

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of Snake River Oil)
and Gas, LLC to Integrate the Spacing Unit)
Consisting of the E ½ of the SE ¼ of Section 9, SW)
¼ of Section 10, N ½ of the N ½ of the NW ¼ of)
Section 15, and the N ½ of the NE ¼ of the NE ¼)
of Section 16, Township 8 North, Range 5 West,)
Boise Meridian, Payette County, Idaho.)
Snake River Oil and Gas, LLC, Applicant.)

Docket No. CC-2021-OGR-01-002

PREHEARING ORDER

On September 8, 2021, pursuant to the August 3, 2021 *Amended Notice of Evidentiary Hearing and Notice of Prehearing Conference*, a telephonic prehearing conference was held in the above-captioned matter, as provided for in IDAPA 04.11.01.510. All those attending participated attended via telephone. Mick Thomas, the Oil and Gas Division Administrator of the Idaho Department of Lands (“Administrator”) conducted the proceedings as the presiding officer while Deputy Attorney General Kristina Fugate, attended on behalf of the Administrator.

PREHEARING ORDER

Pursuant to IDAPA 04.11.01.513, the hearing officer enters this Prehearing Order to confirm the record and conclusions of the prehearing conference:

1. The *Amended Notice of Evidentiary Hearing and Prehearing Conference* provided: “Participating in the prehearing conference is mandatory for the Applicant and uncommitted mineral interest owners within the unit who would like to participate in the evidentiary hearing as parties.”
2. The following individuals participated in the Prehearing Conference: Michael Christian, attorney for Snake River Oil and Gas, LLC; James Piotrowski, attorney for Dale Verhaeghe,

Linda Dernoncourt, Sharon Simons, Alan & Glenda Grace, Edward & Cheryl Adair, William & Roxie Tolbert, Wendell & Norma Nierman, Richard & Cheryl Addison, Jimmie & Judy Hicks, Antonio & Danielle Anchustegui, Philip & Kathleen Hendrickson, George & Dawna Jackson, Bonnie McGehee, Karen Oltman, and Citizens Allied for Integrity and Accountability;¹ Stephanie Bonnie, attorney for the City of Fruitland Idaho; Deputy Attorney General Joy Vega, attorney for the Idaho Department of Lands; and James Thum, Oil and Gas Program Manager for the Idaho Department of Lands.

3. The *Amended Notice of Evidentiary Hearing & Prehearing Conference* is hereby stated and incorporated into this Prehearing Order. As already provided for in that notice, the evidentiary hearing shall be held on Thursday September 16, 2021, at 9:00 am (MST) at Fruitland City Hall, 200 S. Whitley Dr., Fruitland, Idaho. If additional time is necessary, the hearing will continue on Friday, September 17, 2021, at the same location.
4. Also, pursuant to the *Amended Notice of Evidentiary Hearing & Prehearing Conference* and Idaho Code § 67-5242(3)(c), all other interested persons will have the opportunity to present public testimony at a separate evening session of the hearing on September 16, 2021 at 6:00 pm (MST). That session will also take place at Fruitland City Hall, 200 S. Whitley Dr., Fruitland, Idaho. Any person planning to testify during this time will be treated as a public witness, with rights and status in this matter as defined by IDAPA 04.11.01.355. The hearing officer may set time limits for public testimony.

¹ Mr. Piotrowski's verbal list of clients at the prehearing conference matched the clients he identified in his *Motion of Non-Consenting Owners and CAIA to Strike Snake River Oil and Gas's Opening, Response and Reply Briefs*, but differed from the list provided in his *Submission of Non-consenting Owners and CAIA re: Factors for Establishing Just and Reasonable Terms*. This prehearing order recognizes the most recent list of clients that he provided at the prehearing conference.

5. A Zoom teleconference option will be available for remote attendance for all sessions.
6. Witness lists, exhibit lists, and electronic copies of all exhibits shall be electronically filed with the Administrator and copies shall be electronically served on those attending the prehearing conference on or before September 14, 2021 by 5:00 pm (MST). IDAPA 04.11.01.606. Witness lists should indicate whether a witness will testify by teleconference or in person. The Administrator will post those documents on the hearing website prior to the hearing.
7. Parties are strongly encouraged to stipulate to the admission of exhibits in advance of the hearing. Stipulations may be entered orally on the record at the hearing.
8. The Administrator received one timely prehearing motion: Snake River's September 2, 2021 *Motion for Order Determining that CAIA is not a Party*. Responses to this motion shall be filed by September 14, 2021 by 5:00 pm (MST).
9. Documents submitted into the administrative record in this matter can be viewed online at: <https://ogcc.idaho.gov/administrative-hearings/> by clicking on the link to Docket No. CC-2021-OGR-01-002.

Dated this 10th day of September, 2021.

A handwritten signature in cursive script, appearing to read "Mick Thomas", written in black ink.

Richard "Mick" Thomas

Idaho Department of Lands

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September 2021. I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Snake River Oil & Gas LLC
c/o Michael Christian
Smith + Malek
101 S. Capitol Blvd, Suite 930
Boise ID 83702

Email: mike@smithmalek.com
morgan.burr@smithmalek.com

Kristina Fugate
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

Email: kristina.fugate@ag.idaho.gov

Joy Vega
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

Email: joy.vega@ag.idaho.gov

Mick Thomas
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050

Email: mthomas@idl.idaho.gov

James Thum
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050

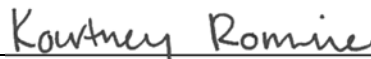
Email: jthum@idl.idaho.gov

James Piotrowski
Piotrowski Durand, PLLC
1020 W. Main St., Suite 440
P.O. Box 2864
Boise, ID 83701

Email: james@idunionlaw.com
Molly@idunionlaw.com

Stephanie J. Bonney
MSBT Law, Chtd
7699 W Riverside Dr.
Boise, ID 83714

Email: sjb@msbtlaw.com



Kourtney Romine, Workflow Coordinator