



# INDUSTRIAL COMMISSION OF NORTH DAKOTA

Doug Burgum  
Governor

Drew H. Wrigley  
Attorney General

Doug Goehring  
Agriculture Commissioner

Tuesday, December 20, 2022

Governor's Conference Room or Microsoft Teams – 1:00 p.m.

Join on your computer or mobile app

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Or call in (audio only)

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**I. State Energy Research Center – Tom Erickson**

- A. Presentation of the Annual Report detailing activities of the State Energy Research Center (Attachment 1)
- B. Other State Energy Research Center business

(approximately 1:30 p.m.)

**II. North Dakota Pipeline Authority – Justin Kringstad**

- A. Presentation of North Dakota Pipeline Authority Midstream Update Report (Attachment 2)
- B. Other Pipeline Authority Business

(approximately 2:00 p.m.)

**III. North Dakota Public Finance Authority – DeAnn Ament**

- A. Presentation of loans approved by Advisory Committee: (Attachment 3)
  - i. City of Fort Ransom – Clean Water - \$857,000
  - ii. City of Lincoln – Drinking Water - \$1,858,000
- B. **Consideration of the Following Clean Water State Revolving Fund Application (Attachment 4)**
  - i. **City of Center - \$4,700,000, loan forgiveness \$3,525,000**
- C. Other Public Finance Authority business

(approximately 2:20 p.m.)

**IV. North Dakota Housing Finance Agency – Dave Flohr/Jennifer Henderson**

- A. Report of Multi-Family Bond Issuance – Prairie Ridge Residences, Fargo (Attachment 5)
- B. **Consideration of Appointment of Public Hearing Officer and Ratification of Public Notice – HOME ARP Allocation Plan (Attachment 6)**

- C. **Consideration of 2023 Annual Series Authorizing Resolution and Appointment of TEFRA Hearing Officer (Attachment 7)**
- D. Other Housing Finance Agency Business

(approximately 2:40 p.m.)

**V. North Dakota Department of Mineral Resources – Lynn Helms**

**A. Consideration of the following cases:**

- i. **Order 32075 for Case 29505** regarding an application of Henry Hill Oil Services, LLC for an order pursuant to NDAC § 43-02-03-88.1 authorizing saltwater disposal into the Dakota Group in the Schneiderman 1 SWD well, NWSW Section 20, T.150N. R.99W., South Tobacco Garden Field, McKenzie County, ND, pursuant to NDAC Chapter 43-02-05 and such other relief as is appropriate (Attachment 8)
- ii. **Order 32179 for Case 29607** regarding an application of Hunt Oil Co. for an order for the Bailey, Wolf Bay and/or Werner-Bakken Pool, Dunn County, ND, as follows: (i) create and establish an overlapping 1920-acre spacing unit comprised of Section 36, T.147N., R.93W. and Sections 1 and 12, T.146N., R.93W., authorizing the drilling of a horizontal well on said proposed overlapping 1920-acre spacing unit; (ii) create and establish an overlapping 2560-acre spacing unit Sections 2, 3, 10 and 11, T.146N., R.93W., authorizing the drilling of a horizontal well on or near the section line between the existing spacing units of said proposed overlapping 2560-acre spacing unit; and, (iii) create and establish two overlapping 3840-acre spacing units comprised of Sections 1, 12 and 13, T.146N., R.93W. and Sections 6, 7 and 18, T.146N., R.92W.; and Sections 24, 25 and 36, T.146N., R.93W. and Sections 19, 30 and 31, T.146N., R.92W., authorizing the drilling of a horizontal well on or near the section line between the existing spacing units of each proposed overlapping 3840-acre spacing unit and such further relief (Attachment 9)
- iii. **Order 32285 for Case 29681** regarding an application of Petro-Hunt L.L.C. for an order authorizing the conversion of the State 1-16-2B well (File No. 6281), located in the NE/4 of the NE/4 of Section 16, T.144N., R.98W., Little Knife Field, Billings County, ND, for the injection and disposal in the Dakota Group of acid gas or other waste products from the Little Knife Gas Plant pursuant to Chapter 43-02-05 of the North Dakota Administrative Code, and

providing such other and further relief as the Commission deems necessary (Attachment 10)

- B. Oil and Gas Division Quarterly Report (Attachment 11)
- C. Geological Survey Division Quarterly Report – *Ed Murphy* (Attachment 12)
- D. Update on Litigation\*:
  - i. Case No. 31-2020-CV-0018 - Northern Oil and Gas, Inc. vs. Continental Resources, Inc; Board of University and School Lands and ND Industrial Commission et al
  - ii. Case No. 27-2022-CV-00305 - Blue Steel Oil and Gas, LLC v. North Dakota Industrial Commission, Slawson Exploration Company, Inc and White Butte Oil Operations, LLC
  - iii. North Dakota Industrial Commission v. U.S. Department of Interior
  - iv. Dominek v Equinor et al
  - v. Spec Tech v NDIC
- E. **Consideration of Industrial Commission comments on BLM NEPA Number : DOI-BLM-HQ-3100-2023-0001-EA; Supplemental Environmental Assessment Analysis for Greenhouse Gas Emissions Related to Oil and Gas Leasing; public comment period ending December 27, 2022 (Attachment 13)**
- F. Environmental Protection Agency: "Supplemental Proposal to Reduce Climate and Health-Harming Pollution from Oil and Natural Gas Operations"; public comment period ending February 13, 2023
- G. Other North Dakota Department of Mineral Resources business

\* Possible Executive Session under N.D.C.C. 44-04-19.1(9) & 44-04-19.2 for attorney consultation

(approximately 3:40 p.m.)

## **VI. Oil and Gas Research Program – Brent Brannan**

- A. Presentation of the Oil and Gas Research Program financial and project management report – *Reice Haase* (Attachment 14)
- B. **Consideration of the following Oil and Gas Research Program Grant Round 57 application:**
  - i. **G-057-01: "North Dakota Petroleum Foundation Outreach and Education Program"- North Dakota Petroleum Foundation;** Principal Investigator: Tessa Sandstrom, PE; Project Duration: 2 years; Total Project Cost: \$2,069,250; **Request for: \$982,125** (Attachment 15)
- C. **Consideration of request for variance from OGRP Policy 3.02 – Matching Funds for Contract G-049-092 "Underground Storage of Produced Natural Gas – Conceptual Evaluation and Pilot Project(s) (HB 1014)" (Attachment 16)**

D. Other Oil and Gas Research Program business

(approximately 4:00 p.m.)

**VII. Renewable Energy Program – Rich Garman**

- A. Presentation of the Renewable Energy Program financial and project management report – *Reice Haase* (Attachment 17)
- B. **Consideration of the following Grant Round 50 applications:**
  - i. **R-050-A - Novel Process for Biocoal Production with CO2 Mineralization to Achieve Negative Carbon Emissions;** Submitted by Dr. Srivats Srinivasachar; Total Project Costs: \$349,825; **Amount Requested: \$174,830** (Attachment 18)
  - ii. **R-050-C - Enhanced Sweep Efficiency for Geothermal Renewable Energy Using Bio-Polymer Supplement;** Submitted by Dongmei Wang; Total Project Costs: \$942,877; **Amount Requested: \$468,877** (Attachment 19)
  - iii. **R-050-D – Production of hydrogen and Valuable Carbons from Methane-Sources;** Submitted by Johannes van der Watt; Total Project Costs: \$360,000; **Amount Requested: \$180,000** (Attachment 20)
  - iv. **R-050-E – Unlocking Lithium Extraction in Produced Water;** Submitted by Mat Hirst; Total Project Costs: \$1,000,000; **Amount Requested: \$500,000** (Attachment 21)
  - v. **R-050-F – Modular Biomass Gasification for Co-Production of Hydrogen and Power;** Submitted by Junior Nasah; Total Project Costs: \$2,120,000; **Amount Requested: \$500,000** (Attachment 22)

(approximately 4:30 p.m.)

**VIII. North Dakota Transmission Authority – Claire Vigesaa**

- A. Presentation of Grid Resilience and Innovative Partnerships (GRIP) opportunity (Attachment 23)

(approximately 4:50 p.m.)

**IX. Office of the Industrial Commission**

- A. **Consideration of Industrial Commission meeting minutes (August 26, September 19<sup>th</sup>, 2022, October 20<sup>th</sup>, 2022, and November 18<sup>th</sup>, 2022)** (Attachment 24)
- B. Presentation of Industrial Commission pre-filed agency bill (Attachment 25)
- C. Other Industrial Commission Administrative business
- D. Next Meeting: January 24<sup>th</sup>, 2023