

**From:** [Molly Garner](#)  
**To:** [Kourtney Romine](#); [mike@smithmalek.com](mailto:mike@smithmalek.com); [Fugate, Kristina](#); [External - Joy M. Vega](#); [James Thum](#)  
**Cc:** [James Piotrowski](#)  
**Subject:** FW: Submission re Dkt # CC-2020-OGR-01-001 Objection  
**Date:** Thursday, June 25, 2020 04:07:08 PM  
**Attachments:** [Objection CC-20-OGR-01-002 06-25-20.pdf](#)

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Please find the OBJECTION filed on behalf of Citizens Allied for Integrity and Accountability, et al., by their attorney in the following:

Docket No. CC-2020-OGR-01-002

Before the Idaho Dept. of Lands

In the Matter of the Application of Snake River Oil and Gas, LLC for Spacing Order.

Thank you,

-Molly Garner  
Office Manager  
Piotrowski Durand, PLLC

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Attorneys for CAIA and Objectors

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the matter of the Application of Snake	)	
River Oil and Gas, LLC for Spacing Order,	)	Case No. CC-2020-OGR-01-002
	)	
Snake River Oil and Gas, LLC, applicant.	)	OBJECTION
	)	
_____	)	

COME NOW Kevin and Margery Clevenger, and Citizens Allied for Integrity and Accountability, by and through counsel of record and hereby submit their objection and response to the application to establish a spacing unit.

Kevin and Margery Clevenger are property owners holding surface and mineral rights within the spacing unit proposed by applicant Snake River Oil and Gas. Citizens Allied for Integrity and Accountability (hereafter “CAIA”) is a non-profit, membership-based organization committed to the responsible development of natural resources in the State of Idaho. CAIA has members both within and near the proposed spacing unit and appears here in its representative capacity.

Various oil companies have sought multiple different spacing units containing some or all of the subject mineral estates. The subject mineral estates are already encompassed by at least one spacing unit approved by the Department and Commission. The application and proposed

unit each fails to meet the purposes of Idaho's Oil and Gas Conservation Act and violates requirements to ensure the most efficient development of existing resources.

The proposed unit is both over-inclusive and under-inclusive in that it, more likely than not, will exclude some mineral rights holders whose assets are taken, and will include others who will receive payments even though their assets are not being taken.

The spacing unit determination should not be used as a proxy for a future integration order. The terms of integration, including just and reasonable conditions to protect the interests of mineral rights holders should be expressly and conclusively determined to be separate from and independent of any determination about appropriate spacing.

Spacing determinations should reflect existing uses of surface estates and be devised to minimize impacts on pre-existing surface estate uses. The present application fails to do so.

For all these reasons the present application for spacing unit should be denied until adequate data is available to determine an appropriate spacing unit.

DATED this 25<sup>th</sup> day of June, 2020.

PIOTROWSKI DURAND, PLLC

/s/ James M. Piotrowski  
By: James M. Piotrowski  
Attorneys for Objectors

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing document to be served on the parties indicated below, via the method indicated, this 25<sup>th</sup> day of June, 2020.

Idaho Department of Lands Attn: Mick Thomas 300 N. 6th Street, Suite 103 PO Box 83720 Boise, ID 83720 <a href="mailto:kromine@idl.idaho.gov">kromine@idl.idaho.gov</a>	U.S. Mail Hand Delivery Certified Mail E-Mail	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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Snake River Oil and Gas c/o Michael Christian Smith & Malek, PLLC 101 S. Capitol Blvd, Suite 930 Boise, ID 83702 <a href="mailto:mike@smithmalek.com">mike@smithmalek.com</a>	U.S. Mail Hand Delivery Certified Mail E-Mail	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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Kristina Fugate Deputy Attorney General PO Box 83720 Boise ID 83720-0010 <a href="mailto:kristina.fugate@ag.idaho.gov">kristina.fugate@ag.idaho.gov</a>	U.S. Mail Hand Delivery Certified Mail E-Mail	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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James Thum Idaho Department of Lands PO Box 83720 Boise ID 83720-0050 <a href="mailto:jthum@idl.idaho.gov">jthum@idl.idaho.gov</a>	U.S. Mail Hand Delivery Certified Mail E-Mail	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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/s/ James M. Piotrowski  
James M. Piotrowski