

From: [James Thum](mailto:James.Thum)
To: [Kourtney Romine](mailto:Kourtney.Romine)
Subject: FW: Cuttings and Cores on page 43 section 341.07
Date: Monday, August 01, 2016 04:29:08 PM

From: Richard Brown [mailto:richard@weiserbrown.email]
Sent: Monday, August 01, 2016 3:30 PM
To: Eric Wilson; James Thum; edratchford@uidaho.edu
Cc: chrisw@weiser-brown.com; David M. Smith; David Hawk; Dale Hayes; John Foster; Kate Haas; Michael Christian ; Mike H. McMennamy
Subject: Cuttings and Cores on page 43 section 341.07

Eric/James/Ed-We just had a phone meeting regarding the rules and other things. It appears some language remains which I/we missed commenting on last Friday. It concerns cuttings and cores and I'm pasting the current draft below. I suspect you will be hearing from Alta Mesa but I wanted to comment independently from Snake River and Weiser-Brown Oil Company before the 5 PM deadline today. The sample collection procedure in a. is onerous and costly. It also shares information which certainly could be extremely confidential. I did not see confidentiality language dealing with your handling of cuttings? We would propose we need to go back to the drawing board on this paragraph and work out a reasonable alternative. As to b., sidewall cores are definitely proprietary and extremely confidential. They are evaluated by third party contractors at our sole expense. I am only aware of one state that has anything remotely similar to this sidewall core requirement. I just got off the phone with another state commissioner and he also found this highly irregular. I think in most states it is an OPTION BUT NOT OBLIGATION to provide sidewall core information. I could be wrong but recall Texas, LA, OK and AR have extensive sidewall core databases which were provided by operators on a voluntary basis. I'm not certain if b. is intended to cover whole cores as well? If not, the last paragraph .08 dealing with whole cores is reasonable in my view as long as we have the option to provide prior to abandonment.

07. Cuttings and Sidewall Cores. ()

a. For all wells drilled for oil or gas exploration, the operator shall collect duplicate samples when cutting samples are taken. The operator shall wash and dry the cuttings, and package each sample in standard sample envelopes. These envelopes shall be placed in order by depth in a corresponding standard sample box that is labeled with the same information required for the envelopes. The operator shall send the box to the Department within thirty (30) days after drilling operations are complete. ()

b. The operator of any well drilled for oil or gas shall inform the Director of all intervals that are to be sidewall cored, or have been cored. The operator must provide this notice while the well is being drilled or immediately following the well's completion. Unless specifically exempted by the Director, all sidewall cores taken shall be preserved, labeled for identification and depth, and forwarded to the Department within one (1) year after completion of drilling operations. The Director may grant an extension of the one (1) year time period for good reason. If an exemption is granted, the operator shall advise the Director of the final disposition of the core. This section does not prohibit the operator from taking such samples of the core as the operator may desire for testing. The operator shall submit to the Department all test results when the core is submitted. ()

08. Whole Core. If whole core is taken, and if the operator in possession of the core intends to dispose of it, the operator will notify the Department at least sixty (60) days prior to disposal. The Department will then have the option of obtaining the core prior to disposal. ()

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From: Kourtney Romine [<mailto:kromine@idl.idaho.gov>]
Sent: Monday, August 01, 2016 3:59 PM
To: James Thum; Eric Wilson
Cc: Sandra Allen
Subject: Timeline for Rulemaking

Good afternoon,

On May 4th, the Notice of Intent to Promulgate Rules for 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho was posted in the Administrative Bulletin, and on the Department Website. (<https://www.idl.idaho.gov/rulemaking/20.07.02/index.html> -- pages 51-52) As you can see, on page 52, it states that all written comments must be received on or before August 1, 2016. This is for Negotiated Rulemaking only. Starting August 2nd, we will no longer be accepting comments on the Negotiated Rules. The next comment period on the Proposed Rule will commence with the publication of the Notice of Proposed Rule, scheduled to be published in the October 5, 2016 issue of the Administrative Bulletin. Below is an updated timeline from today's date:

August 1, 2016	End of Comment Period for Negotiated Rulemaking
August 23, 2016	Present Proposed Rule to Commission
September 2, 2016	Last day to submit a Proposed Rule to OAR for the 2017 Legislature
October 5, 2016	Proposed Rule is published and comment period opens
October 12, 2016	Public Hearing for Proposed Rule (SUBJECT TO CHANGE)
October 26, 2016	End of comment period on Proposed Rule
November 17, 2016	Present Pending Rule to Commission
November 25, 2016	Last day to submit a Pending Rule to OAR for the 2017 Legislature

Sincerely,

Kourtney Romine
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Idaho Department of Lands
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