

BEFORE THE BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

IN THE MATTER OF WESCO OPERATING,  
INC.'S REQUEST TO SHUT IN THE  
COURCHENE NO. 2-D SALT WATER DISPOSAL  
WELL IN SECTION 4, T30N-R46E,  
ROOSEVELT COUNTY, MONTANA

ORDER NO. 198-2001

Docket No. 185-2001

Report of the Board

Journey Operating, LLC has moved to dismiss the captioned docket. By agreement of the parties, this motion was submitted to the Board on briefs and the matter was considered at a conference call meeting at 9:00 a.m. October 12, 2001. Members Kolstad, Mitchell and Willis did not participate.

Discussion

The salt water disposal well which is the focus of this docket lies within the boundaries of the Fort Peck Indian Reservation on an Allotted Lands lease and the well was permitted as a salt water disposal well by the United States Environmental Protection Agency on October 15, 1987.

The Board has no jurisdiction over said well or the land on which it is situated and the specific remedy sought by applicant in this docket is beyond this Board's power to grant. However, applicant's allegations that the Nisku Formation in adjoining lands is being waterflooded without authorization to the detriment of applicant's rights in the oil and gas underlying its lands are within this Board's jurisdiction.

It is incumbent on this Board to conduct a full and fair factual hearing on this matter.

Order

IT IS THEREFORE ORDERED by the Board of Oil and Gas Conservation of the State of Montana that the motion to dismiss Docket No. 185-2001 is denied.

BOARD ORDER NO. 198-2001

Done and performed by the Board of Oil and Gas Conservation of the State of Montana at Billings, Montana, this 12<sup>th</sup> day of October, 2001.

BOARD OF OIL AND GAS CONSERVATION  
OF THE STATE OF MONTANA

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David Ballard, Chairman

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Denzil Young, Vice-Chairman

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Jerry Kennedy, Board Member

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Jack King, Board Member

ATTEST:

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Terri H. Perrigo, Executive Secretary