

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of Snake River Oil) and Gas, LLC to establish a spacing unit) consisting of the SE ¼ of Section 10, the SW ¼ of) Section 11, NW ¼ of Section 14, and the NE ¼ of) Section 15, Township 8 North, Range 5 West,) Boise Meridian, Payette County, Idaho.) Snake River Oil and Gas, LLC, Applicant.) _____)	Docket No. CC-2020-OGR-01-002 ORDER VACATING HEARING; ORDER SETTING DEADLINE FOR PREHEARING MOTIONS; NOTICE OF PREHEARING CONFERENCE.
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The Oil and Gas Administrator (“Administrator”) of the Idaho Department of Lands hereby: (1) vacates the July 9, 2020 hearing; (2) sets filing deadlines for prehearing motions; and (3) sets a July 13, 2020 prehearing conference.

I. Background

On May 26, 2020, Snake River Oil and Gas, LLC (“Snake River”) submitted an application to establish a 640 acre spacing unit consisting of the SE ¼ of Section 10, the SW ¼ of Section 11, NW ¼ of Section 14, and the NE ¼ of Section 15, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho.

The Administrator is authorized and required to conduct hearings on spacing applications. Idaho Code § 47-328(3). That includes the authority to conduct all prehearing procedures and the subsequent evidentiary hearing. *Id.* The Administrator sets regular hearing dates and applications shall be filed at least forty-five (45) days before a desired hearing date. *Id.* The Administrator may for good cause continue any hearing. *Id.* The Administrator’s next regular hearing date is scheduled for July 9, 2020, and the forty-five day deadline to submit applications for that hearing date was on May 26, 2020. Snake River’s application was filed on May 26, 2020.

II. The July 9, 2020 Hearing is Vacated

Pursuant to Idaho Code § 47-328(3)(d), the Administrator for good cause hereby vacates his July 9, 2020 evidentiary hearing date. Due to the COVID-19 emergency and the associated guidelines that may change rapidly, the Administrator will not schedule a hearing date for this application at this time. Instead, the Administrator sets objection, response, and prehearing motion deadlines followed by a prehearing conference to discuss scheduling the hearing and possible procedures. Following the prehearing conference, the Administrator will issue a prehearing order and a notice of the evidentiary hearing.

III. Objections, Responses, and Prehearing Motions

Uncommitted mineral interest owners within the area defined in Snake River's application (SE ¼ of Section 10, the SW ¼ of Section 11, NW ¼ of Section 14, and the NE ¼ of Section 15, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho) may file objections or other responses to the spacing application. Idaho Code § 47-328(3)(c). The deadline for filing objections or other responses addressing the spacing application is not set at this time. However, the Administrator encourages early filing of objections and other responses.

The deadline for all prehearing motions is 5:00pm (MST) on June 25, 2020. All responses to prehearing motions must be filed on or before 5:00pm (MST) on July 9, 2020.

All objections, responses, and other documents filed should be addressed as follows:

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

All documents may also be filed via e-mail to kromine@idl.idaho.gov.

IV. Notice of Prehearing Conference to be held July 13, 2020

The Administrator HEREBY GIVES NOTICE that he will hold a telephonic prehearing conference on Snake River's application for spacing order establishing a 640 acre spacing unit in the above-captioned unit. The telephonic prehearing conference will be held with the parties on July 13, 2020 at 1:30pm (MT). The parties may participate via teleconference by dialing 1-877-820-7831 and when prompted enter code 146275.

The Administrator is authorized to conduct all prehearing procedures pursuant to Idaho Code § 47-328. The prehearing conference will be conducted pursuant to IDAPA 04.11.01.510.

The parties should be prepared to discuss the following issues at the prehearing conference:

- Scheduling the hearing;
- Procedure at hearing, including the possibility of holding all or portions of the hearing telephonically or using web conferencing;
- Disclosure of witnesses and exhibits, including the possibility of exchanging exhibits prior to the hearing and stipulating to admission to of exhibits;
- Identification of exhibits;
- Stipulations;
- Prehearing motions;
- Formulating or simplifying the issues; and
- Other matters that may expedite the orderly conduct and disposition of the proceeding or its settlement.

PARTICIPATING IN THE PREHEARING CONFERENCE IS MANDATORY FOR THE APPLICANT AND UNCOMMITTED MINERAL INTEREST OWNERS WITHIN THE PROPOSED UNIT WHO WOULD LIKE TO PARTICIPATE IN THE EVIDENTIARY HEARING AS PARTIES. Participation as a "party" at an evidentiary hearing includes the ability

to appear at hearing, introduce evidence, examine and cross-examine witnesses, make and argue motions, state positions, and otherwise fully participate in hearings or arguments. IDAPA 04.11.01.157.

Participation in the prehearing conference is not required for those uncommitted mineral interest owners within the proposed unit who do not intend to participate in the hearing as parties. Instead those persons may participate as public witnesses, or choose not to participate in the hearing at all. Uncommitted mineral interest owners who choose to participate as public witnesses may file written objections and responses and may introduce evidence at hearing by their written or oral statements or exhibits introduced at hearing, but do not have parties' rights to examine witnesses or otherwise participate in the proceedings as parties. IDAPA 04.11.01.355. Uncommitted mineral interest owners in the proposed unit can indicate their intention to participate as a party in any objection or other response that is filed prior to the prehearing conference, or instead attend the prehearing conference and inform the Administrator at the conference that they intend to file an objection or other response and intend to participate at the hearing as a party.

This proceeding and the prehearing conference are 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>.

In accordance with IDAPA 04.11.01.511, if a person requires assistance of the kind the agency is required to provide under the Americans with Disabilities Act in order to participate in or understand the hearing, the agency will supply the assistance upon request. Please submit any requests to IDL by 5:00pm (MST) July 1, 2020. Inquiries about accommodations, scheduling, etc. should be directed to Kourtney Romine, Administrative Assistant, Idaho Department of Lands, 300 N. 6th Street, Suite 103, P.O. Box 83720, Boise, ID 83720; e-mail: kromine@idl.idaho.gov; phone: (208) 334-0283.

Dated this 5th day of June, 2020.



RICHARD "MICK" THOMAS

Oil and Gas Division Administrator

CERTIFICATE OF SERVICE

I hereby certify that on this _5th_ day of June 2020, I caused to be served a true and correct copy of the following item in Docket No: CC-2020-OGR-01-002:

Order Vacating Hearing; Order Setting Deadline For Prehearing Motions; Notice Of Prehearing Conference, by regular mail unless indicated otherwise and addressed to the following:

Kristina Fugate State House Mail
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Lynn & Kristina Larsen
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Steven & Michelle Cockerum
1219 NW 16th St
Fruitland, ID 83619

Anadarko Land Corp
Attn: Dale Tingen
1201 Lake Robbins Dr
The Woodlands, TX 77380

Kourtney Romine

Kourtney Romine
Administrative Assistant

Emailed Courtesy Copies to those who had emails on file for this case:

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