

**From:** [Planzone](#)  
**To:** [Oil and Gas Conservation Rulemaking](#)  
**Subject:** Oil and Gas: Rulemaking for IDAPA 20.07.02  
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Eric Wilson  
Resource Protection and Assistance Bureau Chief  
Idaho Department of Lands  
300 N. 6th Street, Suite 103  
Boise, ID 83702

Mr. Eric Wilson:

Please consider the following recommendations:

**200.04 Location of Wells; 430.01 Location of Gas Processing Facilities; 420.01 Location of Tank Batteries:**

- State setbacks should be greater than 300 feet to protect the health and safety of those who live and work near oil and gas infrastructure. At a time when neighboring states (with years of experience in dealing with oil & gas development) are increasing setbacks, ranging from 500 to 2500, it would seem obvious that we would pay attention to what our neighbors have learned and set a minimum setback not less than 500.

**110. Surface Owner Protections:**

- Surface use agreements not be limited to lost agricultural income and lost value of improvements but should include any lost income or lost property value.
- Increase surface use bond to a minimum of \$10,000 per well. \$5,000 is not a sufficient enough amount to compensate a surface owner for damages, reclamation, and lost income.
- The rules should provide clarity and guidance for what constitutes a “good faith negotiation.”

**220. Bonding:**

- Ensure bonding amounts, **particularly blanket bonds**, are adequate to prevent a legacy of abandoned wells currently seen in other oil and gas producing states.
- Ensure bonds stay in place over the life of the well or in cases when ownership is transferred to another party.
- Create a statewide reclamation fund to reclaim oil and gas drilling operations.

**400. Production Reports:**

- These records are critical to ensuring accountability transparency, and to the fair and accurate reporting of production for the protection of mineral interest owners and the taxpayers of the state of Idaho.
- Production reports should be made publicly available as soon as they are completed.
- The rule should be clear and err on the side of transparency and the public interest when it comes to industry claims of trade secrets.

- This level of confidentiality is not consistent with the majority of other states.

**410. Meters:**

- Metering and reporting should be done at the wellhead not at point-of-sale because oil or gas may be leaked, flared, spilled, or used for private purposes without the collection of severance taxes and royalties.
- Calibration should be done by an independent third party as often as is necessary to ensure accurate measurements.
- Meter reports should be made available to the Department and to the public immediately after they are completed.

Thank you for your time,

Chad Brock - 324 S Plymouth, New Plymouth, ID