

IDAPA 20 - DEPARTMENT OF LANDS

20.07.02 - RULES GOVERNING CONSERVATION OF OIL AND NATURAL GAS IN THE STATE OF IDAHO

DOCKET NO. 20-0702-1601

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 Sections 47-317(8), Idaho Code, 47-319(8), Idaho Code.

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

Wednesday, May 18, 2016, 9:00 a.m. MDT

**Capitol Building, Lincoln Auditorium, Room WW02
Lower Level, West Wing
700 W. Jefferson Street, Boise, Idaho**

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

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

Attend as many rulemaking sessions as possible. Visit our rulemaking website for additional meetings, agendas, and rule drafts. Comments may be submitted to oilandgasconservationrulemaking@idl.idaho.gov.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

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

IDAPA 20.07.02 was last updated by negotiated rulemaking in 2014 and approved by the Legislature in 2015. As IDL has administered the rule since 2015, and due to statute changes during the 2015 and 2016 legislative sessions, the agency has identified provisions that need to be updated, clarified, or modified.

- Updates are needed for Incorporations by Reference.
- Agency contact information needs correcting.
- Definitions are needed for several terms, some definitions should be removed because they are in statute, and consistent terminology is added throughout the rules. Seismic exploration is better defined and requirements clarified.
- Permits and requirements for drill pad construction need to be added.
- Assignment process needs to be updated and modified to ensure a new operator is registered and in good standing with the State of Idaho.
- Well logging and reporting requirements need modification to improve information gathering and retention.
- Processing facility standards are modified to add flexibility.
- Update confidentiality of information to include requirements for justification for confidentiality.
- Permit requirements and processing will need to be updated throughout based on 2016 statute changes.
- Integration, unitization, and several other processes must be modified based on 2016 statute changes.
- Role of Commission and Department needs to be aligned with 2016 statute changes.
- Interactions with the Idaho Geological Survey need to be modified due to 2016 statute changes.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Eric Wilson at 208-334-0261. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Lands web site at the following web address: <http://www.idl.idaho.gov/rulemaking/index.html>.

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 August 1, 2016.

DATED this 8th Day of April 2016.

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