

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 30147  
ORDER NO. 32753

IN THE MATTER OF A HEARING CALLED ON A MOTION OF THE COMMISSION TO CONSIDER THE A MOTION OF THE COMMISSION TO CONSIDER ESTABLISHING THE FIELD AND POOL LIMITS FOR LANDS LOCATED IN SECTIONS 9, 10, 11, 12, 13, 14, 15, 22 AND 23, T.139N., R.92W., STARK COUNTY, ND, FOR THE GEOLOGIC STORAGE OF CARBON DIOXIDE IN THE RED TRAIL RICHARDTON ETHANOL BROOM CREEK STORAGE FACILITY #1 (FACILITY NO. 90000317) 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 a motion of the Commission to consider establishing the field and pool limits for lands located in Sections 9, 10, 11, 12, 13, 14, 15, 22, and 23, Township 139 North, Range 92 West, Stark County, North Dakota, for the geologic storage of carbon dioxide in the Red Trail Richardton Ethanol Broom Creek Storage Facility #1 (Facility No. 90000317) in the Broom Creek Formation, and enact such special field rules as may be necessary.
- (3) Order No. 31453 entered in Case No. 28848 on October 19, 2021 authorized and created the Red Trail Richardton Ethanol 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. 31453 established the Red Trail Richardton Ethanol Broom Creek Storage Facility #1 to include the following lands in Stark County, North Dakota:

TOWNSHIP 139 NORTH, RANGE 92 WEST

ALL OF SECTIONS 10, 11, 14 AND 15, THE E/2 SE/4 AND SE/4 NE/4 OF SECTION 9, THE W/2 SW/4 OF SECTION 12, THE W/2 W/2 OF SECTION 13, THE NE/4 AND N/2 NW/4 OF SECTION 22, AND THE N/2 OF SECTION 23.

(5) Order No. 31454 entered in Case No. 28849 on October 19, 2021 approved the amalgamation of pore space in the Red Trail Richardton Ethanol 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 6,315 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 7,060 feet below the Kelly Bushing, as identified by the Dual Laterolog run in the Rummel-State #1 well (File No. 6797), located in the SE/4 SW/4 of Section 16, Township 139 North, Range 92 West, Stark 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 Red Trail Richardton Ethanol Broom Creek Storage Facility #1 would be permitted only after notice and hearing.

IT IS THEREFORE ORDERED:

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

TOWNSHIP 139 NORTH, RANGE 92 WEST

ALL OF SECTIONS 10, 11, 14 AND 15, THE E/2 SE/4 AND SE/4 NE/4 OF SECTION 9, THE W/2 SW/4 OF SECTION 12, THE W/2 W/2 OF SECTION 13, THE NE/4 AND N/2 NW/4 OF SECTION 22, AND THE N/2 OF SECTION 23.

(3) The Richardton-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 6,315 feet below the Kelly Bushing, to above the base of the Amsden Formation, found at a depth of 7,060 feet below the Kelly Bushing, as identified by the Dual Laterolog run in the Rummel-State #1 well (File No. 6797), located in the SE/4 SW/4 of Section 16, Township 139 North, Range 92 West, Stark County, North Dakota.

(4) All wells within the boundaries of the Richardton Carbon Dioxide Field not proposed as part of the Red Trail Richardton Ethanol 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 18th day of August, 2023.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director