

IDAHO OIL AND GAS CONSERVATION COMMISSION OPEN MEETING CHECKLIST

FOR MEETING DATE: February 14, 2018

Regular Meetings

2/6/18	Notice of Meeting posted in prominent place in IDL's Boise Headquarters office five (5) calendar days before meeting.
2/6/18	Notice of Meeting posted in prominent place in IDL's Coeur d'Alene Headquarters office five (5) calendar days before meeting.
2/6/18	Notice of Meeting posted in prominent place at meeting location five (5) calendar days before meeting.
2/6/18	Notice of Meeting emailed/faxed to list of media and interested citizens who have requested such notice five (5) calendar days before meeting.
2/12/18	Agenda posted in prominent place in IDL's Boise Headquarters office forty-eight (48) hours before meeting.
2/12/18	Agenda posted in prominent place in IDL's Coeur d'Alene Headquarters office forty-eight (48) hours before meeting.
2/12/18	Agenda posted in prominent place at meeting location forty-eight (48) hours before meeting.
2/12/18	Agenda emailed/faxed to list of media and interested citizens who have requested such notice forty-eight (48) hours before meeting.
12/18/17	Annual meeting schedule posted – Director's Office, Boise and Staff Office, CDA

Special Meetings

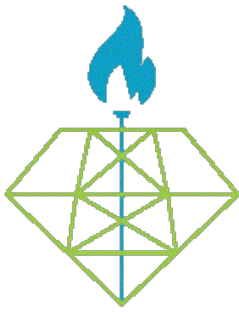
	Notice of Meeting and Agenda posted in a prominent place in IDL's Boise Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda posted in a prominent place in IDL's Coeur d'Alene Headquarters office twenty-four (24) hours before meeting.
	Notice of Meeting and Agenda 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.
	Emergency situation exists – no advance Notice of Meeting or Agenda needed. "Emergency" defined in Idaho Code § 74-204(2).

Executive Sessions

	If Executive Session only to be held, Notice of Meeting and Agenda posted in IDL's Boise Headquarters office twenty-four (24) hours before meeting.
	If Executive Session only to be held, Notice of Meeting and Agenda posted in IDL's Coeur d'Alene Headquarters office twenty-four (24) hours before meeting.
	If Executive Session only to be held, 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 contains reason for the executive session and the applicable provision of Idaho Code § 74-206 that authorizes the executive session.

Kourtney Romie
RECORDING SECRETARY

2/12/18
DATE



IDAHO OIL AND GAS CONSERVATION COMMISSION

Kevin Dickey, Chairman
Marc Shigeta, Vice Chairman
Dr. Renee Breedlovestrout, Commissioner
Jim Classen, Commissioner
David Groeschl, Commissioner

Mick Thomas, Secretary to the Commission

NOTICE OF PUBLIC MEETING FEBRUARY 2018

The Idaho Oil and Gas Conservation Commission will hold a Regular Meeting on **Wednesday, February 14, 2018** at the **Borah Building, 2nd Floor Courtroom (Room 214), 304 N. 8th St. (at Bannock), Boise, Idaho**. The meeting is scheduled to begin at **1:00 pm (MT)**.

Please note meeting location and time.

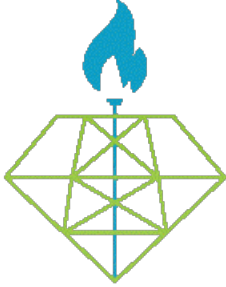
IDAHO OIL & GAS
CONSERVATION COMMISSION

First Notice Posted: 2/6/2018-IDL Boise; 2/6/2018-IDL CDA

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

Kevin Dickey, Chairman
Marc Shigeta, Vice Chairman
Dr. Renee Breedlovestrout, Commissioner
Jim Classen, Commissioner
David Groeschl, Commissioner

Mick Thomas, Secretary to the Commission

Final Agenda

Idaho Oil and Gas Conservation Commission Regular Meeting
February 14, 2018 – 1:00 PM (MT)

Borah Building, 2nd Floor Courtroom (Room 214), 304 N. 8th St. (at Bannock), Boise, Idaho

Please note meeting time and location.

- **ANNOUNCEMENTS**

No public comment will be taken at this meeting.

- 1. **Division Administrator's Report**

- A. Financial Update
- B. Current Oil and Gas Activity

- **CONSENT**

- 2. **Approval of Minutes** – January 10, 2018 - Regular Meeting (Boise)

- **REGULAR**

- 3. **Cure an Open Meeting Law Violation**

- 4. **Idaho Code § 47-315 – Commission Request to Examine Records of Produced Volumes of Oil and Gas from February 2013 to Present**

- **INFORMATION**

- 5. **Revised Monthly Reporting Forms** – Presented by Mick Thomas, Division Administrator – Oil and Gas

- **EXECUTIVE SESSION**

None

Idaho Oil and Gas Conservation Commission
Final Agenda
Regular Meeting (Boise) – February 14, 2018
Page 1 of 1



Idaho Statutes

TITLE 74
TRANSPARENT AND ETHICAL GOVERNMENT
CHAPTER 2
OPEN MEETINGS LAW

74-206. Executive sessions — When authorized. [effective until July 1, 2020] (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 which is 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 67-2345A [\[74-206A\]](#)(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 act 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.

History:

[74-206, added 2015, ch. 140, sec. 5, p. 371; am. 2015, ch. 271, sec. 1, p. 1125.]



IDAHO OIL & GAS CONSERVATION COMMISSION

**Oil and Gas Regulatory Program
Activities Report as of January 31, 2018
Fund 0075-14 Oil and Gas Conservation Fund Cash Flow Report**

		Current Month	Year-to-Date
Beginning Cash Balance 7/1/2017	230,174.75		
Permits		0.00	10,600.00
*Severance Tax		10,880.62	76,730.41
Refund (previous year)		0.00	0.00
Other (transfer to GF)		0.00	0.00
Total		<u>10,880.62</u>	<u>87,330.41</u>
Personnel Expenditures		0.00	(1,289.93)
Operating Expenditures		(8,506.16)	(15,348.61)
P-Card Liability to be paid			1,032.30
Ending Cash Balance 1/31/2018			301,898.92

*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

Prior Year Encumbrances from General Fund

		Appropriation Held Over from FY17	Current Month	Year-to-Date	Balance
CTR17420-01					
GWPC - Ground Water Protection	20,000.00		20,000.00	20,000.00	0.00

Expenditures from General Fund FY18

		Appropriation	Current Month	Year-to-Date	Balance
PCA 55000 Expenses					
PC	432,100.00		31,966.94	220,226.09	211,873.91
OE	102,000.00		(306.94)	44,003.02	57,996.98
CO	0.00		0.00	0.00	0.00
Total	<u>534,100.00</u>		<u>31,660.00</u>	<u>264,229.11</u>	<u>269,870.89</u>

Dedicated Fund Regulatory Program Expenditures Report

Expenditures from Dedicated Fund FY18

		Appropriation	Current Month	Year-to-Date	Balance
PCA 55070 Expenses					
PC	95,100.00		0.00	1,289.93	93,810.07
OE	85,000.00		8,506.16	15,348.61	69,651.39
CO	1,300.00		0.00	0.00	1,300.00
Total	<u>181,400.00</u>		<u>8,506.16</u>	<u>16,638.54</u>	<u>164,761.46</u>



Southwest Idaho Oil & Gas Activity Map



Legend

Active Oil and Gas Wells	Inactive Oil and Gas Wells	Township
Shut in Gas	Plugged and Abandoned (P&A) Gas Show	Sections
Producing - Multi Zone	Plugged and Abandoned	Counties
Producing	APD Submitted	Surface Ownership
Permitted	Highway	Bureau of Land Management
	Approved Integration	Idaho Mineral Estate
	Integration Request	

No.	US Well Number	Operator	Well Name	Status
1	11-075-20004	Alta Mesa Services, LP	Espino #1-2	Shut in
2	11-075-20005	Alta Mesa Services, LP	State #1-17	Shut in
3	11-075-20007	Alta Mesa Services, LP	ML Investments #1-10	Shut in
4	11-075-20009	Alta Mesa Services, LP	Island Capitol #1-19	Shut in
5	11-075-20011	Alta Mesa Services, LP	Tracy Trust #3-2	Shut in
6	11-075-20013	Alta Mesa Services, LP	White #1-10	Shut in
7	11-075-20014	Alta Mesa Services, LP	Korn #1-22	Shut in
8	11-075-20020	Alta Mesa Services, LP	DJS Properties #1-15	Producing
9	11-075-20022	Alta Mesa Services, LP	ML Investments #2-10	Producing
10	11-075-20023	Alta Mesa Services, LP	DJS Properties #2-14	Shut in
11	11-075-20024	Alta Mesa Services, LP	Kauffman #1-34	Producing
12	11-075-20025	Alta Mesa Services, LP	ML Investments #1-11	Producing
13	11-075-20026	Alta Mesa Services, LP	ML Investments #1-3	Producing
14	11-075-20027	Alta Mesa Services, LP	Kauffman #1-9	Producing
15	11-075-20029	Alta Mesa Services, LP	ML Investments #2-3	Producing
16	11-075-20031	Alta Mesa Services, LP	ML Investments #3-10*	Completed
17	11-075-20032	Alta Mesa Services, LP	Fallon #1-10*	Under Construction
18	11-075-20033	Alta Mesa Services, LP	Barlow #1-14*	Under Construction
19		Alta Mesa Services, LP	Barlow #2-14*	Pending
			* confidential well	

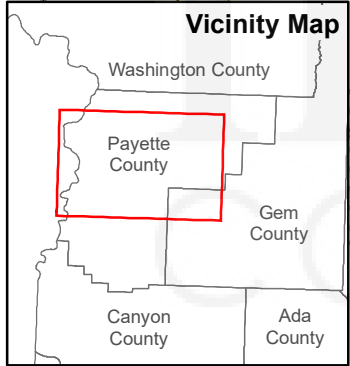
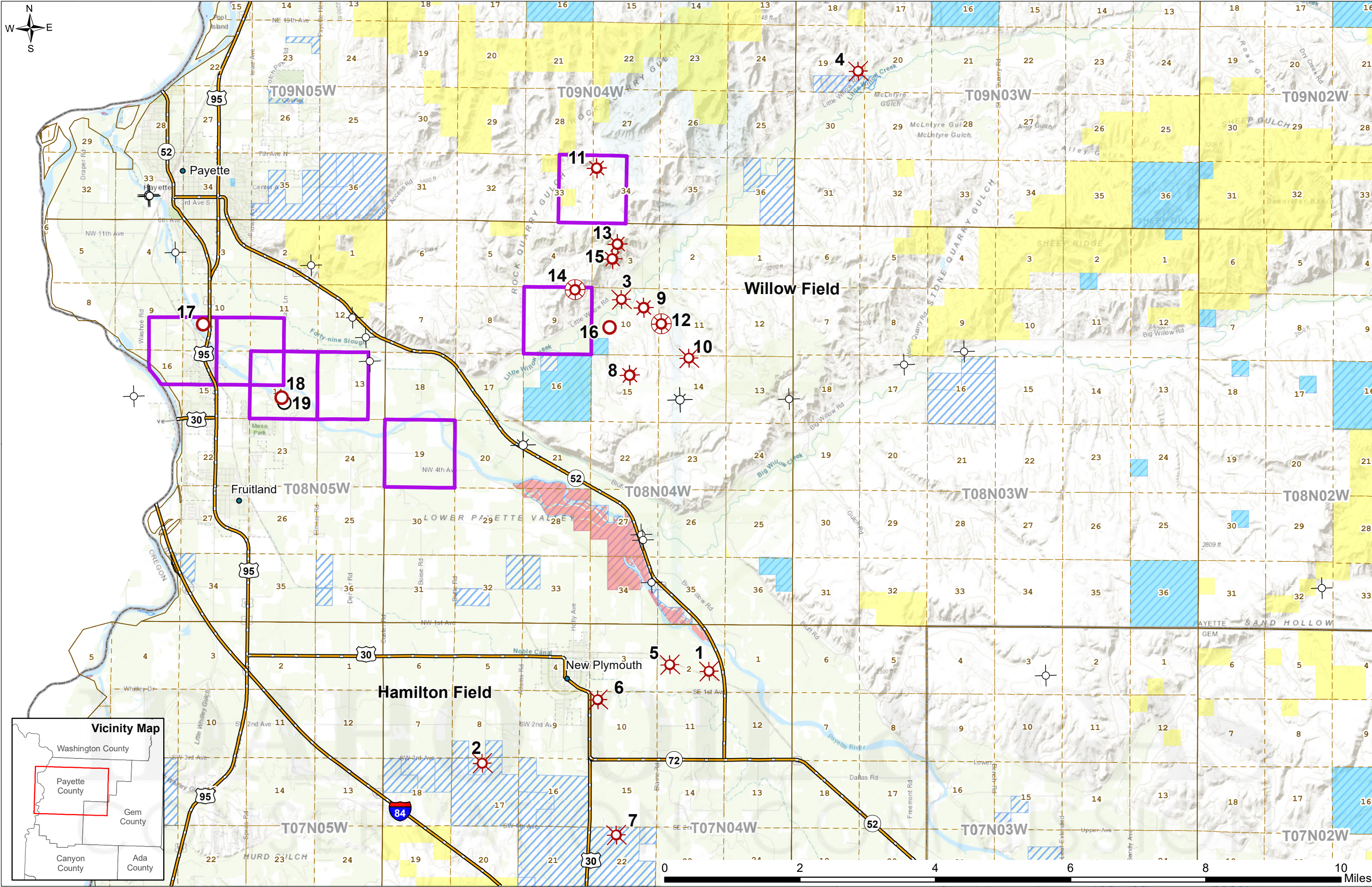
Map Notes and Data Sources

Inactive and Active Oil And Gas Wells through 2/12/2018

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.





Eastern Idaho Oil & Gas Activity Map



Legend

Active Oil and Gas Wells

- Shut in Gas
- Producing - Multi Zone
- Producing
- Permitted

Inactive Oil and Gas Wells

- Plugged and Abandoned (P&A) Gas Show
- Plugged and Abandoned
- APD Submitted

- Approved Integration
- Integration Request
- 2014 Seismic
- BLM Nominations
- IDL Nominations
- Drill Site
- Township
- Sections
- Counties
- Highway

Surface Ownership

- Bureau of Land Management
- Idaho Fish and Game
- Idaho Department of Land
- Idaho Mineral Estate

No.	US Well Number	Operator	Well Name	Status
1	11-019-20011	CPC Mineral, LLC	CPC Minerals LLC #17-1	Plugged and Abandoned
2	11-019-20014	CPC Mineral, LLC	Federal #20-3	Plugged and Abandoned

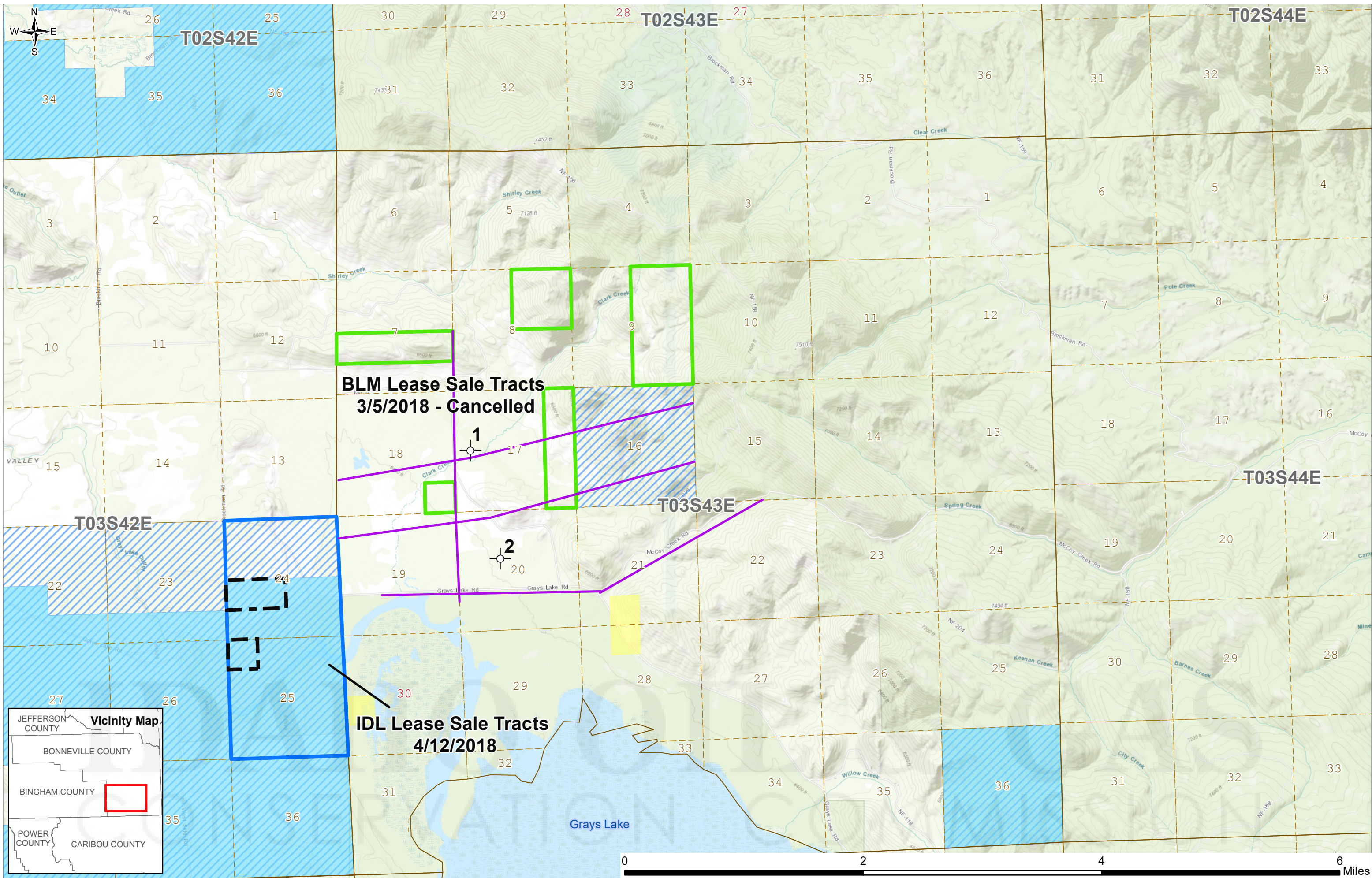
Map Notes and Data Sources

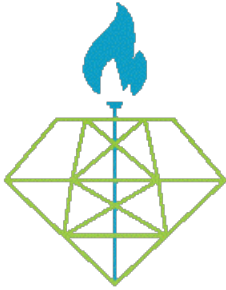
Inactive and Active Oil And Gas Wells through 2/12/2018

Data Sources: Idaho Department of Lands and Idaho Geological Survey

Disclaimer:

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IDAHO OIL AND GAS CONSERVATION COMMISSION

Kevin Dickey, Chairman
Marc Shigeta, Vice Chairman
Dr. Renee Breedlovestrout, Commissioner
Jim Classen, Commissioner
Tom Schultz, Commissioner

Mick Thomas, Secretary to the Commission

Draft Minutes

Idaho Oil and Gas Conservation Commission Regular Meeting
January 10, 2018

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Wednesday, January 10, 2018, in the Borah Building, 2nd Floor Courtroom (Room 214), 304 N. 8th St. (at Bannock), Boise, Idaho. The meeting began at 1:00 p.m. Chairman Kevin Dickey presided. The following members were present:

Vice Chairman Marc Shigeta
Commissioner Jim Classen
Commissioner Renee Breedlovestrout
Commissioner Tom Schultz

For the record, all five Commission members were present.

• **ANNOUNCEMENTS**

Secretary Thomas announced that Commissioner Schultz resigned as Director of the Idaho Department of Lands and thanked him for his service. Secretary Thomas added that the interim director will be taking that place on the Commission by the next meeting.

A motion was made by Commissioner Schultz to accept the proposed amended agenda as posted which removed the Data Access Policy because the Department needed more time to prepare that topic. Vice Chairman Shigeta seconded the motion. The motion carried on a vote of 5-0.

1. Division Administrator's Report

- A. Financial Update
- B. Current Oil and Gas Activity

DISCUSSION: Vice Chairman Shigeta asked if the spacing for the wells were on a 640-acre government sections, Secretary Thomas replied yes. Commissioner Classen asked about the second well that was being plugged, Secretary Thomas responded that was the Federal #20-3 well. Commissioner Classen clarified if that was the one in Eastern Idaho, Secretary Thomas stated that it was the well in Bonneville County and that the Department was waiting on the

P&A report. Chairman Dickey asked if the well was P&A'd or D&A'd, Program Manager James Thum confirmed that it was technically D&A'd.

- **CONSENT**

2. **Approval of Minutes** – December 7, 2017 Regular Meeting (Boise)

CONSENT AGENDA COMMISSION ACTION: A motion was made by Vice Chairman Shigeta that the Commission approve the meeting minutes on the Consent Agenda. Commissioner Breedlovestrout seconded the motion. The motion carried on a vote of 5-0.

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

- **INFORMATION**

3. **Third Quarter 2017 Quarterly Report** – Presented by James Thum, Program Manager – Oil and Gas

4. **Trade Secret Protocol** – Presented by James Thum, Program Manager – Oil and Gas

5. **RBDMS and Data Explorer Status Update** – Presented by Chris Gozzo, Information Specialist – Oil and Gas

6. **Revision of Monthly Reporting Forms** – Presented by Mick Thomas, Division Administrator – Oil and Gas

- **REGULAR**

7. **Offsite Commission Meeting** – Presented by Mick Thomas, Division Administrator – Oil and Gas

RECOMMENDATION: The Department recommends that the Commission hold the regular Commission meeting on Wednesday, April 11, 2018 at 1:00 PM (MT) at the Payette County Courthouse.

DISCUSSION: Chairman Dickey asked Vice Chairman Shigeta if the room of the Payette County Courthouse was smaller than the room of the Borah Courtroom. Vice Chairman Shigeta confirmed that it was a smaller room and that a concern was if they had enough microphones to accommodate everyone but that the Department has microphones they could take. Further discussion was had on the size of the room and being able to accommodate the turnout. Commissioner Classen asked if Commissioner Schultz had been out there for a meeting. Commissioner Schultz clarified that the Department had a public meeting in Washington County which has a larger location at the Velodrome. Vice Chairman Shigeta also wanted everyone to be aware that the courthouse has security.

COMMISSION ACTION: A motion was made by Commissioner Schultz to hold the regular Commission meeting on April 11, either in Payette County or Washington County pending selection of a facility of appropriate size. Commissioner Breedlovestrout seconded the motion. The motion carried on a vote of 5-0.

At 2:14 p.m., a motion was made by Commissioner Schultz to convene in executive session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated Vice Chairman Shigeta seconded the motion. *Roll Call Vote:* *Aye:* Shigeta, Breedlovestrout, Classen, Schultz, Dickey; *Nay:* None; *Absent:* None.

- **EXECUTIVE SESSION**

- A. Idaho Code 74-206 (1)(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. [TOPIC: December 7, 2017 Complaint Before the Commission by the Kauffmans]

At 3:05 p.m., the Commission resolved out of Executive Session by unanimous consent. The regular session reconvened at 3:09 p.m. Chairman Dickey clarified that no action was taken by the Commission during the Executive Session.

- **REGULAR**

- 8. **Administrative Procedure Options on Kauffman Complaint**

RECOMMENDATION: The Idaho Department of Lands (Department) recommends that the Commission vote on the options to proceed that are before the Commission.

The Department will leave it to the Commission's discretion as to whether it will decide to direct the Department to investigate the Kauffmans allegations. If the Commission chooses not to direct the Department to investigate the Kauffmans allegations, then the Department recommends that the Commission appoint a hearing officer, with Commission members sitting at hearing with the hearing officer consistent with IDAPA 04.11.01.414. The Department also recommends the Commission require the hearing officer to issue a recommended order pursuant to IDAPA 04.11.01.720.

DISCUSSION: Chairman Dickey asked Randy and Thana Kauffman, complainants; Michael Christian, attorney for Alta Mesa; and Mick Thomas to provide comment on this agenda item. An audio recording of this agenda item is available by request to the Department of Lands, Attn: Oil and Gas Commission Recording Secretary, PO Box 83720, Boise, Idaho 83720-0050 or by email to public_records_request@idl.idaho.gov.

COMMISSION ACTION: Following comment by the parties and the Department, a motion was made by Commissioner Schultz to have the Commission delegate its authority to hire a hearing

officer to the Department; the order appointing hearing officer should include the Commission members sit at hearing with the hearing officer and that the hearing officer shall submit a recommended order to the Commission. Commissioner Classen seconded the motion. Commissioner Breedlovestrout stated she wanted to amend the motion to have the Commission have a more active role in the hearing and request information as needed. Commissioner Schultz asked legal counsel to clarify that the Commission could participate in the hearing. Deputy Attorney General Kristina Fugate clarified that the Commissioners could participate in the hearing and referenced the Attorney General's Rule of IDAPA 04.11.01.414. Chairman Dickey asked Ms. Fugate if the Commissioners were required to attend the hearing or if it was optional. Ms. Fugate explained a quorum would be needed to make a decision. Commissioner Classen asked if a Commissioner could attend telephonically, Ms. Fugate responded yes. Ms. Fugate also clarified that it was the Commission's discretion to decide to either be at the hearing or have the hearing officer conduct the hearing and then issue a recommended order without the Commission there. Commissioner Breedlovestrout retracted her amendment to the motion. Commissioner Schultz's original motion carried on a vote of 5-0.

There being no further business before the Commission, at 3:30 p.m. a motion to adjourn was made by Commissioner Classen. Commissioner Schultz seconded the motion. The motion carried on a vote of 5-0. Meeting adjourned.

DRAFT

IDAHO OIL & GAS
CONSERVATION COMMISSION

From: [James Classen MSN](#)
To: [Mick Thomas](#); [Marc Shigeta](#); [Kevin Dickey](#)
Subject: Re: The legendary Brandon Memo regarding oil and gas testing data
Date: Tuesday, January 23, 2018 11:27:00 AM

If you were listening to my comments during one of our new Commission meetings, I mentioned the infamous Branden letter that was a gross mistake and the known un-reported production. I was never aware of Tyson's letter and that is too bad, because we would have been able to get past records available to the public and help encourage more Idaho operations. As you recall, I mentioned that the 1-9 Kauffman well had significant past oil production that has never been reported. My numbers from check stub data indicate that unreported oil production on the 1-9 Kauffman between initial tests and first "official" production, amounted to 16,857.63 BBL at prices between \$31.60 to \$75.00, amounting \$586,151.21. One of the AM sundries to recomplete this well mentions something like 85,000 BBL were produced from this zone and James requested clarification of same he mentioned to me. I guess this issue was never resolved.

This is part of what Lone Tree Petroleum has been complaining about and perhaps involved in the recent mineral owner complaint. I do not know of other possible "test" production volumes as I do not have access to other check stub information. The 1-10 ML Investments gas condensate well was also extensively tested by Bridge Energy and the gas flared with likely retained condensate.

The point of all this is that the Department could consider writing a letter requesting all available production information prior to the initial plant operations which I believe were in November of 2015. The Department could also consider requesting all the other information not submitted such as the dipmeter/lithology log on the 1-10 well, all other logs run in the past, and gas well analyses BHP tests, etc. now expected as detailed in the newer statutes. I don't know exactly what has to be included per the old statutes but perhaps James does.

Jim

From: Mick Thomas <mthomas@idl.idaho.gov>

Sent: Monday, January 22, 2018 4:31 PM

To: James Classen; Marc Shigeta

Subject: The legendary Brandon Memo regarding oil and gas testing data

Marc and Jim,

When I started, James Thum shared this summary with me regarding the attached.

The confusion regarding what constitutes production data led to the belief that certain volumes were immune/hidden from royalty payments.

Please let me know if I can provide more information.

Mick

A brief summary:

The 2014 Nelson opinion was a result of IDL requesting clarification on what constitutes "production" data. At the time, production data reported to the state was considered a trade secret that could be held in perpetuity. In Tyson's (Nelson) opinion,

[REDACTED]
I agree with his reasoning, but at the time it meant that production data reported on Well Completion reports needed to be redacted. When the statutes changed to allow production data to be released, I used the same argument to say that completion reports should not be redacted. Later I found his opinion letter which supported my contention.

The 2015 Brandon memo was a summary of a meeting he had with AM where various topics regarding reporting were discussed. The part that gave me pause was the section on production reports.

"During the meeting, we agreed that "production" is when a well is completed, finished with testing, and fully on-line."

That sentence is in direct conflict with the Nelson opinion. Brandon goes on to say that condensate produced during testing would not constitute "production." I strongly disagree with both statements. The Nelson opinion generally supports my

argument.



IDAHO OIL & GAS
CONSERVATION COMMISSION

IDAHO OIL AND GAS CONSERVATION COMMISSION
February 14, 2018
Regular Agenda

SUBJECT

Idaho Code § 47-315 – Commission Request to Examine Records of Produced Volumes of Oil and Gas from February 2013 to Present

BACKGROUND

There has been some discussion over the accuracy of records within the Idaho Department of Lands (Department) concerning the volumes of hydrocarbons produced in the state. In the event of possible inconsistencies, Idaho statute allows for the verification of quantities produced. Specifically, Idaho Code § 47-315(5)(i), provides the Oil and Gas Conservation Commission (Commission) authority to examine five (5) years of historical data regarding the quantities of oil and gas produced. These quantities include those volumes produced during regular production as well as those volumes obtained during testing and completion.

47-315(5)(i) (5) Without limiting its general authority, the commission shall have the specific authority to require:... (i) That every person who produces oil and gas in the state keep and maintain for a period of five (5) years complete and accurate records of the quantities thereof, which records, or certified copies thereof, shall be available for examination by the commission or its agents at all reasonable times within said period, and that every such person file with the commission such reasonable reports as it may prescribe with respect to such oil and gas production;

DISCUSSION

The Commission has the authority to examine quantities of hydrocarbon produced within the past five years. During that time, the only active operator in the state has been Alta Mesa. Therefore, an examination of Alta Mesa wells that were drilled, tested, completed and/or produced during this time should provide the needed data to verify or revise Department records. Reviewing quantities produced during this time will help to ensure the effective management of the state's oil and gas resources.

RECOMMENDATION

The Department recommends that the Commission vote on whether or not to request the examination of quantities produced from Alta Mesa wells within the past five years as per Idaho Code § 47-315(5)(i).

COMMISSION ACTION

ATTACHMENTS

1. Idaho Code § 47-315



Idaho Statutes

Print Friendly

TITLE 47 MINES AND MINING CHAPTER 3

OIL AND GAS WELLS – GEOLOGIC INFORMATION, AND PREVENTION OF WASTE

47-315. AUTHORITY OF COMMISSION. (1) The commission is authorized and it is its duty to regulate the exploration for and production of oil and gas, prevent waste of oil and gas and to protect correlative rights, and otherwise to administer and enforce this act. It has jurisdiction over all persons and property necessary for such purposes. In the event of a conflict, the duty to prevent waste is paramount.

(2) The commission and the department shall protect correlative rights by administering the provisions of this chapter in such a manner as to avoid the drilling of unnecessary wells or incurring unnecessary expense, and in a manner that allows all operators and royalty owners a fair and just opportunity for production and the right to recover, receive and enjoy the benefits of oil and gas or equivalent resources, while also protecting the rights of surface owners.

(3) The commission is authorized to make such investigations as it deems proper to determine whether action by the commission in discharging its duties is necessary.

(4) The commission is authorized to appoint, as necessary, committees for the purpose of advising the commission on matters relating to oil and gas.

(5) Without limiting its general authority, the commission shall have the specific authority to require:

(a) Identification of ownership of oil and gas wells, producing leases, tanks, plants, structures, and facilities for the transportation or refining of oil and gas;

(b) The taking and preservation of samples and findings, if taken or analyzed;

(c) The drilling, casing, operation and plugging of wells in such manner as to prevent: (i) the escape of oil and gas out of one (1) pool into another; (ii) the detrimental intrusion of water into an oil and gas pool that is avoidable by efficient operations; (iii) the pollution of fresh water supplies by oil, gas, or saltwater; (iv) blow-outs, cavings, seepages, and fires; and (v) waste as defined in section 47-310, Idaho Code;

(d) The taking of tests of oil and gas wells;

(e) The furnishing of a reasonable performance bond with good and sufficient surety, conditioned upon the performance of the duty to comply with the requirements of this law and the regulations of the commission with respect to the drilling, maintaining, operating and plugging of each well drilled for oil and gas;

(f) That the production from wells be separated into gaseous and liquid hydrocarbons, and that each be measured

ATTACHMENT 1

by means and upon standards that may be prescribed by the commission;

(g) That wells not be operated with inefficient gas-oil or water-oil ratios, and to fix these ratios, and to limit production from wells with inefficient gas-oil or water-oil ratios;

(h) Metering or other measuring of oil, gas, or product;

(i) That every person who produces oil and gas in the state keep and maintain for a period of five (5) years complete and accurate records of the quantities thereof, which records, or certified copies thereof, shall be available for examination by the commission or its agents at all reasonable times within said period, and that every such person file with the commission such reasonable reports as it may prescribe with respect to such oil and gas production; and

(j) The filing of reports or plats with the commission that it may prescribe.

(6) Without limiting its general authority, and without limiting the authority of other state agencies or local government as provided by law, the commission shall have the specific authority to regulate:

(a) The drilling and plugging of wells and the compression or dehydration of produced oil and gas, and all other operations for the production of oil and gas;

(b) The shooting and treatment of wells;

(c) The spacing or locating of wells;

(d) Operations to increase ultimate recovery, such as cycling of gas, the maintenance of pressure, and the introduction of gas, water, or other substances into a producing formation; and

(e) The disposal of produced water and oil field wastes.

(7) The commission is authorized to classify and reclassify pools as oil, gas, or condensate pools, or wells as oil, gas, or condensate wells.

(8) The commission is authorized to make and enforce rules, regulations, and orders reasonably necessary to prevent waste, protect correlative rights, to govern the practice and procedure before the commission, and otherwise to administer this act.

(9) The commission shall require the department to perform the following activities on an annual basis:

(a) Inspect and report on all active well sites and equipment;

(b) Visit and file a report on production and processing facilities; and

(c) Submit an opinion as to any areas of concern, as identified on inspection reports.

History:

[(47-315) 47-319, added 1963, ch. 148, sec. 5, p. 433; am. 1990, ch. 213, sec. 63, p. 532; am. 2012, ch. 73, sec. 2, p. 211; am. 2012, ch. 111, sec. 3, p. 303; am. 2013, ch. 189, sec. 2, p. 469; am. 2015, ch. 64, sec. 1, p. 173; am. 2015, ch. 141, sec. 120, p. 469; am. 2016, ch. 47, sec. 21, p. 115;

am. 2016, ch. 194, sec. 3, p. 542; am. and redesign. 2017, ch. 271, sec. 7, p. 683.]

How current is this law?

Search the Idaho Statutes and Constitution



IDAHO OIL & GAS
CONSERVATION COMMISSION

IDAHO OIL AND GAS CONSERVATION COMMISSION
February 14, 2018
Information Agenda

SUBJECT

Revision of Monthly Reporting Forms to the Oil and Gas Division

BACKGROUND

Idaho Code § 47-324 was amended to update reporting requirements and provide more timely detail regarding oil and gas operations in the state. To comply with the new requirements, operators provided a new set of forms to the Idaho Department of Lands (Department) containing the additional data. These forms have been used in the interim enabling the Department to move forward with in-house versions that will ensure the information and data reported is easy to understand while providing a higher level of detail.

DISCUSSION

The design and maintenance of the monthly reports is the responsibility of the Oil and Gas Division. Attached are updated versions of the Monthly Production Report, Monthly Gathering Facility Report, Monthly Gas Processing Plant Report, and Monthly Purchaser Report.

These updated forms are provided as a courtesy for the Oil and Gas Conservation Commission to ensure familiarity with the information reported.

ATTACHMENTS

1. Idaho Code § 47-324
2. Oil and Gas Monthly Production Report Form 2-2018
3. Oil and Gas Monthly Gathering Facility Report Form 2-2018
4. Oil and Gas Monthly Gas Processing Plant Report Form 2-2018
5. Oil and Gas Monthly Purchaser Report Form 2-2018

IDAHO OIL & GAS
CONSERVATION COMMISSION



Idaho Statutes

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TITLE 47 MINES AND MINING CHAPTER 3

OIL AND GAS WELLS – GEOLOGIC INFORMATION, AND PREVENTION OF WASTE

47-324. REPORTING REQUIREMENTS. (1) All reporting parties shall file the applicable reports described in this section to the department within the time frames provided. Each report shall be completed on forms prescribed by the department.

(a) Monthly production report. Operators shall file monthly production reports to properly account for all oil, gas and water production and disposition from each well, including the amounts of oil and gas sold from each well. Production reports shall be filed on the required form before the fifteenth day of the second calendar month following the month of production.

(b) Gathering facility report. Operators of a gathering facility shall file monthly reports concerning the operation of the plant on the required form before the fifteenth day of the second calendar month following the month of operation.

(c) Gas processing plant report. The operator of each plant manufacturing or extracting liquid hydrocarbons, including gasoline, butane, propane, condensate, kerosene or other derivatives from natural gas, or refinery or storage vapors, shall file a report concerning the operation of the plant on the required form before the fifteenth day of the second calendar month following the month of operation.

(d) Monthly transportation and storage report. Each gatherer, transporter, storer or handler of crude oil or hydrocarbon products, or both, shall file monthly reports showing the required information concerning the transportation operations of the gatherer, transporter, storer or handler before the fifteenth day of the second calendar month following the month of operation. The provisions of this subsection shall not apply to the operator of any refinery, processing plant, blending plant or treating plant if the operator of the well has filed the required form.

(e) Monthly purchaser report. Any person who purchases or is entitled to purchase any product that is subject to the state of Idaho severance tax from the producer or operator of a lease located in this state shall file monthly reports to account for the purchase of all hydrocarbons, including volume and price paid. Purchaser reports shall be filed on the required form before the fifteenth day of the second calendar month following the month in which the hydrocarbons were purchased.

(2) All well test reports. An operator shall file all well test reports within thirty (30) days of completing or recompleting the well. The reports shall include all oil, gas and water produced during all tests.

(3) Well production potential test reports. Unless otherwise provided for in this section, each operator of producing gas or oil wells shall test each producing well for a twenty-four (24) hour period every six (6) months and shall record all oil, gas and water volumes, including choke size, pressures and any interim bottom hole pressure surveys every six (6) months, resulting from the test on the form.

(4) Logs. An operator shall file all logs, including but not limited to those listed in this subsection, not later than thirty (30) days after the date the log was run, if run:

(a) An open hole electrical, radioactivity or other similar log, or combination of open hole logs of the operator's choice;

(b) A gamma ray log from total depth to ground level elevations. The operator may require a shorter-logged interval if it determines that the log is unnecessary or impractical or if hole conditions risk jeopardizing the open hole; and

(c) A cement bond log across the casing, verifying the formation seal integrity and isolation.

(5) Additional reports. An operator shall file a drilling, completion, workover or plugging report within thirty (30) days of completing or plugging the well.

(6) The department shall report quarterly to the commission on the produced volumes of oil and gas, sales volumes of oil and gas, and the meeting of industry standards.

(7) Should an operator fail to comply with this section, the commission may assess a penalty in accordance with section 47-329(3), Idaho Code, or may order the well or oil and gas facilities to be shut-in, after notice, opportunity to cure, and opportunity for a hearing.

History:

[47-324, added 2017, ch. 271, sec. 17, p. 696.]

How current is this law?

Search the Idaho Statutes and Constitution



IDAHO OIL AND GAS CONSERVATION COMMISSION

OIL AND GAS MONTHLY PRODUCTION REPORT FORM



Operator: Enter Well Operator Name

Report Period (Month/Year): _____, 20

Address:

City:

State:

Zip Code:

Telephone:

Contact Name:

Title:

Email Address:

Amended Report: Yes No

Amended Month (Month/Year): _____ 20

Identification				Production											
Well Name	US API Well	Facility ID	Field	Oil/Condensate Leaving Lease			Gas Leaving Lease					NGL		Water Produced (BBL)	
				Produced (BBL)	Disposition		Wet Gas (MMBTU/MMCF)	Wet Gas (MCF)	Fuel Gas (MCF)	Plant Disposition		Plant Disposition			
					Volume (BBL)	Code				Dry Gas (MCF)	Code	Volume (GAL)	Code		
Totals:															

CERTIFICATE: I, the undersigned, state that I am the Enter Title of the Enter name of entity, and that I am authorized by said company to make this report and that this report was prepared under my supervision and direction and that the facts stated herein are true, correct and complete to the best of my knowledge.

_____ Date _____ Signature

***** IDL Office Use Only *****

Reviewed by: _____ Date: _____

Filed by: _____ Date: _____



**IDAHO OIL AND GAS CONSERVATION COMMISSION
OIL AND GAS MONTHLY GATHERING FACILITY REPORT FORM**



Report Period (Month/Year): _____, 20

Operator:

Original Report (Y/N):

Address:

Corrected Report (Y/N):

City:

State:

Zip Code:

Telephone:

Contact Name:

Title:

Email Address:

RECEIPTS					
Company Name	Well Name / Facility Name	Gas (MCF)	Oil (BBLS)	Condensate (BBLS)	Produced Water (BBLS)
Totals:					

DELIVERIES					
Company Name	Well Name / Facility Name	Gas (MCF)	Oil (BBLS)	Condensate (BBLS)	LNG
Totals:					

CERTIFICATE: I, the undersigned, state that I am the Enter Title of the Enter name of entity, and that I am authorized by said company to make this report and that this report was prepared under my supervision and direction and that the facts stated herein are true, correct and complete to the best of my knowledge.

_____ Date

_____ Signature

***** IDL Office Use Only *****

Reviewed by:

Date:

Filed by:

Date:



**IDAHO OIL AND GAS CONSERVATION COMMISSION
OIL AND GAS MONTHLY GAS PROCESSING PLANT REPORT**



Gas Operating Plant:

Operator:

Address:

City:

State:

Zip Code:

Telephone:

Contact Name:

Title:

Email Address:

Amended Report: Yes No

Amended Month (Month/Year): 20

Report Period (Month/Year): , 20

RECEIPTS INTO PLANT					
Entity:	Well Name / Facility Name	Wet Gas (MCF)	Code	Condensate (BBL)	Code
	TOTAL:				

DELIVERIES OUT OF PLANT			
Entity:	Residue Gas (MCF)	Condensate (BBL)	NGL's (gal)
	TOTAL:		

CERTIFICATE: I, the undersigned, state that I am the Enter Title of the Enter name of entity, and that I am authorized by said company to make this report and that this report was prepared under my supervision and direction and that the facts stated herein are true, correct and complete to the best of my knowledge.

_____ Date

_____ Signature

***** **IDL Office Use Only** *****

Reviewed by:

Date:

Filed by:

Date:



**IDAHO OIL AND GAS CONSERVATION COMMISSION
OIL AND GAS MONTHLY PURCHASER REPORT**



Gas Operating Plant:

Report Period (Month/Year): _____, 20

Operator:

Address:

City:

State:

Zip Code:

Telephone:

Contact Name:

Title:

Email Address:

Amended Report: Yes No

Amended Month (Month/Year): _____ 20

Producer	GAS				CONDENSATE			NATURAL GAS LIQUIDS		
	Volume (MCF)	BTU Adjustment	Market Price/MCF	Total Sales	Volume (BBL)	Market Price/BBL	Total Sales	Volume (Gallons)	Market Price/Gal	Total Sales

Producer	OIL		
	Volume (BBL)	Market Price/BBL	Total Sales

NOTE: Gas volumes are actual sales volumes as agreed to by buyer.

Oil volumes are run ticket volumes sold during month.

Market prices are run ticket prices paid by End Purchaser of the products during the report month. Total sales are income received from End Purchaser during the report month.

Condensate and Natural Gas Liquids are run ticket volumes from buyer.

BTU adjustments are average adjustments agreed to by buyer.

CERTIFICATE: I, the undersigned, state that I am the Enter Title of the Enter name of entity, and that I am authorized by said company to make this report and that this report was prepared under my supervision and direction and that the facts stated herein are true, correct and complete to the best of my knowledge.

Date _____

Signature _____

***** **IDL Office Use Only** *****

Reviewed by: _____

Date: _____

Filed by: _____

Date: _____