ARKANSAS ASSESSMENT COORDINATION DEPARTMENT
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Angela Hill
Deputy Director

Bear Chaney
Executive Director

MEMORANDUM

TO: County Assessors

FROM: Bear Chaney;
Robert McGee

DATE: April 10, 2019

RE: Oil, Gas & Minerals Schedules

Please find attached the Guidelines for the Mass Appraisal of Mineral Real Property and Personal Property for 2019.

Values provided in these guidelines should be used by all counties and applied to all producing mineral interests in the county each year. You will receive new values each year that you will use in valuation for that year.

The average price for oil has changed to $43.63 per barrel this year and the average price for gas has changed to $2.68 per M.C.F.

Other changes have been made to the Guidelines and formulas:

For Oil wells the expense allotment in the Discounted Cash Flow Formula we use has changed from $10,000 plus 10% to $20,000 plus 10%. This change is ***already calculated*** into the values provided in the guidelines so you should ***not need to make any changes*** to your calculations. If you have any questions about this please let us know.

For Oil wells the $1 per foot calculation now only applies to the casing in the well. The measurement currently being used is correct but all other equipment being used other than the well casing in the ground in the well should now be rendered by the operator. If you have any questions about this please let us know.

For Natural gas wells, no other changes in 2019 for Real or Personal Property guidance.

These new schedules for 2019 assessments need to be sent to all operators/producers who have operations in your county. They should also be inserted into your Real Estate Manual as replacements.

If you have any questions concerning the oil, gas and mineral schedule please contact

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Robert.McGee@acd.arkansas.gov

Incl. (1) Standard for Assessing Mineral Rights 2019

Angela Hill
Deputy Director

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Bear Chaney
Executive Director

M E M O R A N D U M

TO: County Assessors

FROM: Bear Chaney;
Robert McGee

DATE: April 17, 2019

RE: Typo in the Oil, Gas & Minerals Schedules

All,

We have been notified of a small typo in the guidelines regarding the natural gas valuation. On page 10 the basic formula example states a production expenses discount of 25%, which is ***incorrect.***

The correct production expenses percentage of 13% is in the mathematical formula on that same page.

To repeat; the correct discount for natural gas remains 13% for 2019.

We are sorry for any confusion.

Attached is a corrected copy of the guidelines. Please pass this letter and the edited guidelines on as needed.

If you have any questions please let us know.

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Incl. (1) Standard for Assessing Mineral Rights (B) 2019

2019 Guidelines for the Mass Appraisal of Mineral Real Property and Personal Property

ARKANSAS ASSESSMENT COORDINATION DEPARTMENT

Developed By the State Of Arkansas Assessment Coordination Department

900 West Capitol, Suite 320 Little Rock Arkansas 72201

Revised 2019 (B)

Table of Contents

OVERVIEW

The Arkansas State Constitution provides “all real and tangible personal property subject to taxation shall be taxed according to its value, that value to be ascertained in such manner as the General Assembly shall direct, making the same equal and uniform throughout the State.” Article 16 § 5.

“Real property and lands” means not only the land itself, whether laid out in town lots or otherwise, with all things therein contained, but also all buildings, structures, improvements, and other fixtures of whatever kind thereon and all rights and privileges belonging or in anywise appertaining thereto;” ACA 26-1-101(9).

“All property, whether real or personal…in this state and the value thereof shall be entered on the list of taxable property for that purpose,” ACA 26-3-201.

“Producing mineral interests shall be reappraised annually for ad valorem tax purposes.” ACA 26-26-1308(a) (2) [Effective January 1, 2014.]

Values provided in these guidelines should be used by all counties and applied to all producing mineral interests in the county each year.

Producing Mineral Interests are assessed for Ad Valorem purposes at Market Value in regards to Arkansas Law, Rules and Guidelines as follows in this document. Valuation of Mineral Interests for Ad Valorem tax purposes is not a tax on prior or current income. Market Value is the price a willing buyer, from the open market, would pay for your Mineral Interest in current prevailing market conditions as of the assessment date, January 1. The Market Value determined by the Assessor does not represent your prior annual income. Property values are based solely on the property's ability to produce future income for the life of the property based on current production as of January 1. Market Value represents the present value of mineral rights gross value of future production, less all expenses necessary for production and allowances for depletion.

Terminology and Definitions

1. MINERAL OWNERSHIP. In Arkansas, there are four general classifications of mineral ownership. Each of these types is to be handled differently, and is discussed on the following pages.

   1.1 Mineral Leases - Non-Producing or Exploratory. As stated in the Attorney General's Opinion number 85-133 dated June 17, 1985, these are considered exempt from ad valorem taxation. Because of the difficulty of ascertaining the value of a nonproducing mineral right and in order to ensure equal and uniform taxation throughout the state, a nonproducing mineral right has zero (0) value for the purpose of property tax assessment and is included in the value of the fee simple interest assessed A.C.A. 26-26-1110 (c) (1).

   1.2 Severed Mineral Rights. These are defined as mineral rights that are separated from the surface rights by deed. Severed mineral rights are to be assessed in the CAMA - Computer Automated Mass Appraisal system on a parcel number following the surface rights and designated as Mineral Rights Only. As an option, you may make a separate Mineral Assessment Book / CAMA in the same order of legal description as the Real Estate Book.

   1.3 Mineral Rights Retained With the Surface Rights - No Separating Deed Issued. For non-producing minerals, there is no separate listing. Only the surface rights are listed in the CAMA. Where there is a known and proven mineral value, but no production, you may include the value with the surface value.

   1.4 Producing Mineral Rights. When minerals are in active production, assessments and billings become more complicated, and must be made with care. A clear understanding of various terms and valuation procedures is important, and are defined on the following pages.

2. OPERATOR/PRODUCER. These two terms are used interchangeably, and refer to the individual or company that is responsible for the lease operations and production. Most of the time (although not always), the Operator/Producer is owner of the Working Interest in the mineral operation.

3. TRANSPORTER. This is the purchaser of the mineral being produced. Depending on the type of mineral, the Transporter can be a pipeline company, rail company, barge company, truck line, tank farm or refinery. Ownership of the mineral passes to the transporter at the sales meter or scales.

4. DIVISION ORDER. A Division Order, as the name implies, describes how the proceeds of the production are to be divided among the various interests. Total interests must be equal to but should not exceed 100%. In a new lease the Operator/Producer will have the original Division Order. As changes occur in the various interests, the changes are kept track of by the

DIVISION ORDER cont.

Operator/Producer or Transporter and they will have the most current copy. When in doubt, check with the Operator first, and they will direct you to the proper location of the current Division Order. Since each owner must be assessed annually, a new Division Order should be obtained each assessment year. The Division Order will give a list of the individual owners, their information and their percentage of participation which is needed to make the current assessment. Please see Attachment A for a list of required and optional information being requested and for acceptable formats for the data to be provided in.

Division orders should be requested and made available under A.C.A. 26-26-910(2): Any person shall, when called upon by the county assessor, be required to answer upon oath and furnish proof demanded as to purchases, sales, transfers, improvements, accounts, notes, stocks, bonds, bank notes, bank deposits, invoices, insurance carried, or any and all other information requested and pertaining to the location, amount, kind, and value of his or her own property or that of another person.

Note: A Division Order must be provided for each oil and gas lease or unit so individual interests can be assessed correctly. If no Division Order is provided, the total 8/8 value or 100% of the value shall be assessed to the operator.

In the case of the Working Interest, assessments are made in the name of, and taxes billed to the Operator/Producer. With Royalty and Overriding Interests, assessments are made, and taxes billed to each individual owner.

5. INTEREST OWNERSHIP. There are three general types of interest ownership:

5.1 Working Interest. The Working Interest is the person or company who owns the right (lease) to extract the mineral. The Working Interest participation is usually 87.5% (.875), although this can vary depending on any Overriding Interest as defined in 5.3.

5.2 Royalty Interest. The Royalty Interest owner(s) is the person or group of persons who own the mineral rights to the minerals being produced. Total Royalty Interest is usually 12.5% (.125) of the production value. There can be many Royalty Interest owners, each with a percent of the total Royalty Interest. Each Royalty Interest owner's share is shown on the Division Order.

5.3 Overriding Interest. An Overriding Interest is similar to a Royalty Interest in that the Overriding Interest owner assumes none of the risk of the Producer. The Overriding Interest can be part of the Working Interests' 87.5% (thus reducing the Working Interest), or part of the Royalty Interests' 12.5% (reducing the total Royalty Interest). Any Overriding Interest will also be spelled out in the Division Order.

6. UNITIZED OIL FIELDS. The Assessment Coordination Department recommends that Unitized Oil Fields should be assessed as a whole, as if they were one well. ACD guidance is that this best represents an equitable value of the involved mineral interests. It also solves the issues of dealing with the accurate reporting of when individual wells are in use, being shut down, or as injection

wells. ACD's understanding of the process is that this is a very fluid process that is not reported and would be difficult to keep up with in the Assessor's office. The depth for all wells in the unit should be used in the calculation as well.

Our guidance is to either provide the Assessor with the unit factors to best divide the value equitably among the ownerships, or have the Assessor assess the unit to the operator and let them handle the division of individual assessments.

7. AVERAGE DAILY PRODUCTION -ADP. Total production for a year divided by numbers of days a mineral is being produced.

8. NEWLY DISCOVERED PROPERTY-NDP. Production over the ADP for the previous year is treated as Newly Discovered Property. According to Amendment 79, all Real Property is limited to a 10 percent increase in Taxable Value from one year to the next. Any increase in production will be treated as newly discovered and put on the record and assessed as such.

9. WATER FLOOD AND ENHANCED RECOVERY. Injection systems used in oil production may be eligible for the following reductions on the working interest only:

   1. Water flood - up to 25% adjustment.
   2. Enhanced Recovery - up to 50% adjustment.

   For an oil well operator to receive the discount they need to provide the documentation from the Arkansas Oil and Gas Commission granting approval for each well. This should be provided annually.

10. M.C.F = 1000 Cubic Feet

11. BBL = Petroleum barrel of oil

MINING.....LAND

Among the raw materials produced in Arkansas by mining and quarrying are the following: abrasives, agricultural limestone, barite, bauxite, chalk, clay, coal, crushed stone (trap rock), dolomite, fuller's earth, gem stones, gravel, gypsum, industrial sand, lead, lightweight aggregates, limestone (crushed and dimension), manganese, molybdenum, nephelinite syenite, novaculite, phosphate, rock, refractories, roofing granules (from granite deposits), sand and gravel, shale, slag, slate, stone (crushed and dimension), talc, vermiculite and zinc.

Method

The method for arriving at the value for purposes of assessment, insofar as it is applicable to land owned in fee simple (including all mineral rights), by the operating company, should be as follows:

1. The land according to its capability classification.
2. All improvements and fixed appurtenances on the land, such as buildings, roads, and all other improvements of a permanent character.
3. The active mineral deposit as it is rendered by the owner and or operating company when the amount rendered is in conformity with the Assessor's evaluation. Use of production tonnage on an annual basis is recommended as an approved method of determining remaining mineral deposit value.

The total of the three items above constitutes the Real Property assessment of the owner's and/or the operating company's land and mineral deposit, insofar as it applies to an active mineral deposit. In limited cases there may be Royalty Interests involved with mineral deposits. Assessment of those should follow the above method with a percentage of the total value assigned per Royalty agreement percentages.

MINING ROYALTY

Where there is a Royalty Interest in a mining property such as limestone, coal, bauxite, barite, etc., the method for arriving at the market value for purposes of assessment is as follows. Note these figures can also be of assistance to the Assessor in determining the value of mineral deposit via its yearly production averages for non-royalty deposits.

1. Limestone. Estimated value (according to Arkansas Geological Commission) is $6.00 per ton X 12.5% (going royalty rate) = $ .75 gross royalty per ton (Assessment Coordination Department recommends using a range of $ .50 to $1.00). Deduct the necessary expenses, if any, and the sum remaining is the net royalty. Net royalty X 20% = Assessed Value.

2. Coal - Stripping Operation. Estimated value (according to Arkansas Geological Commission) is $40.00 per ton X 12.5% (going royalty rate) = $5.00 gross royalty per ton (Assessment Coordination Department recommends using a range of $4.00 to $5.00). Deduct the necessary expenses, if any, and the sum remaining is the net royalty. Net royalty X 20% = Assessed Value.

3. Bauxite. Estimated value (according to Arkansas Geological Commission) is $15.75 per ton X 12.5% (going royalty rate) = $1.96 gross royalty per ton (Assessment Coordination Department recommends using a range of $1.00 to $2.00). Deduct the necessary expenses, it any, and the sum remaining is the net royalty. Net royalty X 20% = Assessed Value.

4. Barite. Estimated value (according to Arkansas Geological Commission) is $22.50 per ton X 12.5% (going royalty rate) = $2.81 gross royalty per ton (Assessment Coordination Department recommends using a range of $2.00 to $3.00). Deduct the necessary expenses, if any, and the sum remaining is the net royalty. Net royalty X 20% = Assessed Value.

5. Bromine Brine. Estimated value (according to Arkansas Geological Commission) is $ .30 per bbl. (Assessment Coordination Department recommends using a range of $ .03 to $ .05). Deduct the necessary expenses, if any, and the sum remaining is the net royalty. Net royalty X 20% = Assessed Value.

GENERAL PERSONAL PROPERTY GUIDANCE (*the oil and natural gas sections both have specific personal property guidance*)

These statutes are provided as general information and are NOT inclusive of all the laws, rules and guidelines for Personal Property. Please contact your Assessor for more information.

26-3-201. Property subject to taxes generally. All property, whether real or personal, in this state… shall be subject to taxation. Such property …shall be entered on the list of taxable property for that purpose.

26-26-903. Owner to list property. Every person of full age and sound mind shall list the real property of which he is the owner, situated in the county in which he resides, and the personal property of which he is the owner.

26-26-1102. Place of assessment. All real estate and tangible personal property shall be assessed for taxation in the taxing district in which the property is located and kept for use. Tangible personal property in transit for a destination within this state shall be assessed only in the taxing district of its destination.

26-26-1408. Time for assessment and payment. A taxpayer shall annually assess his or her tangible personal property for ad valorem taxes during the period from January 1 through May 31.

Valuation Guide. For assessment years beginning January 1, 2016, ACD recommends using the Oklahoma Personal Property Valuation Schedule, Section VII, “Petroleum Related Equipment”, as guidance for valuing and assessing Oil and Gas gathering equipment.

As the Oklahoma Schedule only applies to gathering, owners of all other production equipment should render identifying information and cost of all other production equipment to the assessor using the Commercial Personal Property Rendition Form available from the assessor or on the AACD website.

Please note that ACD is recommending using only Section VII of the Oklahoma Schedule for Oil and Gas gathering equipment, not the entire Oklahoma Schedule for other personal property. This guidance is provided pursuant to Act 153 of 1995.

The Assessor needs to update this information each year as this Schedule is updated.

Section VII of the Oklahoma Schedule may be accessed using this link: (www.ok.gov/tax). Once you get to the website, place your cursor on the PUBLICATIONS tab which will then bring up more options. Then, click on AD VALOREM PUBLICATIONS. This will bring up a dropdown menu containing “Business Personal Property Schedule” which is in a pdf format.

An Assessor may use a different valuation methodology if, in the Assessor’s opinion, the alternate methodology provides a more accurate determination of market value in his or her County. If a different valuation methodology is used in your County, please note that information on the assessment forms.

IN GROUND EQUIPMENT VALUE

Well Casing Value (WCV)

(Only Applied to Working Interest)

(Well Casing Multiplier WC Multiplier) = $1.00 per Vertical Foot of Well

Example: Well is 1250 feet in Vertical depth

1250 feet X $1.00(WC Multiplier) = $1250 (WCV)

$1250 (WCV) X .20 (Assessment Rate)

=

$250 (Well Casing Assessed Value)

NATURAL GAS ASSESSMENT

Personal Property

Marginal Well Discount. Personal property equipment connected to a marginal well as determined by the Arkansas Oil and Gas Commission definition and designation is allowed a 25% discount on its value. You will find these wells in the Arkoma Basin. This would apply to the first meter after the top of hole and all equipment downstream until the point at which the gas would comingle with non-marginal well gas. At that point the discount should stop being applied. The applied discount is not added or compounded when two or more marginal well gathering systems comingle. This means the maximum discount to any qualifying equipment would be 25%.

Producers requesting the discount will have to provide a complete listing of all their personal property equipment as already required by law. Use of, or access to, complete listings, digital or paper maps, and documentation from the Producer and/or Arkansas Oil and Gas Commission may be requested by the Assessor to help in locating and verifying the equipment. The Assessor can elect not to allow the discount in cases where there is a failure to provide complete listings or access to adequate documentation of all equipment, not just that seeking the discount.

Real Property

Formulas and minimum pricing guidelines

Annual Value per M.C.F. represents the present day value of the future worth of the mineral interest based on average Arkansas market pricing.

Gas	
2019	$2.68

$2.68 per M.C.F. X 365 days = $978. Annual Value per M.C.F.

Working Interest

Formula to arrive at a Net Working Interest Assessed Value

This now has two parts:

1. Price (Annual Value per M.C.F.) X Working Interest percent % - Production Expenses (13%)

   X .20 Assessment Rate = Working Interest Assessed Value per M.C.F. Average Daily Production (A.D.P.)

Example:

$978. (Annual Value per M.C.F.)

X

.875 (Working Interest percent %)

-

.13 (Production Expenses)

X

.20 (Assessment Rate)

=

$148 (Working Interest Assessed Value per M.C.F. Average Daily Production A.D.P.)

2. Well Casing Assessed Value + Working Interest Assessed Value = Net Working Interest Assessed Value

Example:

$148 (Working Interest Assessed Value)

+

$250 (Well Casing Assessed Value)

=

$398 (Net Working Interest Assessed Value)

Royalty Interest

Formula to arrive at Assessed Value:

Annual Value per M.C.F. X Royalty Interest percent % X .20 Assessment Rate =

Assessed Value per M.C.F. Average Daily Production (A.D.P.)

Example: $978. (Annual Value per M.C.F.)

X

.125 (Royalty Interest percent %)

X

.20 (Assessment Rate)

=

$24 (Assessed Value per M.C.F. A.D.P.)

The above prices reflect current averages.

Rounding in the above is to the nearest whole dollar for simplicity. In application, you may round to the nearest whole penny. Whichever rounding method you use, use it for all mineral assessments.

Note: A Division Order must be provided for each oil and gas lease or unit so individual interests can be assessed correctly. If no Division Order is provided, the total 8/8 value shall be assessed to the operator.

OIL ASSESSMENT

Personal Property

The $1 per Foot addresses only the Value of Well Casing in the ground. All equipment above ground is to be assessed as Business Personal Property. This includes pump jacks, tanks, injection equipment, etc. It does not include poly lines.

Real Property

Assessment tables for producing oil wells

Annual Value per Barrel (bbl) represents the present day value of the future worth of the mineral interest based on average Arkansas market pricing.

Oil	
2019	$43.63

The Assessment Tables are computed from the following:

1. Average price of oil on the Arkansas Market.
2. Price adjusted for severance tax and property (real estate) tax.
3. Assumptions.
    a) Price of oil per barrel - $43.63
    b) Decline rate - 30% per year - 20% on stripper (Less than 15 bbl/day for 12 months.)
    c) Discount factor - 15.0%

OIL ASSESSMENT

Working Interest

Formula to arrive at a Net Working Interest Assessed Value This now has two parts:

Per Well Production Class (bbls per day)	Working Interest Amount per Barrel
0 - 2*	1,683
2.1 - 5	1,508
5.1 - 10	3,773
10.1 - 25	4,583
25.1 - 50	4,520
50.1 - 70	4,481
70.1 & Up	4,547

* Equipment Value Only - Minimum Assessment for any well in production.

1. Amount per barrel X A.D.P. X percent % of Interest = Assessed Value

Example:

$4,547 (Amount per barrel) X

71 bbls. (A.D.P.) X

.875 (percent % of Interest)

=

$282,482 (Working Interest Assessed Value)

OIL ASSESSMENT

2. Well Casing Assessed Value + Working Interest Assessed Value = Net Working Interest Assessed Value

   Example:

$282,482 (Working Interest Assessed Value)

+

$250 (Well Casing Assessed Value)

=

$282,732 (Net Working Interest Assessed Value)

Injection systems may be eligible for the following reductions on the Working Interest only.

1. Water flood - up to 25% adjustment. (Injection System equipment be listed as separate from other production equipment if discount is to be applied).
2. Enhanced Recovery - up to 50% adjustment.

Oil Royalty Interest

See next page

OIL ASSESSMENT

Oil Royalty Interest

Formula to arrive at Royalty Interest Assessed value:

Per Well Production Class A.D.P.(bbls per day)	Royalties Interest & Overrides Amount per Barrel
0 - 2	2,376
2.1 - 5	5,179
5.1 - 10	6,922
10.1 - 25	6,650
25.1 - 50	5,808
50.1 - 70	5,486
70.1 & Up	5,486

Amount per barrel X A.D.P. X percent % of Interest = Assessed Value 70.1 & Up 5,486

Example:

$5,486 (Amount per barrel)

X

71 bbls. (A.D.P.)

X

.125 (percent % of Interest)

=

$48,688 (Royalty Interest Assessed Value)

Arkansas Assessment Coordination Department				
Table 1. Mineral Production File Specification				
Field Name	Field Type	Field Length	Is Required	Description
API Number	TEXT	50	YES	Unique index number that relates to a specific well: includes more information than WellID
WellID	TEXT	20	YES	Unique index number that relates to a specific well
WellName	TEXT	50	YES	Name of Well
ProductionStatus	TEXT	2	YES	Production status of the asset (A-Active, I-Inactive, PA-Plugged/Abandoned)
AssetType	TEXT	20	YES	Type of asset reported (Oil, Gas, Brine, Bauxite)
ProductionAmount	NUMBER	10	YES	Amount of production reported within the assessment cycle.
CalcMethod	TEXT	50	YES	Calculation method used to estimate production (Annual, Daily)
Depth	NUMBER	10	YES	Depth of pipeline for well assets
PermitNumber	TEXT	50	YES	Permit number associated with asset
Operator	TEXT	50	YES	Operator managing asset production
Transporter	NUMBER	50	YES	Transporter
AssetUnit	TEXT	20	NO	Reference number for production grouping of assets
AssetCount	NUMBER	4	NO	Number of assets participating in group
LegalDescription	TEXT	255	NO	Geographic reference to asset location
Section	TEXT	3	YES	PLSS section of the owner's interest
Township	TEXT	3	YES	PLSS township of the owner's interest
Range	TEXT	3	YES	PLSS range of the owner's interest

See Next Page.

Arkansas Assessment Coordination Department				
Table 2. Division of Interest File Specification				
Field Name	Field Type	Field Length	Is Required	Description
WellID	TEXT	20	YES	Unique index number that relates to a specific well
OwnerID	TEXT	20	YES	Unique index number that relates to a specific owner
OwnerName	TEXT	50	YES	Owner of record of the interest
MailingAddress1	TEXT	50	YES	Owner mailing address line 1
MailingAddress2	TEXT	50	YES	Owner mailing address line 2
MailingCity	TEXT	20	YES	Owner mailing city
MailingState	TEXT	10	YES	Owner mailing state
MailingZip	TEXT	8	YES	Owner mailing zip
LegalDescription	TEXT	255	YES	Reference information to locate interest geographically (metes & bounds, or book, page)
InterestType	TEXT	1	YES	Type of interest held by owner (W-Working, R-Royalty, O-Overriding)
InterestAmount	NUMBER	20	YES	Amount of interest held by owner.
ParentID	TEXT	20	YES	Used for a split that creates new owners, refers to the original Owner ID that the interest was derived from.
Section	TEXT	3	YES	PLSS section of the owner's interest
Township	TEXT	3	YES	PLSS township of the owner's interest
Range	TEXT	3	YES	PLSS range of the owner's interest
TrackParticipationFactor	NUMBER	20	YES	Track Factors for Cross-Unit Wells

Accepted file types: Excel, csv.

Information needs to be broken out into individual fields, i.e. a State field and a zip code field.

Small producers who still rely on paper logs, please contact your Assessor for information on how to best handle the process.