

**BEFORE THE IDAHO DEPARTMENT OF LANDS**

**In the Matter of Application of Snake River Oil and Gas, LLC, to Integrate the Spacing Unit Consisting of Section 30, Township 8 North, Range 4 West, Boise Meridian, Payette County, Idaho** )

Docket No. CC-2022-OGR-01-002

**OPENING BRIEF OF APPLICANT SNAKE RIVER OIL & GAS, LLC RE: JUST AND REASONABLE FACTORS**

**SNAKE RIVER OIL AND GAS, LLC, Applicant.** )

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Applicant Snake River Oil and Gas, LLC (“Snake River”), submits its *Opening Brief* pursuant to the *Order Vacating Hearing and Notice of Hearing to Determine “Just and Reasonable” Factors*, issued by the Administrator on September 7, 2022.

As suggested in its application, Snake River requests that the Administrator apply the same factors to determine that the integration order is made “upon terms and conditions that are just and reasonable,” in accordance with Idaho Code § 47-320(1), as were used in the most recent completed integration proceedings, Docket No. CC-2021-OGR-01-001 and Docket No. CC-2021-OGR-01-002,<sup>1</sup> specifically:

1. Are the proposed terms addressed in another source of law?
2. Are the proposed terms and conditions (a) consistent with industry standards; (b) consistent with terms previously accepted or rejected by courts or other oil and gas administrative agencies; and (c) applicable to the unit and its operations?
3. Are the proposed terms and conditions similar to other agreements within and nearby the unit? If a proposed term is not similar, is there a reason why a different term or condition is appropriate?

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<sup>1</sup> See [https://ogcc.idaho.gov/wp-content/uploads/sites/3/029\\_20210913\\_FindingsofFactsConclusionsofLawOrder-001.pdf](https://ogcc.idaho.gov/wp-content/uploads/sites/3/029_20210913_FindingsofFactsConclusionsofLawOrder-001.pdf) and [https://ogcc.idaho.gov/wp-content/uploads/sites/3/032\\_20211018\\_FindingsofFact-ConclusionsofLaw-Order\\_002-emailed.pdf](https://ogcc.idaho.gov/wp-content/uploads/sites/3/032_20211018_FindingsofFact-ConclusionsofLaw-Order_002-emailed.pdf) for the Final Orders setting forth the factors and their application in those proceedings.

4. Are any proposed terms, including those addressed at drilling, equipping, and operating the well, consistent with the Oil and Gas Act and necessary given site-specific conditions?
5. Will the proposed operations, including the drill site, physically occupy the property of uncommitted owners, and are any additional terms necessary to address physical occupation?
6. If the proposed operation includes use of uncommitted owners' surface estate, is the operator's compliance with Idaho Code § 47-334 adequate to protect the surface owner?
7. Do the unit's circumstances and operations require additional bonding with the Department?
8. Does the integration order ensure that integrated owners that do not choose to participate as an owner retain the private right of action against the operator for any future harms?

Snake River is not aware of any special conditions in Section 30 or relating to Snake River's planned operations which require the application of different factors. The Administrator previously found in the above two applications that the factors used there meet the Administrator's factors for determining factors, i.e., they comply with existing statutes and rules, are within the Commission's statutory authority and discretion, and do not impose burdens, conditions or restrictions in excess of or inconsistent with the Oil and Gas Conservation Act.

DATED this 23<sup>rd</sup> day of September, 2022.

HARDEE, PIÑOL & KRACKE, PLLC



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MICHAEL CHRISTIAN  
Attorney for Applicant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23rd day of September, 2022, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed as follows:

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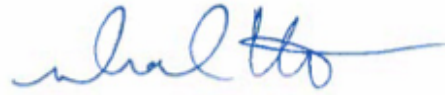
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