

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 30148
ORDER NO. 32754

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 35 AND 36, T.142N., R.84W., SECTIONS 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34 AND 35, T.142N., R.83W., SECTIONS 1, 2, 12 AND 13, T.141N., R.84W., AND SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20 AND 21, T.141N., R.83W., OLIVER COUNTY, ND, FOR THE GEOLOGIC STORAGE OF CARBON DIOXIDE IN THE MINNKOTA CENTER MRYS BROOM CREEK STORAGE FACILITY #1 (FACILITY NO. 90000330) 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 originally came on for hearing at 9:00 a.m. on the 29th day of June, 2023. The initial public notice of this application was not properly published in the Center Republican, the official Oliver County newspaper. Evidence and testimony was taken on June 29, 2023 but the record in this case was left open until July 27, 2023 to allow the required notice to be published and afford any interested parties the opportunity to appear. No further appearances were made on July 27, 2023 and the record was closed.

(2) This case is a motion of the Commission to consider establishing the field and pool limits for lands located in Sections 35 and 36, Township 142 North, Range 84 West; Sections 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35, Township 142 North, Range 83 West; Sections 1, 2, 12 and 13, Township 141 North, Range 84 West; and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20 and 21, Township 141 North, Range 83 West, Oliver County, North Dakota, for the geologic storage of carbon dioxide in the Minnkota Center MRYS Broom Creek Storage Facility #1 (Facility No. 90000330) in the Broom Creek Formation, and enact such special field rules as may be necessary.

(3) Order No. 31583 entered in Case No. 29029 on January 21, 2022 authorized and created the Minnkota Center MRYS Broom Creek Storage Facility #1. The Commission desires to establish field boundaries and pool limits for mapping purposes, enable electronic reporting of the geologic storage of carbon dioxide in said facility, and establish special field rules.

(4) Order No. 31583 established the Minnkota Center MRYS Broom Creek Storage Facility #1 to include the following lands in Oliver County, North Dakota:

TOWNSHIP 142 NORTH, RANGE 84 WEST

THE S/2 SE/4 OF SECTION 35, AND THE S/2 OF SECTION 36,

TOWNSHIP 142 NORTH, RANGE 83 WEST

ALL OF SECTIONS 28, 29, 31, 32, 33 AND 34, THE SE/4 SE/4 OF SECTION 19, THE SE/4 AND S/2 SW/4 OF SECTION 20, THE S/2 AND S/2 N/2 OF SECTION 21, THE SW/4 NW/4, W/2 SW/4, AND SE/4 SW/4 OF SECTION 22, THE SW/4 AND SW/4 SE/4 OF SECTION 26, THE W/2, SE/4, AND W/2 NE/4 OF SECTION 27, THE E/2, E/2 SW/4, AND SE/4 NW/4 OF SECTION 30, AND THE W/2, NE/4, AND W/2 SE/4 OF SECTION 35,

TOWNSHIP 141 NORTH, RANGE 84 WEST

ALL OF SECTIONS 1 AND 12, THE E/2, E/2 SW/4, AND E/2 E/2 NW/4 OF SECTION 2, AND THE NE/4, E/2 NW/4, AND NE/4 SE/4 OF SECTION 13,

TOWNSHIP 141 NORTH, RANGE 83 WEST

ALL OF SECTIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17 AND 18, THE W/2 SW/4 OF SECTION 1, THE W/2, NE/4, W/2 SE/4, AND NE/4 SE/4 OF SECTION 11, THE W/2 NW/4, NE/4 NW/4, AND NW/4 SW/4 OF SECTION 12, THE N/2 NW/4, SE/4 NW/4, NW/4 NE/4, W/2 SW/4 NW/4, AND NE/4 SW/4 NW/4 OF SECTION 14, THE N/2 N/2, SE/4 NE/4, AND SW/4 NW/4 OF SECTION 15, THE N/2 N/2, SE/4 NW/4, AND SE/4 NE/4 OF SECTION 19, THE N/2 OF SECTION 20, AND THE W/2, W/2 NE/4, AND NW/4 SE/4 OF SECTION 21.

(5) Order No. 31584 entered in Case No. 29030 on January 21, 2022, approved the amalgamation of pore space in the Minnkota Center MRYS 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 Picard Member of the Piper Formation, found at a depth of 4,597 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 4,974 feet below the Kelly Bushing, as identified by the Array Induction Gamma log run in the Liberty #1 well (File No. 37672), located in the SW/4 NW/4 of Section 4, Township 141 North, Range 83 West, Oliver County, North Dakota.

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

IT IS THEREFORE ORDERED:

(1) The East Center 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 East Center Carbon Dioxide Field is hereby defined as the following described tracts of land in Oliver County, North Dakota:

TOWNSHIP 142 NORTH, RANGE 84 WEST

THE S/2 SE/4 OF SECTION 35, AND THE S/2 OF SECTION 36,

TOWNSHIP 142 NORTH, RANGE 83 WEST

ALL OF SECTIONS 28, 29, 31, 32, 33 AND 34, THE SE/4 SE/4 OF SECTION 19, THE SE/4 AND S/2 SW/4 OF SECTION 20, THE S/2 AND S/2 N/2 OF SECTION 21, THE SW/4 NW/4, W/2 SW/4, AND SE/4 SW/4 OF SECTION 22, THE SW/4 AND SW/4 SE/4 OF SECTION 26, THE W/2, SE/4, AND W/2 NE/4 OF SECTION 27, THE E/2, E/2 SW/4, AND SE/4 NW/4 OF SECTION 30, AND THE W/2, NE/4, AND W/2 SE/4 OF SECTION 35,

TOWNSHIP 141 NORTH, RANGE 84 WEST

ALL OF SECTIONS 1 AND 12, THE E/2, E/2 SW/4, AND E/2 E/2 NW/4 OF SECTION 2, AND THE NE/4, E/2 NW/4, AND NE/4 SE/4 OF SECTION 13,

TOWNSHIP 141 NORTH, RANGE 83 WEST

ALL OF SECTIONS 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17 AND 18, THE W/2 SW/4 OF SECTION 1, THE W/2, NE/4, W/2 SE/4, AND NE/4 SE/4 OF SECTION 11, THE W/2 NW/4, NE/4 NW/4, AND NW/4 SW/4 OF SECTION 12, THE N/2 NW/4, SE/4 NW/4, NW/4 NE/4, W/2 SW/4 NW/4, AND NE/4 SW/4 NW/4 OF SECTION 14, THE N/2 N/2, SE/4 NE/4, AND SW/4 NW/4 OF SECTION 15, THE N/2 N/2, SE/4 NW/4, AND SE/4 NE/4 OF SECTION 19, THE N/2 OF SECTION 20, AND THE W/2, W/2 NE/4, AND NW/4 SE/4 OF SECTION 21.

(3) The East Center-Broom Creek Carbon Dioxide Pool is hereby defined as the stratigraphic interval from below the top of the Picard Member of the Piper Formation, found at a depth of 4,597 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 4,974 feet below the Kelly Bushing, as identified by the Array Induction Gamma log run in the Liberty #1 well (File No. 37672), located in the SW/4 NW/4 of Section 4, Township 141 North, Range 83 West, Oliver County, North Dakota.

(4) All wells within the boundaries of the East Center Carbon Dioxide Field not proposed as part of the Minnkota Center MRYS 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 4th day of October, 2023.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director