

IDAHO OIL AND GAS CONSERVATION COMMISSION OPEN MEETING CHECKLIST

FOR MEETING DATE: August 5, 2020

**Regular Meetings**

07/29/2020	Notice of Meeting posted in prominent place in IDL's Boise Headquarters office five (5) calendar days before meeting.
07/29/2020	Notice of Meeting posted in prominent place in IDL's Coeur d'Alene Headquarters office five (5) calendar days before meeting.
07/29/2020	Notice of Meeting posted in prominent place at meeting location five (5) calendar days before meeting.
07/29/2020	Notice of Meeting emailed/faxed to list of media and interested citizens who have requested such notice five (5) calendar days before meeting.
07/29/2020	Notice of Meeting posted electronically on the OGCC public website <a href="https://ogcc.idaho.gov/">https://ogcc.idaho.gov/</a> five (5) calendar days before meeting.
07/29/2020	Agenda posted in prominent place in IDL's Boise Headquarters office forty-eight (48) hours before meeting.
07/29/2020 08/03/2020*	Agenda posted in prominent place in IDL's Coeur d'Alene Headquarters office forty-eight (48) hours before meeting.
07/29/2020 08/03/2020*	Agenda posted in prominent place at meeting location forty-eight (48) hours before meeting.
07/29/2020 08/03/2020*	Agenda emailed/faxed to list of media and interested citizens who have requested such notice forty-eight (48) hours before meeting.
07/29/2020 08/03/2020*	Agenda posted electronically on the OGCC public website <a href="https://ogcc.idaho.gov/">https://ogcc.idaho.gov/</a> forty-eight (48) hours before meeting.
11/21/19	Annual meeting schedule posted – Director's Office, Boise and Staff Office, CDA

\*Amended agenda

**Special Meetings**

	Notice of Meeting and Agenda posted in a prominent place in IDL's Boise Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted in a prominent place in IDL's Coeur d'Alene Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted at meeting location twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda emailed/faxed to list of media and interested citizens who have requested such notice twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted electronically on the OGCC public website <a href="https://ogcc.idaho.gov/">https://ogcc.idaho.gov/</a> twenty-four (24) hours before meeting.
	Emergency situation exists – no advance Notice of Meeting or Agenda needed. "Emergency" defined in Idaho Code § 74-204(2).

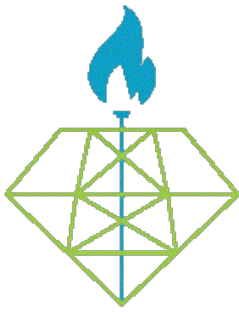
**Executive Sessions** (If only an Executive Session will be held)

	Notice of Meeting and Agenda posted in IDL's Boise Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted in IDL's Coeur d'Alene Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda emailed/faxed to list of media and interested citizens who have requested such notice twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted electronically on the OGCC public website <a href="https://ogcc.idaho.gov/">https://ogcc.idaho.gov/</a> twenty-four (24) hours before meeting.
	Notice contains reason for the executive session and the applicable provision of Idaho Code § 74-206 that authorizes the executive session.

*Kourtney Romine*  
RECORDING SECRETARY

08/03/2020

DATE



## IDAHO OIL AND GAS CONSERVATION COMMISSION

Betty Coppersmith, Chairman  
Marc Shigeta, Vice Chairman  
Jim Classen, Commissioner  
Dustin T. Miller, Commissioner

Mick Thomas, Secretary to the Commission

# NOTICE OF PUBLIC MEETING AUGUST 2020

The Idaho Oil and Gas Conservation Commission will hold a Regular Meeting on **Wednesday, August 5, 2020** in the **Joe R. Williams Building, (East Conference Room), 700 W State St., Boise**. The meeting is scheduled to begin at **1:00 pm (MT)**.

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***Please note meeting location, time and additional details below.***

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This meeting is open to the public.

All in-person attendees must comply with current COVID-19 safety protocols for public gatherings in the City of Boise, including but not limited to wearing face coverings and observing physical distancing. Physical distancing measures reduce the meeting room's normal capacity for public attendance.<sup>1</sup>

Contingent upon safety protocols, the public may attend the meeting in person or via Zoom.

Members of the public may attend the meeting via Zoom, using the following link: <https://idl.zoom.us/j/3842243580> or from the Zoom application main menu, select Join and then enter Meeting ID 384 224 3580, no passcode is required. Alternatively, to participate by phone only, you may dial (669) 900-6833 and enter 3842243580#.

First Notice Posted: 07/29/2020-IDL Boise; 07/29/2020-IDL CDA

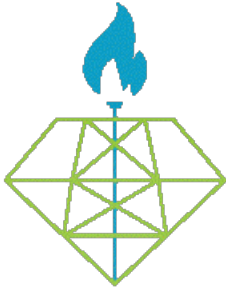
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<sup>1</sup> <https://rebound.idaho.gov/stages-of-reopening/>  
<https://www.cityofboise.org/departments/mayor/coronavirus-covid-19-information/>  
<https://www.cdhd.idaho.gov/pdfs/cd/Coronavirus/Order/CDH%20Quarantine%20and%20Restriction%20Order%2007-14-20%20Final.pdf>

***The Idaho Oil and Gas Conservation Commission is established by Idaho Code § 47-314.***

*Idaho Department of Lands, 300 N 6th Street, Suite 103, Boise ID 83702*

This notice is published pursuant to § 74-204 Idaho Code. For additional information regarding Idaho's Open Meeting law, please see Idaho Code §§ 74-201 through 74-208.



IDAHO OIL AND GAS CONSERVATION COMMISSION

Betty Coppersmith, Chairman  
Marc Shigeta, Vice Chairman  
Jim Classen, Commissioner  
Dustin T. Miller, Commissioner

Mick Thomas, Secretary to the Commission

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Amended Final Agenda  
Idaho Oil and Gas Conservation Commission Regular Meeting  
August 5, 2020 – 1:00 PM (MT)  
Joe R. Williams Building, (East Conference Room), 700 W State St., Boise, Idaho

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***Please note meeting time, location and additional details below.***

This meeting is open to the public.

All in-person attendees must comply with current COVID-19 safety protocols for public gatherings in the City of Boise, including but not limited to wearing face coverings and observing physical distancing. Physical distancing measures reduce the meeting room's normal capacity for public attendance.<sup>1</sup>

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• **ANNOUNCEMENTS**

*No public comment will be taken at this meeting.*

**1. Division Administrator's Report**

- A. Financial Update
- B. Current Oil and Gas Activity
- C. Status Update
  - i. Class II Injection Well – Permit Status
  - ii. Interstate Oil & Gas Compact Commission Annual Business Meeting

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<sup>1</sup> <https://rebound.idaho.gov/stages-of-reopening/>  
<https://www.cityofboise.org/departments/mayor/coronavirus-covid-19-information/>  
<https://www.cdhd.idaho.gov/pdfs/cd/Coronavirus/Order/CDH%20Quarantine%20and%20Restriction%20Order%2007-14-20%20Final.pdf>

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- **CONSENT – ACTION ITEM(S)**

2. **Approval of Minutes** – May 13, 2020 – Regular Meeting (Boise)

- **INFORMATION**

3. **Minerals, Public Trust, Oil & Gas Division Reorganization** – *Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas*

4. **Omnibus Rulemaking – Proposed Rule for IDAPA 20.07.02 – Rules Governing Conservation of Oil and Natural Gas in the State of Idaho** – *Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas*

- **REGULAR – ACTION ITEM(S)**

5. **Updated Commission Guidelines** – *Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas*

6. **Election of Chairman and Vice-Chairman** – *Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas*

- **EXECUTIVE SESSION**

None





# Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 74  
TRANSPARENT AND ETHICAL GOVERNMENT  
CHAPTER 2  
OPEN MEETINGS LAW

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

- (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;
- (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;
- (c) To acquire an interest in real property not owned by a public agency;
- (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;
- (e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;
- (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;
- (g) By the commission of pardons and parole, as provided by law;
- (h) By the custody review board of the Idaho department of juvenile corrections, as provided by law;
- (i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of

a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code.

(2) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this chapter to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(3) No executive session may be held for the purpose of taking any final action or making any final decision.

(4) If the governing board of a public school district, charter district, or public charter school has vacancies such that fewer than two-thirds (2/3) of board members have been seated, then the board may enter into executive session on a simple roll call majority vote.

History:

[74-206, added 2015, ch. 140, sec. 5, p. 371; am. 2015, ch. 271, sec. 1, p. 1125; am. 2018, ch. 169, sec. 25, p. 377; am. 2019, ch. 114, sec. 1, p. 439.]

How current is this law?

**Search the Idaho Statutes and Constitution**

IDAHO OIL & GAS  
CONSERVATION COMMISSION

**Oil and Gas Regulatory Program  
Activities Report as of April, 2020  
Fund 0075-14 Oil and Gas Conservation Fund Cash Flow Report**

		Current Month	Year-to-Date
<b>Beginning Cash Balance 7/1/2019</b>	253,393.68		
Permits		0.00	3,900.00
*Severance Tax		2,890.01	26,747.82
Refund (previous year)		0.00	0.00
Other (transfer to GF)		0.00	0.00
<b>Total</b>		<u>2,890.01</u>	<u>30,647.82</u>
Personnel Expenditures		(6,697.71)	(70,145.18)
Operating Expenditures		(53.20)	(8,235.04)
P-Card Liability to be paid		0.00	0.00
<b>Ending Cash Balance 4/30/2020</b>			<u><u>205,661.28</u></u>

\*The Idaho Tax Commission transfers 60% of the 2.5% Severance Tax to Fund 0075-14 Oil and Gas Conservation Fund to defray the expense of the Oil and Gas Commission.

**General Fund Regulatory Program Expenditures Report**

**Expenditures from General Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55000 Expenses</b>				
PC	394,500.00	28,344.90	316,729.54	77,770.46
OE	102,200.00	6,278.60	55,932.13	46,267.87
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>496,700.00</u>	<u>34,623.50</u>	<u>372,661.67</u>	<u>124,038.33</u>

**Dedicated Fund Regulatory Program Expenditures Report**

**Expenditures from Dedicated Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55070 Expenses</b>				
PC	87,343.00	6,697.71	70,145.18	17,197.82
OE	85,000.00	53.20	8,235.04	76,764.96
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>172,343.00</u>	<u>6,750.91</u>	<u>78,380.22</u>	<u>93,962.78</u>

**Oil and Gas Regulatory Program  
Activities Report as of May, 2020  
Fund 0075-14 Oil and Gas Conservation Fund Cash Flow Report**

		Current Month	Year-to-Date
<b>Beginning Cash Balance 7/1/2019</b>	253,393.68		
Permits		0.00	3,900.00
*Severance Tax		684.34	27,432.16
Refund (previous year)		0.00	0.00
Other (transfer to GF)		0.00	0.00
<b>Total</b>		<u>684.34</u>	<u>31,332.16</u>
Personnel Expenditures		(9,547.36)	(79,692.54)
Operating Expenditures		(53.05)	(8,288.09)
P-Card Liability to be paid		0.00	0.00
<b>Ending Cash Balance 5/31/2020</b>			<u><u>196,745.21</u></u>

\*The Idaho Tax Commission transfers 60% of the 2.5% Severance Tax to Fund 0075-14 Oil and Gas Conservation Fund to defray the expense of the Oil and Gas Commission.

**General Fund Regulatory Program Expenditures Report**

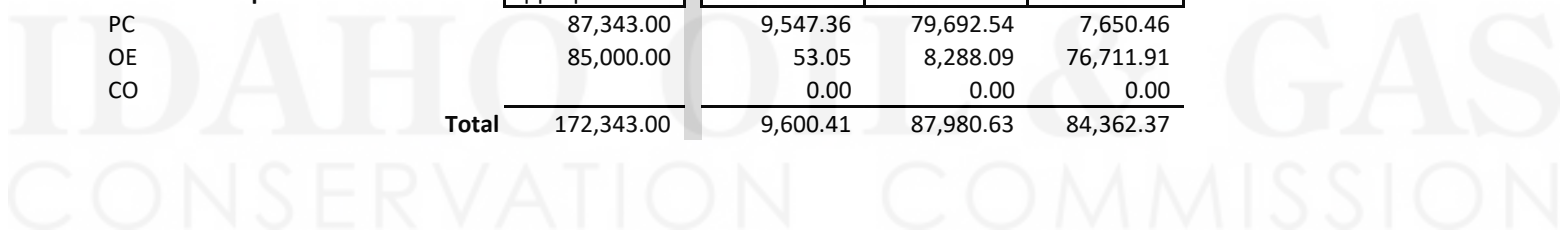
**Expenditures from General Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55000 Expenses</b>				
PC	394,500.00	41,137.60	357,867.14	36,632.86
OE	70,000.00	446.63	56,378.76	13,621.24
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>464,500.00</u>	<u>41,584.23</u>	<u>414,245.90</u>	<u>50,254.10</u>

**Dedicated Fund Regulatory Program Expenditures Report**

**Expenditures from Dedicated Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55070 Expenses</b>				
PC	87,343.00	9,547.36	79,692.54	7,650.46
OE	85,000.00	53.05	8,288.09	76,711.91
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>172,343.00</u>	<u>9,600.41</u>	<u>87,980.63</u>	<u>84,362.37</u>





**Oil and Gas Regulatory Program  
Activities Report as of June, 2020  
Fund 0075-14 Oil and Gas Conservation Fund Cash Flow Report**

		Current Month	Year-to-Date
<b>Beginning Cash Balance 7/1/2019</b>	253,393.68		
Permits		0.00	3,900.00
*Severance Tax		222.14	27,654.30
Refund (previous year)		0.00	0.00
Other (transfer to GF)		0.00	0.00
<b>Total</b>		<u>222.14</u>	<u>31,554.30</u>
Personnel Expenditures		(6,978.66)	(86,671.20)
Operating Expenditures		(53.05)	(8,341.14)
P-Card Liability to be paid		0.00	0.00
<b>Ending Cash Balance 6/30/2020</b>			<u><u>189,935.64</u></u>

\*The Idaho Tax Commission transfers 60% of the 2.5% Severance Tax to Fund 0075-14 Oil and Gas Conservation Fund to defray the expense of the Oil and Gas Commission.

**General Fund Regulatory Program Expenditures Report**

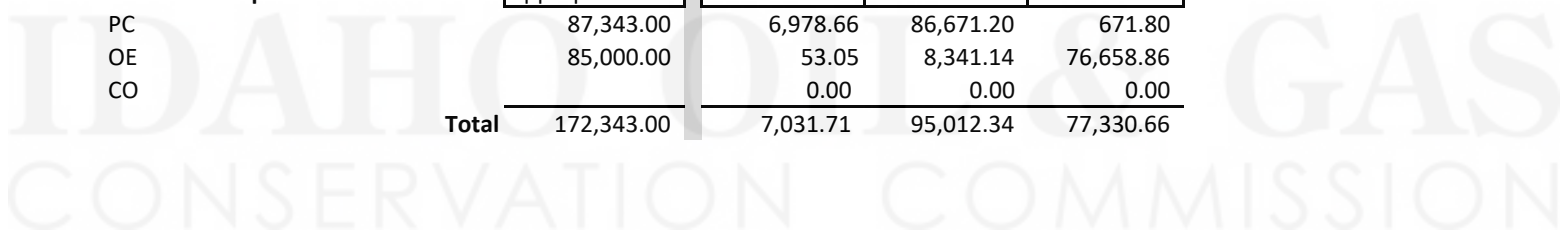
**Expenditures from General Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55000 Expenses</b>				
PC	394,500.00	28,428.59	386,295.73	8,204.27
OE	70,000.00	2,291.05	58,669.81	11,330.19
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>464,500.00</u>	<u>30,719.64</u>	<u>444,965.54</u>	<u>19,534.46</u>

**Dedicated Fund Regulatory Program Expenditures Report**

**Expenditures from Dedicated Fund FY20**

	Appropriation	Current Month	Year-to-Date	Balance
<b>PCA 55070 Expenses</b>				
PC	87,343.00	6,978.66	86,671.20	671.80
OE	85,000.00	53.05	8,341.14	76,658.86
CO	0.00	0.00	0.00	0.00
<b>Total</b>	<u>172,343.00</u>	<u>7,031.71</u>	<u>95,012.34</u>	<u>77,330.66</u>





# Southwest Idaho Oil & Gas Activity Map



IDAHO OIL & GAS  
CONSERVATION COMMISSION

## Legend

<b>Active Oil and Gas Wells</b>		<b>Inactive Oil and Gas Wells</b>		Gas Pipeline	Gas Plant
Shut in Gas	Plugged and Abandoned (P&A) Oil Show	Gas Transmission Pipeline	Idaho Mineral Estate	Highway	<b>Surface Ownership</b>
Producing - Multi Zone	Plugged and Abandoned (P&A) Gas Show	Township	BLM	Sections	IDF&G
Producing	Plugged and Abandoned (P&A) Gas Well	Counties	IDL	Approved Integration/Spacing Request	
Permitted	Plugged and Abandoned	Spacing Request			
	APD Submitted				

No.	US Well Number	Operator	Well Name	Status
1	11-075-20004	AM Idaho, LLC	Espino #1-2	Plugged & Abandoned
2	11-075-20005	AM Idaho, LLC	State #1-17	Plugged
3	11-075-20007	AM Idaho, LLC	ML Investments #1-10	Plugged & Abandoned
4	11-075-20009	AM Idaho, LLC	Island Capitol #1-19	Plugged
5	11-075-20011	Snake River O&G	Tracy Trust #3-2	Shut in
6	11-075-20013	AM Idaho, LLC	White #1-10	Plugged
7	11-075-20014	AM Idaho, LLC	Korn #1-22	Plugged
8	11-075-20020	Snake River O&G	DJS Properties #1-15	Producing (temp. S/I)
9	11-075-20022	Snake River O&G	ML Investments #2-10	Producing (temp. S/I)
10	11-075-20023	Snake River O&G	DJS Properties #2-14	Shut in (Class II appl.)
11	11-075-20024	Snake River O&G	Kauffman #1-34	Shut In
12	11-075-20025	Snake River O&G	ML Investments #1-11	Producing (temp. S/I)
13	11-075-20026	Snake River O&G	ML Investments #1-3	Producing (temp. S/I)
14	11-075-20027	Snake River O&G	Kauffman #1-9	Producing (temp. S/I)
15	11-075-20029	Snake River O&G	ML Investments #2-3	Producing (temp. S/I)
16	11-075-20031	Snake River O&G	ML Investments #3-10	Producing (temp. S/I)
17	11-075-20032	Snake River O&G	Fallon #1-10	Shut In
18	11-075-20033	Snake River O&G	Barlow #1-14	Shut In
19	Not assigned	Snake River O&G	Barlow #2-14	APD Submitted

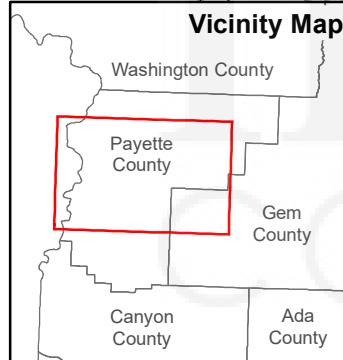
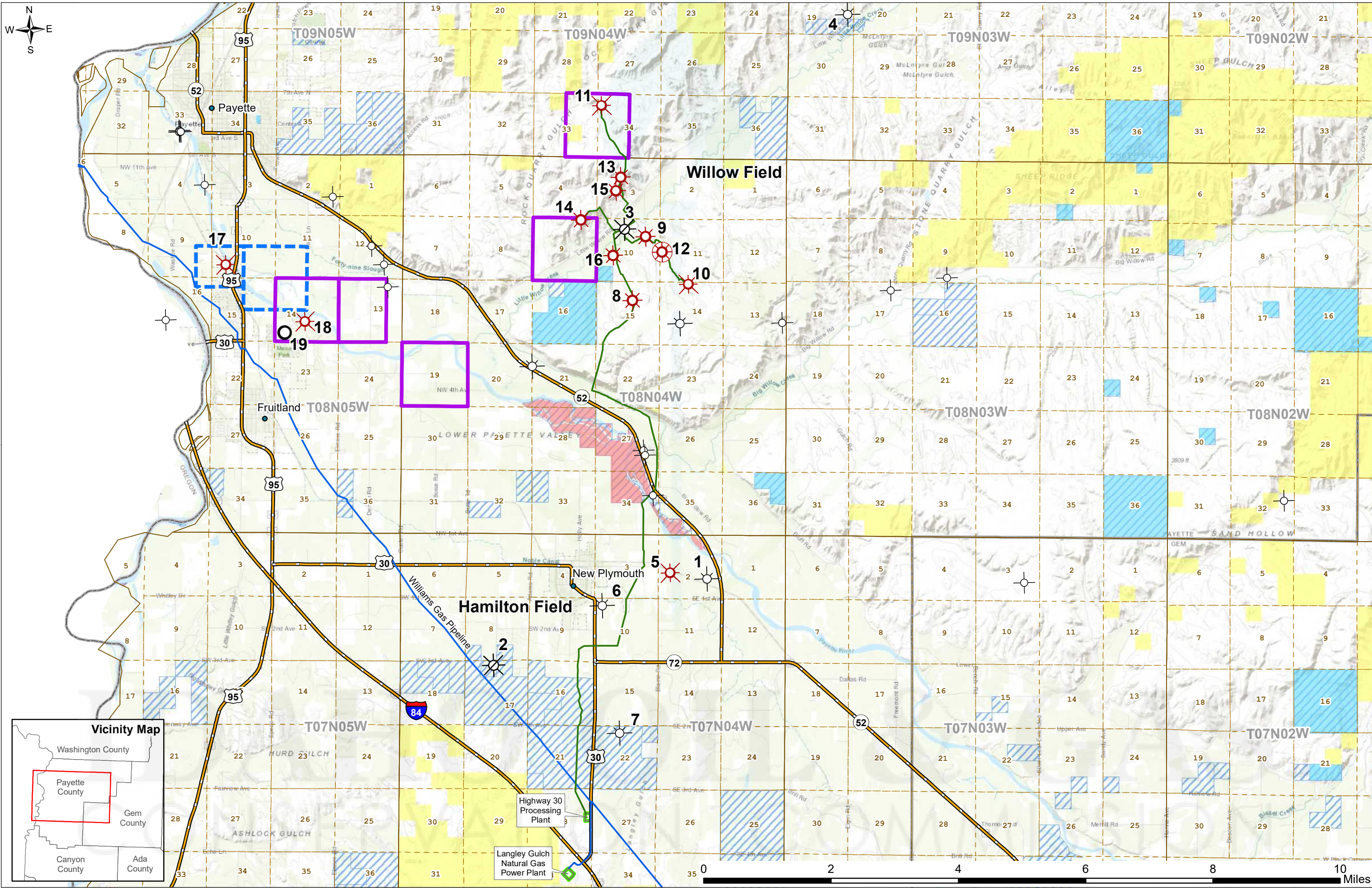
### Map Notes and Data Sources

Inactive and Active Oil And Gas Wells through 7/23/2020

Data Sources: Idaho Department of Lands and Idaho Geological Survey

### Disclaimer:

This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.



Highway 30 Processing Plant  
Langley Gulch Natural Gas Power Plant

Item 1C - Status Update

i. Class II Injection Well – Permit Status

On June 18, 2020, the Environmental Protection Agency (EPA) sent a letter requesting a response to questions regarding the Aquifer Exemption Request (AE) and the Underground Injection Control (UIC) permit submitted by Snake River Oil and Gas (SROG). See attachments 1 and 2.

The EPA originally provided a deadline to respond of July 24, 2020, however, the operator asked for an extension and the EPA has extended this deadline to August 7, 2020.

ii. IOGCC Annual Business Meeting

Due to the COVID-19 response, the Interstate Oil & Gas Compact Commission (IOGCC) held their annual business meeting virtually. The month-long meeting was kicked off in late June with the Council of Regulatory Officials meeting. Below are some key take away from that meeting:

- The decrease in oil & gas prices that began this spring reduced production in all member states. Texas and Oklahoma saw a decrease in rig count by approximately 75%.
- Nationwide, the COVID-19 response has impacted state spending across the board. Many of the IOGCC member states received direction to reduce spending by 15% to 20%. This has required a decrease in staff in many of the member states.
- All states but Virginia have moved to a remote work format. Anticipated return to work dates range from late September to end-of-year to indefinite.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

WATER  
DIVISION

June 10, 2020

**DELIVERED BY ELECTRONIC-MAIL**

Mr. Richard Brown, Manager  
Snake River Oil and Gas, LLC  
117 East Calhoun – P.O. Box 500  
Magnolia, Arkansas 71753

Re: Underground Injection Control (UIC) Permit Application No. ID-2D001-A (Resubmittal) - First Notice (Technical Review Phase)

Dear Mr. Brown,

The U.S. Environmental Protection Agency Region 10 (“EPA”) is providing Snake River Oil and Gas, LLC (“SROG”) with comments made in response to your application for a Class II injection well permit at the Little Willow Facility in Payette County, Idaho. The EPA’s comments must be addressed to allow EPA to evaluate the technical details of this submittal. Please see the attachment to this letter to review these comments. Your responses to EPA’s comments are required prior to EPA making a permit issuance determination.

These comments were generated during the EPA’s technical review of SROG’s application. The application under review was submitted to the EPA on March 10, 2020, and the signed Permit Application Form (7520-6), a necessary component of the permit application, was submitted on March 16, 2020. The EPA considers March 16, 2020, as the date of submission. On April 28, 2020, the EPA determined that this permit application contained all necessary forms and attachments to be considered administratively complete.

In the near future, the EPA will deliver comments in response to SROG’s request for an Aquifer Exemption (AE). These comments are being finalized and will be delivered along with a separate letter to SROG. The EPA team reviewing SROG’s permit application is available to discuss any questions or concerns SROG may have regarding the comments from EPA contained below. Once SROG receives comments from the EPA regarding the AE request, the EPA team reviewing SROG’s AE request is available to discuss any questions or concerns raised.


The EPA continues to reserve the right to request additional information needed to clarify, supplement, or modify the application. Please note that to ensure the protection of underground sources of drinking water, the Safe Drinking Water Act Section 1421 prohibits underground injection that is not authorized by rule or a permit issued by the EPA or an authorized State [Safe Drinking Water Act, 42 U.S.C. 300h(b)(1)(A)].

Thank you for your consideration of these comments. If you have questions, please contact Evan Osborne at [osborne.evan@epa.gov](mailto:osborne.evan@epa.gov) or (206) 553-1747).

Sincerely,

6/9/2020

X



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Karen Burgess  
Groundwater and Drinking Water Section Chief  
Signed by: KAREN BURGESS

Attachments: EPA Comments on Permit Application



IDAHO OIL & GAS  
CONSERVATION COMMISSION

## **Attachment: EPA Comments on the Permit Application**

The following comments are based on the EPA's review of the Class II permit application for well DJS 2-14 as submitted by SROG on March 16, 2020. All comments request clarification, modification, or supplementation of certain components of the application. If answers cannot be provided because the information does not exist or is unavailable, please indicate as such. If responses contain confidential business information, also please indicate as such. Pursuant to 40 CFR §144.5, any information submitted to EPA may be claimed as confidential but this claim must be asserted at the time of submission by stamping the words, "confidential business information" on each page containing such information. If no claim is asserted, the information will be treated in accordance with the procedures in 40 CFR part 2.

1. To supplement Attachment B, please explain how SROG will monitor the pipeline between the Little Willow Facility and well DJS 2-14 to prevent leaks and/or spills.
2. The application states on page 10 that a complete water flow testing and water analysis was done for two existing wells prior to developing the Willow Field. Data are presented for one of these two wells. To supplement Attachment E, provide the name, location, or value of Total Dissolved Solids for this other well.
3. To clarify Attachment E, explain whether field blanks, laboratory duplicates, or other QA samples were taken for the water quality analysis performed at the "Auxier well."
4. To clarify Attachment E (regarding the identification of USDWs), share any available information regarding the use of the aquifer in the turbidite sands situated below the Pierce Gulch Aquifer. If applicable, provide information on how this water is or has been used, and whether there are any wells located within the project area.
5. To supplement Attachment E, provide any previously-available water quality information on groundwater held within the turbidite sands situated between the Pierce Gulch Aquifer and the Willow Sands.
6. To Supplement Attachment G, provide calculated or estimated porosity and permeability data for the Chalk Hills claystone.
7. To supplement Attachment G, compare the sealing nature of faults across the region to the faults identified near the proposed injection zone. For example, are there faults with similar lithologies, ages, or degrees of offset in the general vicinity? Is there known information regarding possible diagenetic sealing? If this information is not available, please indicate as such.
8. To supplement Attachment G, provide information regarding the stability of the faults identified in the permit application. If possible, provide a fault slip analysis supported by fault geometry, downhole stresses, and other relevant factors.
9. To supplement Attachment G, provide evidence that the geologic intervals with volcanic character below the proposed injection zone will act as a competent lower confining interval. This may include estimates of permeability and porosity, comparisons with like-formations from other locations, or other available information.

10. To supplement Attachment G, please provide a vertical distance between the injection zone and the nearest underlying instance of crystalline basement rock, if known and applicable. If not known and/or applicable, please provide the basis for SROG not obtaining this information and/or reaching this conclusion.
11. To supplement Attachment G, detail whether there are any known fluid transmission routes between the Willow Sands and basement rock.
12. To supplement Attachment G, submit information on the seismic history of the area from available records, including the presence and depths of seismic sources.
13. To clarify Attachment H, explain how the porosity of the injection zone was estimated and indicate how many data points were used to make this estimate?
14. To clarify Attachment H, how was the water saturation value (80%) determined?
15. To clarify Attachment H, what log characteristics were used to determine the net reservoir thickness?
16. To clarify or modify Attachment H, why were two depths (5,150 ft. and 5,390 ft.) used to estimate a fracture pressure of 3,214 psi?
17. To supplement Attachment H, describe how the industry-standard correlations for water, gas, and pore space compressibility were chosen.
18. To supplement Attachment M, submit any cement bond logs performed on well DJS 2-14.
19. To clarify Attachment M, please explain any directional deviation of the DJS 2-14 wellbore. If necessary, clarify depth identifiers (e.g. MD vs. TVD) in the application.
20. In Exhibit M-4, a comment indicates that the surface casing was cemented to surface, and a top-job cementing operation was performed. To clarify Attachment M, please provide an explanation for why a top-job procedure was needed.
21. In Exhibit Q-3, in Attachment Q, the plugging and abandonment cost estimate, prepared by HTI services, LLC, states that the cost to plug DJS 2-14 is projected to be \$66,000 “based on what was required on the past abandonment work.” To clarify Attachment Q, please demonstrate that the method for plugging this well meets the criteria to be used in the Plugging and abandonment of DJS 2-14 (and that, therefore, a comparison of cost estimates is appropriate).
22. To modify or clarify Attachment Q, please confirm that the upper proposed plug in the plugging and abandonment plan will isolate the turbidite sands in the Upper Glenn’s Ferry Formation.





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

WATER  
DIVISION

June 18, 2020

**DELIVERED BY ELECTRONIC-MAIL**

Mr. Richard Brown, Manager  
Snake River Oil and Gas, LLC  
117 East Calhoun – P.O. Box 500  
Magnolia, Arkansas 71753

Re: Aquifer Exemption Request Associated with UIC Permit Application No. ID-2D001-A  
(Resubmittal) - First Notice (Technical Review Phase)

Dear Mr. Brown,

This letter transmits the U.S. Environmental Protection Agency's ("EPA") comments regarding Snake River Oil and Gas, LLC's ("SROG") Aquifer Exemption ("AE") Request. SROG submitted its initial AE request on March 10, 2020, along with the initial Underground Injection Control (UIC) Class II permit application submittal.

On June 10, 2020, the EPA provided SROG with a list of comments made in response to SROG's permit application for a UIC Class II Disposal well at the Little Willow Facility in Payette County, Idaho.

To ensure timely processing of the permit application and AE Request, respond to both this letter (i.e. AE comments) and the June 10, 2020 letter (i.e., Permit application comments) by July 24, 2020. If you are unable to respond by this date, please contact our office to discuss a timeline for your response. If you have questions or seek clarification for these comments, please contact Evan Osborne at [osborne.evan@epa.gov](mailto:osborne.evan@epa.gov) or (206) 553-1747 to schedule a time to meet.

Sincerely,

6/18/2020

X

Karen Burgess  
Groundwater and Drinking Water Section Chief  
Signed by: KAREN BURGESS

**Attachments**

1. Comment on the Aquifer Exception Request

## Attachment 1

### **Comments on the Aquifer Exemption Request:**

Underground Sources of Drinking Water (“USDWs”) are broadly defined in the Safe Drinking Water Act (“SDWA”) in order to protect current and future drinking water sources from endangerment. Injection of fluids that may result in an exceedance of a primary drinking water standard or may otherwise adversely affect the health of persons in a USDW is banned (See 40 CFR 144.12). Exempting an aquifer (i.e., an Aquifer Exemption, or “AE”), effectively removes the USDW designation from that aquifer. SROG’s request to inject into well DJS 2-14 proposes the injection of fluids into an aquifer that meets the criteria of a USDW, so the company has requested that EPA issue an aquifer exemption (“AE”) for a portion of the aquifer that may be affected by this injection. The current extent of the aquifer exemption request covers approximately four-square miles, projected to the surface, as depicted in figures III-B and III-A of the aquifer exemption request, and occurring between 4,000 and 6,000 feet below ground surface.

To demonstrate that the portion of the Willow Sands aquifer requested for exemption is not currently being used as a drinking water source, SROG provided location and depth information of water wells located in the aquifer exemption area and determined that there are no water wells deeper than 215’ below ground surface. Based on the AE Request, EPA agrees with SROG that the groundwater found within the Willow Sands in the prospective exemption area is not currently used for drinking water. The EPA has not received sufficient evidence and discourse from SROG that would lead the Agency to determine that the portions of this aquifer requested for exemption will not reasonably be used for drinking water in the future.

Additionally, the EPA has concerns that the areal extent of the AE area may not be accurately sized. Further, the Agency has not received sufficient evidence and discourse from SROG regarding the projected fluid movement behavior, resulting from injection, in the Willow Sand aquifer. SROG must clearly define and support the boundary of the portion of the aquifer it proposed for exemption and support this boundary with enough evidence to allow EPA to make a determination that the movement of fluids injected will remain within the boundaries of the AE proposed by SROG.

Finally, EPA has identified several areas of the AE request that require contextual clarification and/or correction.

Please review and address the following comments either by submitting an updated AE Request, or submitting a stand-alone response to this letter that sufficiently addresses each comment in a numbered fashion.

1. SROG suggests that the portion of the Willow Sands aquifer sought for exemption is not reasonably expected to become a future drinking water source. A requestor may provide evidence supporting such a claim pursuant to 40 CFR § 146.4(b). To date, SROG has failed to demonstrate to EPA that the portion of the Willow Sands aquifer identified in its AE request meets any one of the acceptable criteria for AE associated with UIC Class II disposal wells in 146.4(b). SROG must supplement, revise, and resubmit an aquifer exemption request that meets one of these criteria intended to demonstrate that the AE request and associated UIC Class II disposal well will not affect future drinking water sources.

Regarding any claim that the requested AE zone can be shown to be commercially producible (i.e., subpart (b)(1)), the EPA has not received sufficient evidence and discourse supporting the assertion that the “E Block: portion of the Willow Sands, identified in the AE request materials, near the DJS 2-14 wellbore, should be considered a viable commercial source of hydrocarbons.

Regarding claims that the aquifer portion identified by SROG in its AE request for exemption is too deep to be considered a reasonable future water supply (i.e., subpart (b)(2)), or too contaminated (i.e., subpart (b)(3)), SROG has not provided sufficient evidence that production and treatment of this water is economically or technologically impractical. Further, missing from this AE request is information addressing factors in water supply and demand, including, but not limited to: the current costs of nearby public water, possible expansion of nearby urban, suburban, and rural residential areas relying on public water sources, projected population changes in nearby population centers, possible increase in water competition for non-drinking water purposes (i.e., industrial water use, agricultural water use, etc.), and projected surface vs groundwater needs related to both future availability against demand.

Any assertion by SROG that focuses on the economic viability of drilling to the depth of the Willow sands should account for how water production—rather than simply hydrocarbon production—impacts potential costs (for example, the Fallon 1-10 well example used by SROG fails to consider cost-lowering impacts, such as drilling to more easily accessible zones and differences in the build materials of the well). Additionally, assertions by SROG that focus on the economic unviability of treating water from the Willow Sands should account for estimated lowest-costs methods for: water collection, treatment, and conveyance to communities in the areas surrounding the proposed AE.

(Note: SROG need only demonstrate that one of the criteria found at 40 CFR § 146.4(b) apply in this situation).

2. SROG has chosen an areal extent of the portion of the aquifer requested for exemption extending approximately four-square miles, overlaying much of the portions of the Willow Sands producing hydrocarbons. In Section IX of the AE Request, “Discussion of Boundaries of the Proposed Aquifer Exemption Area,” SROG states that injected fluids will be hydraulically isolated to Block E because SROG asserts that the faults making up Block E will be self-sealing. However, to account for a scenario in which these faults are not sealing, SROG provides a flow diagram that depicts how fluids could possibly move based on differences in formation pressures across fault lines (Exhibit IX-C). It appears that it is this alternative scenario, to the one where Block E contains self-sealing faults, that causes SROG to draw the boundaries of the portion of the aquifer requested for exemption to the four-square mile expanse it submitted in its AE request. The EPA does not have enough information to determine whether the requested areal extent of the portion of the aquifer requested for exemption reflects the smallest portion of the aquifer necessary to accommodate the UIC Class II disposal well permit activity. Alternatively, should Block E not contain self-sealing faults, EPA does not have enough information to determine whether the requested areal extent of the portion of the aquifer requested for exemption appropriately encompasses the possible distribution of fluids.

Please address the following:

- a. Provide information regarding the known or suspected groundwater flow direction within the various fault blocks in the submitted AE request materials, and across the Willow Sands, prior to hydrocarbon extraction.

- b. With regards to the movement of fluids due to pressure differentials, provide information regarding how the reservoir pressure relationships between fault blocks will change if producing wells are shut-in permanently (e.g., ML 3-10 ceasing injection).
- c. Provide information regarding how the fault between the edge of Block E and the eastern edge of the proposed AE area provides confinement. For example, is any information available about the sealing nature of the north-easternmost fault shown on Exhibit VIII-A (the fault depicted as a the eastern-most barrier of zones C, B, and E)?
- d. Provide information regarding whether physical properties (i.e., temperature) of the injected fluid would influence transport of injected fluids in horizontal and/or vertical directions.
- e. Provide information regarding whether the sealing nature of the fault that runs between Blocks A and B extends through the contact with block E (i.e., when the fault passes into Sections 13 and 14 as depicted in Exhibit VI-C).
- f. Provide information regarding the relationship between Blocks B and E. For example, can SROG provide a comparison of any pressure data across this fault boundary, i.e., ML#2-10 and ML#1-11 in (in Block B) with DJS #2-14 (in Block E) that demonstrates fault sealing?
- g. Provide information regarding how the volume of fluid that would be injected over the lifespan of the injection well would define the aquifer exemption boundary (assuming non-confinement to Block E).

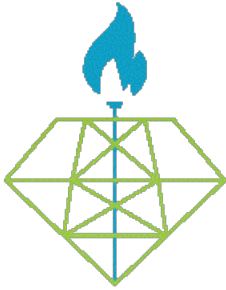
Depending on the nature of SROG's internal review of the information and supporting evidence requested by EPA above, it may be warranted for SROG to consider changes to the requested areal or vertical limits of the aquifer exemption boundary to match the expected boundary of fluid movement. Regardless of whether the boundary size of the AE request changes, please provide a shapefile of the geospatial areal extent of the portion of the aquifer proposed for exemption and latitude/longitude information for the significant boundary points (i.e. corners if the area is four-sided, vertices if the shape is irregularly shaped).

3. Please explain the relevance of the seal between Blocks C and D and between Blocks B and C (described on pages 68-75 of the application) in the proposed aquifer exemption request.
4. Exhibit VII-D displays water quality information from well ML #1-10. It appears that the samples were all taken on 1/5/2013 at a depth of 4,096 ft., but have a wide range in Total Dissolved Solids (two samples contain about 2,000 mg/L and a third contains 15,982 mg/L). Please explain this disparity.
5. Please correct the discrepancies between Exhibit VII-D and Appendix VII:
  - The TDS values of the samples from AMS DJS #2-14 and AMS DJS 1-15 appear to be transposed on the exhibits.
  - The last value on the table (the 2016 sample of 1,349 mg/L) appears to be from ML #1-10, as referenced on page 34 of 39 in the Aquifer Exemption Request. Please confirm and revise.
6. Are any TDS data available from the Willow Sands aquifer from east of the injection well? Alternatively, is this information available from the Boise Petroleum Keine 1 well?
7. It appears that Exhibit IX-A on page 83 is mislabeled; based on the text, this should be Exhibit XI-A. Please confirm.

8. The seismic data and resultant cross sections that support the confinement discussion for the AE are presented in the Class II permit application, but not the AE application. Please submit and attest to these figures (i.e., Figure G-9 of the Class II permit application) in the AE application for completeness.
9. Please clarify why the isopach map on page 77 appears to depict the Willow Sands aquifer reaching a thickness of 0', including discussion of the apparent decrease in the Willow Sands thickness along the B-E fault blocks.
10. There is only one water quality analysis presented for DJS 2-14. Have any water quality analyses been conducted on samples taken from the Willow Sands aquifer within the boundaries of Block E (i.e., from well DJS 2-14)?
11. Exhibit IV-E displays an outline of the areal extent of the requested aquifer exemption boundary and includes six light-blue colored dots on the inside of that boundary indicating locations of water wells. Exhibit IV-F lists all water wells within the AE boundary. Please modify Exhibit IV-F so that the well locations shown on the map can be cross-referenced with the well details in Exhibit IV-F.



IDAHO OIL & GAS  
CONSERVATION COMMISSION



IDAHO OIL AND GAS CONSERVATION COMMISSION

Betty Coppersmith, Chairman  
Marc Shigeta, Vice Chairman  
Jim Classen, Commissioner  
Dustin T. Miller, Commissioner

Mick Thomas, Secretary to the Commission

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Draft Minutes  
Idaho Oil and Gas Conservation Commission Regular Meeting  
May 13, 2020

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Wednesday, May 13, 2020 via teleconference only.<sup>1</sup> The meeting began at 1:03 p.m. Chairman Betty Coppersmith presided. The following members were present:

Vice Chairman Marc Shigeta  
Commissioner Jim Classen  
Commissioner Dustin Miller

For the record, all four Commission members were present via teleconference.

- **ANNOUNCEMENTS**

Chairman Coppersmith announced that Commissioner Renee Love had resigned due to her running for legislative seat. Chairman Coppersmith thanked Commissioner Love for her service.

1. **Division Administrator's Report**

- A. Financial Update

Commissioner Classen inquired about Secretary Thomas' new job position and how the distribution of personnel is going to affect the budget. Secretary Thomas explained that the integration of the oil and gas program with the minerals and public trust programs was not going to affect the budget for the 2020 fiscal year. Secretary Thomas noted that they are looking into ways to have several of the staff be covered by multiple programs and that the plan was to spread costs and to have resources better managed. Chairman Coppersmith stated she had the same question as Commissioner Classen.

- B. Current Oil and Gas Activity

Commissioner Classen asked where he could find the meeting materials. Secretary Thomas directed him to the location of the meeting materials on the Commission website.

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<sup>1</sup> Pursuant to Governor's proclamation, March 18, 2020.

C. Status Update

i. 2020 Legislative Session

ii. Class II Injection Well – Permit Status

Chairman Coppersmith remarked that while the application was considered complete, the Environmental Protection Agency could still ask for more information. Secretary Thomas responded that was correct.

- iii. Integration of the Resource Protection and Assistance Bureau and the Oil & Gas Program  
Commissioner Classen asked about the Governor's request to reduce budgets by 5%, he asked if we were affected. Secretary Thomas explained that the Department was asked to reduce expenditures by 5%, and that the Department was working on a plan and that all programs will be impacted not just oil and gas. Commissioner Miller followed up that it is a challenging situation for all agencies and the state right now and that the income tax delay is affecting this as well.

• **CONSENT – ACTION ITEM(S)**

**2. Approval of Minutes** – February 5, 2020 – Regular Meeting (Boise)

*CONSENT AGENDA COMMISSION ACTION:* A motion was made by Commissioner Miller that the Commission approve the meeting minutes on the Consent Agenda. Vice Chairman Shigeta seconded the motion. The motion carried on a vote of 4-0.

**3. Approval of Minutes** – February 18, 2020 – Special Meeting (Boise)

*CONSENT AGENDA COMMISSION ACTION:* A motion was made by Commissioner Classen that the Commission approve the meeting minutes on the Consent Agenda. Commissioner Miller seconded the motion. The motion carried on a vote of 4-0.

Commissioner Classen inquired if there was any public statement as to why the legislature did not approve the rules. Secretary Thomas asked Commissioner Miller to speak on this. Commissioner Miller explained that the Governor asked that we have a mechanism in place for the agency to approve the rules, he followed up that he did not have a reason why the legislature adjourned without approving the rules. Secretary Thomas followed up with the possibility that the COVID response may have impacted that as there was an urgency to get everyone out of town but that there was no formal answer given as to why the rules were not approved.

*Background information was provided by the presenter indicated below. No Commission action is required on the Information Agenda.*

• **INFORMATION**

**4. Oil & Gas Inspection Methods and Results in the Payette Field following the March 31, 2020 earthquake** – Presented by Dave Schwarz, Geologist, Idaho Department of Lands

- **REGULAR – ACTION ITEM(S)**

None

- **EXECUTIVE SESSION**

None

Commissioner Classen stated that there were hearings in process and asked for a review of where they stand and what the schedule was for that. Secretary Thomas explained that the COVID-19 response has stalled or delayed a lot of non-essential legal proceedings. He commented that the integration application from 2019 provided by Alta Mesa has been dismissed after following the proper process and that it was due to their bankruptcy. The newer application is moving forward with a tentative schedule. Secretary Thomas noted that was all he could say about the new application; with the shelter in place order, things just got delayed. Commissioner Classen inquired about the just and reasonable hearing and if it had to be done again. Secretary Thomas responded that was correct.

There being no further business before the Commission, at 1:32 p.m. a motion to adjourn was made by Commissioner Miller. Commissioner Classen seconded the motion. The motion carried on a vote of 4-0. Meeting adjourned.

**DRAFT**

IDAHO OIL & GAS  
CONSERVATION COMMISSION



IDAHO OIL AND GAS CONSERVATION COMMISSION  
August 5, 2020  
Information Agenda

SUBJECT

Minerals, Public Trust, Oil & Gas Division Reorganization

BACKGROUND

Per Idaho Code 58-104A, there shall be Division Heads within the Idaho Department of Lands (Attachment 1). These Division Administrators report to the Deputy Director.

In January 2020, the State Board of Land Commissioners (Land Board) approved a broad reorganization of the Idaho Department of Lands. This reorganization integrated the Minerals Regulatory and Public Trust programs into the Oil and Gas Division (Attachment 2).

DISCUSSION

The combination of these programs created a new Minerals, Public Trust, Oil & Gas Division. This provided additional technical expertise to the Resource Protection and Assistance Bureau (RPA Bureau) while reducing the amount needed from the State's General Fund. The reorganization had been in the works for several years, and the reduced general fund outlay was well timed with the Governor Little's Executive Order requiring a five percent decrease in General Fund spending (Attachment 3).

Program administration, permit evaluation, inspections and other tasks performed by the oil & gas program will continue to be fulfilled by the current staff.

ATTACHMENTS

1. Idaho Code 58-104A
2. Minerals, Public Trust, Oil & Gas Organization Structure
3. Governor Little's Executive Order 2020-14



# Idaho Statutes

TITLE 58  
PUBLIC LANDS  
CHAPTER 1

DEPARTMENT OF LANDS

58-104A. THREE DIVISION HEADS – DIRECTION AND CONTROL – AREAS OF OPERATION – QUALIFICATIONS – APPLICATIONS. The director shall have power to appoint three (3) division heads who shall be known as administrators, one (1) to handle matters concerning lands, minerals and grazing; one (1) to handle matters concerning forestry and fire; and one (1) to handle matters of oil and gas conservation. The qualifications of the division administrator for forestry and fire shall be graduation from a full four (4) year college course with a bachelor's degree, with a major in forestry including five (5) years of technical experience in the forestry-land management field; or, ten (10) years of successful and progressive technical experience of forestry and land management activities of such a nature as to enable the applicant to perform his duties successfully at the professional level. The qualifications of the division administrator for oil and gas conservation shall be graduation from a full four (4) year college course with a bachelor's degree, with a major in geology or petroleum engineering including five (5) years of technical experience in the oil and gas management field; or, ten (10) years of successful and progressive technical experience of oil and gas conservation management activities of such a nature as to enable the applicant to perform his duties successfully at the professional level.

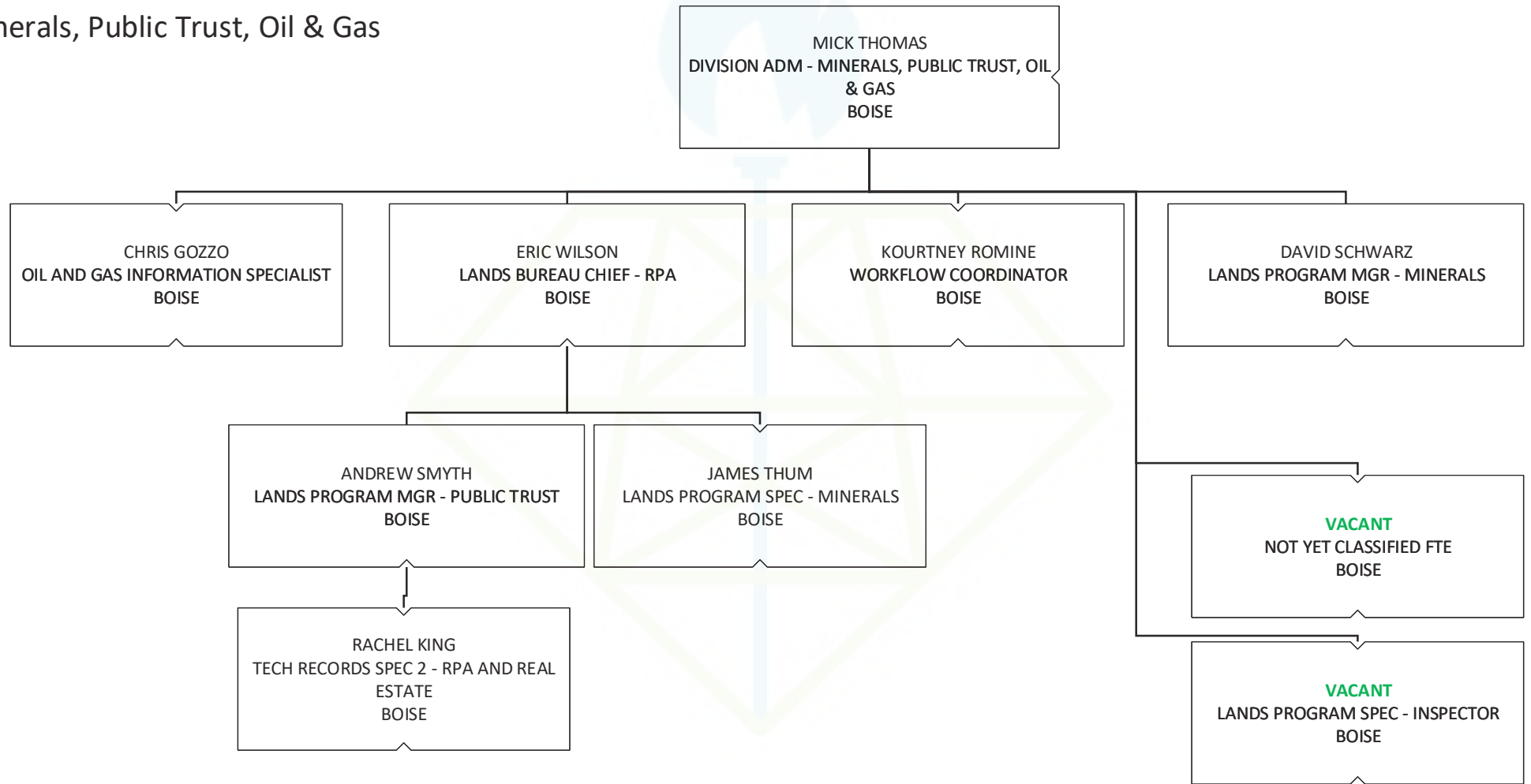
History:

[58-104A, added 1967, ch. 315, sec. 26, p. 906; am. 1974, ch. 17, sec. 41, p. 308; am. 2017, ch. 214, sec. 1, p. 519.]

How current is this law?

**Search the Idaho Statutes and Constitution**

# Minerals, Public Trust, Oil & Gas





Executive Department  
State of Idaho

State Capitol  
Boise

EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE

EXECUTIVE ORDER NO. 2020-14

**TEMPORARY REDUCTION OF GENERAL FUND SPENDING AUTHORITY**

WHEREAS, Article 7, Section 11 of the Idaho Constitution provides that except in extraordinary circumstances, expenditures of state government shall not exceed state government revenue; and

WHEREAS, I have determined that expenditures from the General Fund authorized by the Legislature for Fiscal Year 2021 will likely exceed anticipated state revenue to meet those authorized expenditures for the current fiscal year due to the ongoing 2019 Novel Coronavirus (COVID-19) pandemic.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of this state, and pursuant to Section 67-3512A, Idaho Code, do hereby order that:

1. The General Fund spending authority on file with the Office of the State Controller be reduced for all departments, offices and institutions of the state by five percent of their Fiscal Year 2021 General Fund Appropriation. This is necessary to ensure state expenditures do not exceed revenues.
2. Each department, office and institution shall notify the Office of the State Controller and the Division of Financial Management of their budget changes by July 15, 2020.
3. Elected state Constitutional officials are requested to assess and evaluate a reduction in General Fund expenditures for Fiscal Year 2021 to reflect the realities of the projected revenue shortfall without impairing the discharge of their constitutional duties.
4. Officers of the legislative and judicial branches are requested to assess and evaluate a reduction in General Fund expenditures for Fiscal Year 2021 to reflect the realities of the projected revenue shortfall without impairing the discharge of their constitutional duties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 1<sup>st</sup> day of July in the year of our Lord two thousand and twenty.



BRAD LITTLE  
GOVERNOR

LAWRENCE DENNEY  
SECRETARY OF STATE

IDAHO OIL AND GAS CONSERVATION COMMISSION  
August 5, 2020  
Information Agenda

SUBJECT

Omnibus Rulemaking – Proposed Rule for IDAPA 20.07.02 – *Rules Governing Conservation of Oil and Natural Gas in the State of Idaho*

BACKGROUND

On February 18, 2020, the Oil and Gas Conservation Commission (Commission) adopted without amendments the temporary rules in IDAPA 20.07.02 that were previously submitted to the 2020 Idaho Legislature. These rules were to be effective sine die of the 2020 legislative session in the event that the Legislature did not approve the existing administrative rules. The Idaho Legislature adjourned the 2020 legislative session without approving all previously existing administrative rules.

IDAPA 20.07.02 therefore became effective as a temporary rule on March 20, 2020 (sine die) and will continue in effect to the end of the 2021 legislative session. For IDAPA 20.07.02 to become a final rule again, the Administrative Procedure Act (Title 67, Chapter 52, Idaho Code) requires publication of a proposed rule in the Administrative Bulletin and a 21-day public comment period.

All agencies were directed to submit an omnibus *Notice of Proposed Rulemaking* to the Division of Financial Management (DFM) by August 19, 2020 (Attachment 1).

DISCUSSION

The Idaho Department of Lands (Department) is updating the Commission on the current status of this rulemaking. The next step is to publish IDAPA 20.07.02 as a proposed rule pursuant to the Idaho Administrative Procedure Act. The Department has not made any changes to the rule that was approved by the Commission on February 18, 2020.

The draft notice (Attachment 2) will list previously approved rules of the Idaho Department of Lands, including IDAPA 20.07.02 – *Rules Governing Conservation of Oil and Natural Gas in the State of Idaho*. These rules are necessary to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

The Department will submit an appropriate *Notice of Proposed Rulemaking* to be published in a special edition of the Idaho Administrative Bulletin in September 2020. After the 21-day public comment period on the proposed rule, the Department will return to the Commission with a recommendation on adoption of a pending rule. A pending rule would become final and effective after approval by the 2021 Legislature. A timeline for the IDAPA 20.07.02 rulemaking is included as attachment 3.

## ATTACHMENTS

1. Guidance for 2020 Temporary Fee Rules to go Proposed in a September Special Bulletin
2. Draft Notice of Omnibus Rulemaking – Proposed Fee Rulemaking
3. IDAPA 20.07.02 - Rulemaking Timeline



IDAHO OIL & GAS  
CONSERVATION COMMISSION

**From:** [Colby Cameron](#)  
**To:** [Colby Cameron](#)  
**Cc:** [DFM Admin Rules](#)  
**Subject:** Guidance for 2020 Temporary Fee Rules to go Proposed in a September Special Bulletin  
**Date:** Thursday, July 30, 2020 12:35:20 PM  
**Attachments:** [2020-07-27 Proposed Bulletin Notice Template for Agencies - Fee Rule.docx](#)  
[CBA Template 2020 Proposed Fee Rules.docx](#)  
**Importance:** High

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## **Guidance for 2020 Temporary Fee Rules to go Proposed in a September Special Bulletin**

As detailed in the March 22<sup>nd</sup> DFM memo to all the agency directors, all fee rule chapters of the Idaho Administrative Code are currently temporary. The Governor has directed DFM to work with all state executive agencies to take those fee rules proposed, and later pending, and submit them for 2021 legislative review as an omnibus fee rulemaking.

DFM will begin the process of re-publishing existing fee rules by IDAPA chapter, using the current temporary rules. The fee rules will be published as proposed rules in a special edition of the Idaho Administrative Bulletin in September 2020. It is important to know that all fee rules are in effect as temporary and will continue to have the full force and effect of law.

### **For preparation of the omnibus proposed fee rules:**

- Your agency may consider the temporary fee rules approved in February as effective as of *sine die* and continue to use them and make them available on your website.
- DFM will publish notices of proposed fee rulemaking for each agency in the September special bulletin.

### **Agencies must submit a completed Notice of Proposed Omnibus Fee Rulemaking form to DFM no later than close of business - 5PM Mountain Time, Wednesday **August 19, 2020**.**

- a. A Template for the Notice of Proposed Rulemaking is enclosed.
  - b. One Notice is needed per agency head ONLY if you previously published an Omnibus Temporary Fee rule in the April 15, 2020, Special Edition Bulletin reauthorizing fee chapters.
  - c. Please submit completed Notices to [adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov).
  - d. If rulemaking authority is vested in a board or commission – not agency staff – please follow your normal process for advancing the fee rulemaking to a proposed rule.
  - e. No ARRF will be required.
  - f. Pursuant to Section 67-5223, Idaho Code, a Cost Benefit Analysis (CBA) will be required. If fees are not changing, simply fill out the CBA template showing fees, their statutory authority for them, and a very brief description of estimated costs to citizens and agency.
- It is crucial that each agency carefully and thoroughly complete each Notice and closely follow the requirements of the Idaho Administrative Procedure Act, Chapter 52, Title 67, Idaho Code.
  - Questions regarding the Notice and the process should be directed to Colby Cameron ([colby.cameron@dfm.idaho.gov](mailto:colby.cameron@dfm.idaho.gov); 208-854-3052).

- Agencies must post a link to our website <https://adminrules.idaho.gov/> for each Notice published in the Bulletin onto, or be accessible from, the home page of the agency's website so that interested parties can view it online (§67-5221(3)). This will need to occur in September on or around when the special Bulletin publishes.
- Agencies must accept written comments on the proposed rules for 21 days pursuant to 67-5222. If comments are received or an oral presentation i.e. public hearing is requested within 14 days of publication, please contact Colby Cameron ([colby.cameron@dfm.idaho.gov](mailto:colby.cameron@dfm.idaho.gov);) for additional information prior to scheduling the hearing.
- The agency can choose to be proactive and schedule a public hearing in the notice of proposed fee rulemaking that you submit. Determination of whether a public hearing should be preemptively scheduled or not is up to each agency to decide individually.
- All rules re-authorized through this process will be subject to legislative review during the 2021 Idaho Legislature, as is the case each year.
- Each agency must keep all records of this rulemaking process for at least two (2) years after the rule is final and effective pursuant to Idaho Code § 67-5225. Please ensure the record is thorough and complete.
- You will receive a proof of the rules from DFM before the comprehensive bulletin is published. The proofs will be sent to the agency's RRO for review and approval, likely in late August/early September.
- In the DFM Proof you will see clean rule text, not the legislative format. The temporary fee rules are new rules; they were not previously a final rule.
- DFM has limited capacity to make edits at the proof stage if they are minor and technical in nature.

### **Executive Order 2020-13**

If you have a rule change related to EO 2020-13 and fee rules/parts of fee rules that were suspended in response to the current health pandemic, you should permanently affix those rule changes as part of this process. An ARRF will not be required to make the changes. If you have changes related to EO 2020-13 please reach out to Colby Cameron ([colby.cameron@dfm.idaho.gov](mailto:colby.cameron@dfm.idaho.gov); 208-854-3052) right away.

### **For Current and Ongoing 2020 negotiated rule making involving Fee Rule chapters:**

If you are currently negotiating a fee rule chapter, the best process approach will be to take all the fee rules chapters proposed together in this one special Bulletin. If you have any questions about current rule makings reach out to Colby Cameron ([colby.cameron@dfm.idaho.gov](mailto:colby.cameron@dfm.idaho.gov); 208-854-3052) right away.

Thank you for your ongoing efforts to proactively ensure Idaho's administrative rules are in effect! DFM will remain in touch regarding any next steps on the temporary then proposed then pending fee rules as we get closer to the 2021 Legislative session.

Please don't hesitate to reach out with any questions.

### **Frequently Asked Questions**

***Can agencies add rules concurrently with the publication of the re-authorized chapter?***



No, agencies must go through the traditional ARRF process and meet the parameters of the Zero Based Regulation Executive Order for any new or added rules.

- Only rule expiration can be accomplished via the procedure set out above.

***Can agencies add, modify or eliminate rules apart from the re-authorized fee chapters?***

- Yes, agencies will still be permitted to submit ARRFs to modify non-fee rules through the traditional process if they have an exemption to the 2020 moratorium on rule making.

**A template for the Notice of Proposed Rule Making and the Cost Benefit Analysis (CBA) are attached this email**

**Colby Cameron**

Bureau Chief for Regulatory and Legislative Affairs | Division of Financial Management

Phone: 208-854-3052

Email: [colby.cameron@dfm.idaho.gov](mailto:colby.cameron@dfm.idaho.gov)



IDAHO OIL & GAS  
CONSERVATION COMMISSION

**IDAPA 20 – IDAHO DEPARTMENT OF LANDS  
DOCKET NO. 20-0000-2000F (FEE RULE)**

**NOTICE OF OMNIBUS RULEMAKING - PROPOSED FEE RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to

- Sections 38-132 and 38-402, Idaho Code;
- Title 38, Chapter 12, including Section 38-1208, Idaho Code;
- Title 47, Chapters 3, 7, 8, 15, 16 and 18, including Sections 47-314(8), 47-315(8), 47-328(1), 47-710, 47-714, and 47-1316, Idaho Code;
- Title 58, Chapters 1, 3, 6, 12 and 13, including Sections 58-104, 58-105, 58-127, and 58-304 through 58-312, Idaho Code;
- Title 67, Chapter 52, Idaho Code;
- Article IX, Sections 7 and 8 of the Idaho Constitution; and
- The Equal Footing Doctrine (Idaho Admission Act of July 3, 1890, 26 Stat. 215, Chapter 656).

**PUBLIC HEARING SCHEDULE:** Oral comment concerning this rulemaking will be scheduled in accordance with Section 67-5222, Idaho Code.

Public hearing(s) concerning this rulemaking will be held as follows:

*DATE – TIME - LOCATION*

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of the purpose of the proposed rulemaking:

*(Descriptive summary for IDAPA 20.03.02, Rules Governing Mined Land Reclamation is being drafted.)*

This proposed rulemaking re-publishes the following existing temporary rule chapters previously submitted to and reviewed by the Idaho Legislature under IDAPA 20, rules of the Idaho Department of Lands:

**IDAPA 20**

- 20.02.14, Rules for Selling Forest Products on State-Owned Endowment Lands
- 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho
- 20.03.03, Rules Governing Administration of the Reclamation Fund
- 20.03.04, Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho
- 20.03.05, Riverbed Mineral Leasing in Idaho
- 20.03.08, Easements on State Owned Lands
- 20.03.09, Easements on State Owned Submerged Lands and Formerly Submerged Lands
- 20.03.13, Administration of Cottage Site Leases on State Lands
- 20.03.14, Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation, and Communication Site Leases
- 20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands
- 20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands
- 20.03.17, Rules Governing Leases on State-Owned Submerged Lands and Formerly Submerged Lands
- 20.04.02, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws
- 20.06.01, Rules of the Idaho Board of Scaling Practices
  - In this proposed rulemaking, the Idaho Board of Scaling Practices re-publishes the existing

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ATTACHMENT 2

- temporary rule previously submitted to and reviewed by the Idaho Legislature.
- 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho
  - In this proposed rulemaking, the Oil and Gas Conservation Commission re-publishes the existing temporary rule previously submitted to and reviewed by the 2020 Idaho Legislature.

**FEE SUMMARY:** (*Fee summary for IDAPA 20.03.02, Rules Governing Mined Land Reclamation is being drafted: Application fee for permanent closure plans and assignment fee for reclamation plans and permanent closure plans.*)

For the following rule chapters, this rulemaking does not impose a fee or charge, or increase a fee or charge, beyond what was previously submitted to and reviewed by the Idaho Legislature.

The following is a specific description of the fees or charges:

- 20.02.14 – Stumpage payments and associated bonding for removal of state timber from endowment land pursuant to timber sales.
- 20.03.01 – Application fee, amendment fee, assignment fee, and inspection fee for all dredge and placer permits in the state of Idaho.
- 20.03.03 – Annual payment for Reclamation Fund participation.
- 20.03.04 – Application fees for encroachment permits and assignments and deposits toward the cost of newspaper publication.
- 20.03.05 – Fees for applications, advertising applications, exploration locations, and approval of assignments for riverbed mineral leasing.
- 20.03.08 – Application fee, easement consideration fee, appraisal costs, and assignment fee for easements on state-owned lands.
- 20.03.09 – Administrative fee, appraisal costs, and assignment fee for easements on state-owned submerged lands and formerly submerged lands.
- 20.03.13 – Annual rental payment paid to the endowment for which the property is held.
- 20.03.14 – Lease application fee, full lease assignment fee, partial lease assignment fee, mortgage agreement fee, sublease fee, late rental payment fee, minimum lease fee, and lease payment extension request fee on state endowment trust lands.
- 20.03.15 – Application fee, assignment fee, and late payment fee for geothermal leases on state-owned lands.
- 20.03.16 – Exploration location permit fee, nomination fee, and processing fee for oil and gas leases on endowment lands.
- 20.03.17 – Application fee, rental rate, and assignment fee for leases on state-owned submerged lands and formerly submerged lands.
- 20.04.02 – Fee imposed upon the harvest and sale of forest products to establish hazard management performance bonds for the abatement of fire hazard created by a timber harvest operation, and fees imposed upon contractors for transferring fire suppression cost liability back to the State.
- 20.06.01 – Scaling assessment fee paid to a dedicated scaling account for all scaled timber harvested within the state of Idaho; administrative fees for registration, renewal, and transfer of log brands; fees for testing and issuance of a temporary scaling permit, specialty scaling license, and standard scaling license; fee to renew a specialty or standard scaling license; and fee for a requested check scale involving a scaling dispute.
- 20.07.02 – Bonding for oil and gas activities in Idaho and application fees for seismic operations; permit to drill, deepen or plug back; multiple zone completions; well treatment; pits and directional deviated wells.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2021 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

**NEGOTIATED RULEMAKING:** (*Negotiated rulemaking summary for IDAPA 20.03.02, Rules Governing Mined Land Reclamation is being drafted.*) Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking for the other

rule chapters was not feasible because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, incorporated material may be obtained or electronically accessed as provided in the text of the proposed rules attached hereto.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Amy Johnson at (208) 334-0255 or [rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov).

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered within twenty-one (21) days after publication of this Notice in the Idaho Administrative Bulletin. Oral presentation of comments may be requested pursuant to Section 67-5222(2), Idaho Code, and must be delivered to the undersigned within fourteen (14) days of the date of publication of this Notice in the Idaho Administrative Bulletin.

DATED this August 19, 2020.

Dustin Miller  
Director  
Idaho Department of Lands  
300 N. 6th St, Suite 103  
P.O. Box 83720  
Boise, Idaho 83720-0050  
Phone: (208) 334-0242  
Fax: (208) 334-3698  
[rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov)



## Omnibus Rulemaking Timeline\*

\*Subject to change

<b>IDAPA 20.07.02 Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</b>	
<b>To be presented before the 2021 Legislative Session</b>	
<b>DATE</b>	<b>ACTION</b>
January-March 2020	Docket No. 20-0000-1900F Omnibus Pending Rule presented during 2020 Legislative Session
February 18, 2020	Presented to OGCC and approved – <i>Adoption of Temporary Rule for IDAPA 20.07.02 Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</i> (Docket No. 20-0000-2000F)
March 20, 2020	Temporary rules became effective
April 15, 2020	Notice of Adoption of Temporary Rule published in special edition of the Administrative Bulletin, Volume 20-4SE
August 5, 2020	Present to OGCC – <i>Proposed Rule for IDAPA 20.07.02 Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</i>
September 16, 2020	Notice of Proposed Rulemaking will publish in September special edition of the Administrative Bulletin
September 30, 2020	Fourteen-day period for receiving request for a public hearing ends
October 7, 2020	Deadline for written comments on proposed rule
TBD	Present to OGCC – <i>Adoption of Pending Rule for IDAPA 20.07.02 Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</i>
2021	Legislative review of pending fee rules

Division Administrator: Mick Thomas

IDAHO OIL AND GAS CONSERVATION COMMISSION  
August 5, 2020  
Regular Agenda

SUBJECT

Updated Commission Guidelines

BACKGROUND

The Idaho Oil and Gas Conservation Commission (Commission) adopted guidelines to outline procedures for its meetings in November of 2016. Due to changes in statute and organizational structure, the guidelines were updated in October 2017.

At the April 23, 2019 regular Commission meeting, there were changes in the Commission's meeting schedule and in early 2020, there was a title change for the Division Administrator. These changes require that sections of the guidelines need additional updating. The guidelines are included as Attachment 1.

These guidelines enable the Commission to address questions regarding how items are placed on the agenda and when the Commission will take public comment. These procedures were written to govern practice and procedures before the Commission during regular and special meetings of the Commission. The document addresses various details of meetings, agendas, appearances, policy review, committees, and public notice.

DISCUSSION

Suggested changes to the guidelines include the following:

- Guideline 1.b. – Update definition for “Secretary” to Division Administrator-Minerals, Public Trust, Oil & Gas due to change in updated organization structure.
- Guideline 3.a. – Update the schedule for the regular Commission meetings

RECOMMENDATION

Direct the Commission to approve the Guidelines for the Idaho Oil and Gas Conservation Commission.

COMMISSION ACTION

ATTACHMENTS

1. Idaho Oil and Gas Conservation Commission Guidelines



## **Oil & Gas Conservation Commission Meeting Guidelines**

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In accordance with [Executive Order 2020-02, Transparency in Agency Guidance Documents](#), guidance documents promulgated by the department are not new laws. They represent an interpretation of existing law, except as authorized by Idaho Code or incorporated into a contract.

### **Agency Contact**

Division Administrator – Minerals, Public Trust, Oil & Gas, Boise Staff Office

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### **Contents**

1. Definitions
2. General Provisions
3. Meetings
4. Meeting Agenda
5. Appearances
6. Conduct of Meetings
7. Policy Review
8. Commission Committees and Subcommittees
9. Public Notice – Meeting Notices and Agendas

### **GUIDELINE 1. DEFINITIONS**

- 1.a. "Commission" means the Idaho Oil and Gas Conservation Commission.
- 1.b. "Secretary" means the Secretary to the Commission and the Division Administrator-[Minerals, Public Trust, Oil & Gas](#) ~~Oil and Gas~~
- 1.c. "Department" means the Department of Lands.

### **GUIDELINE 2. GENERAL PROVISIONS**

2.a. Procedure governed. These guidelines shall govern all practice and procedure before the Commission during regular and special meetings of the Commission. Contested case hearings held by the Commission, or the Department, are addressed in Section 6.c.

2.b. The principal offices of the Commission and the Department are located in or near the Statehouse Mall, presently 300 North 6th Street, Suite 103, Boise, Idaho 83702.

2.c. Written communications and documents concerning any matter covered by these guidelines should be addressed to the Secretary, Oil and Gas Conservation Commission, Idaho Department of Lands, PO Box 83720, Boise, Idaho 83720-0050. All communications and documents are deemed to be officially received when delivered to the Commission's principal office.

2.d. Identification. Communications should be specific to the subject(s) at issue and should be identified by the name and address of the communicant. When the subject matter pertains to a proceeding, the proceeding should be identified by appropriate name, number, or otherwise.

2.e. Liberal construction. These guidelines shall be liberally construed to secure just, speedy, and economical determination of all issues before the Commission.

### **GUIDELINE 3. MEETINGS**

3.a. The Commission's regular meetings shall be held ~~on the third Thursday of every month quarterly, with a regular meeting taking place in February, May, August, and November~~ provided that a quorum of the Commission is present. Meeting dates, times, and locations are subject to change at the Commission's discretion.

3.b. Special meetings, as defined by Idaho Code § 74-204(2), may be held at such times and places as the Commission may designate on the call of the Chairman, Secretary, or a majority of the Commission.

3.c. Executive sessions. The Secretary or any member of the Commission may request an executive session in accordance with the Open Meeting Law, Idaho Code §§ 74-201 through 74-208.

### **GUIDELINE 4. MEETING AGENDA**

4.a. Meeting agenda. The Chairman or the Secretary may place an item on the agenda for the Commission to consider. Other commissioners may request the Chairman place an item on the agenda at least ten (10) days before the meeting. Only the Chairman or the Secretary may request a late addition to the agenda (supplemental agenda item). Supplemental agenda items may only be considered upon a majority vote of the Commission.

4.b. Upon written notice to the Chairman and the Secretary, any member who will not be present at a meeting may request to have an item removed from that meeting's agenda and that item shall not be considered. However, that item shall be considered at the next meeting of the Commission unless the Commission agrees to further postponement.

4.c. Each meeting agenda will reflect the items the Commission will take public comment on. The Chairman has discretion on whether to allow public comment on other agenda items at the Commission's meetings. The Chairman may place reasonable time limits on those comments.



4.d. The public may request that the Commission add an agenda item. Those requests should be addressed to the Secretary and made in writing at least thirty (30) days before the next regularly scheduled meeting. Each request shall identify the specific subject of the proposed agenda items and include all supporting documents. Appearances before the Commission should follow Guideline 5.a.

## **GUIDELINE 5. APPEARANCES**

5.a. Appearances before the Commission. Any person or entity may appear before the Commission to request action, review, or special attention of the Commission on any matter within the Commission's statutory responsibilities. However, on all matters within the Department's authority, the person or entity should first exhaust all remedies within the Department. Any appearance shall be scheduled on the meeting agenda in accordance with Guideline 4.a. or 4.d and shall not conflict with the rules concerning hearings or litigation on the same matter.

5.b. When an item before the Commission draws a substantial number of visitors having identical or similar views, the Chairman may ask the group to designate one or two speakers to represent the views of the entire group in the interest of time. If several speakers still wish to be heard, the Chairman shall advise the audience how much time will be available for such speaker's presentation.

## **GUIDELINE 6. CONDUCT OF MEETINGS**

6.a. Presiding officer. The Commission shall annually elect a Chairman and Vice-Chairman. Idaho Code § 47-314(3). The Chairman shall preside at all Commission meetings. If the Chairman is absent, the Vice-Chairman shall preside.

6.b. Rules of order. In general, meetings of the Commission shall be conducted in an informal manner under Roberts Rules of Order. However, the Commission may suspend those rules at any time by unanimous consent of the members present in order to conduct the business of the Commission in a timely and expeditious manner.

6.c. Contested case hearings. The Commission and Department's contested case hearings are governed by the Oil and Gas Conservation Act (Chapter 3, title 47, Idaho Code), the Idaho Administrative Procedure Act, (Chapter 52, title 67, Idaho Code), Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01), to the extent that the Rules of Administrative Procedure are not superseded by Oil and Gas Conservation Act, and the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho (IDAPA 20.07.02).

## **GUIDELINE 7. POLICY REVIEW**

Periodic review of Commission policies. The Commission may review its policy and practices from time to time upon the motion of any member or petition of the Secretary.

## **GUIDELINE 8. COMMISSION COMMITTEES AND SUBCOMMITTEES**

Commission committees or subcommittees. From time to time the Chairman or a quorum of the Commission may create committees to handle specific matters before the Commission or the Department. Committees shall consist of two members of the Commission, appointed by the Chairman of the Commission. Committees are empowered only to investigate issues, advise the Department and recommend policy or action to the full Commission. From time to time the Chairman, or a quorum of the Commission, may appoint outside, interested parties to a committee to obtain the perspectives of others. Such appointments shall be non-voting and shall terminate when the specific issue for which appointment was made has been considered by the full Commission.

## **GUIDELINE 9. PUBLIC NOTICE – MEETING NOTICES AND AGENDAS**

9.a. Meeting Notices and Agendas. The Oil and Gas Division located at the Idaho Department of Lands will maintain a subscription list for selected information pertaining to notices and agendas of the Commission’s meetings. Interested parties may be placed on this list by sending a written request including name, address, e-mail address, and telephone number to:

Secretary to the Oil and Gas Conservation Commission  
Idaho Department of Lands  
300 North 6th Street, Suite 103  
P.O. Box 83720  
Boise, Idaho 83720-0050

Request can also be submitted to [comments@idl.idaho.gov](mailto:comments@idl.idaho.gov).

9.b. Public Records. Additional information pertaining to the above items, if available, will be provided according to procedures governed by the Idaho Public Records Law (Idaho Code §§ 74-101 through 74-126) upon request at prevailing Department costs.

IDAHO OIL AND GAS CONSERVATION COMMISSION

August 5, 2020

Regular Agenda

SUBJECT

Election of Chairman and Vice Chairman

BACKGROUND

As per Idaho Code § 47-314(3):

*“The commission shall annually elect a chairman and a vice chairman from their membership. Such officers shall hold their respective offices until their successors are elected. If a vacancy occurs in either office, the commission shall elect a member to fill such office for the remainder of the term.”*

DISCUSSION

As per Idaho Code § 47-314(3), the Oil and Gas Conservation Commission (Commission) shall elect a member annually to serve as Chairman and Vice Chairman. Historically, the Commission has elected officers in August for the following 12 months. At the August 29, 2019, regular meeting the Commission elected Betty Coppersmith as Chairman and Marc Shigeta as Vice Chairman.

The elected Chairman and Vice Chairman will serve in their respective positions until August of 2021.

RECOMMENDATION

Direct the Commission to elect a Chairman and Vice Chairman.

COMMISSION ACTION

IDAHO OIL & GAS  
CONSERVATION COMMISSION