

BEFORE THE INDUSTRIAL COMMISSION
OF THE STATE OF NORTH DAKOTA

CASE NO. 26026
ORDER NO. 28440

IN THE MATTER OF A HEARING CALLED ON
A MOTION OF THE COMMISSION TO
CONSIDER THE APPLICATION OF PETRO
HARVESTER OPERATING CO. LLC FOR AN
ORDER PURSUANT TO NDAC § 43-02-03-88.1
AUTHORIZING SALTWATER DISPOSAL INTO
THE DAKOTA GROUP IN THE STC1 SWD #1
WELL, NWNE SECTION 2, T.163N., R.93W.,
SHORT CREEK FIELD, BURKE COUNTY, ND,
PURSUANT TO NDAC CHAPTER 43-02-05 AND
SUCH OTHER RELIEF AS IS APPROPRIATE.

ORDER OF THE COMMISSION

THE COMMISSION FINDS:

- (1) This cause came on for hearing at 9:00 a.m. on the 23rd day of August, 2017.
- (2) Pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1, the Director is authorized to sign, on behalf of the Commission, orders relating to, inter alia, underground injection under NDAC Chapter 43-02-05.
- (3) Petro Harvester Operating Company, LLC (Petro Harvester) proposed to dispose of saltwater produced with crude oil and other defined Class II wastes by injection into the Dakota Group through the STC1 SWD #1 well to be located in the NW/4 NE/4 of Section 2, Township 163 North, Range 93 West, Short Creek Field, Burke County, North Dakota. This is a well to be drilled.
- (4) Petro Harvester submitted an Application for Injection and attachments pursuant to NDAC Section 43-02-03-88.1 and NDAC Section 43-02-05-04.
- (5) No one appeared in person to support or object to the application and no written comments or objections to the application were received prior to the hearing date.
- (6) The Dakota Group in this area contains in excess of 10,000 parts per million of total dissolved solids or is an exempted aquifer.
- (7) The proposed injection well is sited in such a fashion that it will inject into a formation which has confining zones that are free of known open faults or fractures within the area of review.

(8) The proposed injection well will be constructed in such a manner as to prevent the movement of fluids into or between underground sources of drinking water.

(9) In order to prevent possible damage to surface lands, and contamination of surface and subsurface waters, this application should be approved.

IT IS THEREFORE ORDERED:

(1) Petro Harvester Operating Company, LLC, its assigns and successors, is hereby permitted to dispose of Class II fluids, pursuant to NDAC Chapter 43-02-05, by injection into the Dakota Group through the STC1 SWD #1 well, to be located in the NW/4 NE/4 of Section 2, Township 163 North, Range 93 West, Short Creek Field, Burke County, North Dakota.

(2) The permission granted herein is conditioned on the operator receiving and complying with all provisions of the injection permit issued by the Oil and Gas Division of the Industrial Commission pursuant to NDAC Section 43-02-05-04 and with all other provisions of NDAC Chapter 43-02-05.

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

Dated this 17th day of October, 2017.

INDUSTRIAL COMMISSION
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director