



September 18, 2025

Andrew A. Irvine
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702
D. 208.387.4237
andrew.irvine@stoel.com

VIA EMAIL

Shannon Chollett
Division Administrator
Minerals, Navigable Waters, Oil & Gas
Idaho Department of Lands
300 N. 6th Street, Suite 103
Boise, ID 83702
Email: SChollett@idl.idaho.gov

Re: Request for Approval of Application without a Hearing - AGENCY Case No. CC-2025-OGR-01-004 / OAH Case No. 25-320-OG-03

Dear Administrator Chollett:

Cascade Exploration, LLC ("Cascade Exploration"), the Applicant in the above-captioned case pending as Agency Case No. CC-2025-OGR-01-004 and OAH Case No. 25-320-OG-03, by and through its counsel of record, Andrew A. Irvine, and pursuant to Idaho Code § 47-328(3)(d), hereby requests that the Administrator allow approval of Cascade Exploration's application without a hearing based on review of the merits of its application and the supporting exhibits.

Cascade Exploration filed an application for an order establishing a spacing unit consisting of 40 net acres in the SENE of Section 26, Township 5 North, Range 4 West, Canyon County, Idaho, on July 24, 2025, pursuant to Idaho Code §§ 47-317 and 47-328(3)(b). Following its application, the Idaho Department of Lands ("Department") acknowledged receipt of the application on August 1, 2025. Consistent with Idaho Code § 47-328(3)(b), on July 25, 2025, Cascade Exploration satisfied the requirements for notice to all mineral interest owners as well as to the county where the proposed unit is located.

Pursuant to the *Scheduling Order* dated September 3, 2025, the parties filed and served their prehearing statements and witness and exhibit disclosures on September 15, 2025. Also in accordance with the *Scheduling Order*, Cascade Exploration and the Department met before the Office of Administrative Hearings Hearing Officer on September 18, 2025, for a prehearing status conference. This matter is scheduled for an evidentiary hearing on September 29, 2025.

September 15, 2025, was the last day for objections or other responses to the application to be filed. Pursuant to Idaho Code § 47-328(3)(b), "an uncommitted owner in an affected [spacing] unit may file an objection or other response to [an] application" within "at least fourteen (14) days before the hearing date." This deadline has passed. As confirmed by the Department at the prehearing status conference, no objections or other responses from uncommitted owners or any

other parties have been received by the Department. Cascade Exploration's application is thus uncontested.

Under Idaho Code § 47-328(3)(d), "[w]hen applications are uncontested, the applicant may request and the administrator may allow approval without a hearing based on review of the merits of a verified application and the supporting exhibits." As discussed at the prehearing conference and based on Cascade Exploration's understanding, the Department does not oppose the application and agrees that it may be approved without a hearing per Section 47-328(3)(d). As a result, Cascade Exploration submits this request for the Administrator of the Department to approve its application without a hearing based on review of the merits of the application and the supporting exhibits.

In further support of this request, please be aware that Cascade Exploration is exploring for hydrogen, not conventional oil or gas, and is planning to drill a stratigraphic test well that will not produce oil or gas (conventional or otherwise) or otherwise cause the waste of oil and gas. Rather, the stratigraphic test well is being drilled solely to obtain geological information.

Cascade Exploration's nearly identical application for another proposed spacing unit in Canyon County, Agency Case No. CC-2025-OGR-01-003 and OAH Case No. 25-320-OG-02, was recently recommended by the Office of Administrative Hearings Hearing Officer to be granted. That application proceeded through hearing, the record of which is applicable to Cascade Exploration's current application. Although interested persons were provided with the opportunity to present testimony at that hearing, no interested members of the public appeared and no written comments were received prior to the hearing.

As was stipulated regarding Cascade Exploration's previous application, Cascade Exploration will and does hereby stipulate to the following for its current application:

1. The order approving the spacing unit shall allow for only one well within the unit.
2. The spacing unit shall consist of a forty-acre unit at the SENE of Section 26, Township 5 North, Range 4 West, Canyon County, Idaho. Setbacks shall be 330 feet from the closest exterior geographic boundary of the unit as described in IC 47-317(3)(a)(i).
3. Beyond well testing as allowed in IDAPA 20.07.02.413, no production activities will be permitted from the stratigraphic test well.
4. The spacing unit will expire 90 days after final plugging and reclamation has been completed, inspected, and approved by the Department.

Cascade Exploration agrees to work with the Department regarding the content of an order establishing the spacing unit and is willing to stipulate to proposed findings and conclusions as needed to facilitate the efficient review and approval of the application.

Ms. Shannon Chollett
September 18, 2025
Page 3

As the evidentiary hearing on Cascade Exploration's application is scheduled for September 29, 2025, and has not yet been vacated, Cascade Exploration would appreciate your prompt attention to this request. Please let us know if you have any questions or need any additional information from Cascade Exploration. As indicated below, Hearing Officer Scott Zanzig as well as the relevant persons from the Department, including James Thum and counsel Kayleen Richter, are copied on this letter. Thank you.

Very truly yours,



Andrew A. Irvine

cc: Cascade Exploration: Bronson Barrett (bbarrett@koloma.com), Lauren Morahan (lmorahan@koloma.com)
Idaho Department of Lands: John Richards (jrichards@idl.idaho.gov), Kayleen Richter (krichter@idl.idaho.gov), James Thum (jthum@idl.idaho.gov)
Idaho Department of Lands: Kourtney Romine (kromine@idl.idaho.gov), Kayla Dawson (kdawson@idl.idaho.gov)
OAH: Scott Zanzig (scott.zanzig@oah.idaho.gov), filings@oah.idaho.gov