

**INSTRUCTIONS**  
**Form H-13: EOR Positive Production**  
**Response Certification Application**

Reference: Statewide Rule 50

1. The following steps are necessary for the project to be considered for the new enhanced oil recovery project severance tax rate:
  - a. File Railroad Commission Form H-12, Enhanced Oil Recovery Project and Area Designation Approval Application, and receive project and area designation approval **prior** to active operation of the project. A new H-12 must be filed and approval granted if the project area changes; this is to be done **before** submitting Form H-13.
  - b. File Railroad Commission Form H-13, EOR Positive Production Response Certification Application, and receive response certification. The application is filed after the project demonstrates a positive production response for a period of time sufficient to determine that the response is caused by the EOR project. A positive production response means the rate of production is greater than the rate that would have occurred without the project. For secondary projects, the application must be filed within **3** years of the initial project and area designation approval; for tertiary projects, H-13 filing must be within **5** years.
  - c. File Railroad Commission Form H-14, EOR Reduced Tax Annual Report, each year the project remains eligible for the reduced severance tax rate.
  - d. File with the Comptroller of Public Accounts according to the requirements of that agency.
2. Send the H-13 and attachments to

THE RAILROAD COMMISSION OF TEXAS  
 OIL AND GAS DIVISION, TECHNICAL HEARINGS  
 P. O. DRAWER 12967-CAPITOL STATION  
 AUSTIN, TX 78711-2967

A copy of the H-13 and attachments is to be filed with the appropriate district office at the same time.

**Application attachments:**

- a. A plat of the approved project area, with that area clearly designated. The plat is to be certified by an independent surveying firm or by someone in the company with knowledge of the facts signing on the plat the statement, "All information on this plat is true to the best of my belief and knowledge." For the project, show and clearly identify:

- lease name(s), number(s) and boundaries
- northerly direction and scale

Include well numbers and API numbers for the following:

- all active producing wells with completion dates\*
- all permitted injection wells with completion dates\*
- all proposed injection wells
- all other unplugged wells (include status such as shut-in, 14(b)(2) extension, etc.)
- all wells with Statewide Rule 10 (downhole commingling) exceptions

\* indicate any new completions since H-12 approval date

- b. Lease and project production and injection data. In both graphic and tabular form, attach the following data on a monthly basis for each lease in the project and, for multi-lease projects, for the project as a whole. The period to be covered is from the five years preceding project and area designation (Form H-12) approval through to the present. If any data is unavailable, attach a note of explanation.

- oil production
- gas production
- water production
- volumes and type(s) of fluid(s) injected
- number of producing wells
- number of injection wells

- c. Additional lease information sheet for additional leases, if necessary, or for Statewide Rule 10 downhole commingling exceptions. See No. 16, on front.
- d. If injection is not continuous or if there is a variation in the types of fluid injected, attach a sheet giving appropriate injection data (sequence of injections of specified fluids with volumes).

Additional data may be required for some applications. You will be notified if this is required.

3. In No. 11, on front, use any date from the time the positive production response occurred through the date of this application.