three Forks formation wells within the TSU, at any location not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.
3. The E½ of Section 15, Township 25 North, Range 56 East, M.P.M., includes federal minerals and, therefore, the MOU between the United States BLM and the Board is applicable.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order authorizing the Applicant to drill up to three (3) additional horizontal Bakken/Three Forks formation wells at any location within, but not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries of, the TSU comprised of all of Sections 3, 10 and 15, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, and such other and further relief as the Board may deem appropriate.

Dated this 30th day of October, 2025.

HERITAGE ENERGY OPERATING, LLC

By



Uriah J. Price, Its Attorney
Crowley Fleck, PLLP
P. O. Box 10969
Bozeman, MT 59719
uprice@crowleyfleck.com

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NOV 03 2025
MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS, MT

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

IN THE MATTER OF THE APPLICATION OF HERITAGE ENERGY OPERATING, LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE (3) ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTIONS 2, 11 AND 14, TOWNSHIP 25 NORTH, RANGE 56 EAST, M.P.M., RICHLAND COUNTY, MONTANA, AT ANY LOCATION NOT CLOSER THAN 200' (HEEL TOE SETBACK) / 500' (LATERAL SETBACK) TO THE BOUNDARIES OF THE TSU, AND SUCH OTHER AND FURTHER RELIEF AS THE BOARD MAY DEEM APPROPRIATE.

MBOGC DOCKET NO. 385-2025

APPLICATION

HERITAGE ENERGY OPERATING, LLC, 2448 E. 81st Street, Suite 3600, Tulsa, OK 74137:

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Sections 2, 11 and 14, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, which comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Board Order No. 48-2025.
2. Applicant requests authority to drill up to three (3) additional horizontal Bakken/Three Forks formation wells within the TSU, at any location not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.
3. There are no federal minerals within the proposed TSU.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order authorizing the Applicant to drill up to three (3) additional horizontal Bakken/Three Forks formation wells at any location within, but not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries of, the TSU comprised of all of Sections 2, 11 and 14, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, and such other and further relief as the Board may deem appropriate.

Dated this 30th day of October, 2025.

HERITAGE ENERGY OPERATING, LLC

By



Uriah J. Price, Its Attorney
Crowley Fleck, PLLP
P. O. Box 10969
Bozeman, MT 59719
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NOV 03 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BUTTE, MT

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

IN THE MATTER OF THE APPLICATION OF HERITAGE ENERGY OPERATING, LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE (3) ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS IN THE TEMPORARY SPACING UNIT ("TSU") COMPRISED OF ALL OF SECTIONS 1, 12 AND 13, TOWNSHIP 25 NORTH, RANGE 56 EAST, M.P.M., RICHLAND COUNTY, MONTANA, AT ANY LOCATION NOT CLOSER THAN 200' (HEEL TOE SETBACK) / 500' (LATERAL SETBACK) TO THE BOUNDARIES OF THE TSU, AND SUCH OTHER AND FURTHER RELIEF AS THE BOARD MAY DEEM APPROPRIATE.

MBOGC DOCKET NO. 386-2025
APPLICATION

HERITAGE ENERGY OPERATING, LLC, 2448 E. 81st Street, Suite 3600, Tulsa, OK 74137:

[A] Presents the following application:

1. Applicant is an interest owner within all or portions of Sections 1, 12 and 13, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, which comprise a temporary spacing unit ("TSU") for purposes of Bakken/Three Forks formation production pursuant to Board Order No. 47-2025.
2. Applicant requests authority to drill up to three (3) additional horizontal Bakken/Three Forks formation wells within the TSU, at any location not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries thereof, if in its judgment as operator of the TSU such operations appear reasonable and prudent.
3. There are no federal minerals within the proposed TSU.

[B] Requests:

1. This matter be set for hearing, with notice given as required by law and the MOU;
2. After hearing the matter, the Board enter its order authorizing the Applicant to drill up to three (3) additional horizontal Bakken/Three Forks formation wells at any location within, but not closer than 200' (heel toe setback) / 500' (lateral setback) to the exterior boundaries of, the TSU comprised of all of Sections 1, 12 and 13, Township 25 North, Range 56 East, M.P.M., Richland County, Montana, and such other and further relief as the Board may deem appropriate.

Dated this 30th day of October, 2025.

HERITAGE ENERGY OPERATING, LLC

By



Uriah J. Price, Its Attorney
Crowley Fleck, PLLP
P. O. Box 10969
Bozeman, MT 59719
uprice@crowleyfleck.com

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NOV 03 2025

MONTANA BOARD OF OIL AND GAS CONSERVATION

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NOS. 232-2010, 235-2010,
113-2025 & 114-2025 AND ADDITIONALLY
DESIGNATING AND DELINEATING A
TEMPORARY SPACING UNIT
CONSISTING OF SECTIONS 18, 19, 30 & 31,
TOWNSHIP 29 NORTH, RANGE 57 EAST,
ROOSEVELT COUNTY, AND
AUTHORIZING THE DRILLING OF AND
PRODUCTION FROM A HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELL WITHIN AND UPON THE
REQUESTED TEMPORARY SPACING
UNIT AT ANY LOCATION NOT CLOSER
THAN 200' TO THE HEEL/TOE SETBACKS
AND 500' TO THE LATERAL SETBACKS
OF THE REQUESTED TEMPORARY
SPACING UNIT.**

APPLICATION

MBOGC DOCKET NO. 411 - 2025

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 29 North, Range 57 East, MPM

Section 18: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Section 19: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Section 30: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Section 31: Lots 1, 2, 3 & 4, E½W½, E½ (All)

Containing 2,553.24 acres, more or less

2. Pursuant to Board Order No. 235-2010, dated October 14, 2010, this Board designated all of Sections 30 and 31, Township 29 North, Range 57 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Pursuant to Board Order No. 113-2025, dated April 10, 2025, this Board designated Sections 6, 7 and 18, Township 29 North, Range 57 East, as an overlapping temporary spacing unit for the drilling of a Bakken/Three Forks Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.

4. Pursuant to Board Order No. 114-2025, dated April 10, 2025, this Board authorized the drilling of up to three (3) additional horizontal Bakken/Three Forks Formation wells anywhere within the overlapping temporary spacing unit comprised of Sections 6, 7 and 18, Township 29 North, Range 57 East. The proposed wells the subject of the foregoing Order were never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
5. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 18, 19, 30 and 31, Township 29 North, Range 57 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 18, 19, 30 and 31, Township 29 North, Range 57 East, containing 2,553.24 acres.
6. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
7. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
8. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order Nos. 235-2010, 113-2025 and 114-2025 and terminating the temporary spacing units created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Forks Formation wells;
3. After hearing this matter the Board enter its Order designating Sections 18, 19, 30 and 31, Township 29 North, Range 57 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit

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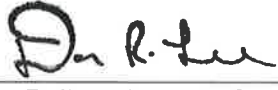
MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and

5. For such other or additional relief as the Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 
Don R. Lee, Attorney for Applicant
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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF UP TO THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 18, 19,
30 & 31, TOWNSHIP 29 NORTH, RANGE 57
EAST, ROOSEVELT COUNTY, AT ANY
LOCATIONS NOT CLOSER THAN 200'
(HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 412-2025

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 29 North, Range 57 East, MPM

Section 18: Lots 1, 2, 3 & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (All)

Section 19: Lots 1, 2, 3 & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (All)

Section 30: Lots 1, 2, 3 & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (All)

Section 31: Lots 1, 2, 3 & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (All)

Containing 2,553.24 acres, more or less

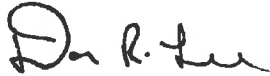
2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 18, 19, 30 and 31, Township 29 North, Range 57 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.
3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 18, 19, 30 and 31, Township 29 North, Range 57 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 
Don R. Lee, Attorney for Applicant
Lee Law Office PC
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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

**BEFORE THE BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA
AND
BEFORE THE UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

IN THE MATTER OF THE APPLICATION OF PHOENIX OPERATING LLC FOR AN ORDER VACATING AND RESCINDING BOARD ORDER NOS. 234-2010, 111-2025 & 112-2025 AND VACATE BLM ORDER NOS. 4-2025 FED & 19-2025 FED AND ADDITIONALLY DESIGNATING AND DELINEATING A TEMPORARY SPACING UNIT CONSISTING OF SECTIONS 17, 20, 29 & 32, TOWNSHIP 29 NORTH, RANGE 57 EAST, ROOSEVELT COUNTY, AND AUTHORIZING THE DRILLING OF AND PRODUCTION FROM A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL WITHIN AND UPON THE REQUESTED TEMPORARY SPACING UNIT AT ANY LOCATION NOT CLOSER THAN 200' TO THE HEEL/TOE SETBACKS AND 500' TO THE LATERAL SETBACKS OF THE REQUESTED TEMPORARY SPACING UNIT.	RECEIVED NOV 10 2025 MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS APPLICATION MBOGC DOCKET NO. <u>413</u> - 2025 and BLM DOCKET NO. <u>9</u> - 2025 ⁶
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Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 29 North, Range 57 East, MPM

Section 17: All

Section 20: All

Section 29: All

Section 32: All

Containing 2,560.00 acres, more or less

2. Pursuant to Board Order No. 234-2010, dated October 14, 2010, this Board designated all of Sections 29 and 32, Township 29 North, Range 57 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Pursuant to Board Order No. 111-2025, dated April 10, 2025, this Board designated Sections 5, 8 and 17, Township 29 North, Range 57 East, as an overlapping temporary spacing unit for the drilling of a Bakken/Three Forks Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
4. Pursuant to Board Order No. 112-2025, dated April 10, 2025, this Board authorized the drilling of up to three (3) additional horizontal Bakken/Three Forms Formation wells anywhere within the temporary spacing unit comprised of all of Sections 5, 8 and 17, Township 29 North, Range 57 East. The proposed wells the subject of the foregoing Order were never drilled nor has said Order been vacated by this Board and for good cause Applicant request the foregoing Order be vacated and rescinded.
5. Pursuant to BLM Order No. 4-2025 FED, dated April 29, 2025, this Board designated all of Sections 5, 8 and 17, Township 29 North, Range 57 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this BLM and for good cause Applicant requests this Order be vacated and rescinded.
6. Pursuant to BLM Order No. 19-2025, dated April 29, 2025, the BLM authorized the drilling of up to three (3) additional horizontal Bakken/Three Forms Formation wells anywhere within the temporary spacing unit comprised of all of Sections 5, 8 and 17, Township 29 North, Range 57 East, as it applies to Indian mineral lands. The proposed wells the subject of the foregoing Order were never drilled nor has said Order been vacated by this Board and for good cause Applicant request the foregoing Order be vacated and rescinded.
7. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 17, 20, 29 and 32, Township 29 North, Range 57 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 17, 20, 29 and 32, Township 29 North, Range 57 East, containing 2,560.00 acres.
8. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
9. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.

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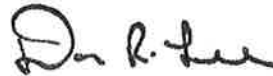
10. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and the BLM notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order Nos. 234-2010, 111-2025 and 112-2025 and terminating the temporary spacing units created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Forks Formation wells;
3. After hearing this matter the BLM enter its Order vacating and rescinding BLM Order Nos. 4-2025 FED and 19-2025 FED and terminating the temporary spacing unit created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Forks Formation wells;
4. After hearing this matter the Board and the BLM enter its Orders designating Sections 17, 20, 29 and 32, Township 29 North, Range 57 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
5. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board and the BLM requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
6. For such other or additional relief as the Board and the BLM may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC



By: _____

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
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NOV 10 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

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

AND

**BEFORE THE UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

<p>IN THE MATTER OF THE APPLICATION OF PHOENIX OPERATING LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE (3) ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS WITHIN AND UPON THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 17, 20, 29 & 32, TOWNSHIP 29 NORTH, RANGE 57 EAST, ROOSEVELT COUNTY, AT ANY LOCATIONS NOT CLOSER THAN 200' (HEEL/TOE SETBACKS) AND 500' (LATERAL SETBACKS) TO THE BOUNDARIES THEREOF, AND SUCH OTHER AND FURTHER RELIEF AS THE BOARD MAY DEEM APPROPRIATE.</p>	<p style="text-align:right">RECEIVED</p> <p style="text-align:right">NOV 10 2025</p> <p style="text-align:right">MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS</p> <p style="text-align:center">APPLICATION</p> <p style="text-align:center">MBOGC DOCKET NO. <u>414</u>-2025</p>
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Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 29 North, Range 57 East, MPM

Section 17: All

Section 20: All

Section 29: All

Section 32: All

Containing 2,560.00 acres, more or less

2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 17, 20, 29 and 32, Township 29 North, Range 57 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and the BLM and notice thereof be given as required by law;
2. After hearing this matter this Board and the BLM enter its Orders authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 17, 20, 29 and 32, Township 29 North, Range 57 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board and the BLM requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board and the BLM may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
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Shelby, MT 59474
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Email: don@leelawofficepc.com

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NOV 10 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NOS. 4-2011, 30-2011 & 340-
2011 AND ADDITIONALLY DESIGNATING
AND DELINEATING A TEMPORARY
SPACING UNIT CONSISTING OF
SECTIONS 16, 21, 28 & 33, TOWNSHIP 28
NORTH, RANGE 56 EAST, ROOSEVELT
COUNTY, AND AUTHORIZING THE
DRILLING OF AND PRODUCTION FROM
A HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELL WITHIN AND UPON
THE REQUESTED TEMPORARY SPACING
UNIT AT ANY LOCATION NOT CLOSER
THAN 200' TO THE HEEL/TOE SETBACKS
AND 500' TO THE LATERAL SETBACKS
OF THE REQUESTED TEMPORARY
SPACING UNIT.**

APPLICATION

MBOGC DOCKET NO. 421 - 2025

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NOV 10 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 16: All

Section 21: All

Section 28: All

Section 33: All

Containing 2,560.00 acres, more or less

2. Pursuant to Board Order No. 4-2011, dated February 10, 2011, this Board designated all of Sections 20 and 21, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Pursuant to Board Order No. 30-2011, dated February 10, 2011, this Board designated all of Sections 28 and 33, Township 28 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.

4. Pursuant to Board Order No. 340-2011, dated October 13, 2011, this Board amended Board Order 30-2011 to authorize the drilling of a horizontal Bakken/Three Forks Formation well in the temporary spacing unit comprised of all of Sections 28 and 33, Township 28 North, Range 56 East. The well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests the foregoing Order be vacated and rescinded.
5. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 16, 21, 28 and 33, Township 28 North, Range 56 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 16, 21, 28 and 33, Township 28 North, Range 56 East, containing 2,560.00 acres.
6. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
7. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
8. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order Nos. 4-2011, 30-2011 and 340-2011 and terminating the temporary spacing units created thereby;
3. After hearing this matter the Board enter its Order designating Sections 16, 21, 28 and 33, Township 28 North, Range 56 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and

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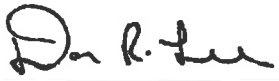
NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

5. For such other or additional relief as the Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 
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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

IN THE MATTER OF THE APPLICATION OF PHOENIX OPERATING LLC FOR AN ORDER AUTHORIZING THE DRILLING OF UP TO THREE (3) ADDITIONAL HORIZONTAL BAKKEN/THREE FORKS FORMATION WELLS WITHIN AND UPON THE TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 16, 21, 28 & 33, TOWNSHIP 28 NORTH, RANGE 56 EAST, ROOSEVELT COUNTY, AT ANY LOCATIONS NOT CLOSER THAN 200' (HEEL/TOE SETBACKS) AND 500' (LATERAL SETBACKS) TO THE BOUNDARIES THEREOF, AND SUCH OTHER AND FURTHER RELIEF AS THE BOARD MAY DEEM APPROPRIATE.	<p style="text-align:center">APPLICATION</p> <p style="text-align:center">MBOGC DOCKET NO. <u>422</u>-2025</p> <p style="text-align:right">RECEIVED</p> <p style="text-align:right">NOV 10 2025</p> <p style="text-align:right">MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS</p>
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Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Roosevelt County:

Township 28 North, Range 56 East, MPM

Section 16: All

Section 21: All

Section 28: All

Section 33: All

Containing 2,560.00 acres, more or less

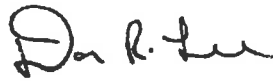
2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 16, 21, 28 and 33, Township 28 North, Range 56 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.
3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 16, 21, 28 and 33, Township 28 North, Range 56 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 
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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NOS. 380-2011 & 241-2014
AND ADDITIONALLY DESIGNATING AND
DELINEATING AN OVERLAPPING
TEMPORARY SPACING UNIT (“OTSU”)
COMPRISED OF ALL OF SECTIONS 1 &
12, TOWNSHIP 29 NORTH, RANGE 58
EAST, AND SECTIONS 25 & 36, TOWNSHIP
30 NORTH, RANGE 58 EAST, ROOSEVELT
COUNTY, AND AUTHORIZING THE
DRILLING OF A HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELL THEREON AT ANY LOCATION
NOT CLOSER THAN 200’ TO THE
HEEL/TOE SETBACKS AND 500’ TO THE
LATERAL SETBACKS OF THE
REQUESTED OTSU.**

APPLICATION

MBOGC DOCKET NO. 423-2025

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC (“Applicant”), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is an interest owner within portions of Sections 1 and 12, Township 29 North, Range 58 East, and Sections 25 and 36, Township 30 North, Range 58 East, Roosevelt County.

Sections 1 and 12 referred to above comprise a Permanent Spacing Unit (“PSU”) for purposes of Bakken/Three Forks Formation oil production pursuant to Board Order No. 239-2014.

Sections 25 and 36 referred to above comprise a Temporary Spacing Unit (“TSU”) for purposes of Bakken/Three Forks Formation production pursuant to Board Order No. 380-2011. No Bakken/Three Forks Formation wells have been drilled with regard to Sections 25 and 36 and as a result Applicant requests Board Order No. 380-2011 be vacated.

Board Order No. 241-2014 authorized the drilling of up to three (3) additional Bakken/Three Forks Formation wells in the PSU comprised of Sections 1 and 12, which additional wells have not been drilled and as a result Applicant requests that Board Order No. 241-2012 be vacated.

2. To more efficiently and economically recover Bakken/Three Forks Formation oil reserves underlying Sections 1 and 12 and Sections 25 and 36 referred to above Applicant proposes to drill a horizontal Bakken/Three Forks Formation well in the requested OTSU, with a heel/toe setbacks of two hundred feet (200’) and lateral setbacks of five hundred feet (500’) from the requested OTSU spacing unit boundaries.

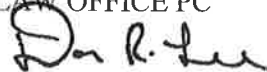
3. Applicant believes the requested two hundred feet (200') heel/toe setbacks and five hundred feet (500') lateral setbacks from the requested OTSU spacing unit boundaries are necessary in order to more adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested OTSU.
4. Applicant will, within ninety (90) days of successful completion of the proposed horizontal drilling operations, file an Application requesting permanent spacing and other matters relating to production from said well.
5. Applicant believes that granting of the request herein will serve to protect the correlative rights of all interested parties and will be in the best interests of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order Nos 380-2011 and 241-2014;
3. After hearing this matter the Board enter its Order designating and delineating Sections 1 and 12, Township 29 North, Range 58 East, and Sections 25 and 36, Township 30 North, Range 58 East, as an OTSU and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of an Overlapping Permanent Spacing Unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC



By: _____

Don R. Lee, Attorney for Applicant
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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF UP TO THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE OVERLAPPING TEMPORARY
SPACING UNIT ("OTSU") COMPRISED OF
SECTIONS 1 & 12, TOWNSHIP 29 NORTH,
RANGE 58 EAST, AND SECTIONS 25 & 36,
TOWNSHIP 30 NORTH, RANGE 58 EAST,
ROOSEVELT COUNTY, AT ANY
LOCATIONS NOT CLOSER THAN 200'
(HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 424 - 2025

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is an oil and gas leasehold owner in, to and under all or portions of the following described lands in Roosevelt County:

Township 29 North, Range 58 East, MPM

Section 1: Lots 1, 2, 3 & 4, S½N½, S½
(All)

Section 12: All

Containing 639.88 acres

Township 30 North, Range 58 East, MPM

Section 25: All

Section 36: All

Containing 1,280.00 acres

Total containing 2,559.88 acres

2. Applicant requests from this Board an Order authorizing the drilling of and production from up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the Overlapping Temporary Spacing Unit ("OTSU") consisting of Sections 1 and 12, Township 29 North, Range 58 East, and Sections 25 and 36, Township 30 North, Range 58 East, at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said OTSU.

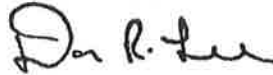
3. Applicant believes that approval and granting of the request herein will be in the best interests of prevention of waste of Bakken/Three Forks Formation oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of an Overlapping Permanent Spacing Unit ("OPSU") therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order authorizing the Applicant to drill and produce up to three (3) additional Bakken/Three Forks Formation wells within and upon the OTSU consisting of Sections 1 and 12, Township 29 North, Range 58 East, and Sections 25 and 36, Township 30 North, Range 58 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said OTSU;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of an OPSU therefore; and
4. For such other or additional relief as the Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC



By: _____

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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NO. 49-2025 AND
ADDITIONALLY DESIGNATING AND
DELINEATING A TEMPORARY SPACING
UNIT CONSISTING OF SECTIONS 3 AND
10, TOWNSHIP 25 NORTH, RANGE 56
EAST, AND SECTIONS 27 AND 34,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AND AUTHORIZING
THE DRILLING OF AND PRODUCTION
FROM A HORIZONTAL BAKKEN/THREE
FORKS FORMATION WELL WITHIN AND
UPON THE REQUESTED TEMPORARY
SPACING UNIT AT ANY LOCATION NOT
CLOSER THAN 200' TO THE HEEL/TOE
SETBACKS AND 500' TO THE LATERAL
SETBACKS OF THE REQUESTED
TEMPORARY SPACING UNIT.**

APPLICATION

MBOGC DOCKET NO. 435-2025

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**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 03: All

Section 10: All

Containing 1,280 acres, more or less

Township 26 North, Range 56 East, MPM

Section 27: All

Section 34: All

Containing 1,280 acres, more or less

2. Pursuant to Board Order No. 49-2025, dated February 20, 2025, this Board designated all of Sections 3, 10 and 15, Township 25 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 3 and 10 Township 25 North, Range 56 East, and Sections 27 and 34, Township 26 North,

Range 56 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 3 and 10, Township 25 North, Range 56 East, and Sections 27 and 34, Township 26 North, Range 56 East, containing 2,560 acres.

4. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
5. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
6. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order No. 49-2025 and terminating the temporary spacing units created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Formation wells;
3. After hearing this matter the Board enter its Order designating Sections 3 and 10, Township 25 North, Range 56 East, and Sections 27 and 34, Township 26 North, Range 56 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

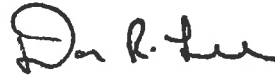
Dated November 6, 2025.

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

LEE LAW OFFICE PC



By: _____

Don R. Lee, Attorney for Applicant
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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF UP TO THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 3 and
10, TOWNSHIP 25 NORTH, RANGE 56
EAST, AND SECTIONS 27 AND 34,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AT ANY
LOCATIONS NOT CLOSER THAN 200'
(HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 436-2025

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NOV 10 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 03: All

Section 10: All

Containing 1,280 acres, more or less

Township 26 North, Range 56 East, MPM

Section 27: All

Section 34: All

Containing 1,280 acres, more or less

2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 3 and 10, Township 25 North, Range 56 East, and Sections 27 and 34, Township 26 North, Range 56 East, and at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

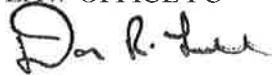
3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 3 and 10, Township 25 North, Range 56 East, and Sections 27 and 34, Township 26 North, Range 56 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC



By: _____

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NO. 48-2025 AND
ADDITIONALLY DESIGNATING AND
DELINEATING A TEMPORARY SPACING
UNIT CONSISTING OF SECTIONS 2 AND
11, TOWNSHIP 25 NORTH, RANGE 56
EAST, AND SECTIONS 26 AND 35,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AND AUTHORIZING
THE DRILLING OF AND PRODUCTION
FROM A HORIZONTAL BAKKEN/THREE
FORKS FORMATION WELL WITHIN AND
UPON THE REQUESTED TEMPORARY
SPACING UNIT AT ANY LOCATION NOT
CLOSER THAN 200' TO THE HEEL/TOE
SETBACKS AND 500' TO THE LATERAL
SETBACKS OF THE REQUESTED
TEMPORARY SPACING UNIT.**

APPLICATION

MBOGC DOCKET NO. 437 - 2025

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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 02: All

Section 11: All

Township 26 North, Range 56 East, MPM

Section 26: All

Section 35: All

Containing 2,560 acres, more or less

2. Pursuant to Board Order No. 48-2025, dated February 20, 2025, this Board designated all of Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26

North, Range 56 East, and in order to more efficiently and economically recover Bakken/Three Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26 North, Range 56 East, containing 2,560 acres.

4. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
5. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
6. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order No. 48-2025 and terminating the temporary spacing units created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Formation wells;
3. After hearing this matter the Board enter its Order designating Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26 North, Range 56 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

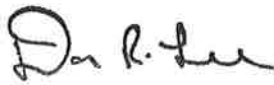
Dated November 6, 2025.

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NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

LEE LAW OFFICE PC

By: 
Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

RECEIVED

NOV 10 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF UP TO THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 2 and
11, TOWNSHIP 25 NORTH, RANGE 56
EAST AND SECTIONS 26 AND 35,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AT ANY
LOCATIONS NOT CLOSER THAN 200'
(HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 438-2025

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 02: All

Section 11: All

Township 26 North, Range 56 East, MPM

Section 26: All

Section 35: All

Containing 2,560 acres, more or less

2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26 North, Range 56 East, and at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

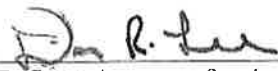
3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 2 and 11, Township 25 North, Range 56 East, and Sections 26 and 35, Township 26 North, Range 56 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 
Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER VACATING AND RESCINDING
BOARD ORDER NO. 47-2025 AND
ADDITIONALLY DESIGNATING AND
DELINEATING A TEMPORARY SPACING
UNIT CONSISTING OF SECTIONS 1 AND
12, TOWNSHIP 25 NORTH, RANGE 56
EAST, AND ALL OF SECTIONS 25 AND 36,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AND AUTHORIZING
THE DRILLING OF AND PRODUCTION
FROM A HORIZONTAL BAKKEN/THREE
FORKS FORMATION WELL WITHIN AND
UPON THE REQUESTED TEMPORARY
SPACING UNIT AT ANY LOCATION NOT
CLOSER THAN 200' TO THE HEEL/TOE
SETBACKS AND 500' TO THE LATERAL
SETBACKS OF THE REQUESTED
TEMPORARY SPACING UNIT.**

APPLICATION

MBOGC DOCKET NO. 439 - 2025

RECEIVED

NOV 10 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 01: All

Section 12: All

Township 26 North, Range 56 East, MPM

Section 25: All

Section 36: All

Containing 1,280 acres, more or less

2. Pursuant to Board Order No. 47-2025, dated February 20, 2025, this Board designated all of Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East, as a temporary spacing unit for the drilling of a Bakken Formation horizontal well. The proposed well the subject of the foregoing Order was never drilled nor has said Order been vacated by this Board and for good cause Applicant requests this Order be vacated and rescinded.
3. Applicant desires to drill a horizontal Bakken/Three Forks Formation well within and upon Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East and in order to more efficiently and economically recover Bakken/Three

Forks oil and associated natural gas therefrom believes the temporary spacing unit therefore should consist of all of Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East, containing 1,280 acres.

4. Applicant believes the requested 200' heel/toe setbacks and 500' lateral setbacks from the requested spacing unit boundaries are necessary in order to adequately and efficiently increase the ultimate recovery of Bakken/Three Forks Formation oil and associated natural gas from the requested temporary spacing unit.
5. In the event Applicant's proposed horizontal Bakken/Three Forks Formation well referred to above is authorized by this Board and thereafter drilled and completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, within ninety (90) days of such completion Applicant will file an appropriate Application with this Board requesting a permanent spacing unit for said well and Bakken/Three Forks Formation oil and associated natural gas produced therefrom.
6. Applicant believes that granting of the requests herein will serve to protect the correlative rights of all interested parties and will be in the best interest of prevention of waste and conservation of Bakken/Three Forks Formation oil and natural gas produced in association therewith.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by the Board and notice thereof be given as required by law;
2. After hearing this matter the Board enter its Order vacating and rescinding Board Order No. 47-2025 and terminating the temporary spacing units created thereby and authorizing of the drilling of up to three (3) additional Bakken/Three Formation wells;
3. After hearing this matter the Board enter its Order designating Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East, as a temporary spacing unit and authorizing Applicant to drill, complete and produce Bakken/Three Forks Formation oil and associated natural gas therefrom, provided that operations for the drilling of said well must commence within one (1) year of the date of the requested Order;
4. Within ninety (90) days of first production from the requested authorized Bakken/Three Forks Formation well Applicant shall submit an Application to the Board requesting the establishment of a permanent spacing unit therefore and the production of Bakken/Three Forks Formation oil and associated natural gas therefrom; and
5. For such other or additional relief as the Board may deem appropriate.

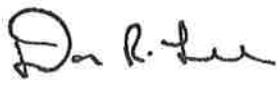
Dated November 6, 2025.

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

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

**IN THE MATTER OF THE APPLICATION
OF PHOENIX OPERATING LLC FOR AN
ORDER AUTHORIZING THE DRILLING
OF UP TO THREE (3) ADDITIONAL
HORIZONTAL BAKKEN/THREE FORKS
FORMATION WELLS WITHIN AND UPON
THE TEMPORARY SPACING UNIT
COMPRISED OF ALL OF SECTIONS 1 &
12, TOWNSHIP 25 NORTH, RANGE 56
EAST, AND ALL OF SECTIONS 25 & 36,
TOWNSHIP 26 NORTH, RANGE 56 EAST,
RICHLAND COUNTY, AT ANY
LOCATIONS NOT CLOSER THAN 200'
(HEEL/TOE SETBACKS) AND 500'
(LATERAL SETBACKS) TO THE
BOUNDARIES THEREOF, AND SUCH
OTHER AND FURTHER RELIEF AS THE
BOARD MAY DEEM APPROPRIATE.**

APPLICATION

MBOGC DOCKET NO. 440-2025

Phoenix Operating LLC ("Applicant"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, presents the following Application:

1. Applicant is the owner of oil and gas leasehold interests in, to and under the following described lands in Richland County:

Township 25 North, Range 56 East, MPM

Section 01: All

Section 12: All

Township 26 North, Range 56 East, MPM

Section 25: All

Section 36: All

Containing 1,280 acres, more or less

2. Applicant requests an Order from this Board authorizing the drilling of and production of up to three (3) additional horizontal Bakken/Three Forks Formation wells within and upon the temporary spacing unit comprised of Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East, and at any location not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit.

3. Applicant believes that approval and granting of the request herein will be in the best interest of prevention of waste of oil and associated natural gas and the conservation thereof and will not adversely affect the correlative rights of any interested party.
4. In the event an authorized well is completed as a well capable of commercial production of Bakken/Three Forks Formation oil and associated natural gas, Applicant will submit within ninety (90) days of first production from any such well an Application with this Board requesting the establishment of a permanent spacing unit therefore.

WHEREFORE, Applicant requests the following:

1. This matter be set for hearing by this Board and notice thereof be given as required by law;
2. After hearing this matter this Board enter its Order authorizing the Applicant to drill up to three (3) additional Bakken/Three Forks Formation wells within and upon the temporary spacing unit consisting of Sections 1 and 12, Township 25 North, Range 56 East, and Sections 25 and 36, Township 26 North, Range 56 East, but not closer than 200' (heel/toe setbacks) and 500' (lateral setbacks) to the exterior boundaries of said temporary spacing unit;
3. Within ninety (90) days of first production from any authorized Bakken/Three Forks Formation well Applicant shall submit an Application to this Board requesting the establishment of a permanent spacing unit therefore; and
4. For such other or additional relief as this Board may deem appropriate.

Dated November 6, 2025.

LEE LAW OFFICE PC

By: 

Don R. Lee, Attorney for Applicant
Lee Law Office PC
158 Main Street – P.O. Box 790
Shelby, MT 59474
Telephone: (406) 434-5244
Facsimile: (406) 434-5246
Email: don@leelawofficepc.com

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

IN THE MATTER OF THE APPLICATION OF CONTINENTAL RESOURCES INC. FOR AN ORDER DESIGNATING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 4, 9, 16 AND 21, TOWNSHIP 28 NORTH, RANGE 56 EAST, ROOSEVELT COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200 FEET FROM HEEL/TOE BOUNDARY AND 500 FEET FROM THE SIDE BOUNDARIES OF SAID TEMPORARY SPACING UNIT, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD, THE TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

MBOGC Docket No. 460-2025

AMENDED APPLICATION

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2010-19 ESTABLISHING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 4 AND 9, TOWNSHIP 28 NORTH, RANGE 56 EAST, ROOSEVELT COUNTY, MONTANA BE VACATED.

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within Sections 4, 9, 16 and 21, Township 28 North, Range 56 East Roosevelt County, Montana, which tracts are presently spaced with respect to the Bakken/Three Forks Formation by Order:
 - 19-2010 – creating a temporary spacing unit comprised of All of Sections 4 and 9, T28N, R56E.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well within, but not closer than 200 feet to the heel/toe exterior boundaries and 500 feet to the lateral boundaries, of a temporary spacing unit ("TSU") comprised of All of Sections 4, 9, 16 and 21, Township 28 North, Range 56 East Roosevelt County, Montana, subject to the conditions that applicant must commence said well within one year of the date of the order issued by the Board and that the temporary spacing unit be limited to production from the proposed horizontal well.
3. The proposed spacing unit contains the following Federal mineral lands:

Township 28 North, Range 56 East
Section 9: NESE

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Montana Board of Oil & Gas Conservation enter its order that a TSU comprised of All of Sections 4, 9, 16 and 21, Township 28 North, Range 56 East Roosevelt County, Montana be established, subject to the condition that applicant must commence said well within one year of the date of the order issued by the Board;

3. Authorizing the Applicant to locate its proposed horizontal well anywhere within such TSU but not closer than 200 feet to the toe/heel boundaries and no further than 500 feet from the common boundary thereof;
4. Vacating Order 2010-19.

Dated November 10, 2025.

CONTINENTAL RESOURCES INC.

By Scotti Gray
Scotti Gray
Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION
OF CONTINENTAL RESOURCES INC.
FOR AUTHORIZATION TO DRILL UP TO
THREE ADDITIONAL HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELL IN THE SPACING UNIT
COMPRISED OF ALL OF SECTIONS 4, 9,
16 AND 21, TOWNSHIP 28 NORTH,
RANGE 56 EAST ROOSEVELT COUNTY,
MONTANA, AT ANY LOCATION NOT
CLOSER THAN 500 FEET TO THE SIDE
BOUNDARIES AND 200 FEET TO THE
TOE/HEEL BOUNDARIES OF SAID
SPACING UNIT

MBOGC Docket No.

461-2025

AMENDED APPLICATION

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within the above-described lands:
2. The above-described lands are presently subject to a pending application to designate a temporary spacing unit ("TSU") comprised of said lands and authorize the drilling of a well in the TSU.
3. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill up to three additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.
4. The proposed spacing unit contains the following Federal mineral lands:

Township 28 North, Range 56 East
Section 9: NESE

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Board enter its order authorizing applicant to drill up to three additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

November 10, 2025.

CONTINENTAL RESOURCES INC.

By

Scotti Gray
Scotti Gray

Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION OF CONTINENTAL RESOURCES INC. FOR AN ORDER DESIGNATING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 5, 8, 17 AND 20, TOWNSHIP 25 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA, AND AUTHORIZING THE DRILLING OF A HORIZONTAL BAKKEN/THREE FORKS FORMATION WELL THEREON AT ANY LOCATION NOT CLOSER THAN 200 FEET FROM HEEL/TOE BOUNDARY AND 500 FEET FROM THE SIDE BOUNDARIES OF SAID TEMPORARY SPACING UNIT, PROVIDED THAT OPERATIONS FOR THE DRILLING OF SAID WELL MUST COMMENCE WITHIN ONE YEAR OF THE DATE OF THE ORDER ISSUED BY THE BOARD, THE TEMPORARY SPACING UNIT SHALL BE LIMITED TO PRODUCTION FROM THE PROPOSED HORIZONTAL WELL AND APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

MBOGC Docket No.

462-2025

APPLICATION

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2011-359 ESTABLISHING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 5 AND 8, TOWNSHIP 25 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA BE VACATED.

APPLICANT FURTHER REQUESTS THAT BOARD ORDER 2006-116 ESTABLISHING A TEMPORARY SPACING UNIT COMPRISED OF ALL OF SECTIONS 19 AND 20, TOWNSHIP 25 NORTH, RANGE 56 EAST, RICHLAND COUNTY, MONTANA BE VACATED.

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within Sections 5, 8, 17 and 20, Township 25 North, Range 56 East Richland County, Montana, which tracts are presently spaced with respect to the Bakken/Three Forks Formation by Orders:
 - 359-2011 – creating a temporary spacing unit comprised of All of Sections 5 and 8, T25N, R56E.
 - 116-2006 – creating a temporary spacing unit comprised of All of Sections 19 and 20, T25N, R56E.
2. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill a horizontal Bakken/Three Forks formation well within, but not closer than 200 feet to the heel/toe exterior boundaries and 500 feet to the lateral boundaries, of a temporary spacing unit ("TSU") comprised of All of Sections 5, 8, 17 and 20, Township 25 North, Range 56 East Richland County, Montana, subject to the conditions that applicant must commence said well within one year of the date of the order issued by the Board and that the temporary spacing unit be limited to production from the proposed horizontal well.


[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Montana Board of Oil & Gas Conservation enter its order that a TSU comprised of All of Sections 5, 8, 17 and 20, Township 25 North, Range 56 East Richland County, Montana be established, subject to the condition that applicant must commence said well within one year of the date of the order issued by the Board;
3. Authorizing the Applicant to locate its proposed horizontal well anywhere within such TSU but not closer than 200 feet to the toe/heel boundaries and no further than 500 feet from the common boundary thereof;
4. Vacating Orders 2011-359 and 2006-116.

Dated November 6, 2025.

CONTINENTAL RESOURCES INC.

By


Scotti Gray

Attorney for Applicant

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

IN THE MATTER OF THE APPLICATION
OF CONTINENTAL RESOURCES INC.
FOR AUTHORIZATION TO DRILL UP TO
THREE ADDITIONAL HORIZONTAL
BAKKEN/THREE FORKS FORMATION
WELL IN THE SPACING UNIT
COMPRISED OF ALL OF SECTIONS 5, 8,
17 AND 20, TOWNSHIP 25 NORTH,
RANGE 56 EAST RICHLAND COUNTY,
MONTANA, AT ANY LOCATION NOT
CLOSER THAN 500 FEET TO THE SIDE
BOUNDARIES AND 200 FEET TO THE
TOE/HEEL BOUNDARIES OF SAID
SPACING UNIT

MBOGC Docket No. 463-2025

AMENDED APPLICATION

CONTINENTAL RESOURCES, INC., 20 N. Broadway, Oklahoma City, OK 73102:

[A] Presents the following application:

1. Applicant is an interest owner and operator within the above-described lands:
2. The above-described lands are presently subject to a pending application to designate a temporary spacing unit ("TSU") comprised of said lands and authorize the drilling of a well in the TSU.
3. To more efficiently and economically recover Bakken/Three Forks formation reserves underlying the captioned lands, Applicant proposes to drill up to three additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

[B] Requests:

1. This matter be set for hearing and placed on the Docket, with notice given as required by law.
2. After hearing the matter, the Board enter its order authorizing applicant to drill up to three additional horizontal Bakken/Three Forks formation wells within, but not closer than 500 feet to the side boundaries and 200 feet to the toe/heel boundaries of the spacing unit.

November 10, 2025.

CONTINENTAL RESOURCES INC.

By

Scotti Gray
Scotti Gray

Attorney for Applicant

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION



GREG GIANFORTE, GOVERNOR

OIL AND GAS CONSERVATION DIVISION

STATE OF MONTANA

October 10, 2025

Kraken Operating, LLC
945 Bunker Hill Rd, Ste 1200
Houston, TX 77024

Re: Demand For Opportunity To Be Heard

Dear Kraken Operating, LLC:

This letter is regarding a demand for opportunity to be heard that was filed in accordance with ARM 36.22.601 concerning Kraken Operating, LLC's notifications published on September 30, 2025, for three applications for permits to drill in Section 31, T28N-R57E, Roosevelt County, Montana.

The request for hearing was filed by Phoenix Operating LLC who is an interested person in the above-mentioned applications for permits to drill. In accordance with ARM 36.22.601, the applications for permits to drill will be referred to the Montana Board of Oil and Gas (Board) at its next regularly scheduled hearing on December 11, 2025. At that time, consideration of the applications for permits to drill will be reviewed by the Board.

If you have any questions, please contact me at (406) 656-0040 or at bjones@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Jones".

Benjamin Jones
Administrator / Petroleum Engineer

cc: Ray Noah: rnoah@krakenoil.com
John Lee: jlee@crowleyfleck.com
Don Lee: don@leelawofficepc.com
Mark Johnson: mjohnson@phxoperating.com

465-2025

DIVISION OFFICE
1539 11th AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601
(406) 444-6731

TECHNICAL AND
SOUTHERN FIELD OFFICE
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102-4693
(406) 656-0040

NORTHERN FIELD OFFICE
201 MAIN STREET
PO BOX 690
SHELBY, MONTANA 59474-0690
(406) 434-2422



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 8, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Kraken Operating LLC Application for Permit
to Drill***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing on the Kraken Operating LLC ("Kraken") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon Lot 4 of Section 31, Township 28 North, Range 57 East, and a bottom hole location within and upon the Lot 1 of Section 18, Township 28 North, Range 57 East. The referenced surface hole location and bottom hole location are in Roosevelt County. The proposed well the subject of the APD is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

The proposed well, which is the subject of the foregoing APD severely impacts the development plans of Phoenix, whose plans are more beneficial to mineral owners and the State of Montana than Kraken's plans. The temporary spacing unit for Kraken's proposed well commingles a virgin 1,280-acre section with a producing 1,280-acre section in essence disrupting proper spacing patterns. Phoenix strongly believes Kraken should not be authorized to drill into 1,280 acres in which Phoenix owns in excess of eighty-two and nine-tenths percent (82.9%) of the working interest. In fact, Phoenix has reason to believe that it owns more working interest in this four-section spacing unit than Kraken.

Phoenix has definite capital backed plans to drill four horizontal wells within the four-section spacing unit in succession, whereas Kraken only plans to drill one well in a four mile spacing unit and no more indefinitely. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Particularly in light of their surface location, where Kraken intends to drill four (4), four-mile horizontal laterals from one 40 acre parcel, north and south, it is abundantly clear that Kraken's plans are to hold maximum amount acreage with the minimal amount of development which benefits no one but Kraken. Phoenix intends to drill four wells from this four-section spacing unit alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix will be filing its own APD for this four-section spacing unit within the next 60-90 days.

Phoenix believes that approving the well the subject of the Kraken APD establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 376-9778.

Sincerely,

LEE LAW OFFICE PC

By: 

Don R. Lee

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 8, 2025, I served a true and correct copy of the foregoing document to the following:

- ☒ U.S. Mail
- ☐ Facsimile
- ☐ FedEx
- ☒ E-mail

Kraken Operating LLC
945 Bunker Hill Road, Suite 1200
Houston, TX 77024

By: 

Karen L. Young, Paralegal

Notice of Application

Published in Helena Independent Record on September 30, 2025

EXHIBIT "A"

Location

Lewis and Clark County, Montana

Notice Text

Public Notice

BEFORE THE BOARD OF OIL AND GAS CONSERVATION OF THE STATE
OF MONTANA
NOTICE OF INTENTION TO APPLY FOR PERMIT TO DRILL OIL AND GAS
WELL

In the Matter of the application of Kraken Operating LLC
for a Permit to Drill an oil and gas well.

1. Name and address of Applicant:

Kraken Operating LLC
945 Bunker Hill Road, Suite 1200
Houston, TX 77024

2. Legal Description including County and Approximate Footages of Surface Location of Proposed Oil and Gas Well: (and projected bottom- hole location, if a directional or horizontal well)

Surface Loc: Lot 4 Section 31, T28N, R57E, Roosevelt County, MT.
Footages: 413' FSL & 374' FWL Et: 2101'

Bottom Hole Loc: Lot 1 Section 18, T28N, R57E, Roosevelt County, MT.
Footages: 205' FNL & 650' FWL

3. Total Depth Proposed to be Drilled:

31,052 Measured Depth, 9,987 TVD

Notice is hereby given that an application for permit to drill an oil and gas well at the surface location set forth above to the depth as stated will be filed with the Montana Board of Oil and Gas Conservation. Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of Montana, an interested party may demand an opportunity to be heard by the Montana Board of Oil and Gas Conservation concerning the application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE. OR THE APPLICATION WILL BE ACTED UPON BY THE BOARD'S PETROLEUM ENGINEER WITHOUT HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED WELL, AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO THE ADDRESS SET FORTH ABOVE.

Montana Board of Oil and Gas Conservation
2535 St. Johns Avenue
Billings MT 59102

Office: (406) 656-0040

Fax: (406) 655-8015

September 30, 2025 COL-MT-201542 MNAXLP

465-2025

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION



GREG GIANFORTE, GOVERNOR

OIL AND GAS CONSERVATION DIVISION

STATE OF MONTANA

October 10, 2025

Kraken Operating, LLC
945 Bunker Hill Rd, Ste 1200
Houston, TX 77024

Re: Demand For Opportunity To Be Heard

Dear Kraken Operating, LLC:

This letter is regarding a demand for opportunity to be heard that was filed in accordance with ARM 36.22.601 concerning Kraken Operating, LLC's notifications published on September 30, 2025, for three applications for permits to drill in Section 31, T28N-R57E, Roosevelt County, Montana.

The request for hearing was filed by Phoenix Operating LLC who is an interested person in the above-mentioned applications for permits to drill. In accordance with ARM 36.22.601, the applications for permits to drill will be referred to the Montana Board of Oil and Gas (Board) at its next regularly scheduled hearing on December 11, 2025. At that time, consideration of the applications for permits to drill will be reviewed by the Board.

If you have any questions, please contact me at (406) 656-0040 or at bjones@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Jones".

Benjamin Jones
Administrator / Petroleum Engineer

cc: Ray Noah: rnoah@krakenoil.com
John Lee: jlee@crowleyfleck.com
Don Lee: don@leelawofficepc.com
Mark Johnson: mjohnson@phxoperating.com

466-2025

DIVISION OFFICE
1539 11th AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601
(406) 444-6731

TECHNICAL AND
SOUTHERN FIELD OFFICE
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102-4693
(406) 656-0040

NORTHERN FIELD OFFICE
201 MAIN STREET
PO BOX 690
SHELBY, MONTANA 59474-0690
(406) 434-2422



DON R. LEE | BRIAN D. LEE | ATTORNEYS AT LAW
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

October 8, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Kraken Operating LLC Application for Permit
to Drill***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing on the Kraken Operating LLC ("Kraken") Application for Permit to Drill a horizontal Bakken/Three Forks Formation well with a surface location within and upon Lot 4 of Section 31, Township 28 North, Range 57 East, and a bottom hole location within and upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 28 North, Range 56 East. The referenced surface hole location and bottom hole location are in Roosevelt County. The proposed well the subject of the APD is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

The proposed well, which is the subject of the foregoing APD severely impacts the development plans of Phoenix, whose plans are more beneficial to mineral owners and the State of Montana than Kraken's plans. The temporary spacing unit for Kraken's proposed well commingles a virgin 1,280-acre section with producing 1,280-acre section in essence disrupting proper spacing patterns. Phoenix strongly believes Kraken should not be authorized to drill into 1,280 acres in which Phoenix owns in excess of ninety percent (90%) of the working interest. In fact, Phoenix has reason to believe that it owns more working interest in this four-section spacing unit than Kraken.

Phoenix has definite capital backed plans to drill four horizontal wells within the four-section spacing unit in succession, whereas Kraken only plans to drill one well in a four-mile spacing unit and no more indefinitely. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Particularly in light of their surface location, where Kraken intends to drill four (4), four-mile horizontal laterals from one 40 acre parcel, north and south, it is abundantly clear that Kraken's plans are to hold maximum amount acreage with the minimal amount of development which benefits no one but Kraken. Phoenix intends to drill four wells from this four-section spacing unit alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix will be filing its own APD for this 2,560-acre spacing unit within the next 60-90 days.

Phoenix believes that approving the well the subject of the Kraken APD establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 376-9778.

Sincerely,

LEE LAW OFFICE PC

By:


Don R. Lee

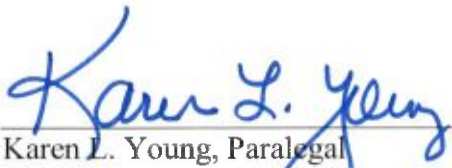
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 8, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☐ Facsimile
☐ FedEx
☒ E-mail

Kraken Operating LLC
945 Bunker Hill Road, Suite 1200
Houston, TX 77024

By:


Karen L. Young, Paralegal

Notice of Application

EXHIBIT "A"

Published in Helena Independent Record on September 30, 2025

Location

Lewis and Clark County, Montana

Notice Text

Public Notice

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

NOTICE OF INTENTION TO APPLY FOR PERMIT TO DRILL OIL AND GAS WELL

In the Matter of the application of Kraken Operating LLC for a Permit to Drill an oil and gas well.

1. Name and address of Applicant:

Kraken Operating LLC
945 Bunker Hill Road, Suite 1200
Houston, TX 77024

2. Legal Description including County and Approximate Footages of Surface Location of Proposed Oil and Gas Well (and projected bottom-hole location, if a directional or horizontal well)

Surface Loc: Lot 4 Section 31, T28N, R57E, Roosevelt County, MT.
Footages: 380' FSL & 374' FWL Et 2101'

Bottom Hole Loc: NENE Section 13, T28N, R56E, Roosevelt County, MT. Footages: 205' FNL & 600' FEL

3. Total Depth Proposed to be Drilled:

31,174 Measured Depth, 9,982 TVD

Notice is hereby given that an application for permit to drill an oil and gas well at the surface location set forth above to the depth as stated will be filed with the Montana Board of Oil and Gas Conservation. Pursuant to Rules 36.22.601 and 36.22.604, Administrative Rules of Montana, an interested party may demand an opportunity to be heard by the Montana Board of Oil and Gas Conservation concerning the application. SUCH DEMAND FOR HEARING MUST BE RECEIVED BY THE MONTANA BOARD OF OIL AND GAS CONSERVATION AT THE ADDRESS SET FORTH BELOW NO LATER THAN TEN (10) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE, OR THE APPLICATION WILL BE ACTED UPON BY THE BOARD'S PETROLEUM ENGINEER WITHOUT HEARING. A DEMAND MUST: (1) SET FORTH THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH INTERESTED PARTY, THEIR OWNERSHIP INTEREST IN THE LANDS SURROUNDING THE PROPOSED WELL, AND THE REASONS WHY A HEARING IS SOUGHT; (2) BE SERVED UPON THE APPLICANT BY COPY MAILED OR FAX TRANSMITTED TO THE ADDRESS SET FORTH ABOVE.

Montana Board of Oil and Gas Conservation
2535 St. Johns Avenue
Billings MT 59102

Office: (406) 656-0040

Fax: (406) 655-6015

September 30, 2025 CO1-MT-201545 MNAXLR

466-2025

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
BOARD OF OIL AND GAS CONSERVATION



GREG GIANFORTE, GOVERNOR

OIL AND GAS CONSERVATION DIVISION

STATE OF MONTANA

November 14, 2025

Heritage Energy Operating LLC
2448 E. 81st Street Suite 2036
Tulsa, OK 74137

Re: Demand For Opportunity to Be Heard

Dear Heritage Energy Operating LLC:

This letter is regarding a demand for opportunity to be heard that was filed in accordance with ARM 36.22.601 concerning Heritage Energy Operating, LLC's (Heritage) published notifications of the E. Poff Trust 13-12-1 2H, E. Poff Trust 13-12-1 3H, and the E. Poff Trust 13-12-1 4H well applications for permits to drill in Roosevelt County, Montana.

The request for hearing was filed by Phoenix Operating LLC who is an interested person in the above-mentioned applications for permits to drill. In accordance with ARM 36.22.601, the applications for permits to drill will be referred to the Montana Board of Oil and Gas (Board) at its next regularly scheduled hearing on December 11, 2025. At that time, consideration of the applications for permits to drill will be reviewed by the Board.

If you have any questions, please contact me at (406) 656-0040 or at bjones@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Jones".

Benjamin Jones
Administrator / Petroleum Engineer

cc: Josh Cornell: joshc@heritageenergyllc.com
Uriah Price: uprice@crowleyfleck.com
Don Lee: don@leelawofficepc.com
Mark Johnson: mjohnson@phxoperating.com

467-2025

DIVISION OFFICE
1539 11th AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601
(406) 444-6731

TECHNICAL AND
SOUTHERN FIELD OFFICE
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102-4693
(406) 656-0040

NORTHERN FIELD OFFICE
201 MAIN STREET
PO BOX 690
SHELBY, MONTANA 59474-0690
(406) 434-2422



November 4, 2025

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Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Attention: Ben Jones, Administrator/Petroleum Engineer

**Re: *Permit Protest re In the Matter of E. Poff Trust 13-12-1 1H,
Heritage Energy Operating LLC, for a Renewal of Permit to
Drill an Oil and Gas Well***

Dear Mr. Jones:

Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby protests and requests a hearing on the Application of Heritage Energy Operating LLC ("Heritage") for a renewal of the Permit to Drill the E. Poff Trust 13-12-1 1H in all of Sections 1, 12, and 13, Township 25 North, Range 56 East, Richland County, Montana on the following grounds:

1. Phoenix owns an estimated 62.33% working interest in Sections 1, 12 and 13, 51.03% working interest in Sections 3, 10 and 15, and 25.73% working interest in Sections 2, 11 and 14, all in Township 25 North, Range 56 East, Richland County, Montana.
2. Phoenix protests on the basis that awarding a permit to drill to Heritage for a spacing unit comprised of all of Sections 1, 12, and 13 T25N, R56E (Order 47-2025) does not promote the most orderly and efficient development of the oil and gas resource and may result in economic and physical waste as well as a violation of correlative rights to the owners of the surrounding area.
3. Phoenix plans to drill four wells in a spacing unit comprised of all of Sections 1, 12, and 13, T25N, R56E, four wells in a spacing unit comprised of all of Sections 2, 11, and 14 T25N, R56E, and four wells in a spacing unit comprised of all of Sections 3, 10 and 15, T25N, R56E, all in the year 2026. Phoenix's

development plan results in production from twelve wells for owners in nine sections. While Heritage has submitted three separate permits for these spacing units, all have either expired (State 15-10-3 1H on November 2, 2025), or are set to expire by December 19, 2025 (W. Poff Trust 14-11-2 4H) and January 24, 2026 (E. Poff Trust 13-12-1 1H), and Heritage has drilled none, and upon information and belief Heritage will drill none.

4. Heritage has recently submitted additional permits to drill additional wells within these spacing units, even though it has not utilized its expired or expiring permits. Allowing Heritage to proceed with the proposed permits encumbers nine sections with permits that may never be utilized, or underutilized by unknown third parties by, for example, drilling only one well within each spacing unit, and waiting for an indefinite future time while additional permits are applied for renewal, or not utilized.
5. Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has obtained no production.
6. In contrast, Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this spacing unit alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota.
7. The E. Poff Trust 13-12-1 1H permit has been active since July 24, 2025. Heritage has had time to drill the E. Poff Trust 13-12-1 1H well. Heritage's failure to develop under the E. Poff Trust 13-12-1 1H while requesting a renewal of this permit and submission of additional permits while failing to drill is a deterrent to development, makes development more expensive by driving up the costs of development by a third party, and does not promote the conservation of oil and gas, the prevention of waste, or the protection of correlative rights.
8. Upon information and belief, it is Phoenix's understanding that Heritage has no intention of drilling and operating the E. Poff Trust 13-12-1 1H well; rather to obtain an acreage position through the permitting process and to flip the acreage to a third party.
9. Phoenix will be filing its own APDs for the spacing units referenced above before the Board's December hearing and in time for the Board to review Phoenix's plans in contrast to Heritage's.

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10. Phoenix notes that recent temporary spacing orders issued by the Montana Board of Oil & Gas Conservation Commission ("MBOGC") require commencement of operations within one year of the issuance of said order. Thus, it is evident that the MBOGC shares Phoenix's concern that stagnant permits and temporary spacing orders can indirectly condemn lands otherwise available for development.
11. Should Heritage's permit renewal be approved, Phoenix, the majority working interest owner in two of the three spacing units, would delay development in Sections 1, 12, and 13, in Sections 2, 11, and in Sections 3, 10 and 15, all in T25N, R56E. Thus, Heritage's permit to flip plans affects owners across nine sections.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: _____

Don R. Lee

DRL/kly

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NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

RECEIVED

NOV 07 2025

MONTANA BOARD OF O
GAS CONSERVATION • BILLING



ATTORNEYS AT LAW
DON R. LEE | BRIAN D. LEE | CAYDON C. KELLER
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

November 4, 2025

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – E. Poff Trust 13-12-1 2H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC (“Phoenix”), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana (“Board”) on the Heritage Energy Operating LLC (“Heritage”) Application for Permit to Drill (“APD”) a horizontal Bakken/Three Forks Formation well with a surface location within and upon SE¼SW¼ of Section 13, Township 25 North, Range 56 East, and a bottom hole location within and upon the NW¼NW¼ of Section 1, Township 25 North, Range 56 East, being the E. Poff Trust 13-12-1 2H well (“Proposed Subject Well”). The referenced surface hole location and bottom hole location are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit “A” attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 1, 12 and 13 in Township 25 North, Range 56 East by Commission Order No. 47-2025 (“DSU”) being the for the E. Poff Trust 13-12-1 1H well (API No. 25-083-23508-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires January 24, 2026. Heritage should not be rewarded with more permits, when it has not utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has

obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the Board has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party.

In contrast, Phoenix currently owns 62.33% of the working interest in the DSU with plans to acquire more. Phoenix has definite capital backed plans to drill four horizontal wells within the DSU in succession in 2026. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this DSU alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota. Phoenix will be filing its own APDs for the DSU before the Board's December hearing and in time for the Board to review Phoenix's plans in contrast to Heritage's. The Proposed Subject Well severely impacts the development plans of Phoenix, which plans are more beneficial to mineral owners and the State of Montana than Heritage's plans.

Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

467-2025

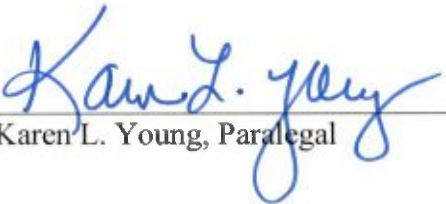
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

467-2025



ATTORNEYS AT LAW
DON R. LEE BRIAN D. LEE CAYDON C. KELLER
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 158 MAIN STREET SHELBY, MONTANA 59474
LEELAWOFFICEPC.COM

November 4, 2025

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

RECEIVED

NOV 07 2025

MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – E. Poff Trust 13-12-1 3H***

Dear Mr. Jones:

Pursuant to A.R.M. 36.22.601(6), Phoenix Operating LLC ("Phoenix"), 4643 South Ulster Street, Suite 1510, Denver, Colorado 80237, hereby demands a hearing before the Board of Oil and Gas Conservation of the State of Montana ("Board") on the Heritage Energy Operating LLC ("Heritage") Application for Permit to Drill ("APD") a horizontal Bakken/Three Forks Formation well with a surface location within and upon SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 25 North, Range 56 East, and a bottom hole location within and upon the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 25 North, Range 56 East, being the E. Poff Trust 13-12-1 3H well ("Proposed Subject Well"). The referenced surface hole location and the bottom hole location are in Richland County. The Proposed Subject Well is more specifically identified on Exhibit "A" attached to this correspondence and by reference incorporated herein.

Heritage has an existing permit in this drilling and spacing unit consisting of all of Sections 1, 12 and 13 in Township 25 North, Range 56 East by Commission Order No. 47-2025 ("DSU") being the for the E. Poff Trust 13-12-1 1H well (API No. 25-083-23508-00-00). Heritage has not utilized this existing permit and upon information and belief has no intention of drilling its existing permit which expires January 24, 2026. Heritage should not be rewarded with more permits, when it has not utilized the permit it currently holds. In fact Heritage has permitted no less than 11 wells in the State of Montana with renewing 9 of those 11 permits, and to date has drilled zero wells, and has

467-2025

obtained no production. Upon information and belief, Heritage has no intention of nor definite plans to utilize the APD for the Proposed Subject Well, rather it intends to flip the acreage covered by the Proposed Subject Well by selling it to a to-be-determined buyer. As a result, the Board has no way of assessing whether granting the APD will protect correlative rights or prevent waste because Heritage will not be utilizing the APD for anything but a sale to a third party.


In contrast, Phoenix currently owns 62.33% of the working interest in the DSU with plans to acquire more. Phoenix has definite capital backed plans to drill four horizontal wells within the DSU in succession in 2026. Phoenix plans for full development, benefiting mineral owners by protecting correlative rights, preventing waste and benefiting the State of Montana by increasing severance taxes. Phoenix intends to drill four wells from this DSU alone, which benefits mineral owners, the State Montana and Phoenix, as well as other working interest owners. Phoenix's usual mode of operation is to drill as many wells as are allowable under spacing orders in succession in Montana and North Dakota. Phoenix will be filing its own APDs for the DSU before the Board's December hearing and in time for the Board to review Phoenix's plans in contrast to Heritage's. The Proposed Subject Well severely impacts the development plans of Phoenix, which plans are more beneficial to mineral owners and the State of Montana than Heritage's plans.

Phoenix believes that approving the Proposed Well APD of Heritage establishes bad precedent and negatively impacts the correlative rights of Phoenix and its oil and gas lessors and takes revenue away from the State of Montana.

I can be reached at (406) 450-2540 and Phoenix's representative, Mark Johnson, Vice President – Regulatory Affairs, can be reached at (303) 548-1953.

Sincerely,

LEE LAW OFFICE PC

By: 
Don R. Lee

DRL/kly

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NOV 07 2025

**MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

[X] U.S. Mail
[X] Facsimile
[] FedEx
[X] E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS



ATTORNEYS AT LAW
DON R. LEE | BRIAN D. LEE | CAYDON C. KELLER
PHONE 406.434.5244 FAX 406.434.5246 P.O. BOX 790 | 158 MAIN STREET | SHELBY, MONTANA 59474
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November 4, 2025

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

Montana Board of Oil and
Gas Conservation
2535 St. Johns Avenue
Billings, MT 59102

Attention: Ben Jones, Administrator/Petroleum Engineer

Re: Demand for Opportunity to be Heard

***Heritage Energy Operating, LLC Application for Permit
to Drill – E. Poff Trust 13-12-1 4H***

Dear Mr. Jones:

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467-2025

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Sincerely,

LEE LAW OFFICE PC

By:



Don R. Lee

DRL/kly

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MONTANA BOARD OF OIL &
GAS CONSERVATION • BILLINGS

467-2025

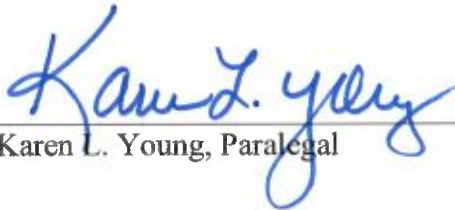
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 4, 2025, I served a true and correct copy of the foregoing document to the following:

☒ U.S. Mail
☒ Facsimile
☐ FedEx
☒ E-mail

Heritage Energy Operating LLC
Attention: Josh Cornell, CEO
2448 E. 81st St., Suite 3600
Tulsa, OK 74137

By:


Karen L. Young, Paralegal

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