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To: [Oil and Gas Conservation Rulemaking](#); [Tom Schultz](#); [Dave Schwarz](#)
Subject: Oil and Gas Comments 10-26-2016
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2016 N 16th Boise Idaho

I am writing to express changes in the document below. It is imperative that Idaho remain a valued landscape for future industry, tourists, and citizens. My husband and I sold our small farm in Emmett due to gas and oil activities. We wanted to stay but felt and saw the regulations not protecting our rights as property owners to choose to have gas and oil mining activity on or beneath our property. We could not afford to lose money on our home/investment so we sold our farm before we were ready to sell. I want to reinvest in Idaho but I need to know that our water, air, and soil are being protected to ensure our way of life. Many of the definitions/wording in this document favors industry and not the citizens. I urge you to stand up for safety, transparency, and property owner rights.

DEFINITIONS

2630. **Hydraulic Fracturing, or Fracking.** A method of stimulating or increasing the recovery of hydrocarbons.....' (3-29-12)()

609. **Well Treatment.** Actions performed on a well to acidize, fracture, or stimulate the target reservoir. (3-29-12)

** Clear definition of treatment needs to be added to the definitions. Very specific language that can be tested for compliance by official water testing laboratories.*

110. SURFACE OWNER PROTECTIONS

04. **Surface Use Bond.**

**The surface bond should at least cover the cost of a backhoe rental. The surface bond amounts should be set at a minimum of \$500,000.*

The purpose of this bond is to safeguard the surface owner's loss of agricultural income and improvement values pending the results of a hearing on the final bond. (3-29-12)()

SUBCHAPTER C - DRILLING, WELL TREATMENT, AND PIT PERMITS 200. PERMIT TO DRILL, DEEPEN, OR PLUG BACKRE-ENTER

01. **Permits Required**..... ‘Drill pad construction may proceed prior to permit approval if a surface use agreement or lease is in place’, and a sundry notice is submitted to the Department.... (3-29-12)

** All permits should be approved prior to any soil disturbance. The timetables are getting so short that it is imperative the surface owner and company have an approved permit from the department.*

04. **Location of Wells.** No oil or gas wells may be drilled within three hundred (300) feet of existing occupied structures without express written permission from the owner of the structure(s). ()

** Setbacks of 2,000 feet are necessary to protect air, noise, lights, and water migrations onto “forced” citizens.*

045. **Application.** (3-29-12)

h. Best management practices to be used for erosion and sediment control. (3-29-12)

** The definition needs more specifics. Don’t forget wind, water, and ice need to all be addressed as they are the major forces of erosion.*

210. WELL TREATMENTS

02. **Master Drilling/Treatment Plans.** Where multiple stimulation activities will be undertaken for several wells proposed to be drilled in the same field within an area of geologic similarity, approval may be sought from the Department for a comprehensive master drilling/treatment plan containing the information required. The approved master drilling/treatment plan must then be referenced on each individual well’s Application for Permit to Drill. (3-29-12)

** The plan needs to be approved prior to treatment and notifications of each treatment need to be sent to property owners within that section and the immediate surrounding sections.*

056. **Inspections.** The Department may conduct inspections prior, during, and after well treatments. (3-29-12)

***How about changing may to will. These inspections need to occur.**

d. Documentation demonstrating the chemicals used in the well treatment have been reported to the website www.fracfocus.org, its successor website, or another publicly accessible database approved by the Department. The chemical information must be reported in a systems approach. (4-11-15)

*** Fracfoucs is good but the chemicals with MSDS forms need to be on file with all responding medical/fire departments and the city/county the wells are located.**

07. Fresh Water Protections for Well Treatments. (3-29-12)

c. The Department shall require the owner or operator to complete fresh water monitoring at the owner's or operator's cost before and after a well treatment unless the Department, in consultation with the IDEQ, determines that the proposed treatment does not pose a threat of pollution to fresh waters.

*** Collection of water samples MUST be done by a certified, independent third party. A minimum chemical/element list should be tested prior to any activity for a baseline measurement.**

SUBCHAPTER E - PRODUCTION 400. PRODUCTION REPORTS.

03. Frequency. (4-11-15)()

*** Production reports should be sent in with an automated system. Reports should be provided at a minimum of monthly intervals to state, county, city, and royalty recipients for a transparent and honorary system to all involved.**

420. TANK BATTERIES. Tank batteries must meet the following requirements. (4-11-15)

b. The owner of a canal, ditch, or surface water may provide express written permission to construct a tank battery closer than three hundred (300) feet, and the Department may approve this location upon the operator showing good cause, but in no event may a tank battery be constructed within one hundred (100) feet of these features. ()

***The owner(s) or all recipients of said water need to come to consensus and must provide notarized written consent to approve a battery closer than 2,500 feet. Anything closer is unacceptable. The exception language wher the Department may approve upon operator**

showing good cause needs to be eliminated throughout this document. It is an opportunity for fraud, incentives, and backroom deals. It is not language that supports the property owners right to have faith in gas and oil activities.

430. GAS PROCESSING FACILITIES. Gas processing facilities must meet the following requirements. (4-11-15)

01. **Location of Gas Processing Facilities.** No gas processing facility may be constructed within three hundred (300) feet of existing occupied structures, water wells, canals and ditches, the natural or ordinary high water mark of surface waters, or within fifty (50) feet of highways, as measured from the outermost portion of the gas processing facility. (4-11-15)()

** Water safety should be a number one priority. Processing facility have an increased exposure due to increased flow and activity and should be at a minimum of 2,500 feet from the outermost portion of the gas processing facility property/activity line.*

056. Inspections.

** Inspections must be required by third party unbiased parties. Inspection reports need to go on file with local county and city municipals with open/free access for viewing from the public on a quarterly basis.*

502. WELL PLUGGING.

034. **Plugging Dry Holes.** ...A verbal notification and approval may be used for dry holes in lieu of the written notification plugging permit referenced in Subsection 502.02 of these rules. (4-11-15)()

**It is important to leave the language that written notification permits stay in effect. Verbal notification is unacceptable.*