

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 30150  
ORDER NO. 32756

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER ESTABLISHING THE FIELD AND POOL LIMITS FOR LANDS LOCATED IN SECTIONS 5, 6, 7, 8, 17, 18 AND 19, T.145N., R.87W.; SECTIONS 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23 AND 24, T.145N., R.88W.; SECTIONS 30, 31 AND 32, T.146N., R.87W.; AND SECTIONS 25, 26, 27, 33, 34, 35 AND 36, T.146N., R.88W., MERCER COUNTY, ND, FOR THE GEOLOGIC STORAGE OF CARBON DIOXIDE IN THE DGC BEULAH BROOM CREEK STORAGE FACILITY #1 (FACILITY NO. 90000347) IN THE BROOM CREEK FORMATION, AND ENACT SUCH SPECIAL FIELD RULES AS MAY BE NECESSARY.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 29th day of June, 2023.
- (2) This case is on a motion of the Commission to consider establishing the field and pool limits for lands located in Sections 5, 6, 7, 8, 17, 18, and 19, Township 145 North, Range 87 West; Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, and 24, Township 145 North, Range 88 West; Sections 30, 31, and 32, Township 146 North, Range 87 West; and Sections 25, 26, 27, 33, 34, 35, and 36, Township 146 North, Range 88 West, Mercer County, North Dakota, for the geologic storage of carbon dioxide in the DGC Beulah Broom Creek Storage Facility #1 (Facility No. 90000347) in the Broom Creek Formation, and enact such special field rules as may be necessary.
- (3) Order No. 32250 entered in Case No. 29450 on January 24, 2023 authorized and created the DGC Broom Creek Storage Facility #1. The Commission desires to establish field boundaries and pool limits for mapping purposes, to enable electronic reporting of the geologic storage of carbon dioxide in said facility, and to establish special field rules.

(4) Order No. 32250 established the DGC Beulah Broom Creek Storage Facility #1 to include the following lands in Mercer County, North Dakota:

TOWNSHIP 146 NORTH, RANGE 88 WEST

ALL OF SECTIONS 35 AND 36, THE S/2 OF SECTION 25, THE S/2 OF SECTION 26, THE SE/4 OF SECTION 27, THE SE/4 OF SECTION 33, AND THE S/2 AND NE/4 OF SECTION 34,

TOWNSHIP 146 NORTH, RANGE 87 WEST

ALL OF SECTION 31, THE S/2 OF SECTION 30, AND THE SW/4 OF SECTION 32,

TOWNSHIP 145 NORTH, RANGE 88 WEST

ALL OF SECTIONS 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23 AND 24, THE E/2 OF SECTION 4, THE E/2 OF SECTION 9, AND THE E/2 OF SECTION 16,

TOWNSHIP 145 NORTH, RANGE 87 WEST

ALL OF SECTIONS 6, 7, 18 AND 19, THE W/2 OF SECTION 5, THE W/2 OF SECTION 8, AND THE W/2 OF SECTION 17.

(5) Order No. 32251 entered in Case No. 29451 on January 24, 2023, approved the amalgamation of pore space in the DGC Beulah Broom Creek Storage Facility #1 and defined the stratigraphic interval of the storage reservoir containing the amalgamated pore space as the stratigraphic interval from below the top of the Opeche Formation, found at a depth of 6,132 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 6,839 feet below the Kelly Bushing, as identified by the laterolog gamma ray log run in the Herrmann #1 well (File No. 4177), located in the NE/4 SW/4 of Section 17, Township 145 North, Range 88 West, Mercer County, North Dakota.

(6) Pursuant to Order No. 32251, Directors Order No. 557 established the effective date for the amalgamation of the pore space in the DGC Beulah Broom Creek Storage Facility #1 as June 1, 2023.

(7) Commission staff testified the establishment of field rules would include a requirement that all wells not proposed as part of the DGC Beulah Broom Creek Storage Facility #1 would be permitted only after notice and hearing.

IT IS THEREFORE ORDERED:

(1) The Beulah Carbon Dioxide Field is hereby created for the exclusive purpose of identifying an area that has been approved by the Commission allowing the injection of carbon dioxide into a subsurface stratum.

(2) The Beulah Carbon Dioxide Field is hereby defined as the following described tracts of land in Mercer County, North Dakota:

TOWNSHIP 146 NORTH, RANGE 88 WEST

ALL OF SECTIONS 35 AND 36, THE S/2 OF SECTION 25, THE S/2 OF SECTION 26, THE SE/4 OF SECTION 27, THE SE/4 OF SECTION 33, AND THE S/2 AND NE/4 OF SECTION 34,

TOWNSHIP 146 NORTH, RANGE 87 WEST

ALL OF SECTION 31, THE S/2 OF SECTION 30, AND THE SW/4 OF SECTION 32,

TOWNSHIP 145 NORTH, RANGE 88 WEST

ALL OF SECTIONS 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23 AND 24, THE E/2 OF SECTION 4, THE E/2 OF SECTION 9, AND THE E/2 OF SECTION 16,

TOWNSHIP 145 NORTH, RANGE 87 WEST

ALL OF SECTIONS 6, 7, 18 AND 19, THE W/2 OF SECTION 5, THE W/2 OF SECTION 8, AND THE W/2 OF SECTION 17.

(3) The Beulah-Broom Creek Carbon Dioxide Pool is hereby defined as the stratigraphic interval from below the top of the Opeche Formation, found at a depth of 6,132 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 6,839 feet below the Kelly Bushing, as identified by the laterolog gamma ray log run in the Herrmann #1 well (File No. 4177), located in the NE/4 SW/4 of Section 17, Township 145 North, Range 88 West, Mercer County, North Dakota.

(4) All wells within the boundaries of the Beulah Carbon Dioxide Field not proposed as part of the DGC Beulah Broom Creek Storage Facility #1 shall be permitted only after notice and hearing.

(5) This order shall remain in full force and effect until further order of the Commission.

Dated this 10th day of July, 2023.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director