



IDAHO OIL & GAS CONSERVATION COMMISSION

C. L. "Butch" Otter, Governor and President of the Commission

Ben Ysursa, Secretary of State

Lawrence G. Wasden, Attorney General

Donna M. Jones, State Controller

Tom Luna, Superintendent of Public Instruction

George B. Bacon, Secretary to the Commission

Final Minutes

Idaho Oil & Gas Conservation Commission

Regular Meeting - April 19, 2011

A regular meeting of the Idaho Oil & Gas Conservation Commission was held on Tuesday, April 19, 2011 in Boise, Idaho. The meeting began at 9:02 a.m. in the second floor courtroom of the Borah Building, 304 North 8th Street, Boise. The Honorable Governor C. L. "Butch" Otter presided. The following members were present:

Honorable Secretary of State Ben Ysursa

Honorable Attorney General Lawrence Wasden

Honorable State Controller Donna Jones

Honorable Superintendent of Public Instruction Tom Luna (*via conference phone*)

For the record, Governor Otter noted that all members of the Commission were present, with Superintendent Luna joining the meeting by conference phone. Superintendent Luna joined the meeting at 9:02 a.m.

Director Bacon opened the meeting by explaining the purpose and authority of the Idaho Oil and Gas Conservation Commission. The Commission's purpose is to prevent the waste of oil and gas, and protect correlative rights. In that regard, the Commission's duties include regulating oil and gas drilling, construction and standards; coordinating with Department of Water Resources to ensure the groundwater is adequately protected; determining proper well spacing; reviewing requests for directional drilling; and collecting up to \$0.005 severance tax on production to fund the Commission. There are many concerns by the public relating to air quality, light, noise, dust, roads, sage grouse, and pipelines to name a few. All those other issues, and the severance tax that is collected for the general fund, are handled by other jurisdictions, including Department of Environmental Quality, local county planning and zoning, Office of Species Conservation, Idaho Tax Commission, Public Utilities Commission. The Department acknowledges these concerns but the focus of the Oil and Gas Conservation Commission meeting is limited to those items for which the Commission has authority.

• **CONSENT**

1. Approval of Minutes – February 15, 2011 Regular Meeting (Boise)

CONSENT AGENDA COMMISSION ACTION: A motion was made by Attorney General Wasden that the Commission adopt the Consent Agenda. Controller Jones seconded the motion. The motion carried on a vote of 5-0.

- **REGULAR**

- 2. **Approval of Hearing Officer's Recommended Order for Spacing of Gas Wells** – *Presented by Eric Wilson, Minerals Program Manager*

DEPARTMENT RECOMMENDATION: That the Commission adopt the Recommended Order as prepared by Rick Vine.

DISCUSSION: A verbatim transcript is available by request to the Department of Lands, Attn: Land Board Recorder, Post Office Box 83720, Boise, Idaho 83720-0050 or by email to public_records_request@idl.idaho.gov.

COMMISSION ACTION: Attorney General Wasden moved that the Commission adopt the Recommended Order as prepared by Rick Vine. Secretary of State Yursa seconded the motion. The motion carried on a vote of 5-0.

- 3. **Temporary Rule for Well Treatments and Hydraulic Fracturing** – *Presented by Eric Wilson, Minerals Program Manager*

DEPARTMENT RECOMMENDATION: That the Commission adopt the Temporary Rule IDAPA 20.07.02.055.

DISCUSSION: A verbatim transcript is available by request to the Department of Lands, Attn: Land Board Recorder, Post Office Box 83720, Boise, Idaho 83720-0050 or by email to public_records_request@idl.idaho.gov.

COMMISSION ACTION: A motion was made by Controller Jones that the Commission adopt the Temporary Rule IDAPA 20.07.02.055, which is the Department's recommendation. Attorney General Wasden seconded the motion. The motion carried on a vote of 5-0.

- **INFORMATION**

None

- **EXECUTIVE SESSION**

None

There being no further business to come before the Commission, at 9:51 a.m. a motion to adjourn was made by Attorney General Wasden. Controller Jones seconded the motion. The motion carried on a vote of 5-0. Meeting adjourned.

IDAHO OIL AND GAS CONSERVATION COMMISSION

/s/ C. L. "Butch" Otter

C. L. "Butch" Otter
President, Idaho Oil and Gas Conservation Commission and
Governor of the State of Idaho

/s/ Ben Yursa

Ben Yursa
Secretary of State

/s/ George B. Bacon

George B. Bacon
Director

The above-listed final minutes were approved by the Idaho Oil and Gas Conservation Commission at the May 17, 2011 regular Commission meeting.