

Idaho

Administration

1. Agency regulating oil and gas exploration/production: [Idaho Department of Lands](#) (IDL), Idaho Oil and Gas Conservation Commission.
2. Contact for regulatory updates: Mick Thomas, Oil and Gas Division Administrator, 208-334-0200, Idaho Department of Lands, 300 N. 6th St., Suite 103, Boise, Idaho 83702
Contact for leasing updates: Dave Schwarz, Minerals Leasing Program Manager, 208-334-0260, Idaho Department of Lands, 300 N. 6th St., Suite 103, Boise, Idaho 83702
3. Docketing procedure: The Department will assign a docket number and enter the proceedings when a proceeding is instituted.
 - a. Emergency orders: Idaho Administrative Procedures Act, Title 67, Chapter 52, Idaho Code.
 - b. Notice: Varies based on the proceeding. Notice requirements are found in applicable statutes and rules, including title 47, chapter 3, Idaho Code and the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho (IDAPA 20.07.02)
4. Agency regulating air emissions: [Idaho Department of Environmental Quality](#)
5. Agency regulating water quality: [Idaho Department of Environmental Quality](#)

License

1. License required: N/A
2. Conditions of license: N/A

Bond/Surety

1. Purpose of surety: Generally for regulatory compliance, well plugging, surface reclamation, IDAPA 20.07.02.220. Geophysical operations, IDAPA 20.07.02.100.03. Surface use bond, Idaho Code § 47-334. Inactive well bonds, IDAPA 20.07.02.501; Additional bonding for sufficient reason, IDAPA 20.07.02.220.04.
2. Plugging and restoration: Both are required. IDAPA 20.07.02.220.01
3. Compliance bond required: Yes

4. Types of surety accepted: Cash or surety bond. IDAPA 20.07.02.220.05.
5. Conditions of bond:
 - a. Amount per well: Not less than \$10,000 plus \$1 per foot. IDAPA 20.07.02.220.
 - b. Amount of blanket bond: Up to ten (10) wells, fifty thousand dollars (\$50,000); Eleven (11) to thirty (30) wells, one hundred thousand dollars (\$100,000); More than thirty (30) wells, one hundred fifty thousand dollars (\$150,000). IDAPA 20.07.02.220

Land Leasing Information

1. Leasing method: Cash bonus bidding at oral auction, online auction, or other method of competitive bidding authorized by the Board. IDAPA 20.03.16.022.01.
2. Notice method: A notice of lease auction shall be published at least once per week for the four consecutive weeks prior to the date of auction in a newspaper of general circulation in the county in which the nominated lease is located and in a newspaper in general circulation in Ada County. Also, the Idaho Department of Lands shall provide specific, related information on its website. IDAPA 20.03.16.022.06.
3. Minimum bidding \$ (per acre): The minimum successful bid is that of the nominator, after paying the \$250.00 nomination fee, who would then owe the first year's annual rental of \$3.00 per acre with a minimum of \$250 per lease. At auction, the minimum bid increment is \$1.00. IDAPA 20.03.16.022.07.
4. Qualification of the bidder: Any "person" as defined under IDAPA 20.03.16.010.16, who is also a qualified applicant and lessee under IDAPA 20.03.16.020.
5. State statutes: Title 47, Chapter 8, Idaho Code
6. Maximum acres: 640 or one section, unless otherwise determined by the Director. IDAPA 20.03.16.010.19.c. and IDAPA 20.03.16.022.03.
7. Royalty rates: No less than 12.5% of oil and/or gas or natural gas plant liquids produced and saved.
8. Agency in control of leasing: Idaho Department of Lands

Setbacks

1. What rules/regulations/policies does your jurisdiction have in regard to well setbacks from private residences and/or other habitable structures for use by humans or animals? Wells cannot be constructed within 300 feet from an existing occupied structure, but that setback may be decreased up to 100 feet from an existing occupied structure with the express written permission from the structure's owner. Idaho Code § 47-319.
2. Are there other sources of information on this matter that you could identify?
N/A

Spacing

1. Spacing requirements: [Idaho Code §§ 47-317, 47-318](#). In the absence of an order otherwise, the following applies:
 - a. Density: Oil well state-wide spacing is one well per 40 acre governmental quarter-quarter section. Gas well state-wide spacing is one well per 160 governmental quarter section or 640 acre governmental section. [Idaho Code § 47-317](#).
 - b. Lineal: Vertical oil and gas wells have a 990 foot minimum separation. Horizontal wells have a 1,320 foot minimum setback from other wells completed in the same formation. [Idaho Code § 47-317](#).
2. Exceptions: [Idaho Code § 47-318](#)
 - a. Basis: Discretion of the Department based on presentation of good cause by applicant.
 - b. Approval: Application to be filed with Department.

Pooling

1. Authority to establish voluntary: [Idaho Code § 47-320](#).
2. Authority to establish compulsory: [Idaho Code § 47-320](#).

Unitization

1. Compulsory unitization of all or part of a pool or common source of supply: Idaho Code § 47-321.
2. Minimum percentage of voluntary agreement before approval of compulsory unitization:
 - a. Working interest: A unit operations plan must be signed and approved in writing by owners who will be required to pay at least 67% of the costs of

the unit operation and signed and approved in writing by the working interest owners of at least 67% of the production of the unit operations.

- b. Royalty interest: N/A

Drilling Permit

1. Permits required for: [Idaho Code § 47-316\(3\)](#)
 - a. Drilling a producing or service well: Yes
 - b. Seismic drilling: Yes
 - c. Recompletion: Yes, in a different source of supply or where the producing interval is changed. IDAPA 20.07.02.340; otherwise sundry notice.
 - d. Plugging and abandoning: Yes, if not completed within one (1) year from issuance of permit to drill.
2. Permit fee: Idaho Code § 47-316(3)
 - a. Drilling: \$2,000
 - b. Seismic drilling: \$800 to \$2500 (Depending on type and scope)
 - c. Recompletion: \$500 to deepen, \$1,000 to treat or fracture
 - d. Plugging and abandoning: \$500
3. Require filing report of work performed: Yes
4. Sundry notices used: Yes

Vertical Deviation

1. Regulation requirement:
 - a. When is a directional survey necessary: If well deviates unreasonably from vertical. Bottom-hole location survey required for all holes.
 - b. Filing of survey required: Yes
 - c. Format of filing: Digital and paper.

Casing and Tubing

1. Minimum amount required:

- a. Surface casing: 10% of total depth or, if pressures and formations are unknown, 200 feet. Must be seated through a sufficient series of lithologic units of low permeability and competency such as claystone, siltstone, basalt, etc., to insure a solid anchor for blow out prevention equipment and to protect usable ground water from contamination.
 - b. Production casing: At least 100 feet of overlap in next larger casing required.
2. Minimum amount of cement required:
- a. Surface casing: Cement to surface.
 - b. Production casing: Depends on conditions and casing program design, API SPEC 10A must be followed.
 - c. Setting time: API SPEC 10A must be followed.
3. Tubing requirements:
- a. Oil wells: API SPEC 5CT must be followed.
 - b. Gas wells: API SPEC 5CT must be followed.

Hydraulic Fracturing

1. Permitting:
- a. Before drilling: Submit an application as per IDAPA 20.07.02.210 and 211 if well treatment or fracturing is anticipated.
 - b. Before fracing: Submit an application as per IDAPA 20.07.02.210 and 211.
 - c. How long before: IDL will approve or deny the application in a timely and efficient manner. Idaho Code § 47-316(e)
2. Reporting requirements: Post treatment reporting is required as listed in IDAPA 20.07.02.210.06 and 211.05.
- a. Where reported: To IDL
 - b. When reported: Within 30 days of well treatment
3. Source water requirements: Source must be identified, or type of base fluid.
4. Mechanical integrity:
- a. Cementing log required: Yes

- b. Pressure testing: Yes
 - c. Pressure monitoring: Yes
 - d. Blowout preventer required: Yes
5. Disposal of flowback fluids:
- a. Retaining pits: Method and timeline for fluid disposal must be in application, and post-treatment reporting requires verification of disposal. Application must also include size and design of storage pits.
 - b. Tanks: Method and timeline for fluid disposal must be in application, and post-treatment reporting requires verification of disposal. Temporary storage or evaporation can be permitted.
 - c. Approved discharge to surface water: No.
 - d. Underground injection: No, Class II injection wells are currently not allowed in Idaho.
6. Chemical disclosure requirement:
- a. Mandatory: Yes
 - b. Where disclosed: In application and report to fracfocus.org
 - c. When disclosed (pre-fracing, post-fracing, both): Both
 - d. Time limit to disclose: 30 days after treatment
 - e. Information required to be disclosed: For well treatments generally: Additives, meaning any substance or any combination of substances including proppant, having a specified purpose that is combined with base treatment fluid by trade name, if available, and MSDS for each additive; Type of proppant(s); Anticipated percentages by volume and total volumes of base treatment fluid, individual additives, and proppant(s);

For hydraulic fracturing specifically: IDAPA 20.07.02.211.01
 - f. Trade secret protection: Title 74, chapter 1, Idaho Code.
 - g. Required disclosure to health/emergency personnel: Yes

Underground Injection

1. Agencies that control the underground injection of fluid by well class: Idaho Department of Water Resources.

Completion

1. Completion report required: Yes
 - a. Time limit: 30 days after completion.
 - b. Where submitted: IDL
2. Well logs required to be filed: Yes
 - a. Time limit: 30 days after being run.
 - b. Where submitted: IDL
 - c. Confidential time period: [Idaho Code § 47-327](#)
 - d. Available for public use: Yes, after confidential time period expires.
 - e. Log catalog available: Individual logs available through a Public Records Request with IDL
3. Multiple completion regulation:
 - a. Approval obtained: Yes. IDAPA 20.07.02.201.
4. Commingling in well bore:
 - a. Approval obtained: Yes, upon approval by IDL. IDAPA 20.07.02.201.

Oil Production

1. Definition of an oil well: IDAPA 20.07.02.10.33: Any well capable of primarily producing oil in paying quantities, but not a gas well.
2. Potential tests required:
 - a. Time interval: Within 30 days following the completion or recompletion of each well producing oil and gas. IDAPA 20.07.02.340. Thereafter for a twenty-four (24) hour period every six (6) months. [Idaho Code § 47-324\(3\)](#).
 - b. Witness required: No
3. Maximum gas-oil ratio: Ratio must be less than 5,000:1 for an oil well, but Commission can by order set a field-specific ratio. IDAPA 20.07.02.403.
 - a. Provision for limiting gas-oil ratio: Inefficient ratios that lead to waste are prohibited, but that ratio is not defined.

- b. Exception to limiting gas-oil ratio: No
- 4. Bottom-hole pressure test reports required: [Idaho Code § 47-324\(3\)](#)
 - a. Periodical bottom-hole pressure surveys: Every six months.
- 5. Commingling oil in common facilities: Idaho Code § 47-323.
- 6. Measurement involving meters: Yes, or by tank levels. Corrections for impurities, temperature, and specific gravity are required.
- 7. Production reports: [Idaho Code § 47-324.](#)
 - a. By lease: No.
 - b. By well: Yes, filed monthly.
 - c. Time limit: Reports must be filed before the fifteenth day of the second calendar month following the month of production.

Gas Production

- 1. Definition of a gas well: IDAPA 20.07.02.10.24:
 - a. A well which produces primarily natural gas;
 - b. Any well capable of producing gas in commercial quantities and also producing oil from the same common source of supply but not in commercial quantities; or
 - c. Any well classed as a gas well by the Commission for any reason.
- 2. Pressure base 14.73 psia @ 60 degrees F.
- 3. Initial potential tests:
 - d. Time interval: Within 30 days following the completion or recompletion of each well producing oil and gas. IDAPA 20.07.02.340. Thereafter for a twenty-four (24) hour period every six (6) months. [Idaho Code § 47-324\(3\)](#).
 - a. Witness required: No.
- 4. Bottom-hole pressure test reports required: [Idaho Code § 47-324\(3\)](#)
 - a. Periodical bottom-hole pressure surveys: Every six months.
- 5. Commingling of gas in common facilities: [Idaho Code § 47-323.](#)
- 6. Measurement involving meters: Yes.

7. Production reports: [Idaho Code § 47-324](#).
- a. By lease: No.
 - b. By well: Yes, filed monthly.
 - c. Time limit: Reports must be filed before the fifteenth day of the second calendar month following the month of production.