

SALTWATER DISPOSAL INTO POTENTIALLY PRODUCTIVE FORMATION

Effective October 1, 2019, the Commission will consider produced water disposal well applications to inject into a potentially productive formation if it can be demonstrated that the correlative rights of all applicable owners can be protected. In addition to a complete application for injection package pursuant to North Dakota Administrative Code Section 43-02-05, the following information shall be submitted for evaluation:

- A geologic assessment of the proposed disposal formation including a structure map, an isopach map, and reservoir properties, including but not limited to, porosity, permeability, oil or gas saturation, and water saturation.
- The presence of hydrocarbons based upon all production records, production tests, swab tests, drill stem tests, or log analysis.
- The actual or estimated total dissolved solids content of the formation water.
- A listing of the wells and geophysical logs used in the above assessments or analyses.

A legal description of the applicable mineral and lessee ownership within one-half mile of the proposed completion interval as viewed on a map shall be submitted in both tabular and plat form. If the proposed saltwater disposal well is a current or former producing well, the legal description shall also include the entire current or former spacing unit which may extend beyond one-half mile.

The applicant shall notify all applicable mineral interest owners, including overriding royalty interest owners, and working interest owners as described above of the proposed completion interval and the proposed injection formation. The notice shall include the footages, quarter-quarter, section, township, and range of the surface and bottom hole locations of the proposed saltwater disposal well, the date of the scheduled hearing, a contact person and phone number for the applicant, a contact person and phone number for the Commission, and shall inform them that they may appear at the hearing or submit written comments or objections to the application prior to the hearing date, and that written comments or objections must be received by the Commission no later than five p.m. on the last business day prior to the hearing date. An affidavit of mailing, and proof of service, certifying that all applicable owners have been notified of the proposed saltwater disposal well and a copy of the letters sent are required to be submitted.

The applicant shall provide a detailed analysis and explanation of how the correlative rights of all owners will be protected. If this cannot be demonstrated to the Commission's satisfaction, the application will be denied.

Please be advised that a lack of definitive information may lead to the imposition of permit stipulations requiring tests and analyses of the formation, and the outcomes of those tests and analyses could result in the Director suspending the permit to inject, and could result in the Commission revoking the permit to inject after notice and hearing.