



# IOGCC 2021 Annual Business Meeting

## Legal and Regulatory Affairs Committee

### **Produced Water Ownership Survey**

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## Produced Water Ownership Survey Breakdown

Produced Water (PW): Water brought to the surface during oil or gas well drilling, completion, and production operations, which may include formation water, injected water, and flowback water

Goal: gather and consolidate individual state/province laws and regulations pertaining to the PW resource

Survey circulated twice for opportunity for response

7 Questions (with subpoints)

1. State/province definitions for PW and recycling and reuse
2. Ownership of PW (pre and post production)
3. Liability for handling/using PW
4. State/province agencies charged with regulating PW
5. Incentives for recycle and/or reuse of PW
6. Innovations and Success for dealing with PW

20 Responses rendered three “main” groups:

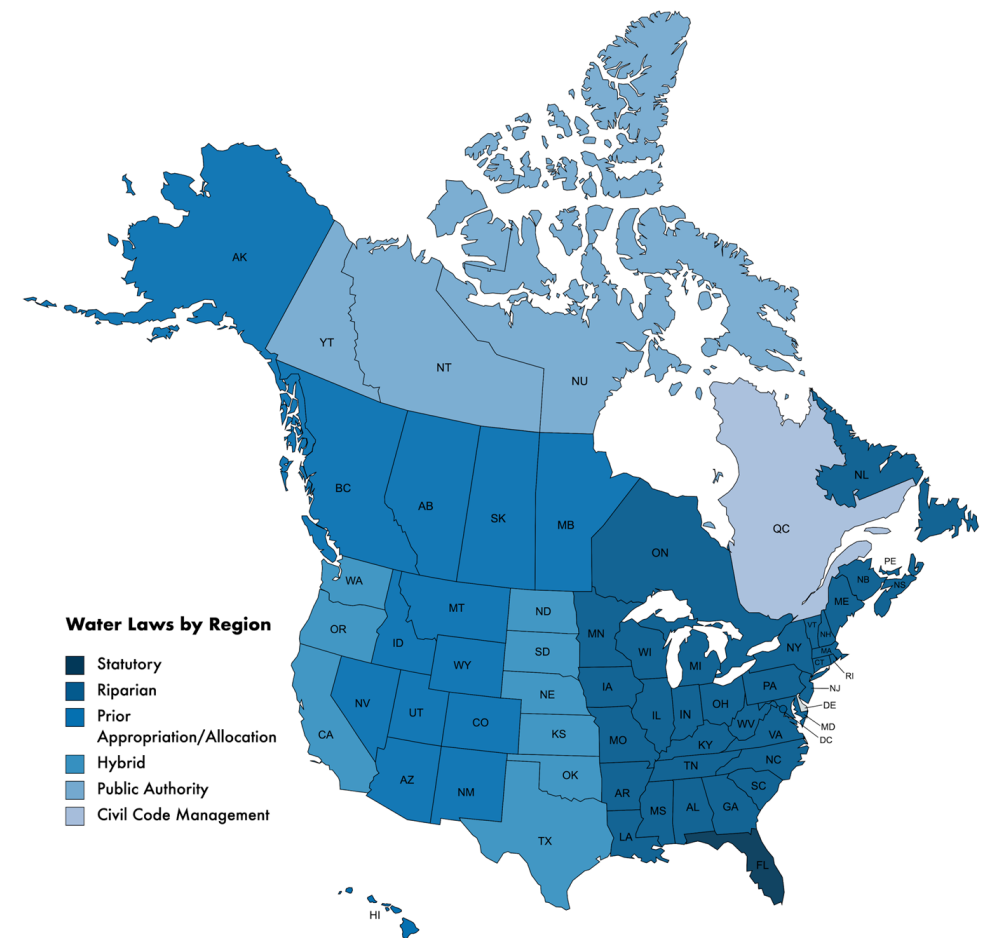
1. States/provinces with no laws or regulations (or no answers provided)
2. States/provinces with laws and regulations as a *response to drought*
3. States/provinces with laws and regulations as a *response to excess*

## Additional Survey Notes and Trends

1. Produced water is not always called produced water.
  - a. PW, brine, waste, by-product water, etc.
2. Traditional water legal theories (riparian, prior appropriation, etc.) correlate with produced water theories from a regional perspective
3. Most states and provinces enacted laws and regulations for produced water in response to one extreme or another – drought or excess
4. Drought areas are opening the door for recycling and reuse

“Brine” creates an area of complexity

Noted common issue: cost of treating the PW for the purpose of recycle/reuse abilities



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## Looking Ahead

Evolving resource = evolving laws and regulations = evolving tool  
- update, communicate, contribute, research