

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

UPON THE APPLICATION OF FIDELITY EXPLORATION &
PRODUCTION COMPANY FOR AN EXCEPTION TO THE
MONTHLY PRODUCTION REPORTING REQUIREMENTS SET
FORTH IN ARM 36.22.1242.

ORDER 8-2016

Docket No. 8-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Brian Lee, attorney, and Trent Sizemore, consultant, appeared on behalf of Fidelity Exploration & Production Company (Fidelity). None of the wells are producing, and Fidelity expects to transfer or plug the wells that remain on its plugging and reclamation bond by July 2016.
3. Fidelity's request for exception to the reporting rule was received prior to the issuance of a penalty and no administrative penalties for delinquent report were assessed.
4. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant has demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the Fidelity Exploration & Production Company request for an exception to the monthly production reporting requirements set forth in ARM 36.22.1242 is hereby granted.

BOARD ORDER NO. 8-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF MCR, LLC FOR AN ORDER PROVIDING FOR THE OPERATION AS A UNIT OF AN AREA TO BE KNOWN AS THE "BERTHELOTE SUNBURST SAND UNIT AREA"; APPROVING OR PRESCRIBING A PLAN OF UNIT OPERATIONS THEREFORE; APPROVING A UNIT AGREEMENT AND A UNIT OPERATING AGREEMENT FOR THE UNIT OPERATION THEREOF; AUTHORIZING THE CONDUCTING OF A WATERFLOOD INJECTION PROGRAM (SECONDARY RECOVERY) IN THE PROPOSED UNIT SITUATED IN THE WEST BUTTE FIELD, TOOLE COUNTY, MONTANA; AND FOR VACATING EXISTING SPACING ORDERS RELATED THERETO. THE PROPOSED UNIT INCLUDES THE FOLLOWING DESCRIBED LANDS:

ORDER 9-2016

TOWNSHIP 36 NORTH - RANGE 2 EAST, MPM
SECTION 8: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
TOOLE COUNTY, MONTANA
CONTAINING 80.00 ACRES, MORE OR LESS

Docket No. 9-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Jim Brown, attorney for the McEwen family, filed an objection letter on behalf of surface owner and requested the Board deny the application, but was not present at the hearing. Scotti Gray, attorney for the applicant, objected to the filing of the objection letter.
3. The proposed unit area is comprised of the Sunburst Formations underlying the lands described in the caption.
4. The waterflood proposed is to inject water into the Sunburst a sands underlying said unit area. Injection will be initially accomplished through one injection well, the location of which is shown in the exhibits.
5. The primary energy of the reservoir has been substantially depleted and secondary recovery by water injection is feasible and reasonably necessary to increase the ultimate recovery of oil and gas. The waterflood injection program proposed by applicant will result in the recovery of a substantial amount of additional oil, which would otherwise remain in place.

BOARD ORDER NO. 9-2016

6. There is a need for the operation as a unit of the pool underlying the above described lands and it is necessary that the interests of all owners of the oil and gas therein be unitized.

7. The evidence presented by the applicant indicates it was not possible to effectuate the wholly voluntary unitization of the interests in said reservoir and that the issuance of an order is necessary under the provisions of §§ 82-11-204, MCA, et seq.

8. The value of the estimated additional recovery of oil less royalties exceeds the estimated additional cost incident to conducting such operations; the full aerial extent of such pool has been reasonably defined by drilling; the plan allocates to each tract in the unit area its fair share of oil and gas produced from the unit area not consumed in the conduct of the operation of the unit area or unavoidably lost. The Board has considered the relative value each share of production bears to the relative value of all of the separately owned tracts in the unit area exclusive of physical equipment utilized in unit operations.

9. The unit agreement has been approved in writing by the requisite number of owners and persons and by the requisite percentage of interests in the area as specified in § 82-11-207, MCA, and the Unit shall be effective July 1, 2016.

10. Granting the application in the manner hereinafter set forth will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of §§ 82-11-204 through 207, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the lands identified in the caption in Toole County, Montana, are hereby approved as a Unit to be known as the Berthelote Sunburst Sand Unit Area.

IT IS FURTHER ORDERED that the Berthelote Sunburst Sand Unit Area Operating Agreement is hereby approved.

IT IS FURTHER ORDERED that applicant is hereby authorized to conduct a water injection program (secondary recovery) in the Unit area situated on the lands described in the caption.

IT IS FURTHER ORDERED that applicant is granted authority to drill additional wells as may be necessary without further notice and hearing, but subject to administrative authorization by the Board. Existing spacing orders governing the Sunburst Formation wells within the boundaries of the unit are waived but no well may be drilled closer than 330 feet to the exterior boundaries of said unit.

BOARD ORDER NO. 9-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF MCR, LLC FOR AN AREA INJECTION PERMIT CONSISTING OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ AND THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 8, T36N-R2E, TOOLE COUNTY, MONTANA (WEST BUTTE FIELD) FOR ENHANCED RECOVERY INJECTION INTO THE SUNBURST FORMATION AT A DEPTH OF APPROXIMATELY 2320-2338 FT. AN AQUIFER EXEMPTION IS BEING REQUESTED AS THE INJECTION ZONE CONTAINS WATER WITH LESS THAN 10,000 MG/L TOTAL DISSOLVED SOLIDS.

ORDER 10-2016

Docket No. 10-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Jim Brown, attorney for the McEwen family, filed an objection letter on behalf of surface owner and requested the Board deny the application, but was not present at the hearing. Scotti Gray, attorney for the applicant, objected to the filling of the objection letter.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of ARM 36.22.1403 have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that MCR, LLC is granted an area injection permit in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T36N-R2E, Toole County, for enhanced recovery injection in the Sunburst Formations at a depth of approximately 2,320-2,338 respectively, and that said area shall be known as the Berthelote Sunburst Sand Unit Area.

BOARD ORDER NO. 10-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF MCR, LLC TO AUTHORIZE AN ADDITIONAL SAWTOOTH FORMATION WELL IN THE SPACING UNIT COMPRISED OF THE W½ OF SECTION 9, T36N-R2E, TOOLE COUNTY, MONTANA AND TO AUTHORIZE THE COMMINGLING OF OIL AND GAS PRODUCED FROM THE SAWTOOTH AND SUNBURST FORMATION IN THE WELLBORE OF THE MCCUTCHEON 11X-9 WELL LOCATED IN THE NE¼SW¼ OF SECTION 9, T36N-R2E, TOOLE COUNTY, MONTANA.

ORDER 11-2016

Docket No. 11-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Jim Brown, attorney for the McEwen family, filed an objection letter on behalf of surface owner and requested the Board deny the application, but was not present at the hearing. Scotti Gray, attorney for the applicant, objected to the filing of the objection letter.
3. The lands described in the caption were designated a permanent spacing unit for production from the Sawtooth Formation by Montana Board of Oil and Gas Conservation Order 250-2008.
4. MCR, LLC rescinded its application to commingle the Sawtooth and Sunburst formations.
5. Evidence presented at the time of the hearing supports the completion of the McCutcheon 11X-9 well well, located in the NE¼SW¼ of Section 9, T36N-R2E, Toole County, Montana, in the Sawtooth Formation.
6. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

BOARD ORDER NO. 11-2016

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that MCR, LLC is authorized to complete the McCutcheon 11X-9 well, located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T36N-R2E, Toole County, Montana, as an additional Sawtooth Formation in the permanent spacing unit comprised of the W $\frac{1}{2}$ of said Section 9.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF MOUNTAIN VIEW ENERGY, INC., TO CONVERT THE RED CREEK 13D-2 WELL (API #25-035-21907) IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 2, T37N-R5W, GLACIER COUNTY, MONTANA (RED CREEK FIELD) TO A CLASS II ENHANCED OIL RECOVERY INJECTION WELL IN THE CUT BANK FORMATION AT A DEPTH OF APPROXIMATELY 2690-2732 FT., AND THE MADISON FORMATION AT A DEPTH OF APPROXIMATELY 2,824-2,844 FT. AN AQUIFER EXEMPTION IS BEING REQUESTED AS THE INJECTION ZONES CONTAIN WATER WITH LESS THAN 10,000 MG/L TOTAL DISSOLVED SOLIDS.

ORDER 12-2016

Docket No. 12-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of Section ARM 36.22.1403 have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Mountain View Energy, Inc. is authorized to convert the Red Creek 13D-2 well (API # 25-035-21907) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T37N-R5W, Glacier County, Montana, to an enhanced recovery injection well in the Cut Bank Formation at a depth of approximately 2,690-2,732 feet and in the Madison Formation at a depth of approximately 2,824-2,844 feet, subject to stipulations on the Sundry Notice.

BOARD ORDER NO. 12-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF BTA OIL PRODUCERS, LLC TO DRILL A MINNELUSA FORMATION OIL AND GAS TEST WELL TO AN APPROXIMATE TOTAL DEPTH OF 8,500' AT A PROPOSED WELL LOCATION APPROXIMATELY 1,968' FSL AND 2,262' FWL IN SECTION 31, T9S-R51E, POWDER RIVER COUNTY, MONTANA, AS AN EXCEPTION TO ARM 36.22.702. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 13-2016

Docket No. 13-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that BTA Oil Producers, LLC is authorized to drill a Minnelusa Formation test well at the proposed location of approximately 1,968' FSL and 2,262' FWL in Section 31, T33N-R9E, Powder River County, Montana, as an exception to ARM 36.22.702.

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

BOARD ORDER NO. 13-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF MERTZ ENERGY LLC TO CREATE A TEMPORARY SPACING UNIT COMPRISED OF THE NE¼ OF SECTION 29, T26N-R51E, RICHLAND COUNTY, MONTANA, FOR THE PURPOSE OF DRILLING A RED RIVER FORMATION TEST WELL WITHIN SAID TEMPORARY SPACING UNIT AT A PROPOSED LOCATION APPROXIMATELY 550' FNL AND 1,075' FEL IN SECTION 29, AS AN EXCEPTION TO ARM 36.22.702. APPLICANT WILL APPLY FOR PERMANENT SPACING WITHIN 90 DAYS OF SUCCESSFUL WELL COMPLETION.

ORDER 14-2016

Docket No. 14-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.

2. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that NE¼ of Section 29, T26N-R51E, Richland County, Montana, is designated a temporary spacing unit to drill a Red River Formation test well at the proposed location of approximately 550' FSL and 1,075' FEL in Section 29.

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

BOARD ORDER NO. 14-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 5, 8, AND 17, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION WITH RESPECT TO THE BUXBAUM #21-5-1H, BUXBAUM #21-5-2H, AND BUXHAUM #21-5-3H WELLS.

ORDER 15-2016

Docket No. 15-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.

2. The lands described in the caption were designated a temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 461-2013. Additional wells were authorized within the temporary spacing unit by Board Order 162-2014. Applicant has completed the Buxbaum #21-5-1H, Buxbaum #21-5-2H, and Buxhaum #21-5-3H wells as producing wells.

3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all of Sections 5, 8 and 17, T24N-R60E, Richland County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Bakken/Three Forks Formation from the Buxbaum #21-5-1H, Buxbaum #21-5-2H, and Buxhaum #21-5-3H wells.

BOARD ORDER NO. 15-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 5, 8, AND 17, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE BUXBAUM #21-5-1H WELL.

ORDER 16-2016

Docket No. 16-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 15-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 5, 8, and 17, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Buxbaum #21-5-1H well.

BOARD ORDER NO. 16-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 5, 8, AND 17, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE BUXBAUM #21-5-2H WELL.

ORDER 17-2016

Docket No. 17-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 15-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 5, 8, and 17, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Buxbaum #21-5-2H well.

BOARD ORDER NO. 17-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 5, 8, AND 17, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE BUXBAUM #21-5-3H WELL.

ORDER 18-2016

Docket No. 18-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 15-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 5, 8, and 17, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Buxhaum #21-5-3H well.

BOARD ORDER NO. 18-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO DESIGNATE A PERMANENT SPACING UNIT COMPRISED OF ALL OF SECTIONS 6, 7, AND 18, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION WITH RESPECT TO THE MALSAM #14-18-1H, MALSAM #14-18-2H, MALSAM #14-18-3H, AND MALSAM #14-18-4H WELLS.

ORDER 19-2016

Docket No. 19-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. The lands described in the caption were designated a temporary spacing unit for production from the Bakken/Three Forks interval by Montana Board of Oil and Gas Conservation Order 81-2014. Additional wells were authorized within the temporary spacing unit by Board Order 161-2014. Applicant has completed the Malsam #14-18-1H, Malsam #14-18-2H, Malsam #14-18-3H, and Malsam #14-18-4H wells as producing wells.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-201, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all of Sections 6, 7 and 18, T24N-R60E, Richland County, Montana, is designated a permanent spacing unit for production of oil and associated natural gas from the Bakken/Three Forks Formation from the Malsam #14-18-1H, Malsam #14-18-2H, Malsam #14-18-3H, and Malsam #14-18-4H wells.

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

BOARD ORDER NO. 19-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 6, 7, AND 18, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE MALSAM #14-18-1H WELL.

ORDER 20-2016

Docket No. 20-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 19-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 6, 7, and 18, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Malsam #14-18-1H well.

BOARD ORDER NO. 20-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 6, 7, AND 18, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE MALSAM #14-18-2H WELL.

ORDER 21-2016

Docket No. 21-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 19-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 6, 7, and 18, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Malsam #14-18-2H well.

BOARD ORDER NO. 21-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 6, 7, AND 18, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE MALSAM #14-18-3H WELL.

ORDER 22-2016

Docket No. 22-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 19-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 6, 7, and 18, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Malsam #14-18-3H well.

BOARD ORDER NO. 22-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE APPLICATION OF WHITING OIL AND GAS CORPORATION TO POOL ALL INTERESTS IN THE PERMANENT SPACING UNIT COMPRISED OF SECTIONS 6, 7, AND 18, T24N-R60E, RICHLAND COUNTY, MONTANA, FOR THE PRODUCTION OF OIL AND ASSOCIATED NATURAL GAS FROM THE BAKKEN/THREE FORKS FORMATION AND TO AUTHORIZE THE RECOVERY OF NON-CONSENT PENALTIES IN ACCORDANCE WITH § 82-11-202(2), MCA, WITH RESPECT TO THE MALSAM #14-18-4H WELL.

ORDER 23-2016

Docket No. 23-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. Applicant is an interest owner and operator in the spacing unit identified in the caption as established by Montana Board of Oil and Gas Conservation Order 19-2016. The applicant has been unable to acquire voluntary pooling of all interests within the spacing unit.
3. The evidence indicates that granting the application will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the applicant demonstrated the requirements of § 82-11-202, MCA have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that all interests in the permanent spacing unit comprised of all of Sections 6, 7, and 18, T24N-R60E, Richland County, Montana, are hereby pooled on the basis of surface acreage for production of oil and associated natural gas from the Bakken/Three Forks Formation.

IT IS FURTHER ORDERED that applicant is authorized to recover non-consent penalties in accordance with § 82-11-202(2), MCA, with respect to the Malsam #14-18-4H well.

BOARD ORDER NO. 23-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE K2 AMERICA CORPORATION TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ITS BOND SHOULD NOT BE FORFEITED FOR FAILURE TO PROVIDE A PLAN AND TIMELINE FOR PLUGGING ITS WELLS.

ORDER 24-2016

Docket No. 338-2014

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of K2 America Corporation (K2).
3. K2 has remained in compliance and has requested additional time to plug or transfer the wells that remain on its plugging and reclamation bond.
4. Staff recommended the docket be continued until June 2017, or the next public hearing thereafter.
5. The evidence indicates that taking the following action will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the respondent demonstrated the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Docket 338-2014 is continued until June, 2017 or the next public hearing thereafter.

BOARD ORDER NO. 24-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE STEALTH ENERGY USA, INC. TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ITS PLUGGING AND RECLAMATION BOND SHOULD NOT BE FORFEITED FOR FAILURE TO BEGIN TO PLUG AND ABANDON ITS WELLS AS REQUIRED BY BOARD ORDER 7-2016, IN ACCORDANCE WITH § 82-11-123(5), MCA.

ORDER 25-2016

Docket No. 24-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Stealth Energy USA, Inc. (Stealth).
3. Jacob Haseman, attorney for Stealth, did not appear at the hearing but submitted a letter requesting a continuance until the August 12, 2016, public hearing to allow time for Stealth to address all identified deficiencies.
4. Staff recommended the docket be continued until the August 12, 2016, public hearing.
5. The evidence indicates that taking the following action will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that taking the following action is appropriate.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Docket 24-2016 is continued until the August 11, 2016, public hearing.

BOARD ORDER NO. 25-2016

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE STORM CAT ENERGY (USA) OPERATING CORPORATION TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ADDITIONAL PENALTIES SHOULD NOT BE IMPOSED FOR FAILURE TO FILE PRODUCTION REPORTS AND TO PAY THE ADMINISTRATIVE PENALTY ASSESSED FOR DELINQUENT REPORTING. IN ACCORDANCE WITH BOARD POLICY THE AMOUNT DUE NOW IS \$340.00. THIS DOCKET WILL BE DISMISSED IF PAYMENT AND REPORTS ARE RECEIVED PRIOR TO THE HEARING. FAILURE TO APPEAR AT THE SHOW CAUSE HEARING OR TO MAKE SUITABLE ARRANGEMENTS PRIOR TO SAID HEARING SUBJECTS STORM CAT ENERGY (USA) OPERATING CORPORATION TO FURTHER PENALTIES AS PRESCRIBED BY BOARD POLICY.

ORDER 26-2016

Docket No. 28-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Storm Cat Energy (USA) Operating Corporation.
3. The evidence indicates that taking the following action will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

BOARD ORDER NO. 26-2016

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Storm Cat Energy (USA) Operating Corporation is to appear at the August 11, 2016, public hearing and show-cause, if any it has, why additional penalties should not be assessed for failure to file delinquent production reports and appear at the June 16, 2016, public hearing.

IT IS FURTHER ORDERED that Storm Cat Energy (USA) Operating Corporation is fined \$1,000 for failure to appear at the June 16, 2016, public hearing.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist

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

UPON THE BOARD'S OWN MOTION TO REQUIRE STRATEX OIL AND GAS, INC. TO APPEAR AND SHOW CAUSE, IF ANY IT HAS, WHY ADDITIONAL PENALTIES SHOULD NOT BE IMPOSED FOR FAILURE TO FILE PRODUCTION REPORTS AND TO PAY THE ADMINISTRATIVE PENALTY ASSESSED FOR DELINQUENT REPORTING. IN ACCORDANCE WITH BOARD POLICY THE AMOUNT DUE NOW IS \$160.00. THIS DOCKET WILL BE DISMISSED IF PAYMENT AND REPORTS ARE RECEIVED PRIOR TO THE HEARING. FAILURE TO APPEAR AT THE SHOW CAUSE HEARING OR TO MAKE SUITABLE ARRANGEMENTS PRIOR TO SAID HEARING SUBJECTS STRATEX OIL AND GAS, INC. TO FURTHER PENALTIES AS PRESCRIBED BY BOARD POLICY.

ORDER 27-2016

Docket No. 29-2016

Report of the Board

The above entitled cause came on regularly for hearing on June 16, 2016, at the Board's hearing room at 2535 St. Johns Avenue in Billings, Montana, pursuant to the order of the Board of Oil and Gas Conservation of the State of Montana, hereinafter referred to as the Board. At this time and place testimony was presented, statements and exhibits were received, and the Board then took the cause under advisement; and, the Board having fully considered the testimony, statements, exhibits, and all things and matters presented to it for its consideration by all parties in the Docket, and being well and fully advised in the premises, finds and concludes as follows:

Findings of Fact

1. Due, proper and sufficient notice was published and given of this matter, the hearing hereon, and of the time and place of said hearing, as well as the purpose of said hearing; all parties were afforded an opportunity to present evidence, oral and documentary.
2. No one appeared on behalf of Stratex Oil and Gas, Inc.
3. The evidence indicates that taking the following action will serve to protect correlative rights and be in the interest of conservation of oil and gas in the State of Montana.

Conclusions of Law

The Board of Oil and Gas Conservation of the State of Montana concludes that the respondent has not demonstrated that the requirements of Title 82, Chapter 11, MCA and ARM 36.22.101, et seq. have been met.

BOARD ORDER NO. 27-2016

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that Stratex Oil and Gas, Inc. is to appear at the August 11, 2016, public hearing and show-cause, if any it has, why additional penalties should not be assessed for failure to file delinquent production reports and appear at the June 16, 2016, public hearing.

IT IS FURTHER ORDERED that Stratex Oil and Gas, Inc. is fined \$1,000 for failure to appear at the June 16, 2016, public hearing.

IT IS FURTHER ORDERED that Stratex Oil and Gas, Inc. immediately cease operation of its wells.

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 16th day of June, 2016.

BOARD OF OIL AND GAS CONSERVATION
OF THE STATE OF MONTANA

Linda Nelson, Chairman

Wayne Smith, Vice-Chairman

Steven Durrett, Board Member

Ronald S. Efta, Board Member

Paul Gatzemeier, Board Member

Peggy Ames Nerud, Board Member

ATTEST:

Jennifer Rath, Program Specialist