

From: [Kristina Fugate](#)
To: [Mick Thomas](#)
Cc: [Kourtney Romine](#)
Subject: FW: Docket No. CC-2022-OGR-01-001
Date: Friday, August 19, 2022 01:45:22 PM
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[20220819.Opening Brief of Snake River Oil and Gas re Just and Reasonable Factors.pdf](#)

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Kristina Fugate | Deputy Attorney General
Natural Resources Division
Office of the Attorney General | State of Idaho
O: 208-334-4549 | W: ag.idaho.gov

From: Mike Christian <mike@hpk.law>
Sent: Friday, August 19, 2022 1:40 PM
To: JJ Winters <JJ.Winters@ag.idaho.gov>; Kristina Fugate <kristina.fugate@ag.idaho.gov>;
jthum@idl.idaho.gov; james@idunionlaw.com
Subject: Docket No. CC-2022-OGR-01-001

All –

Attached is Applicant Snake River Oil and Gas, LLC's opening brief on just and reasonable factors.

Michael Christian

Of Counsel

HARDEE, PIÑOL & KRACKE, PLLC

1487 S. David Lane

Boise, ID 83705

Telephone: (208) 433-3913

Fax: (208) 342-2170

mike@hpk.law

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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-01-001

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

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 July 27, 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 integration proceedings, Docket No. CC-2021-OGR-01-001 and Docket No. CC-2021-OGR-01-002,¹ 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?

¹ See 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 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 has 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 19th day of August, 2022.

HARDEE, PIÑOL & KRACKE, PLLC



MICHAEL CHRISTIAN
Attorney for Applicant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of August, 2022, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed as follows:

Kristina Fugate Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail, return receipt requested <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Messenger Delivery <input checked="" type="checkbox"/> Email: kristina.fugate@ag.idaho.gov
JJ Winters Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail, return receipt requested <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Messenger Delivery <input checked="" type="checkbox"/> Email: jj.winters@ag.idaho.gov
Mick Thomas Division Administrator Idaho Department of Lands P.O. Box 83720 Boise, ID 83720-0050	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail, return receipt requested <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Messenger Delivery <input checked="" type="checkbox"/> Email: mthomas@idl.idaho.gov
James Thum Idaho Department of Lands P.O. Box 83720 Boise, Idaho 83720-0050	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail, return receipt requested <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Messenger Delivery <input checked="" type="checkbox"/> Email: jthum@idl.idaho.gov

The Gerald & Darcy Mitchell Family Trust
 2930 NW 3rd Ave
 Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

John E. & Carol A. Bennett
 7470 Grande Vallejo Drive
 Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Mark Douglas & Yvonne M. Korthals
 7450 Grand Vallejo Drive
 Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Randall J. & Julie M. Korthals
7447 Grand Vallejo Drive
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Cherry S. Holm
3250 NW 2 1/2 Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Gerald W. & Rebekah L. Storey
3081 NW 2 1/2 Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Lloyd Coffelt & Sheryle Coffelt
7364 Custer Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Gary B. Kelley
7278 Boise Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

David W. Holm
3223 NW 3rd Avenue
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

M&D Farms, LLC
6905 Highway 95
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Steven L. Bishop
100 NW 16th, Space 97
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Jason A. Echeverria
3326 NW 2nd Avenue
New Plymouth, ID 83655

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Rex Edward Wilson, Jr. & Karen Anne Hight Wilson
3324 NW 2nd Avenue
New Plymouth, ID 83655

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Gregory Fleshman
3330 NW 2nd Avenue
New Plymouth, ID 83655

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Dale Wayne Figart
3328 NW 2nd Avenue
New Plymouth, ID 83655

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Bruce L. Wilson
7242 Boise Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Adam K. Jacobs
7240 Boise Road
Fruitland, ID 83619
John David Bybee
43 South I Street
Lakeview, UT 97630

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:
- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Hinatsu Farms
3341 NW 2nd Ave
New Plymouth, ID

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:



MICHAEL CHRISTIAN