

IDAPA 20 - DEPARTMENT OF LANDS

20.03.15 - THE ISSUANCE OF GEOTHERMAL RESOURCE LEASES

DOCKET NO. 20-0315-1102

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 58-104(6) and 58-105, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

**Idaho Department of Lands - Garnet Conference Room
300 North 6th Street, Suite 103, Boise, ID**

Thursday, July 28, 2011 - 8 a.m. - 12 p.m.

**Additional meetings will be held as needed through August 16, 2011.
Visit www.idl.idaho.gov/adminrule/geothermalrulemaking.html for more info.**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Please contact Eric Wilson at (208) 334-0261 or ewilson@idl.idaho.gov to be added to the e-mail list of interested parties. This list will be used to keep people informed of the rulemaking process.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

A permanent rule change is needed to eliminate conflicts between Section 47-16, Idaho Code, and IDAPA 20.03.15. The conflicts would be eliminated by making the following rule changes: Lease term increases from 10 years to a maximum of 49 years; rent and royalty may be negotiated based on market rates; lease surface area is not restricted to one Section or 640 acres; and arbitrary bond amounts are removed so the Department can require bonds that cover reasonable reclamation costs. In addition, the Department proposes the following additional rule changes to further improve the geothermal leasing program: Requiring leases to be auctioned in most circumstances; eliminating overriding royalty; requiring timely performance for exploration and development; requiring reinjection to ensure the resource is not depleted; and limiting the confidentiality of drill data to one year.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Eric Wilson, (208) 334-0261 or ewilson@idl.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 26th, 2011.

DATED this 25th day of May, 2011.

Eric Wilson
Minerals Program Manager
Idaho Department of Lands

PO Box 83720, Boise, Idaho 83720
(208) 334-0261/ Fax (208) 334-3698
email: ewilson@idl.idaho.gov