

BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA

CASE NO. 28233  
ORDER NO. 30686

IN THE MATTER OF A HEARING CALLED ON  
A MOTION OF THE COMMISSION TO  
CONSIDER THE APPLICATION OF  
WINDRIDGE OPERATING LLC FOR AN  
ORDER PURSUANT TO NDAC § 43-02-03-88.1  
AUTHORIZING THE FLARING OF GAS FROM  
THE SANDPIPER STATE 35-26 B1H WELL  
(FILE NO. 34320) LOCATED IN THE SESW OF  
SECTION 35, TOWNSHIP 164 NORTH, RANGE  
93 WEST, BURKE COUNTY, ND, SHORT  
CREEK-MADISON POOL, PURSUANT TO THE  
PROVISIONS OF NDCC § 38 08-06.4 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 16th day of January, 2020.
- (2) Windridge Operating, LLC (Windridge) provided exhibits and testimony in this matter by sworn affidavits.
- (3) The record in this case was left open to receive additional information from Windridge. The Commission received supplemental information on September 23, 2020 and the record was closed.
- (4) The Commission received an application from Windridge on December 16, 2019 for an order pursuant to North Dakota Administrative Code (NDAC) Section 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SE/4 SW/4 of Section 35, Township 164 North, Range 93 West, Burke County, North Dakota, Short Creek-Madison Pool, pursuant to the provisions of North Dakota Century Code (NDCC) Section 38 08-06.4 and such other relief as is appropriate.
- (5) Pursuant to NDAC Section 43-02-03-88.1, the Director is authorized, on behalf of the Commission, to grant or deny applications relating to, inter alia, flaring exemptions under NDCC Section 38-08-06.4 and under NDAC Section 43-02-03-60.2.

(6) NDCC Section 38-08-06.4 states:

FLARING OF GAS RESTRICTED - IMPOSITION OF TAX -  
PAYMENT OF ROYALTIES - INDUSTRIAL COMMISSION AUTHORITY.

1. As permitted under rules of the industrial commission, gas produced with crude oil from an oil well may be flared during a one-year period from the date of first production from the well.
2. After the time period in subsection 1, flaring of gas from the well must cease and the well must be:
  - a. Capped;
  - b. Connected to a gas gathering line;
  - c. Equipped with an electrical generator that consumes at least seventy-five percent of the gas from the well;
  - d. Equipped with a system that intakes at least seventy-five percent of the gas and natural gas liquids volume from the well for beneficial consumption by means of compression to liquid for use as fuel, transport to a processing facility, production of petrochemicals or fertilizer, conversion to liquid fuels, separating and collecting over fifty percent of the propane and heavier hydrocarbons; or
  - e. Equipped with other value-added processes as approved by the industrial commission which reduce the volume or intensity of the flare by more than sixty percent.
3. An electrical generator and its attachment units to produce electricity from gas and a collection system described in subdivision d of subsection 2 must be considered to be personal property for all purposes.
4. For a well operated in violation of this section, the producer shall pay royalties to royalty owners upon the value of the flared gas and shall also pay gross production tax on the flared gas at the rate imposed under section 57-51-02.2.
5. The industrial commission may enforce this section and, for each well operator found to be in violation of this section, may determine the value of flared gas for purposes of payment of royalties under this section and its determination is final.
6. A producer may obtain an exemption from this section from the industrial commission upon application that shows to the satisfaction of the industrial commission that connection of the well to a natural gas gathering line is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available and that equipping the well with an electrical generator to produce electricity from gas or employing a collection system described in subdivision d of subsection 2 is economically infeasible.

(7) Windridge is the owner or operator of the following well in the Short Creek-Madison Pool, Burke County, North Dakota:

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
34320	Sandpiper State 35-26 B1H	SESW Section 35-T164N-R93W

(8) The Sandpiper State 35-26 B1H well was completed in the Short Creek-Madison Pool on or around October 16, 2018.

(9) The Short Creek-Madison Pool is an oil reservoir, but gas is produced in association with the oil at the wellhead as a by-product of oil production.

(10) By previous order of the Commission, said well is currently authorized to flare so that all owners of interests in the well herein described may receive the maximum benefits of the oil production in such a manner that will prevent waste and protect correlative rights.

(11) The well was connected to a gas gathering facility in December 2018 and is still connected to a gas gathering line today, although no gas sales have occurred since May 2019. Evidence presented to the Commission indicates that the well currently produces approximately 120 MCF per day, which is flared. Windridge indicated the well is connected to the Lignite Gas Processing Plant, operated by Steel Reef Infrastructure Corp. (Steel Reef), but due to capacity restraints, they have been unable to enter the line or sell any gas. Windridge is presently negotiating to contract with Steel Reef for firm or interruptible deliveries and awaits a written proposal to allow deliveries to continue.

(12) The applicant has submitted evidence that under current market conditions the surplus casinghead gas presently being produced by the well and the estimated recoverable reserves of surplus gas from the well is insufficient to recoup the costs of installing and operating an alternate gas gathering facility.

(13) Windridge has provided documentation that it is economically infeasible to equip the well with a collection system that intakes at least seventy-five percent of the gas and natural gas liquids volume from the well for beneficial consumption.

(14) If applicant's request is not granted and it is deemed taxes and royalties must be paid on flared gas, it will increase operating costs, raise the economic limit and cause premature abandonment of the well; or the well must be connected to a gas pipeline at an economic loss which would also cause premature abandonment, or flaring must cease and the well must be "capped," resulting in the loss of oil production and the loss of the benefits of that production by all owners of interest in the well and the State of North Dakota. The Commission notes the flaring of said gas from the Sandpiper State 35-26 B1H well while connected to a gas gathering line is not in violation of NDCC Section 38-08-06.4.

(15) In order to prevent waste, and protect correlative rights this application should be granted, although limited in duration.

IT IS THEREFORE ORDERED:

(1) Windridge Operating, LLC, its assigns and successors, is hereby allowed to flare surplus casinghead gas produced with crude oil from the Short Creek-Madison Pool through the well listed below under the exemption provided for under NDCC Section 38-08-06.4:

<u>File #</u>	<u>Well Name &amp; Number</u>	<u>Location</u>
34320	Sandpiper State 35-26 B1H	SESW Section 35-T164N-R93W

(2) This order is effective as of October 16, 2019 and shall remain in full force and effect through September 30, 2022.

Dated this 30th day of September, 2020.

INDUSTRIAL COMMISSION  
STATE OF NORTH DAKOTA

By the Director, on behalf of the Commission

/s/ Lynn D. Helms, Director

SFN 5729

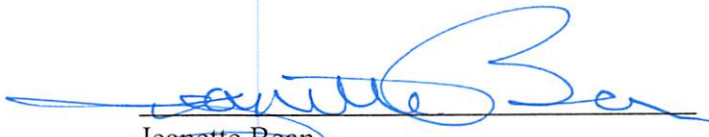
STATE OF NORTH DAKOTA

AFFIDAVIT OF MAILING

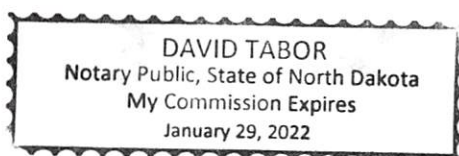
COUNTY OF BURLEIGH

I, Jeanette Bean, being duly sworn upon oath, depose and say: That on the 6th day of October, 2020 enclosed in separate envelopes true and correct copies of the attached Order No. 30686 of the North Dakota Industrial Commission, and deposited the same with the United States Postal Service in Bismarck, North Dakota, with postage thereon fully paid, directed to the following persons by the Industrial Commission in Case No. 28233:

LAWRENCE BENDER  
FREDRIKSON & BYRON  
PO BOX 1855  
BISMARCK ND 58502-1855

  
Jeanette Bean  
Oil & Gas Division

On this 6th day of October, 2020 before me personally appeared Jeanette Bean to me known as the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.



  
Notary Public  
State of North Dakota, County of Burleigh

**Kadrmass, Bethany R.**

---

**From:** Entzi-Odden, Lyn <lodden@fredlaw.com>  
**Sent:** Wednesday, September 23, 2020 1:14 PM  
**To:** Hicks, Bruce E.  
**Cc:** Kadrmass, Bethany R.  
**Subject:** Letter RE Windridge Cases 28233 and 28234  
**Attachments:** Windridge 28233 letter.pdf; Windridge 28234 letter.pdf

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Bruce,

Please see the attached letters in response to your email dated September 8, 2020.



*\*\*This is a transmission from the law firm of Fredrikson & Byron, P.A. and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (701) 221-8700. The name and biographical data provided above are for informational purposes only and are not intended to be a signature or other indication of an intent by the sender to authenticate the contents of this electronic message.\*\**

September 23, 2020

VIA EMAIL

Mr. Bruce Hicks  
Assistant Director  
North Dakota Industrial Commission  
Oil and Gas Division  
600 East Boulevard  
Bismarck, North Dakota 58505-0310

**RE: NDIC CASE NO. 28233:** Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SESW of Section 35, Township 164 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Dear Mr. Hicks:

In response to your email dated September 8, 2020, please see Windridge Operating LLC's comments below, which are bold and underscored.

- *Note NDAC Section 43-02-03-60.2 provides that connection to a natural gas gathering line is economically infeasible if the direct costs of connecting the well to the line and the direct costs of operating the facilities connecting the well to the line during the life of the well, are greater than the amount of money the operator is likely to receive for the gas, less production taxes and royalties, should the well be connected. In making this calculation, the applicant may add ten percent to the amount of the cost of connecting the well and of operating the connection facilities used to determine whether a connection is economically infeasible. This ten percent may be added in consideration of the cost of money and other overhead costs that are not figured in the direct costs of connecting the well and operating the connecting facilities. An application for an exemption must include evidence covering (1) the basis for the gas price; (2) cost of connecting the well to the line; (3) current daily*

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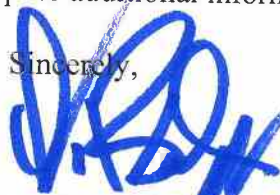
Fredrikson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, North Dakota  
58501-1215

*rate of gas flared; (4) amount of gas reserves and amount available for sale; (5) documentation it is economically infeasible to equip the well with an electrical generator; (6) documentation it is economically infeasible to equip the well with a system that intakes 75% of the gas and liquids for beneficial consumption.*

- The Commission needs the following information to consider Windridge's request:
  - Windridge indicated the well is connected to a gas gathering pipeline owned by Steel Reef Infrastructure Corp., although is unable to sell gas to the Lignite Processing Plant due to capacity restraints in the gathering line and the gas plant. Windridge was negotiating to contract for firm or interruptible deliveries but no gas sales have occurred during the last 14 months (June 2019 through July 2020)
    - **Is the well disconnected from Steel Reef's gas gathering system? No, the well is currently connected to the Steel Reef line.**  
**If so, what is the date was the well disconnected? N/A.**
  - Windridge indicated the well is two miles from the nearest connection point to a gas gathering facility
    - **Who operates the nearest gas gathering facility? Steel Reef.**  
**What is the current status of Windridge's quest for firm or interruptible deliveries of produced gas to Steel Reef? We are currently awaiting a contract from Steel Reef to allow for sales into their gathering system/plant.**
  - **Cost of connecting the well to the line? The well is connected.**  
**Documentation it is economically infeasible to equip the well with an electrical generator. The H2S content within the gas does not allow for use with an electrical generator without scrubbing units, which are extremely costly and not economically feasible.**
  - **Documentation it is economically infeasible to equip the well with a system that intakes 75% of the gas and liquids for beneficial consumption. We explored this option with a supplier out of Billings, MT and the cost was greater than the value of the liquids that would be achieved.**

Should you have any questions or require additional information, please advise.

Sincerely,



LAWRENCE BENDER



## Kadrmass, Bethany R.

---

**From:** Hicks, Bruce E.  
**Sent:** Tuesday, September 8, 2020 3:57 PM  
**To:** Lawrence Bender  
**Subject:** Case 28233: Windridge flaring

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Lawrence,

Case No. 28233 is an application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SESW of Section 35, Township 164 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Please note the following:

- *Note NDAC Section 43-02-03-60.2 provides that connection to a natural gas gathering line is economically infeasible if the direct costs of connecting the well to the line and the direct costs of operating the facilities connecting the well to the line during the life of the well, are greater than the amount of money the operator is likely to receive for the gas, less production taxes and royalties, should the well be connected. In making this calculation, the applicant may add ten percent to the amount of the cost of connecting the well and of operating the connection facilities used to determine whether a connection is economically infeasible. This ten percent may be added in consideration of the cost of money and other overhead costs that are not figured in the direct costs of connecting the well and operating the connecting facilities. An application for an exemption must include evidence covering (1) the basis for the gas price; (2) cost of connecting the well to the line; (3) current daily rate of gas flared; (4) amount of gas reserves and amount available for sale; (5) documentation it is economically infeasible to equip the well with an electrical generator; (6) documentation it is economically infeasible to equip the well with a system that intakes 75% of the gas and liquids for beneficial consumption.*
- The Commission needs the following information to consider Windridge's request:
  - Windridge indicated the well is connected to a gas gathering pipeline owned by Steel Reef Infrastructure Corp., although is unable to sell gas to the Lignite Processing Plant due to capacity restraints in the gathering line and the gas plant. Windridge was negotiating to contract for firm or interruptible deliveries but no gas sales have occurred during the last 14 months (June 2019 through July 2020)
    - **Is the well disconnected from Steel Reef's gas gathering system?**
    - **If so, what is the date was the well disconnected?**
  - Windridge indicated the well is two miles from the nearest connection point to a gas gathering facility
    - **Who operates the nearest gas gathering facility?**
    - **What is the current status of Windridge's quest for firm or interruptible deliveries of produced gas to Steel Reef?**
  - **Cost of connecting the well to the line?**
  - **Documentation it is economically infeasible to equip the well with an electrical generator**
  - **Documentation it is economically infeasible to equip the well with a system that intakes 75% of the gas and liquids for beneficial consumption**

Please let me know if you have any questions or comments.

**Bruce E. Hicks**  
Assistant Director

[bhicks@nd.gov](mailto:bhicks@nd.gov) • [www.nd.gov](http://www.nd.gov)



701.328-8020 • [oilandgasinfo@nd.gov](mailto:oilandgasinfo@nd.gov) • [www.dmr.nd.gov](http://www.dmr.nd.gov) • 600 E Boulevard Ave, Dept.  
405 • Bismarck, ND 58505

January 27, 2020

**HAND DELIVERED**

Mr. Bruce Hicks  
Assistant Director  
North Dakota Industrial Commission  
Oil and Gas Division  
600 East Boulevard  
Bismarck, North Dakota 58505-0310

**Received**

**JAN 27 2020**

**ND Oil & Gas Division**

**RE: NDIC CASE NO. 28233  
Windridge Operating LLC**

Dear Mr. Hicks:

Please find enclosed herewith for filing in the captioned matter an AFFIDAVIT with attached exhibits.

Should you have any questions, please advise.

Sincerely,

  
LAWRENCE BENDER

LB/leo  
Enclosure  
69231979.1

Attorneys & Advisors  
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fax 701.221.8750  
fredlaw.com

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58501-1215

**BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**CASE NO. 28233**

**Application of Windridge Operating LLC for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SE/4SW/4 of Section 35, Township 164 North, Range 93 West, Burke County, North Dakota, Short Creek-Madison Pool, pursuant to the provisions of N.D.C.C. § 38-08-06.4 or such further and additional relief.**

**Received**

**JAN 27 2020**

**ND Oil & Gas Division**

**AFFIDAVIT**

STATE OF TEXAS                    )  
  ) ss  
COUNTY OF BEXAR                )

David M. Horne, being first duly sworn, deposes and states as follows:

1.

That I am the Vice President for Windridge Operating LLC ("Windridge"), whose address is 19026 Ridgewood Parkway, Suite 129, San Antonio, Texas 78259, the applicant in the above-entitled matter.

2.

That I have prepared, or had prepared under my control and supervision, the attached Exhibit No. 1, which is a plat showing the area around the Sandpiper State 35-26 B1H well. Shown on the plat is a line depicting the field limits of the Short Creek-Madison Pool, as defined by the North Dakota Industrial Commission. Also displayed on the plat is the location of the Sandpiper State 35-26 B1H well located in Section 35, Township 164 North, Range 93 West, Burke County, North Dakota.



3.

That to the best of my knowledge and belief, the information contained on the attached exhibit is true and correct.

4.

That Windridge is currently the operator of the Sandpiper State 35-26 B1H well, said well having been completed and producing in the Short Creek-Madison Pool.

5.

That to the best of my information, knowledge, and belief, the Sandpiper State 35-26 B1H well was completed as a producer on or about October 16, 2018.

6.

That to the best of my knowledge and belief, gas produced from the Sandpiper State 35-26 B1H well from the Short Creek-Madison Pool cannot be sold to a market due to capacity restraints of facilities owned by third parties.

7.

That to the best of my knowledge and belief, the current average daily rate of gas being produced from the Sandpiper State 35-26 B1H well is approximately 120 MCF per day.

8.

That to the best of my knowledge and belief, the total amount of gas from the Sandpiper State 35-26 B1H well not being used for lease purposes and available for sale is approximately 106 MCF per day.

9.

That the Sandpiper State 35-26 B1H well is currently connected to a 7" diameter gas gathering pipeline owned by Steel Reef Infrastructure Corp for transport to Steel Reef North Portal

Processing Plant, but due to capacity restraints in both the Gathering Line and the Processing Plant, Windridge has been unable to enter the line or sell any gas produced from the Sandpiper State 35-26 B1H Well.

10.

That gas produced in association with oil produced from the Sandpiper State 35-26 B1H well and not utilized for lease use is currently being flared.

11.

That Windridge is presently negotiating to contract with Steel Reef for firm or interruptible deliveries of such produced gas and presently awaits a written proposal having communicated with Steel Reef representatives three times over the last two weeks and in the event Windridge's negotiations yield success, deliveries of Sandpiper Gas will commence.

12.

That Windridge estimates the remaining recoverable gas reserves from the Sandpiper State 35-26 B1H well to be 70 MMCF of gas, produced over a three (3) year well life; of which 55 MMCF would be attributable to Windridge and any other working interest owners.

13.

That based upon the sale of gas from other wells connected to the nearest gathering system to the Sandpiper State 35-26 B1H well, if said well were connected to a gas gathering facility, it is anticipated that said gas would have a value of \$1.25/MCF.

14.

That based upon a price of \$1.25/MCF, the gross value of the recoverable gas reserves available for sale over a three (3) year period from the Sandpiper State 35-26 B1H well is estimated to be \$87,500.



15.

That to the best of my knowledge and belief, the Sandpiper State 35-26 B1H well is located approximately two miles from the nearest connection point to a gas gathering facility.

16.

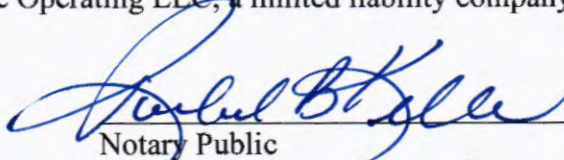
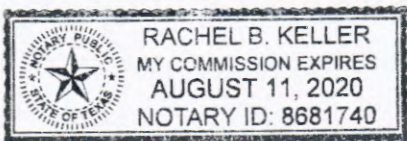
That based upon my knowledge and belief, the inability to deliver volumes of gas produced from the Sandpiper State 35-26 B1H well is constrained by physical capacity factors beyond Windridge's reasonable control.

DATED this 24<sup>th</sup> day of January, 2020.

  
\_\_\_\_\_

STATE OF TEXAS                     )  
  ) ss  
COUNTY OF BEXAR                )

David M. Horne The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January, 2020, by Vice President of Windridge Operating LLC, a limited liability company.

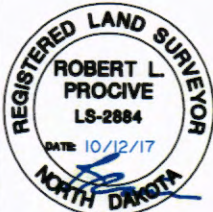
  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 8-11-2020

69084339 v1

**WELL LOCATION**  
 WINDRIDGE OPERATING LLC  
 518 NORTH MAIN STREET, BOERNE, TX 78008  
**"SANDPIPER STATE 35-26 B1H"**  
 200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA

TRUE NORTH

0 1000  
 SCALE: 1" = 1000'

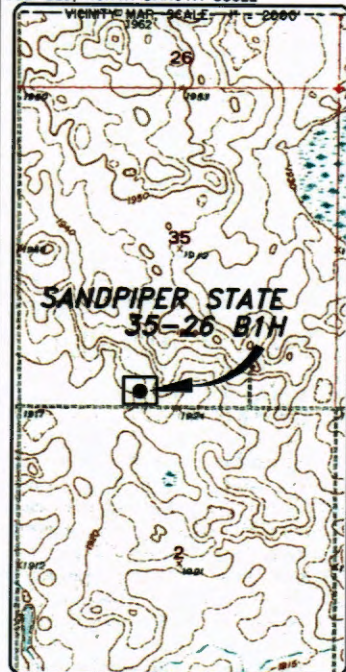


© INTERSTATE ENGINEERING INC. 2017  
 STAKED ON 10/10/17  
 VERTICAL CONTROL DATUM WAS BASED UPON  
 CONTROL POINT 1 WITH AN ELEVATION OF 1944.4'

THIS SURVEY AND PLAT IS BEING PROVIDED AT THE  
 REQUEST OF REN GARDNER OF WELTER CONSULTING.  
 I CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS  
 WORK PERFORMED BY ME OR UNDER MY  
 SUPERVISION, AND IS TRUE AND CORRECT TO  
 THE BEST OF MY KNOWLEDGE AND BELIEF.

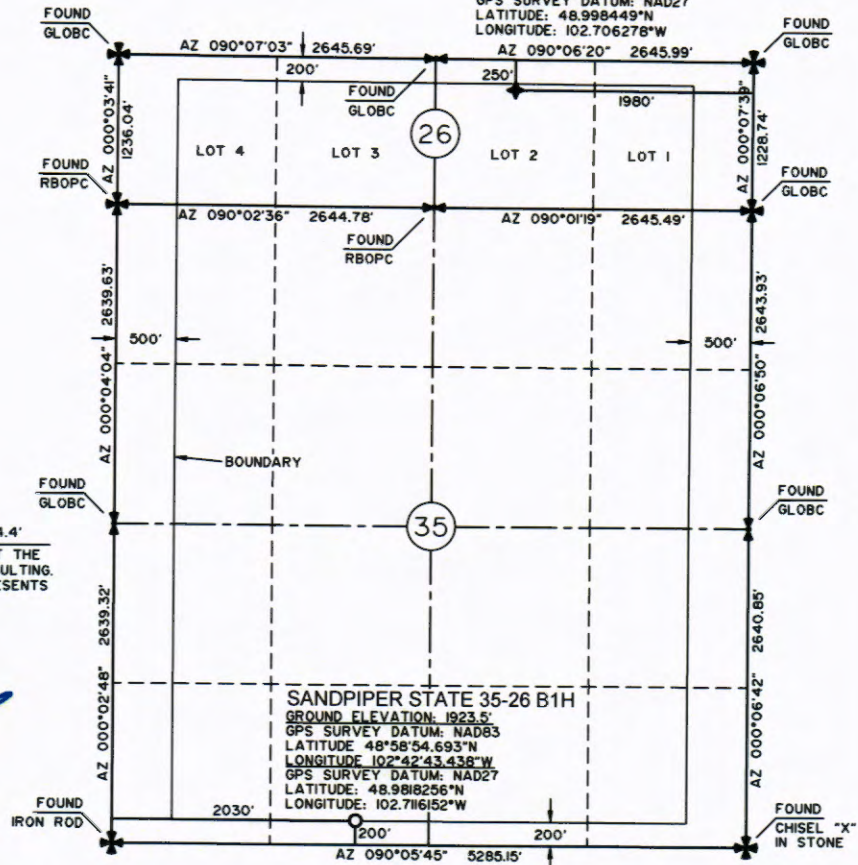
*Robert L. Provice*

ROBERT L. PROCIVE, PLS 2884  
 INTERSTATE ENGINEERING INC.  
 P.O. BOX 266  
 141 2ND AVENUE SW  
 BELFIELD, NORTH DAKOTA 58622



**TARGET**

6062' NORTH OF WELL  
 1288' EAST OF WELL  
 GPS SURVEY DATUM: NAD83  
 LATITUDE 48°59'54.513"N  
 LONGITUDE 102°42'24.218"W  
 GPS SURVEY DATUM: NAD27  
 LATITUDE: 48.998449°N  
 LONGITUDE: 102.706278°W



**SANDPIPER STATE 35-26 B1H**

GROUND ELEVATION: 1923.5'  
 GPS SURVEY DATUM: NAD83  
 LATITUDE 48°58'54.693"N  
 LONGITUDE 102°42'43.438"W  
 GPS SURVEY DATUM: NAD27  
 LATITUDE: 48.9816256°N  
 LONGITUDE: 102.716152°W

1

SHEET NO.



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 ENGINEERING**

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 Ph (701) 575-2247  
 Fax (701) 575-2251  
 www.iengi.com

Other offices in Minnesota, North Dakota and South Dakota

**WELL LOCATION**  
 WINDRIDGE OPERATING LLC  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA

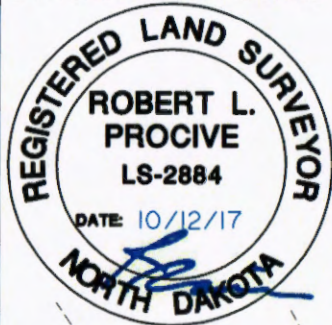
Drawn By: J.J.W. Project No.: B07-08-090  
 Checked By: B.L.P. Date: OCTOBER 2017

Revision No.	Date	By	Description



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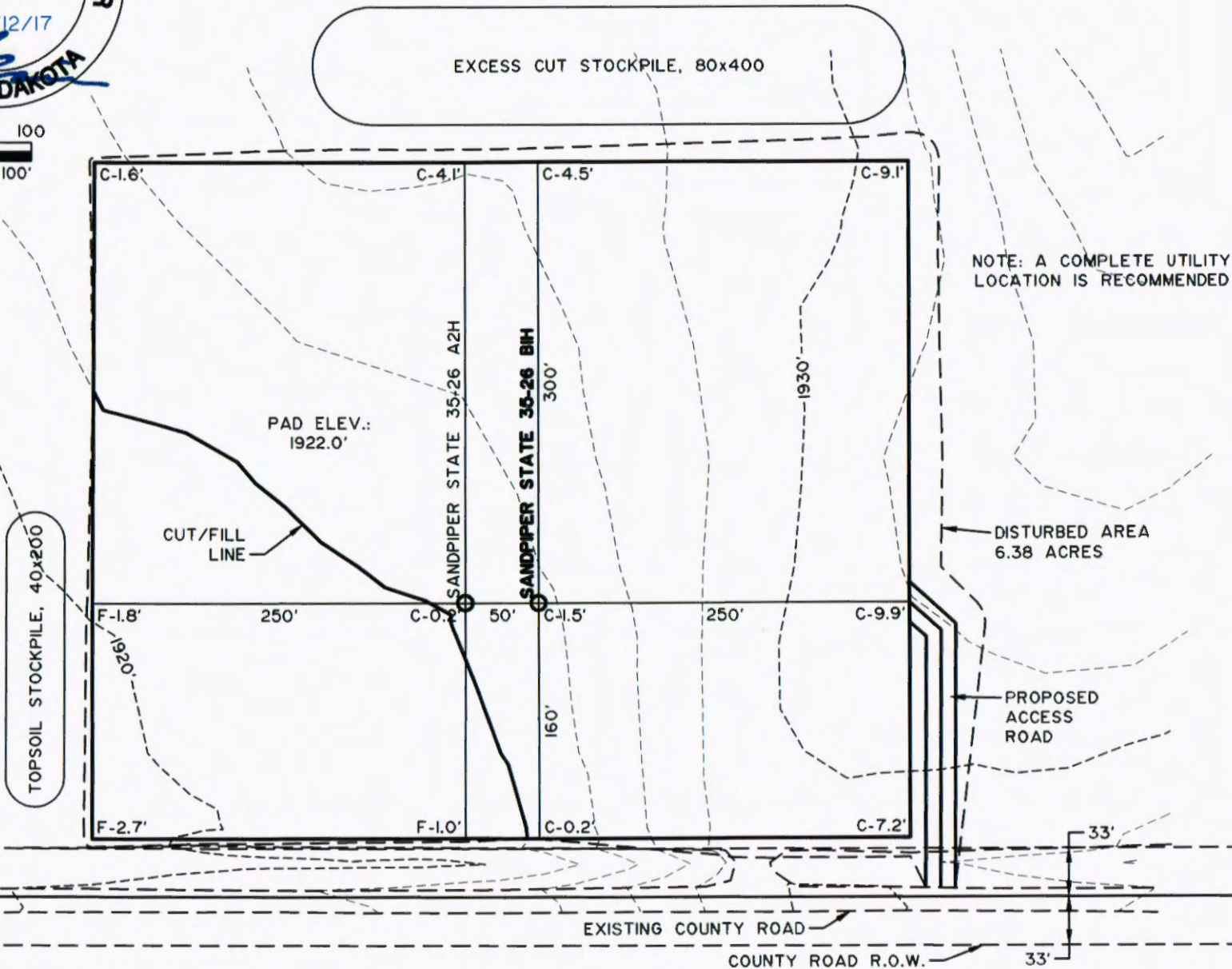




**PAD LAYOUT**  
 WINDRIDGE OPERATING LLC  
 518 NORTH MAIN STREET, BOERNE, TX 78006  
**"SANDPIPER STATE 35-26 B1H"**  
 200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA

0 100  
 SCALE: 1" = 100'

TRUE NORTH



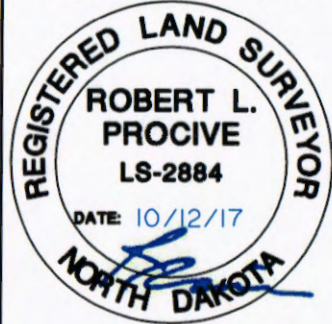
Revision No.	Date	By	Description

**PAD LAYOUT**  
 WINDRIDGE OPERATING LLC  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA  
 Project No. 817-08-080  
 Date: OCTOBER 2017  
 Drawn By: J.L.W.  
 Checked By: B.L.P.

Interstate Engineering, Inc.  
 P.O. Box 266  
 141 2nd Avenue Southwest  
 Bellevue, North Dakota 58022  
 Ph (701) 575-2247  
 Fax (701) 575-2251  
 www.interstateeng.com  
 Other offices in Minnesota, Montana and South Dakota







**SITE FACILITIES**  
 WINDRIDGE OPERATING LLC  
 518 NORTH MAIN STREET, BOERNE, TX 78006  
**"SANDPIPER STATE 35-26 B1H"**  
 200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA

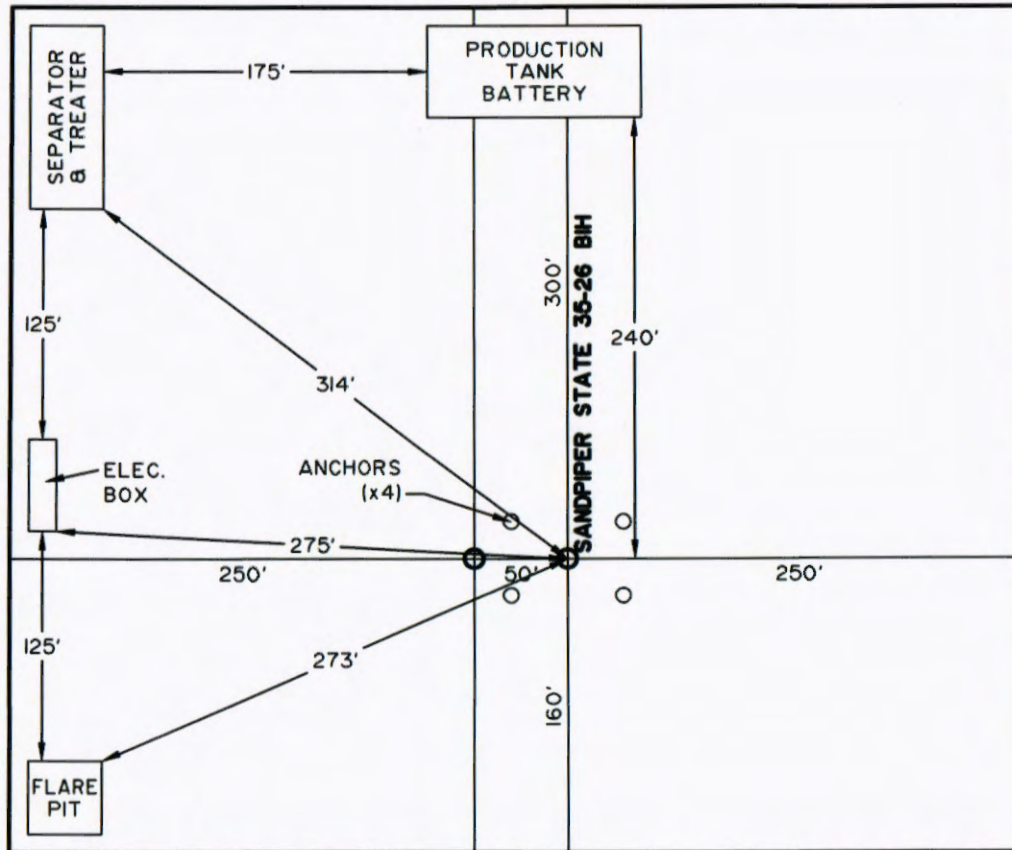
EXCESS CUT STOCKPILE, 80x400

0 100  
 SCALE: 1" = 100'

TRUE NORTH



TOPSOIL STOCKPILE, 40x200



**NOTES**  
 1: A COMPLETE UTILITY LOCATION IS RECOMMENDED  
 2: PREVAILING WINDS FROM NORTHWEST TO SOUTHEAST

Revision No.	Date	By	Description

**SITE FACILITIES**  
 WINDRIDGE OPERATING LLC  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA  
 Project No. B17-08-000  
 Drawn By JLP  
 Checked By JLP  
 Date: OCTOBER 2017

Interstate Engineering, Inc.  
 P.O. Box 206  
 141 2nd Avenue Southwest  
 Bellevue, MN 55004  
 Ph (761) 575-2247  
 Fax (761) 575-2251  
 www.interstateeng.com  
 Other offices in Minnesota, Montana and South Dakota



**3A**  
 SHEET NO.

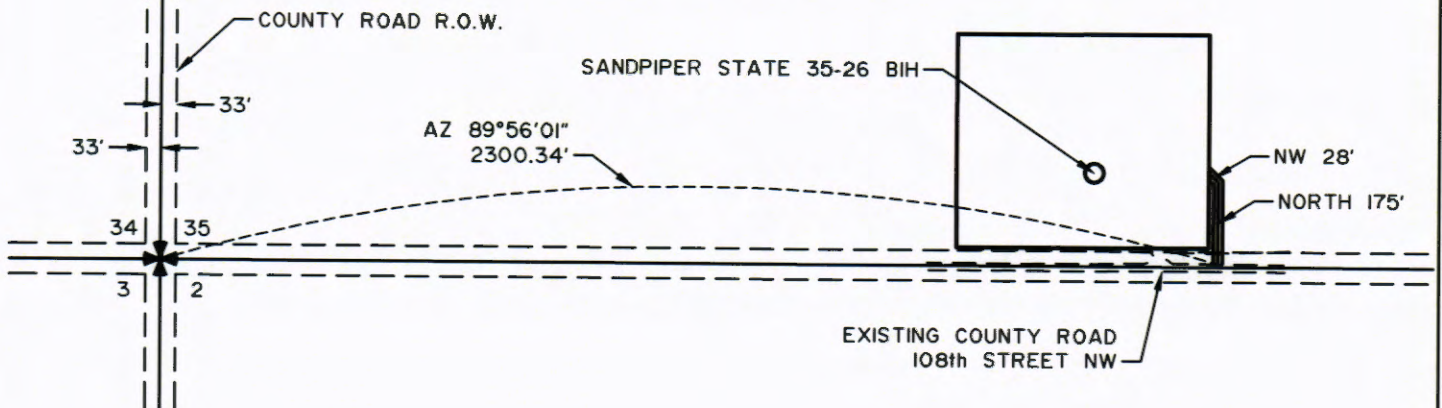
WINDRIDGE OPERATING LLC  
518 NORTH MAIN STREET, BOERNE, TX 78006  
**"SANDPIPER STATE 35-26 B1H"**  
200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
SEC. 35, T164N, R93W, 5TH P.M.  
BURKE COUNTY, NORTH DAKOTA

WELL SITE LOCATION: 200' FSL, 2030' FWL



ACCESS APPROACH  
WINDRIDGE OPERATING LLC  
518 NORTH MAIN STREET, BOERNE, TX 78006  
"SANDPIPER STATE 35-26 B1H"  
200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
SEC. 35, T164N, R93W, 5TH P.M.  
BURKE COUNTY, NORTH DAKOTA

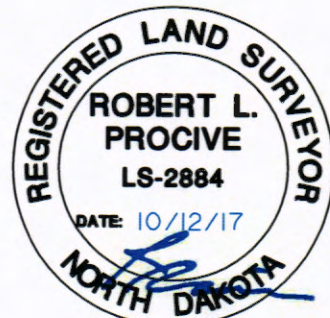
SW1/4 OF SEC 35  
LANDOWNER:  
LESTER DEWING  
LENGTH=203' (12 RODS)



TRUE NORTH



0 400  
SCALE: 1" = 400'



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4

SHEET NO.



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ACCESS APPROACH  
WINDRIDGE OPERATING LLC  
SEC. 35, T164N, R93W, 5TH P.M.  
BURKE COUNTY, NORTH DAKOTA

Drawn By: J.J.W. Project No.: B17-08-090  
Checked By: R.L.P. Date: OCTOBER 2017

Revision No.	Date	By	Description



TOPOGRAPHIC MAP  
 WINDRIDGE OPERATING LLC  
 518 NORTH MAIN STREET, BOERNE, TX 78006  
**"SANDPIPER STATE 35-26 B1H"**  
 200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA



5

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 Other offices in Minneapolis, Montana and South Dakota

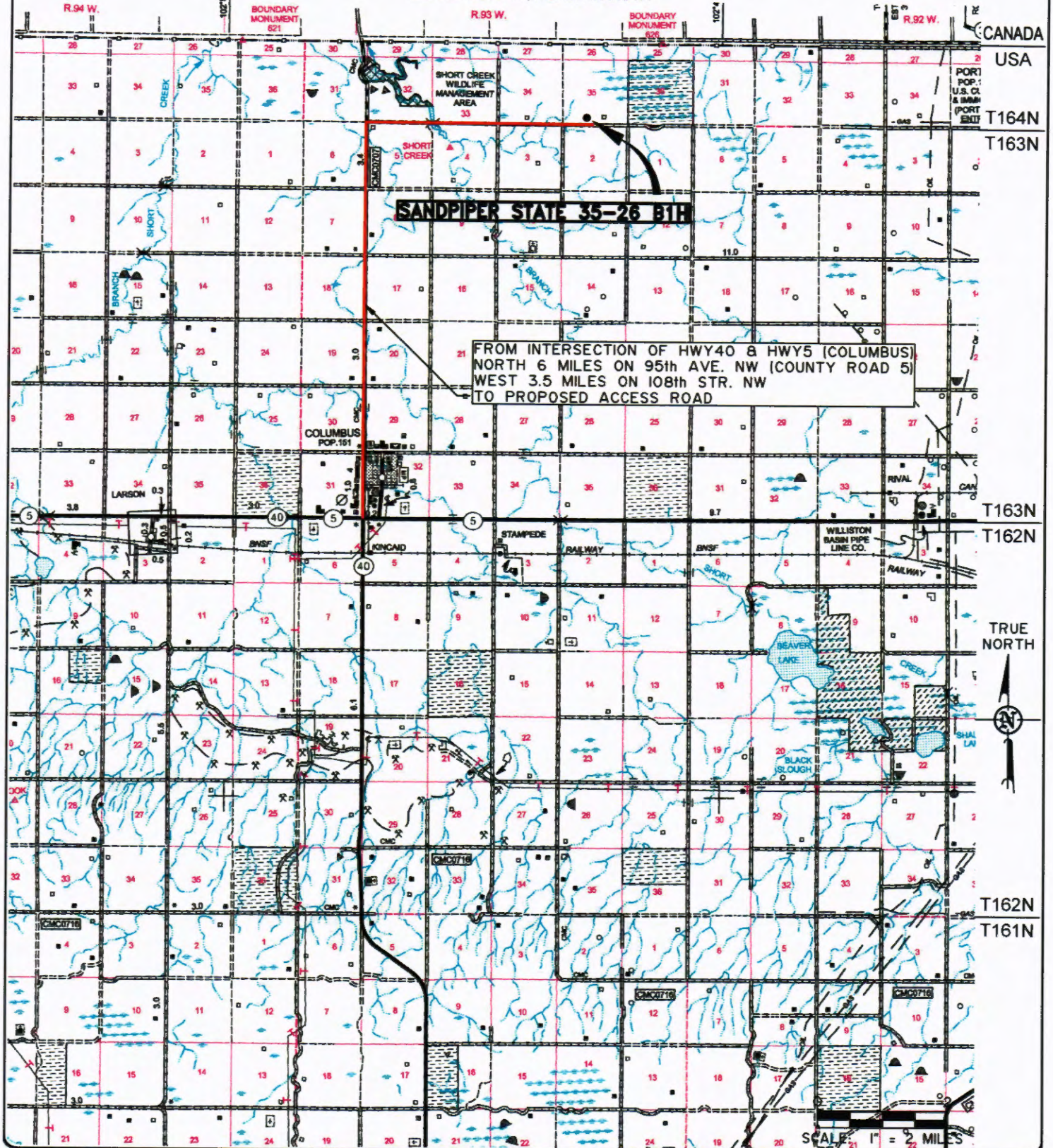
TOPOGRAPHIC MAP  
 WINDRIDGE OPERATING LLC  
 SEC. 35, T164N, R93W, 5TH P.M.  
 BURKE COUNTY, NORTH DAKOTA

Drawn By: J.J.W. Project No.: B17-08-080  
 Checked By: R.J.P. Date: OCTOBER 2017

Revision No.	Date	By	Description



**COUNTY ROAD MAP**  
WINDRIDGE OPERATING LLC  
518 NORTH MAIN STREET, BOERNE, TX 78006  
**"SANDPIPER STATE 35-26 B1H"**  
200 FEET FROM SOUTH LINE AND 2030 FEET FROM WEST LINE  
SEC. 35, T164N, R93W, 5TH P.M.  
BURKE COUNTY, NORTH DAKOTA



6

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Fax (701) 575-2251  
www.interstateeng.com

Other offices in Minnesota, Montana and South Dakota

**COUNTY ROAD MAP**  
WINDRIDGE OPERATING LLC  
SEC. 35, T164N, R93W, 5TH P.M.  
BURKE COUNTY, NORTH DAKOTA

Drawn By: J.J.W. Project No.: B17-08-090  
Checked By: R.L.P. Date: OCTOBER 2017

Revision No.	Date	By	Description



## Kadrmass, Bethany R.

---

**From:** Entzi-Odden, Lyn <lodden@fredlaw.com>  
**Sent:** Wednesday, January 15, 2020 8:26 AM  
**To:** Ziesch, Michael D.  
**Cc:** Kadrmass, Bethany R.  
**Subject:** record open for Windridge Cases 28232, 233, and 234  
**Attachments:** Windridge 28232 233 and 234.pdf

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Mr. Ziesch,

Please see the attached request for filing.

Thank you.



*\*\*This is a transmission from the law firm of Fredrikson & Byron, P.A. and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (701) 221-8700. The name and biographical data provided above are for informational purposes only and are not intended to be a signature or other indication of an intent by the sender to authenticate the contents of this electronic message.\*\**



January 15, 2020

**VIA EMAIL**

Mr. Michael Ziesch  
NDIC, Oil and Gas Division  
600 East Boulevard  
Bismarck, ND 58505

**RE: Case Nos. 28232, 28233 and 28234  
Windridge Operating LLC**

Dear Mr. Ziesch:

I am writing to request the record remain open for an additional 10 days with regard to the captioned matters so Windridge Operating LLC may file its affidavit in each of the these matters.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/leo

cc: Ms. Bethany Kadrmas *Via Email*  
Mr. David Horne *Via Email*  
69160162.1

Attorneys & Advisors  
main 701.221.8700  
fax 701.221.8750  
www.fredlaw.com

Fredrikson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, North Dakota  
58501-1215

**BEFORE THE INDUSTRIAL COMMISSION  
OF THE STATE OF NORTH DAKOTA**

CASE NO. 28233

**Application of Windridge Operating LLC for an order pursuant to N.D.A.C. § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SE/4SW/4 of Section 35, Township 164 North, Range 93 West, Burke County, North Dakota, Short Creek-Madison Pool, pursuant to the provisions of N.D.C.C. § 38-08-06.4 or such further and additional relief.**

Received

DEC 16 2019

ND Oil & Gas Division

**APPLICATION OF WINDRIDGE OPERATING LLC**

Windridge Operating LLC ("Windridge"), for its application to the North Dakota Industrial Commission ("Commission"), respectfully states as follows:

1.

That Windridge is the owner of an interest in the oil and gas leasehold estate in portions of Section 35, Township 164 North, Range 93 West, Burke County, North Dakota.

2.

That such lands are currently within an area defined by the Commission as the field boundaries for the Short Creek-Madison Pool.

3.

That Windridge is currently the operator of the Sandpiper State 35-26 B1H well (File No. 34320) located in the Southeast Quarter Southwest Quarter (SE/4SW/4) of Section 35, completed as a producing well in the Short Creek-Madison Pool.

4.

That the Sandpiper State 35-26 B1H well (File No. 34320) is currently not connected to a gas gathering facility.

5.

That because of the location of the well and low volumes of gas produced from the Sandpiper State 35-26 B1H well (File No. 34320), it is economically infeasible to connect said well to a gas gathering facility at the present time, or in the foreseeable future, or in the alternative a market for the gas is not available and equipping the well with an electrical generator to produce electricity from the gas or a liquid stripping unit is economically infeasible.

6.

That gas produced in association with oil produced from the Sandpiper State 35-26 B1H well (File No. 34320) is currently being flared.

7.

That Section 38-08-06.4 of the North Dakota Century Code prohibits the flaring of gas produced in association with crude oil under certain circumstances but authorizes the Commission, upon application, to grant an exception to the flaring prohibition upon a showing that connection of the well to a gas gathering facility is economically infeasible at the time of the application or in the foreseeable future or that a market for the gas is not available.

8.

That in the opinion of the applicant, it is economically infeasible at the present time or in the foreseeable future to connect the Sandpiper State 35-26 B1H well (File No. 34320) to a gas gathering facility and/or there is no market for the gas. As such, applicant should be allowed to continue to

flare such gas, and an exception to Section 38-08-06.4 of the North Dakota Century Code should be granted for said well.

**WHEREFORE**, Windridge requests the following:

(a) That this matter be set for the regularly scheduled January 2020 hearings of the Commission;

(b) That pursuant to Section 43-02-03-88.2 of the North Dakota Administrative Code, Windridge's witnesses in this matter be allowed to participate by telephonic means; and

(c) That thereafter the Commission issue its order granting the relief requested and such other and further relief as the Commission may deem appropriate.

**DATED** this 16 day of December, 2019.

FREDRIKSON & BYRON, P.A.

By 

LAWRENCE BENDER, ND Bar #03908  
*Attorneys for Applicant,*  
*Windridge Operating LLC*  
1133 College Drive, Suite 1000  
P. O. Box 1855  
Bismarck, ND 58502-1000  
(701) 221-8700

STATE OF NORTH DAKOTA

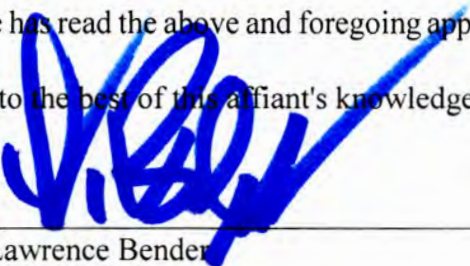
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) ss.

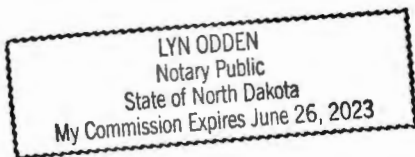
COUNTY OF BURLEIGH

)

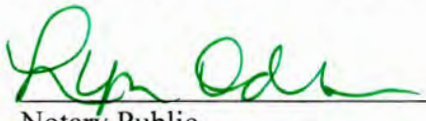
**LAWRENCE BENDER** being first duly sworn on oath, deposes and says that he is the attorney for the applicant herein named, that he has read the above and foregoing application, knows the contents thereof, and that the same is true to the best of this affiant's knowledge, and belief.

  
\_\_\_\_\_  
Lawrence Bender

Subscribed and sworn to before me this 16 day of December, 2019.



68911260 v1

  
\_\_\_\_\_  
Notary Public

Burleigh County, North Dakota

My Commission Expires: \_\_\_\_\_

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DEC 16 2019

**Fredrikson**  
& BYRON, P.A.

December 16, 2019

Mr. Bruce Hicks  
Assistant Director  
North Dakota Industrial Commission  
Oil and Gas Division  
600 East Boulevard  
Bismarck, North Dakota 58505-0310

RE: APPLICATION OF WINDRIDGE  
OPERATING LLC FOR  
JANUARY 2020 HEARINGS

Dear Mr. Hicks:

Please find enclosed herewith for filing an APPLICATION OF WINDRIDGE OPERATING LLC.

**As you will note, pursuant to N.D. Admin. Code § 43-02-03-88.2, Windridge requests that its witnesses be allowed to participate at the hearing by telephonic means.**

Should you have any questions, please advise.

Sincerely,

  
LAWRENCE BENDER

LB/leo

Enclosure

cc: Mr. Matt Billingsley – (w/enc.) *Via Email*

Attorneys & Advisors  
main 701.221.8700  
fax 701.221.8750  
www.fredlaw.com

Fredrikson & Byron, P.A.  
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Bismarck, North Dakota  
58501-1215



THE BURKE COUNTY TRIBUNE  
AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)  
COUNTY OF BURKE)

Kristi M. Bohl of said County and State, being first duly sworn, on her oath, says that she is the owner of The Burke County Tribune, a weekly newspaper of general circulation, printed at Bowbells, in said County and State, and that she has been during the time hereinafter mentioned, and that the The Notice of Publication of

Notice of Hearing

a printed copy of which is hereto annexed, was published in the regular and entire issue of said newspaper during the period and time of publication, and that the Notice was published in the newspaper proper and not in supplement, once each week for 1 successive weeks, to wit:

12-25 2019             20                   20        
       20                   20                   20      

Kristi M. Bohl

Kristi M. Bohl, Publisher

Subscribed and sworn to before me this 26<sup>th</sup> day of Dec, 2019.

Lyann Olson

Notary Public in and for  
Burke County, North Dakota

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Notice of Hearing

N.D. INDUSTRIAL COMMISSION  
OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, January 16, 2020, at the N.D. Oil & Gas Division, 1000 East Calgary Ave., Bismarck, N.D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.

PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, January 3, 2020.

STATE OF NORTH DAKOTA TO:

Case No. 27992: (Continued)  
Application of Petro Harvester Operating Co., LLC for an order amending the applicable orders for the Foothills-Bakken Pool to establish two 1920-acre spacing units described as Sections 23, 26 and 35; and Sections 24, 25 and 36, T.161N., R.92W., Burke County, ND, with up to eight horizontal wells authorized to be drilled on each such unit, and granting such other relief as may be appropriate.

Case No. 27258: (Continued) On a motion of the Commission to review the authorization and permit under Order No. 26960 for Berg Specialty Fluids-Holding, LLC to operate a treating plant located in the NWNW of Section 12, T.161N., R.93W., Black Slough Field, Burke County, ND, known as the FluidTech No. 1 Treating Plant (Facility No. 700138-01) and such other relief as is appropriate.

LYANN OLSON  
Notary Public  
State of North Dakota  
My Commission Expires Aug. 6, 2020

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DEC 30 2019

ND OIL & GAS DIVISION

Case No. 28232: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Nelson Unit 1 well (File No. 16220) located in the NWNE of Section 2, T.162N., R.91W., Burke County, ND, Lignite-Madison Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Case No. 28233: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SESW of Section 35, Township 164 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Case No. 28234: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Kestrel State 36-25 1H well (File No. 34171) located in Lot 2 of Section 1, Township 163 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38 08-06.4 and such other relief as is appropriate.

Signed by,  
Doug Burgum, Governor  
Chairman, NDIC  
December 25, 2019





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			Jan. 16, 2020 - Case No. 28206	775.00	Legals	697.50	697.50
12/24/19	12/24/19	1	Bismarck Tribune PO: Tracy Heilman				

Affidavit of Publication  
State of North Dakota ) SS County of Burleigh  
Before me, a Notary Public for the State of North Dakota  
personally appeared JEL who being duly sworn, deposes  
and says that he (she) is the Clerk of Bismarck Tribune Co.,  
and that the publication(s) were made through the  
Bismarck Tribune on the following dates:  
12/24 Signed: Jill Lindsay  
sworn and subscribed to before me this 2  
day of Jan, 2020  
Washn Williams  
Notary Public in and for the State of North Dakota

**TASHA L. WILLIAMS**  
Notary Public  
State of North Dakota  
My Commission Expires Mar 20, 2023

**NOTICE OF HEARING**  
N.D. INDUSTRIAL COMMISSION  
OIL AND GAS DIVISION  
The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Thursday, January 16, 2020, at the N.D. Oil & Gas Division, 1000 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.  
**PERSONS WITH DISABILITIES:** If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Friday, January 3, 2020.  
**STATE OF NORTH DAKOTA TO:**  
Case No. 28206: Application of Kraken Oil & Gas, LLC for an order suspending and after hearing, revoking the following permits issued to Whiting Oil and Gas Corp.: (i) Feehan 11-9HU well (File No. 37189); and (ii) Feehan 11-9TFHU well (File No. 37190), both with a surface location in the NENW of Section 9, T.153N., R.92W., Mountrail County, ND, and such other relief as is appropriate.  
Case No. 28207: Application of EOG Resources, Inc. for an order amending the field rules for the Squaw Creek-Bakken Pool to create and establish three overlapping 2560-acre spacing units comprised of Sections 5, 6, 7 and 8; Sections 8, 9, 16 and 17; and Sections 10, 11, 14 and 15, T.149N., R.94W., McKenzie County, ND, authorizing the drilling of a total not to exceed two horizontal wells on or near the section line between the existing spacing units of each proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.  
Case No. 28208: Application of EOG Resources, Inc. for an order amending the field rules for the Painted Woods-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 4, 5, 8 and 9, T.154N., R.103W., Williams County, ND, authorizing the drilling of a total not to exceed two horizontal wells on or near the section line between the existing spacing units of said proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

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JAN - 6 2019

ND OIL & GAS DIVISION

Please return invoice or put order number on check. Thank You.

Remarks

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Case No. 28209: Application of Peregrine Petroleum Partners, Ltd. for an order amending the field rules for the Rough Rider-Bakken Pool to create and establish an overlapping 1280-acre spacing unit comprised of Sections 12 and 13, T.145N., R.101W., McKenzie County, ND, authorizing the drilling of three horizontal wells on said overlapping 1280-acre spacing unit and such other relief as is appropriate.

Case No. 28210: Application of Continental Resources, Inc. for an order amending the field rules for the Cedar Coulee-Bakken Pool, Dunn County, ND, authorizing the drilling, completing and producing of a well with the lateral to be located approximately 350 feet from the east line of Section 33, T.147N., R.96W. and Section 4, T.146N., R.96W., and approximately 350 feet from the west line of Section 34, T.147N., R.96W. and Section 3, T.146N., R.96W., on an existing 2560-acre spacing unit comprised of Sections 33 and 34, T.147N., R.96W. and Sections 3 and 4, T.146N., R.96W., as an exception to any applicable field rules and/or the provisions of NDAC § 43-02-03-18, and such other relief as is appropriate.

Case No. 28211: Application of Continental Resources, Inc. for an order for the Jim Creek and/or Rattlesnake Point-Bakken Pool, Dunn County, ND, to create and establish two overlapping 3840-acre spacing units comprised of Sections 7, 8, 17, 18, 19 and 20, and Sections 8, 9, 16, 17, 20 and 21, T.146N., R.96W., authorizing the drilling of a total not to exceed two horizontal wells on or near the section line between the existing spacing units of said proposed overlapping 3840-acre spacing units, and such other relief as is appropriate.

Case No. 27935: (Continued) On a motion of the Commission to consider the appropriate spacing for wells completed in the Jim Creek-Bakken Pool in the 2560-acre spacing unit described as Sections 6, 7, 18, and 19, T.146N., R.95W., Dunn County, ND and such other relief as is appropriate, Continental Resources, Inc.

Case No. 28040: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Debra 1-2H well (File No. 29013) located in a spacing unit described as Section 2, T.154N., R.100W., Stony Creek-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28041: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Bendixon 1-10H well (File No. 29820) located in a spacing unit described as Sections 3 and 10, T.159N., R.100W., Green Lake-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28042: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Rennerfeldt 8-30H well (File No. 29191) located in a spacing unit described as Sections 17, 18, 19, 20, 29, 30, 31 and 32, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28043: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Barney 7-29H well (File No. 29481) located in a spacing unit described as Sections 29 and 32, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28044: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Barney 6-29H well (File No. 29480) located in a spacing unit described as Sections 29 and 32, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28045: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Addyson 3-23H well (File No. 23243) located in a spacing unit described as Sections 14, 23, 26 and 35, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28046: (Continued) Application of Continental Resources, Inc. requesting an order pursuant to NDCC § 38-08-08 determining that costs and expenses associated with the drilling and completing of the Mildred 8-19H1 well (File No. 29194) located in a spacing unit described as Sections 17, 18, 19, 20, 29, 30, 31 and 32, T.155N., R.98W., Brooklyn-Bakken Pool, Williams County, ND, are reasonable and actual and such other relief as is appropriate.

Case No. 28153: (Continued) On a motion of the Commission to consider the establishment or altering of spacing units in the Stony Creek or Williston-Bakken Pool in Sections 2, 3, 10, 11, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, and 35, T.155N., R.100W., and Section 2, T.154N., R.100W., Williams County, ND and such other relief as is appropriate, Continental Resources, Inc., Zavanna, LLC

Case No. 28212: Application of Iron Oil Operating, LLC for an order amending the field rules for the Buffalo Wallow-Bakken Pool, McKenzie County, ND, to create and establish an overlapping 2560-acre spacing unit comprised of Sections 17, 18, 19 and 20, T.148N., R.100W., authorizing the drilling of a total not to exceed thirteen wells on said proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

Case No. 28213: Application of Iron Oil Operating, LLC for an order amending the field rules for the Sather Lake-Bakken Pool to create and establish an overlapping 2560-acre spacing unit comprised of Sections 29, 30, 31 and 32, T.149N., R.101W., McKenzie County, ND, authorizing the drilling of one horizontal well on or near the section line between the existing spacing units of said proposed overlapping 2560-acre spacing unit, and such other relief as is appropriate.

Case No. 28214: Application of Iron Oil Operating, LLC for an order amending the field rules for the Boxcar Butte-Bakken Pool, McKenzie County, ND, to create and establish the following: (i) an overlapping 1920-acre spacing unit comprised of Sections 3, 10 and 15, T.148N., R.102W., authorizing the drilling of a total not to exceed six wells on said proposed overlapping 1920-acre spacing unit; (ii) a 1920-acre spacing unit comprised of Sections 4, 9 and 16, T.148N., R.102W., authorizing the drilling of a total not to exceed six wells on said proposed 1920-acre spacing unit; and (iii) an overlapping 3840-acre spacing unit comprised of Sections 3, 4, 9, 10, 15 and 16, T.148N., R.102W., authorizing the drilling of one horizontal well on or near the section line between the two proposed 1920-acre spacing units on said proposed overlapping 3840-acre spacing unit, and such other relief as is appropriate.

Case No. 28215: Application of WPX Energy Williston, LLC for an order amending the field rules for the Heart Butte-Bakken Pool to create and establish an overlapping 640-acre spacing unit comprised of the E/2 of Section 9 and the W/2 of Section 10, T.149N., R.92W., Dunn County, ND, authorizing the drilling of a horizontal well on or near the section line between the existing spacing units of said proposed overlapping 640-acre spacing unit, and such other relief as is appropriate.

Case No. 28216: Application of Enerplus Resources USA Corp. for an order amending the field rules for the Mandaree-Bakken Pool, Dunn County, ND, to allow Enerplus to complete and produce the Wisteria 149-93-21C-22H-TF well (File No. 35763) with portions of the lateral located approximately 491 feet from the south line of an existing 1280-acre spacing unit comprised of Sections 21 and 22, T.149N., R.93W., as an exception to any applicable field rules and such other relief as is appropriate.

Case No. 28217: Application of K T Enterprises, LLC for an order pursuant to NDAC § 43-02-03-51 et seq. authorizing the construction of a treating plant to be located in the NESE of Section 22, T.150N., R.96W., McKenzie County, ND, and such other relief as is appropriate.

Case No. 28218: Application of K T Enterprises, LLC for an order authorizing the drilling of a saltwater disposal well to be utilized for fracture injection into the Broom Creek Formation in a well to be known as the K T Enterprises 34-22 SF1 well, to be located in the NESE of Section 22, T.150N., R.96W., Johnson Corner Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28219: A motion of the Commission to determine the amount of bond to be required of K T Enterprises, LLC for the K T Enterprises 34-22 SF1 well to be drilled in the NESE of Section 22, T.150N., R.96W., McKenzie County, ND, Johnson Corner Field, to be utilized for fracture injection into the Broom Creek Formation, pursuant to NDAC § 43-02-03-15, and such other relief as is appropriate.

Case No. 28220: Application of WM of North Dakota Energy Disposal Solutions, LLC for an order pursuant to NDAC § 43-02-03-51 et seq. authorizing the construction of a treating plant to be located in the S/2 SE/4 of Section 35, T.151N., R.96W., McKenzie County, ND, and such other relief as is appropriate.

Case No. 28221: Application of WM of North Dakota Energy Disposal Solutions, LLC for an order authorizing the drilling of a saltwater disposal well to be utilized for fracture injection into the Dakota Group in a well to be known as the Blue Buttes 1 well, to be located in the NENE of Section 35, T.151N., R.96W., Blue Buttes Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28222: A motion of the Commission to determine the amount of bond to be required of WM of North Dakota Energy Disposal Solutions, LLC for the Blue Buttes 1 well to be drilled in the NENE of Section 35, T.151N., R.96W., Blue Buttes Field, McKenzie County, ND, to be utilized for fracture injection into the Dakota Group, pursuant to NDAC § 43-02-03-15, and such other relief as is appropriate.

Case No. 28223: Application of WM of North Dakota Energy Disposal Solutions, LLC for an order authorizing the drilling of a saltwater disposal well to be utilized for fracture injection into the Dakota Group in a well to be known as the Blue Buttes 2 well, to be located in the SWNE of Section 35, T.151N., R.96W., Blue Buttes Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28224: A motion of the Commission to determine the amount of bond to be required of WM of North Dakota Energy Disposal Solutions, LLC for the Blue Buttes 2 well to be drilled in the SWNE of Section 35, T.151N., R.96W., Blue Buttes Field, McKenzie County, ND, to be utilized for fracture injection into the Dakota Group, pursuant to NDAC § 43-02-03-15, and such other relief as is appropriate.

Case No. 27399: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Denbury Onshore, LLC # MC 22-17SH Cedar Creek well, drilled in a drilling unit described as Lot 5 and the SW/4 SE/4 SE/4 of Section 3, Lots 1 and 2, the E/2 of Lot 3, and the E/2 E/2 of Section 10, the W/2 W/2 of Section 11, T.130N., R.107W., Bowman County, ND, and Lots 2 and 3 of Section 17, T.4N., R.62E., Fallon County, MT, define the field limits, and enact such special field rules as may be necessary.

Case No. 27483: (Continued) Temporary spacing to develop an oil and/or gas pool discovered by the Denbury Onshore, LLC #MC22-17NH Little Beaver East well, drilled in a drilling unit described as Lots 2, 3, and 4 of Section 3, T.130N., R.107W., Bowman County, ND, and Lots 3 and 4 and SW/4 of Section 8, and Lots 1 and 2, NE/4 NW/4, NE/4 NW/4 NW/4, NE/4 SE/4 NW/4 of Section 17, T.4N., R.62E., Fallon County, Montana, define the field limits, and enact such special field rules as may be necessary.

Case No. 27932: (Continued) Application of Slawson Exploration Co., Inc. for an order for the Big Bend-Bakken Pool, Mountrail County, ND, as follows: (i) create and establish an overlapping 3840-acre spacing unit comprised of Sections 29, 30, 31 and 32, T.152N., R.92W. and Sections 5 and 6, T.151N., R.92W., authorizing the drilling of a total not to exceed two horizontal wells on or near the section line between the existing spacing units of said proposed overlapping 3840-acre spacing unit; and (ii) amend any previous orders for the Big Bend-Bakken Pool to terminate an existing 1280-acre spacing unit comprised of Sections 29 and 30, T.152N., R.92W., and also terminate an existing 2560-acre spacing unit comprised of Sections 31 and 32, T.152N., R.92W., and Sections 5 and 6, T.151N., R.92W., and such other relief as is appropriate.

Case No. 28131: (Continued) Application of XTO Energy Inc. for an order granting temporary authority to use wells located in a spacing unit comprised of Section 33, T.148N., R.96W. and Section 4, T.147N., R.96W., Dunn County, ND, as injection wells for an enhanced oil recovery pilot operation in the Cedar Coulee-Bakken Pool, and such other relief as is appropriate.

Case No. 28157: (Continued) Application of Resource Energy Can-Am LLC for an order amending Order No. 20381 and any other orders of the Commission for the Ambrose-Bakken Pool, Divide County, ND, to terminate an existing 2080-acre spacing unit comprised of Sections 28 and 33, T.164N., R.99W. and Sections 4 and 9, T.163N., R.99W., and instead authorize the drilling, completing and producing of a total not to exceed four wells on an existing 800-acre spacing unit comprised of Sections 28 and 33, T.164N., R.99W., and also authorize the drilling, completing and producing of a total not to exceed four wells on an existing 1280-acre spacing unit described as Sections 4 and 9, T.163N., R.99W., and such other relief as is appropriate.

Case No. 27992: (Continued) Application of Petro Harvester Operating Co., LLC for an order amending the applicable orders for the Foothills-Bakken Pool to establish two 1920-acre spacing units described as Sections 23, 26 and 35; and Sections 24, 25 and 36, T.161N., R.92W., Burke County, ND, with up to eight horizontal wells authorized to be drilled on each such unit, and granting such other relief as may be appropriate.

Case No. 28073: (Continued) Application of PetroShale (US), Inc. requesting an order authorizing the drilling of up to four horizontal wells in the existing 320-acre standup spacing unit consisting of the W/2 of Section 29, T.152N., R.94W., Antelope-Sanish Pool, McKenzie County, ND, eliminating any tool error requirements and such other relief as is appropriate.

Case No. 28162: (Continued) Application of PetroShale (US), Inc. for an order suspending, and after notice and hearing, revoking the permits issued to EOG Resources, Inc. to drill the Riverview 110-3229H well (File No. 31446), Riverview 109-3229H well (File No. 31447), Riverview 112-3229H well (File No. 31448), Riverview 111-3229H well (File No. 31449) and Riverview 113-3229H well (File No. 31450), all with surface locations in Section 32, T.152N., R.94W., and bottom hole locations in Section 29, T.152N., R.94W., McKenzie County, ND, Antelope-Sanish Pool, and such other relief as is appropriate.

Case No. 28225: In the matter of the application of Benjamin J. Larson to determine the authority of EOG Resources, Inc. to recover from Benjamin J. Larson, as an owner of interests in the Liberty 35-1413H well (File No. 31429), located in a spacing unit described as the W/2 of Section 13 and the E/2 of Section 14, T.151N., R.91W., Mountrail County, ND, a risk penalty as provided in NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 28053: (Continued) In the matter of the authority of Equinor Energy LP, to recover from Versa Energy, LLC as an owner of a working interest in the Stallion 33-28 #1H well (File No. 21431) presently producing in paying quantities from Sections 28 and 33, T.151N., R.101W., McKenzie County, ND, a risk penalty as provided in NDCC § 38-08-08 and such other relief as is appropriate.



Case No. 27258: (Continued) On a motion of the Commission to review the authorization and permit under Order No. 28960 for Berg Specialty Fluids-Holding, LLC to operate a treating plant located in the NWNW of Section 12, T.161N., R.93W., Black Slough Field, Burke County, ND, known as the FluidTech No. 1 Treating Plant (Facility No. 700138-01) and such other relief as is appropriate.

Case No. 28226: Application of Resonance Exploration (North Dakota) LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Section 10, T.160N., R.79W., Russell-Spearfish/Madison Pool, Bottineau County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 28227: Application of Newfield Production Co. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as Sections 16 and 21, T.150N., R.97W., Siverston-Bakken Pool, McKenzie County, ND, as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 28228: Application of WPX Energy Williston, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as the E/2 of Section 9 and the W/2 of Section 10, T.149N., R.92W., Heart Butte-Bakken Pool, Dunn County, ND as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 28229: Application of Nine Point Energy, LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests in a spacing unit described as the W/2 of Sections 4 and 9, T.152N., R.103W., Eightmile-Bakken Pool, Williams County, ND as provided by NDCC § 38-08-08 and such other relief as is appropriate.

Case No. 28230: Application of Kraken Oil & Gas, LLC for an order authorizing the drilling, completing and producing of a total not to exceed five wells on an existing 1280-acre spacing unit described as Sections 4 and 5, T.153N., R.92W., Sanish-Bakken Pool, Mountrail County, ND and such other relief as is appropriate.

Case No. 28231: Application of EOG Resources, Inc. provided for in NDAC § 43-02-03-88.1 for an order allowing the production and tank vapors from the following described wells: Clearwater 30-3103H well (File No. 33448); Clearwater 31-3102H well (File No. 33446); Clearwater 103-3103H well (File No. 33447); and Clearwater 14-31H well (File No. 18672), to be produced and to allow all fluids including vapors to be commingled into the Clearwater 31 NWNW Pad 2 Central Facility Central Tank Battery or production facility, all located in Section 31, T.157N., R.90W., Mountrail County, ND, pursuant to NDAC § 43-02-03-88.1 and such other relief as is appropriate.

Case No. 28232: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Nelson Unit 1 well (File No. 16220) located in the NWNE of Section 2, T.162N., R.91W., Burke County, ND, Lignite-Madison Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 28233: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Sandpiper State 35-26 B1H well (File No. 34320) located in the SESW of Section 35, Township 164 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 28234: Application of Windridge Operating LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing the flaring of gas from the Kestrel State 36-25 1H well (File No. 34171) located in Lot 2 of Section 1, Township 163 North, Range 93 West, Burke County, ND, Short Creek-Madison Pool, pursuant to the provisions of NDCC § 38-08-06.4 and such other relief as is appropriate.

Case No. 28235: Application of Equinor Energy LP for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 2, 3, 10 and 11, T.154N., R.100W., Avoca-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 28236: Application of Equinor Energy LP for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 14, 15, 22 and 23, T.154N., R.100W., Avoca-Bakken Pool, Williams County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 28237: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 7, 8, 17, 18, 19 and 20, T.146N., R.96W., Rattlesnake Point and/or Jim Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 28238: Application of Continental Resources, Inc. for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 8, 9, 16, 17, 20 and 21, T.146N., R.96W., Rattlesnake Point and/or Jim Creek-Bakken Pool, Dunn County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Case No. 28239: Application of Continental Resources, Inc. for an order authorizing the drilling, completing and producing of a total not to exceed eight wells on each existing 1280-acre spacing unit described as Sections 26 and 35, and Sections 27 and 34, T.141N., R.99W., St. Demetrius-Bakken Pool, Billings County, ND, and such other relief as is appropriate.

Case No. 28240: A motion of the Commission to consider the application for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion to enhanced recovery into the Cedar Hills South and North-Red River "B" Units, of the Sophia #34-12NH well (File No. 15319), located in the SWSE of Section 12, T.131N., R.107W., Cedar Hills Field, Bowman County, ND, pursuant to NDAC Chapter 43-02-05 and for such other relief as is appropriate. Continental Resources Inc.

Case No. 28241: A motion of the Commission to consider the application for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion to enhanced recovery into the Cedar Hills South and North-Red River "B" Units, of the Rosella #12-17NH well (File No. 15354), located in the SWNW of Section 17, T.131N., R.106W., Cedar Hills Field, Bowman County, ND, pursuant to NDAC Chapter 43-02-05 and for other relief as is appropriate. Continental Resources Inc.

Case No. 28242: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 14X-34A well (File No. 32481), SWSW Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28243: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust 44X-34G well (File No. 29673), SESE Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28244: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust 44X-34C well (File No. 29672), SESE Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28245: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust 44X-34H well (File No. 18294), SESE Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28246: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 14X-34AXB well (File No. 32479), SWSW Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28247: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 44X-34D well (File No. 29871), SESE Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28248: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 21X-3F2-N well (File No. 32367), Lot 3, Section 3, T.147N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28249: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 21X-3B-N well (File No. 32366), Lot 3, Section 3, T.147N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28250: Application of XTO Energy Inc. for an order pursuant to NDAC § 43-02-03-88.1 authorizing the conversion of the Werre Trust Federal 14X-34E well (File No. 32480), SWSW Section 34, T.148N., R.96W., Dunn County, ND, to be utilized in an injectivity test in the Bear Creek-Bakken Pool, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate.

Case No. 28165: (Continued) Application of Resource Energy Can-Am LLC for an order pursuant to NDAC § 43-02-03-88.1 pooling all interests for wells drilled on the overlapping spacing unit described as Sections 32 and 33, T.163N., R.98W., and Sections 4 and 5, T.162N., R.98W., Blooming Prairie-Bakken Pool, Divide County, ND, as provided by NDCC § 38-08-08 but not reallocating production for wells producing on other spacing units and such other relief as is appropriate.

Signed by,  
Doug Burgum, Governor  
Chairman, NDIC

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