

Enhanced Oil Recovery Credit► **Attach to your return.**

Name(s) shown on return

Identifying number

Part I **Current Year Credit** (See instructions.)

1 Qualified enhanced oil recovery costs	1	
2 Current year credit. Multiply line 1 by 15% (.15) (see instructions)	2	
3 Enhanced oil recovery credits from flow-through entities		
If you are a—	Then enter total of current year credit(s) from—	
a Shareholder	Schedule K-1 (Form 1120S), lines 12d, 12e, or 13	
b Partner	Schedule K-1 (Form 1065), lines 13c, 13d, or 14	
	3	
4 Total current year credit. Add lines 2 and 3	4	

Part II **Tax Liability Limit** (See **Who Must File Form 3800** to find out if you complete Part II or file Form 3800.)

5 Regular tax before credits:		
• Individuals. Enter amount from Form 1040, line 38	}	5
• Corporations. Enter amount from Form 1120, Schedule J, line 3 (or Form 1120-A, Part I, line 1)		
• Other filers. Enter regular tax before credits from your return		
6a Credit for child and dependent care expenses (Form 2441, line 10)	6a	
b Credit for the elderly or the disabled (Schedule R (Form 1040), line 20)	6b	
c Mortgage interest credit (Form 8396, line 11)	6c	
d Foreign tax credit (Form 1116, line 32, or Form 1118, Sch. B, line 12)	6d	
e Possessions tax credit (Form 5735).	6e	
f Credit for fuel from a nonconventional source	6f	
g Qualified electric vehicle credit (Form 8834, line 19)	6g	
h Add lines 6a through 6g	6h	
7 Net regular tax. Subtract line 6h from line 5	7	
8 Alternative minimum tax:		
• Individuals. Enter amount from Form 6251, line 28	}	8
• Corporations. Enter amount from Form 4626, line 15		
• Estates and trusts. Enter amount from Form 1041, Schedule I, line 41		
9 Net income tax. Add lines 7 and 8	9	
10 Tentative minimum tax (see instructions):		
• Individuals. Enter amount from Form 6251, line 26	}	10
• Corporations. Enter amount from Form 4626, line 13		
• Estates and trusts. Enter amount from Form 1041, Schedule I, line 37		
11 If line 7 is more than \$25,000, enter 25% (.25) of the excess (see instructions).	11	
12 Enter the greater of line 10 or line 11	12	
13 Subtract line 12 from line 9. If zero or less, enter -0-	13	
14 Enhanced oil recovery credit allowed for current year. Enter the smaller of line 4 or line 13 here and on Form 1040, line 42; Form 1120, Schedule J, line 4d; Form 1120-A, Part I, line 2a; Form 1041, Schedule G, line 2c; or the applicable line of your return.	14	

Section references are to the Internal
Revenue Code unless otherwise noted.**Paperwork Reduction Act
Notice**

We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 5 hr., 30 min.**Learning about the law or the form** 1 hr.**Preparing and sending the form to the IRS** 1 hr., 8 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the IRS at the address listed in the instructions for the tax return with which this form is filed.

General Instructions

Purpose of Form

Use Form 8830 to claim the enhanced oil recovery credit. Partnerships and S corporations use the form to figure the credit to pass through to partners and shareholders. The credit is 15% of certain costs paid or incurred in connection with an enhanced oil recovery project.

An owner of an operating mineral interest may claim or elect not to claim this credit on either an original or amended return at any time within 3 years from the due date of the return (determined without regard to extensions).

Amount of Credit

The tentative credit is 15% of qualified costs for the year. The credit is reduced when the reference price, determined under section 29(d)(2)(C), exceeds \$28 per barrel. The \$28 value is adjusted for inflation. If the reference price exceeds the base value of \$28 (as adjusted by inflation) by more than \$6, the credit is zero. For 1996, there is no reduction of the credit.

Definitions

Qualified enhanced oil recovery costs means:

1. Any amount paid or incurred during the tax year for tangible property—
 - a. That is an integral part of a qualified enhanced oil recovery project, and
 - b. For which depreciation (or amortization) is allowable.
2. Any intangible drilling and development costs—
 - a. That are paid or incurred in connection with a qualified enhanced oil recovery project, and
 - b. For which the taxpayer may make an election under section 263(c). For an integrated oil company, this includes intangible drilling costs required to be amortized under section 291(b).
3. Any qualified tertiary injectant expenses paid or incurred in connection with a qualified enhanced oil recovery project, and for which a deduction under section 193 is allowable.

Qualified enhanced oil recovery project means any project involving the application of one or more tertiary recovery methods defined in section 193(b)(3) (and listed below) that can reasonably be expected to result in more than an insignificant increase in the amount of crude oil that will ultimately be recovered. The project must be located within the United States, which includes the seabed and subsoil adjacent to the territorial

waters of the United States and over which the United States has exclusive rights by international law for exploration and exploitation of natural resources (see section 638(1)). The first injection of liquids, gases, or other matter must begin after 1990. However, any significant expansion after 1990 of a project begun before 1991 is treated as a project where the first injection begins after 1990.

Additionally, the operator (or designated owner) must submit a certification from a petroleum engineer that the project meets the above requirements. File this certification with the Internal Revenue Service Center, Austin, TX 73301, by the due date of the operator's (or designated owner's) Federal income tax return. The petroleum engineer certifying a project must be duly registered or certified by any state.

The operator (or designated owner) must certify each following year that the project continues to be implemented substantially in accordance with the petroleum engineer's certification. This continued certification must be filed with the Internal Revenue Service Center, Austin, TX 73301, by the due date for filing the operator's (or designated owner's) Federal income tax return.

If the application of a tertiary recovery method is terminated, the operator (or designated owner) must submit a notice of project termination to the Internal Revenue Service Center, Austin, TX 73301, by the due date of the operator's (or designated owner's) Federal income tax return for the tax year in which the project terminates. See Regulations section 1.43-3 for the information that the notice and the above certifications must include.

Tertiary recovery methods qualifying for the credit include:

- Miscible fluid displacement,
- Steam drive injection,
- Microemulsion flooding,
- In situ combustion,
- Polymer-augmented water flooding,
- Cyclic-steam injection,
- Alkaline (or caustic) flooding,
- Carbonated water flooding,
- Immiscible nonhydrocarbon gas displacement, or
- Any other method approved by the Secretary of the Treasury.

Specific Instructions

Part I

Figure any enhanced oil recovery credit from your own trade or business on lines 1 and 2. Skip lines 1 and 2 if you are claiming only a credit that was allocated to you from an S corporation or a partnership.

S Corporations and Partnerships

Figure the total credit on lines 1 through 4. Then allocate the line 4 credit among the

individual shareholders or partners in the same way that income and loss are shared.

Line 1.—Enter the total of the qualified costs paid or incurred during the year in connection with a qualified enhanced oil recovery project. See **Definitions** above.

Line 2.—You must reduce the otherwise allowable deduction(s) for line 1 costs by the line 2 credit attributable to these costs. Also, if any part of the line 1 costs are for expenditures that increase the basis of property, reduce the otherwise allowable basis increase by the line 2 credit attributable to these costs.

Who Must File Form 3800

If for this year you have more than one of the credits included in the general business credit listed below, or have a carryback or carryforward of any of the credits, or have an enhanced oil recovery credit from a passive activity, you must complete **Form 3800**, General Business Credit, instead of completing Part II of Form 8830 to figure the tax liability limit.

The general business credit consists of the following credits: investment (Form 3468), work opportunity (Form 5884), alcohol used as fuel (Form 6478), research (Form 6765), low-income housing (Form 8586), enhanced oil recovery (Form 8830), disabled access (Form 8826), renewable electricity production (Form 8835), Indian employment (Form 8845), employer social security and Medicare taxes paid on certain employee tips (Form 8846), orphan drug (Form 8820), contributions to selected community development corporations (Form 8847), and trans-Alaska pipeline liability fund.

The empowerment zone employment credit (Form 8844), while a component of the general business credit, is figured separately on Form 8844 and is never carried to Form 3800.

Part II

Line 10.—Enter the tentative minimum tax (TMT) that was figured on the appropriate alternative minimum tax (AMT) form or schedule. Although you may not owe AMT, you must still compute the TMT to figure your credit.

Line 11.—See section 38(c)(3) for special rules that apply to married couples filing separate returns, controlled corporate groups, regulated investment companies, real estate investment trusts, and estates and trusts.

Line 14.—Enter the general business credit on the appropriate line of your income tax return.

Note: If you cannot use all of your credit because of the tax liability limitations (line 13 is smaller than line 4), carry any excess back 3 years and then forward to each of the 15 years after the year of the credit. See the separate Instructions for Form 3800 for details.

