

Insert definitions for API, AAPL, and any other recognized industry standard referred to in the Code.

47-310(3), (14), (15), & (17): To avoid any confusion, insert a typical API range.

47-310(6): The term "arms length" is not one I've seen used in the industry; use "third-party" or insert a definition for "arms length".

47-310(19): Move this definition of "Administrator" so that it is in alphabetical order; consider further changing the wording so that any future IDL restructurings won't result in a need to modify this definition.

47-314, 47-315, & 47-329: These sections seem related; consider moving 47-329 to be immediately after 47-315.

47-314: Based on the current and expected future oil and gas activity levels, my recommendation would be to decrease the number of Commissioners to 3; in addition, the inability to find qualified people within the state has been problematic.

47-314(b): Consider removing the specified term. In reality, people either step away or are asked to resign. Has anyone, in recent years, ever not been re-appointed if they are willing to continue serving?

47-314(b)(2): Consider extending the terms of the Chair & Vice Chair. With only quarterly meetings, annual election is too frequent.

47-314(b)(5): With the IDL director no longer being a Commission member, it seems odd that the position appoints the Secretary; will the Secretary always be the Administrator? If so, the definitions/role can be combined.

47-316(3): Consider moving the fees to an Appendix or other document that would still require public comment but not mandate a change to the Code in the event fees are updated.

47-318 & 47-319: The wording in these two sections must be clear as to when well spacing and integration are required by the department (this needs much more research and thought on my & others parts).

47-320(3)(a): Other states & precedents need to be reviewed regarding if the regulatory agency actually approves JOA's. My recollection is that regulatory agencies require proof of an executed JOA but don't approve the JOA itself.

47-320(3)(b): Addressing the inclusion of "just and reasonable" language needs to be performed under Attorney Client privilege with legal counsel.

47-320(8): This is another area where we need to look at industry precedents/other states to assess the length of an integration order term.

47-324(e) & (f): These two sections seem to be making the distinction between a transporter and a refiner; consider using these terms versus "purchaser" and "end purchaser". Also, "end purchaser" is included in the definitions (47-310) but "purchaser" is not; consistency is needed.