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MICK THOMAS, DIVISION ADMINISTRATOR
SECRETARY TO THE COMMISSION

IDAHO OIL AND GAS
CONSERVATION COMMISSION
Betty Coppersmith, Chairman
Marc Shigeta, Vice-Chairman
Jim Classen
Dustin T. Miller

December 16, 2020

Hello,

Enclosed is a notice of initiation of contested case issued by the Idaho Oil and Gas Conservation Commission. The contested case is for the purpose of determining whether the integration order in Docket No. CC-2016-OGR-01-001 applies to the Barlow #2-14.

I have mailed this notice to Snake River Oil and Gas, all persons that filed comments on the Barlow #2-14 application for permit to drill, and those persons listed as mineral interest owners subject to the integration order in Docket No. CC-2016-OGR-01-001 for Section 14, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho.

If you are interested in receiving additional notices and documents regarding this contested case, please follow the instructions in the notice to submit your contact information to the Department.

The Department cannot offer you legal advice. However, you may contact me at 208-334-0298 or mthomas@idl.idaho.gov with any procedural or scheduling questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Mick Thomas". The signature is written in a cursive, flowing style.

Mick Thomas
Division Administrator, Minerals, Public Trust, Oil & Gas

BEFORE THE IDAHO OIL AND GAS CONSERVATION COMMISSION

In the Matter of:) Docket No. CC-2020-OGR-01-003
)
Determining whether the integration order in Docket) **NOTICE OF INITIATION OF**
No. CC-2016-OGR-01-001 applies to the permitted) **CONTESTED CASE**
proposed Barlow #2-14 well)
)
_____)

NOTICE IS GIVEN that a contested case and formal proceedings pursuant to Idaho Code § 67-5240, Idaho Code § 47-328(1), and IDAPA 04.11.01.104 are hereby initiated by the Idaho Oil and Gas Conservation Commission (“Commission”) for the following purpose:

TO DETERMINE WHETHER THE INTEGRATION ORDER IN DOCKET NO. CC-2016-OGR-01-001 APPLIES TO THE PERMITTED PROPOSED BARLOW #2-14 WELL.

The Commission initiated this contested case at a December 9, 2020 special meeting because it believed a question may remain as to whether the integration order in Docket No. CC-2016-OGR-01-001 (Section 14, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho) applies to the Barlow #2-14. Some mineral interest owners have raised concerns over the position of Snake River that this prior integration order applies to the Barlow #2-14. The Commission believes that initiating a contested case as to the application of the integration order in Docket No. 2016-CC-OGR-01-001 is the procedural mechanism to determine the applicability of the prior integration order to the Barlow #2-14, under the terms of Idaho statutes, the Commission’s rules, and the prior integration order itself.

The Idaho Oil and Gas Conservation Act expressly allows the Commission to hear questions about the applicability of an agency-issued order. Idaho Code § 47-328(1) (“The commission shall have authority to hear . . . any other matter the commission decides should be

heard by the commission. The commission may act upon its own motion.”). By initiating this contested case, the Commission can hear the question of whether the integration order in Docket CC-2016-OGR-01-001 applies to the Barlow #2-14, and the Commission may allow participation by interested parties in the case. That participation could include persons such as Snake River, mineral interest owners in Section 14, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho subject to the integration order in Docket No. CC-2016-OGR-01-001, and other persons who claim a direct and substantial interest in the proceeding. Additional information about scheduling and participation in the case will be determined by the hearing officer and published in future notices.

Persons who are interested in this matter should respond with their contact information to receive additional notices and communication. That response should include your name, address, and e-mail (if applicable). Responses should be addressed as follows:

Idaho Department of Lands
Attn: Mick Thomas
300 N. 6th St, Suite 103
PO Box 83720
Boise, ID 83720

Responses may also be filed by sending an email to Kourtney Romine at kromine@idl.idaho.gov.

For purposes of this contested case, pursuant to Idaho Code § 67-5242 and IDAPA 04.11.01.410, the Commission HEREBY DELEGATES to its Secretary, Mick Thomas, the authority to appoint a hearing officer to oversee the contested case.

The Commission instructs Mr. Thomas to appoint a hearing officer to handle all procedural and pre-hearing matters, including any requests for discovery. IDAPA 04.11.01.413. The hearing officer shall also serve as the presiding officer at hearing. *Id.* After the hearing, the hearing officer shall submit a recommended order to the Commission in accordance with IDAPA 04.11.01.720. The

Commission will decide to adopt, reject, or amend the hearing officer's recommendation. The Commission will make the final decision in this matter.

This proceeding is governed by the Oil and Gas Conservation Act (Chapter 3, title 47, Idaho Code); the Idaho Administrative Procedure Act (Chapter 52, title 67, Idaho Code); Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01), to the extent that the Rules of Administrative Procedure are not superseded by Oil and Gas Conservation Act; and the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho (IDAPA 20.07.02). A copy of the Rules of Administrative Procedure is available at the Idaho Department of Lands office located at 300 N. 6th Street, Suite 103, Boise, Idaho, and at the Office of Administrative Rules Coordinator's website, accessible at <http://adminrules.idaho.gov>.

Dated this 16th day of December 2020.



BETTY COPPERSMITH

Chairman
Idaho Oil and Gas Conservation Commission

CERTIFICATE OF MAILING

I hereby certify that on this 16th day of December 2020. I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Snake River Oil & Gas LLC
c/o Michael Christian
Smith + Malek
101 S. Capitol Blvd, Suite 930
Boise ID 83702

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: mike@smithmalek.com
sarah@smithmalek.com

Chris Weiser
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Mick Thomas
Idaho Department of Lands
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James Thum
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Idaho Department of Water Resources
Ground Water Protection Section

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Shelley Brock
Citizens Allied for Integrity and Accountability

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Sherry Gordon
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Heirs of Ethel Darleen Altizer
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Robert and Sue Bixby
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Bruce W. Burrup
Bruce W. Burrup Trust
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F. Warren & Margaret C. Carnefix Family Trust
Kathryn Carnfix-Parkes
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David and Glenda Lockner
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Roy N. and Debbie Long
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Melvin and Terri Person Family Trust
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Heirs of Andrew Paul Sapp
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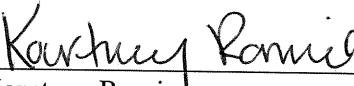
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Kourtney Romine
Workflow Coordinator