

# AFFIDAVIT FOR OCC CREDIT AND/OR OTC TAX EXCLUSION

**NOTE:** This affidavit may be used for obtaining credit on allowables, (O.C.C. Rule 165:10-13-6) and Tax Exclusion from Gross Production Taxes, (O.T.C. Rule 710:45-9-10).

1 THROUGH 4 TO BE COMPLETED BY OPERATOR

(1) LOAD OR FRAC OIL DELIVERED TO: Operator \_\_\_\_\_ OTC Assigned Reporting No. \_\_\_\_\_

Address: \_\_\_\_\_ Zip \_\_\_\_\_

Lease Name: \_\_\_\_\_

Legal Description: \_\_\_\_\_ Sec \_\_\_\_\_ Twp \_\_\_\_\_ Rge \_\_\_\_\_

O.T.C. Assigned Production Unit Number: \_\_\_\_\_

Pool: \_\_\_\_\_ Allocated \_\_\_\_\_ Unallocated \_\_\_\_\_ Formation \_\_\_\_\_

Depth: \_\_\_\_\_ Load or Frac Oil to be allocated to various purchasers-- Yes \_\_\_\_\_ No \_\_\_\_\_

Companies sharing allocation: \_\_\_\_\_

Date Load or Frac Oil Purchased or Transferred: \_\_\_\_\_

(2) LOAD OR FRAC OIL OBTAINED FROM: Refinery \_\_\_\_\_ Lease \_\_\_\_\_ Other \_\_\_\_\_

Company or Lease Operator Name: \_\_\_\_\_

Operator's Reporting Number: \_\_\_\_\_ OTC Assigned Production Unit Number: \_\_\_\_\_

Legal Description: \_\_\_\_\_ Sec \_\_\_\_\_ Twp \_\_\_\_\_ Rge \_\_\_\_\_

Lease Name: \_\_\_\_\_ Pool Name: \_\_\_\_\_

Load or Frac Oil Volume: \_\_\_\_\_ Load or Frac Oil Value: \_\_\_\_\_

**NOTE:** Please attach invoice or bill of sale showing value paid for load or frac oil, if lease from which load or frac oil was obtained cannot be identified.

(3) GROSS PRODUCTION TAXES PAID ON INJECTED LOAD OR FRAC OIL

Tax Paid on \_\_\_\_\_ Volume \$ \_\_\_\_\_ Value in \_\_\_\_\_ Production Month \_\_\_\_\_

Taxpaying Company: \_\_\_\_\_ Company Reporting Number: \_\_\_\_\_

(4) I, the undersigned, swear (or affirm) that the information set out above is true and correct and the amount of oil purchased, indicated in part two (2) was used and injected into the well named in part one (1) of this instrument.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn before me, a Notary Public in and for said County and State this \_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

County \_\_\_\_\_ State \_\_\_\_\_

Notary \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

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5 AND 6 TO BE COMPLETED BY TAXPAYER TAKING LOAD OR FRAC OIL EXCLUSION

	Date	Volume	Value
(5) Total Load or Frac Oil Injected (as shown above)	_____	_____	_____
Load or Frac Oil Recovered	_____	_____	_____
Load or Frac Oil Remaining to be Recovered	_____	_____	_____
(If additional space is needed, attach separate schedule).	_____	_____	_____

(6) I, the undersigned, swear (or affirm) that the information set out in 5 above is true and correct.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn before me, a Notary Public in and for said County and State this \_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

County \_\_\_\_\_ State \_\_\_\_\_

Notary \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

## GENERAL INSTRUCTIONS FOR REPORTING TAX EXCLUSION ON LOAD OR FRAC OIL

### REPORTING TAX EXCLUSION

- A. Recovery of taxes for load or frac oil must begin with the month of injection. Load or frac exclusion must be taken on the injection month's tax report and succeeding month's reports, if necessary, until recovery is completed. Completed affidavits must accompany all load or frac oil exclusions taken on current month tax reports.
- B. Tax overpayment, caused by a failure to take load or frac exclusion in the injection and recovery months, can be recouped by filing a claim for refund. Amended report(s) for the injection month and subsequent recovery months, original oil run statements for the month(s) involved, along with this completed affidavit must be submitted by the taxpayer.

### VALUE OF TAX EXCLUSION

A tax exclusion will be allowed on the price paid for the load or frac oil or the FEA price certified for the lease where recovered, whichever is lesser.

### INSTRUCTIONS FOR FORM 317

Sections (1) through (4) to be completed by operator.

- SECTION (1) The information requested in this section refers to the well into which the load or frac oil was injected.
- SECTION (2) The information requested in this section refers to the lease or other source from which the load or frac oil was obtained. If the lease from which the load or frac oil was obtained cannot be identified, please attach an invoice, bill of sale, or check copy substantiating the load or frac oil volume and value.
- SECTION (3) This section requires the operator to show tax payment for the load or frac oil, identify the taxpaying company and the production figures containing the load or frac oil as originally reporting to the O.T.C.
- SECTION (4) The operator must sign and notarize the affidavit.

Sections (5) and (6) to be completed by taxpayer.

- SECTION (5) The taxpayer should show the total volume and value of load or frac oil injected, the amount recovered, and the amount remaining to be recovered.
- SECTION (6) The taxpayer must sign and have notarized the information provided in Sections (5) and (6).

### EXECUTE AFFIDAVIT AND DISTRIBUTE AS SHOWN BELOW

#### FOR O.T.C.

- (A) For Gross Production tax exclusion - one copy to company(s) who remit GP tax and will take exclusion credit.
- (B) Tax exclusion for load or frac oil must be taken within one (1) year from date of injection.

#### FOR CORPORATION COMMISSION

- (A) Allocated pools - Load or frac oil credit for wells in allocated pools - send two copies to the Conservation Division.
- (B) Unallocated pools - One copy of affidavit to purchaser, and one copy to the Conservation Division.
- (C) Must be filed within six months after movement of oil to obtain credit.