

From: [Molly Garner](#)
To: [Kourtney Romine](#)
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Subject: Submission re Dkt # CC-2021-OGR-01-001 Response to Motion to Determine Status
Date: Tuesday, August 10, 2021 12:38:11 PM
Attachments: [Response to Status 08-10-21 01-001.pdf](#)

Please find the RESPONSE TO MOTION TO DETERMINE STATUS OF CAIA, OR, IN THE ALTERNATIVE, PETITION OF CAIA TO INTERVENE filed on behalf of Citizens Allied for Integrity and Accountability by their attorney in the following:

Docket No. CC-2021-OGR-01-001

Before the Idaho Dept. of Lands

In the Matter of the Application of Snake River Oil and Gas, LLC to Integrate the Spacing Unit Consisting of the SE ¼ of Section 10, the SW ¼ of Section 11, the NW ¼ of Section 14, and the NE ¼ of Section 15, Township 8 North, Range 5 West, Boise, Meridian, Payette County, Idaho.

Thank you,

-Molly Garner
Office Manager
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BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of)	Docket No. CC-2021-OGR-01-001
)	
The Application of Snake River Oil and)	RESPONSE TO MOTION TO
Gas, LLC to Integrate the Spacing Unit)	DETERMINE STATUS OF CAIA, OR, IN
Consisting of the SE ¼ of Section 10, the)	THE ALTERNATIVE, PETITION OF
SW ¼ of Section 11, the NW ¼ of Section)	CAIA TO INTERVENE
14, and the NE ¼ of Section 15, Township)	
8 North, Range 5 West, Boise, Meridian,)	
Payette County, Idaho.)	
_____)	

Comes now Citizens Allied for Integrity and Accountability (CAIA), and hereby offers its response to Applicant’s motion for an order determining CAIA’s status and, in the alternative, hereby petitions for leave to Intervene in this proceeding. Applicant Snake River Oil and Gas (SROG) has moved “for order determining that CAIA is not a party.” (Motion, p. 1). SROG then admits, in the same pleading, that even if its motion is granted, such an order would “not substantially change the course of the proceedings.” (Motion, p. 3). The motion should be denied as moot, and because the “remedy” it requests is entirely without meaning.

In the alternative, if the Hearing Officer decides to grant the motion, CAIA hereby petitions to intervene as a party in these proceedings. CAIA is a well-known party to the Department and the Commission. Its address is care of the undersigned counsel.

This motion is made less than 14 days before the hearing in this matter, for good cause. CAIA has participated in this proceeding since April, 2021. SROG has sat on its rights until 14 days before the hearing in this matter. The Department has treated CAIA as a party in prior proceedings in this very matter, permitting it to present briefing and argument. Deciding at this point that CAIA cannot participate in this proceeding purely because its petition was not timely would work substantial prejudice on CAIA, its members and the public interest.

CAIA's direct interest in this matter arises from several facts. First, CAIA is a public interest charity with a direct and substantial concern for the welfare of Idaho's natural resources and the well-being of its property owners and citizens. Both of those interests are directly affected by SROG's efforts to compel the lease of mineral rights against the wishes of Idaho citizens.

Second, CAIA is a membership organization representing Idaho citizens who share its concerns. Its members include mineral rights owners who are being compelled to lease their mineral rights in this proceeding, and/or whose property will be affected by the decisions and actions taken by SROG or some subsequent operator.

Third, in prior proceedings, the Department has granted CAIA the status of intervenor, finding that CAIA's interest in representing its members was adequate to constitute a direct and substantial interest. (See, e.g., Case No. 2015-OGR-01-01; Case No. 2015-OGR-01-01; Order Granting Limited Intervention, dated October 18, 2015). Nothing about CAIA's interest in these matters has changed since 2015.

For all of the foregoing reasons, the Department should deny SROG's motion as moot. In the alternative, the Department should grant CAIA party status as an intervenor.

Dated this 10th day of August, 2021.

PIOTROWSKI DURAND, PLLC

 /s/ James M. Piotrowski
James M. Piotrowski
Attorneys for CAIA and Certain Non-
Consenting Owners

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2021, I caused to be served a true and correct copy of the preceding document on the following parties/representatives by the method indicated below:

Idaho Department of Lands	U.S. Mail	<input type="checkbox"/>
Attn: Mick Thomas	Hand Delivery	<input type="checkbox"/>
300 N. 6 th Street, Suite 103	Certified Mail	<input type="checkbox"/>
PO Box 83720	E-Mail	<input checked="" type="checkbox"/>
Boise, ID 83720		
kromine@idl.idaho.gov		

Snake River Oil and Gas	U.S. Mail	<input type="checkbox"/>
c/o Michael Christian	Hand Delivery	<input type="checkbox"/>
Smith & Malek, PLLC	Certified Mail	<input type="checkbox"/>
101 S. Capitol Blvd, Suite 930	E-Mail	<input checked="" type="checkbox"/>
Boise, ID 83702		
mike@smithmalek.com		

Kristina Fugate	U.S. Mail	<input type="checkbox"/>
Deputy Attorney General	Hand Delivery	<input type="checkbox"/>
PO Box 83720	Certified Mail	<input type="checkbox"/>
Boise ID 83720-0010	E-Mail	<input checked="" type="checkbox"/>
kristina.fugate@ag.idaho.gov		

Joy Vega	U.S. Mail	<input type="checkbox"/>
Deputy Attorney General	Hand Delivery	<input type="checkbox"/>
PO Box 83720	Certified Mail	<input type="checkbox"/>
Boise ID 83720-0010	E-Mail	<input checked="" type="checkbox"/>
joy.vega@ag.idaho.gov		

_____/s/ James M. Piotrowski
James M. Piotrowski