

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 24708
(CONTINUED)
ORDER NO. 27069

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE A MOTION OF THE
COMMISSION TO REVIEW THE
TEMPORARILY ABANDONED STATUS OF
THE C12 ENERGY: ND LLC #08 DICKINSON-
HEATH-SAND UNIT (FILE NO. 4919) LOCATED
IN THE NWSE OF SECTION 22, T.140N., R.96W.,
DICKINSON FIELD, STARK COUNTY, ND,
PURSUANT TO NDCC § 38-08-04.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

(1) This cause originally came on for hearing at 9:00 a.m. on the 17th day of December, 2015. C12 Energy, ND LLC (C12) did not appear at the hearing. The hearing officer rescheduled the case for hearing on February 24, 2016. Tyson Taylor was given notice of December's hearing via email, but he is no longer with C12 so the case was docketed for February to allow C12 to appear.

(2) This hearing was on a motion of the Commission to review the temporarily abandoned (TA) status of the C12 #08 Dickinson-Heath-Sand Unit well (File No. 4919) located in the NW/4 SE/4 of Section 22, Township 140 North, Range 96 West, Dickinson Field, Stark County, North Dakota, pursuant to North Dakota Century Code (NDCC) Section 38-08-04.

(3) NDCC Section 38-08-04 states in part a surface owner may request a review of the TA status of a well that has been TA for at least seven years. The Commission shall require notice and hearing to review the TA status. After notice and hearing, the surface owner may request a review of the TA status every two years. The Commission received an email November 8, 2015 from the surface owner, Ron Kary requesting the Dickinson-Heath-Sand Unit #08 well be plugged and the site reclaimed.

(4) The original TA status for the Dickinson-Heath-Sand Unit #08 well was approved by the Commission on October 18, 1989. The well has been on TA status since that time. C12 became the operator of the well on October 17, 2013.

(5) C12 testified the Dickinson-Heath-Sand Unit #08 well is located in the Dickinson-Heath-Sand Unit. The Dickinson-Heath-Sand Unit, along with other units in the area, is a candidate for carbon dioxide (CO₂) injection. C12 submitted evidence indicating CO₂ injection into the Dickinson-Heath Sand Unit will enhance the oil recovery from the Unit. C12 has been in discussions with Dakota Gasification Company to bring CO₂ to the area. However, to justify bringing CO₂ to the area, other units would need to be included in the planning. C12 is attempting to acquire other fields in the area to move forward with the CO₂ project.

(6) C12 requests the Dickinson-Heath-Sand Unit #08 well remain on TA status to allow future use as a potential CO₂ injection well or oil production well once CO₂ injection commences.

(7) In order to prevent the drilling of unnecessary wells and to prevent waste, the Dickinson-Heath-Sand Unit #08 well should remain on TA status.

IT IS THEREFORE ORDERED:

(1) The temporarily abandoned status for the C12 Energy, ND LLC #08 Dickinson-Heath-Sand Unit well (File No. 4919) located in the NW/4 SE/4 of Section 22, Township 140 North, Range 96 West, Dickinson Field, Stark County, North Dakota, is hereby affirmed.

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

Dated this 7th day of April, 2016.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director