

James Piotrowski, ISB # 5911
PIOTROWSKI DURAND, PLLC
1020 W. Main St., Suite 440
P.O. Box 2864
Boise, ID 83701
Telephone: (208) 331-9200
Facsimile: (208) 331-9201
james@idunionlaw.com
marty@idunionlaw.com

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of AM)	Docket No. CC-2019-OGR-01-002
Idaho, LLC for Spacing Order and to)	
Integrate Unleased Mineral Interest)	OPPOSITION TO MOTION FOR
Owners in the Drilling Unit Consisting of)	EXTENSION OF TIME TO COMPLETE
the SW 1.4 of Section 10, Township 8)	NOTICE
North, Range 5 West, Boise, Meridian,)	
Payette County, Idaho.)	
)	
)	
)	
)	

COME NOW Carrie Grant, Shannon Benedict, Donald and Phyllis Gruell, Sharon Simmons, Lowell and Geraldine Davis, James and Beverly Smith, Dana Harris, and Sandra Dunlap (the effected but excluded mineral rights owners), by and through counsel of record and hereby submit their opposition to the request by AM Idaho to extend the time for completing notice to previously un-notified mineral rights owners.

By previous order, the Department of Lands provided AM Idaho with a limited time in which to complete the process of providing notice to landowners in three quarter-sections of land adjacent to the quarter-section for which AM Idaho seeks a spacing unit and integration order. If the request is granted, mineral rights owners in those quarter sections will not receive adequate time to review, research and properly respond to AM Idaho's application for spacing and

integration. AM Idaho has requested an extension to complete mailing of notices until December 13, 2019. The Department may take administrative notice of the fact that postal delivery in southwest Idaho typically takes between two and five business days. Given the season (this is the busiest time of year for the USPS), delivery can be expected to fall at the higher end of that range. Thus, at least some uncommitted mineral owners would not be reasonably assured of receiving notice until five weekdays after mailing, which would be December 20.

Receiving the notice on or about December 20 would put uncommitted owners in the unreasonable position of having to evaluate the notice, seek counsel, develop an opinion and position, and submit an objection all before January 8, 2020. If such objections are submitted by postal service, they would have to be mailed no later than January 3, 2020 in order to have a reasonable assurance (but no guarantee) of their being received on or before January 8. AM Idaho's request would thus leave some uncommitted mineral interest owners having to review the notice, seek counsel, and submit objections, during the holidays, in two weeks' time. This is not reasonable in light of the important interests involved.

The request for extension should be denied or, if it is granted, the entire set of deadlines for objecting, pre-hearing conference, and hearing on spacing should be delayed to assure mineral owners have adequate time to respond.

Dated this 3rd day of December, 2019

PIOTROWSKI DURAND, PLLC

 /s/ James M. Piotrowski
James M. Piotrowski
Attorneys for Proposed Intervenors

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2019, I caused to be served a true and correct copy of the preceding Opposition to Motion in Docket No: CC-2019-OGR-01-002 by the method indicated below and addressed to the following:

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		

AM Idaho, LLC	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		

James Thum	U.S. Mail	<input type="checkbox"/>
Idaho Department of Lands	Hand Delivery	<input type="checkbox"/>
PO Box 83720	Certified Mail	<input type="checkbox"/>
Boise ID 83720-0050	E-Mail	<input checked="" type="checkbox"/>
jthum@idl.idaho.gov		

City of Fruitland	U.S. Mail	<input checked="" type="checkbox"/>
Attn: Rick Watkins-City Clerk	Hand Delivery	<input type="checkbox"/>
PO Box 324	Certified Mail	<input type="checkbox"/>
Fruitland, ID 83619	E-Mail	<input type="checkbox"/>

Anadarko Land Corp.	U.S. Mail	<input checked="" type="checkbox"/>
Attn: Dale Tingen	Hand Delivery	<input type="checkbox"/>
1201 Lake Robbins Dr	Certified Mail	<input type="checkbox"/>
The Woodlands TX 77380	E-Mail	<input type="checkbox"/>

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