

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 Section 24, Township 8 North,)
Range 5 West, Boise Meridian, Payette County,)
Idaho.)
Snake River Oil and Gas, LLC, Applicant.)
_____)

Docket No. CC-2023-OGR-01-001

**ORDER SETTING
PREHEARING BRIEFING
SCHEDULE**

On May 2, 2023, pursuant to the April 13, 2023 *Notice of Prehearing Conference for Evidentiary Hearing*, a prehearing conference was held in the above-captioned matter, as provided for in IDAPA 04.11.01.510. All those attending participated via video conference or telephone. The prehearing conference was held informally pursuant to IDAPA 04.11.01.512, with this *Order Setting Prehearing Briefing Schedule* memorializing the agreed upon briefing schedule in accordance with IDAPA 04.11.02.514.

PRE-EVIDENTIARY HEARING MOTIONS AND BRIEFS

Pursuant to IDAPA 04.11.01.564 and 565, the hearing officer will allow prehearing motions and briefing, and based on the current administrative record and conclusions of the prehearing conference:

1. The *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 uncommitted owners Joey and Brenda Ishida, Juanita Lopez, Sarah Wetherspoon, David George, Jessica Ishida Sanchez, Juan Sanchez Jr, Gary Hale, Ryan Gentry, Mark Vidlak, Mary Ann Miller, Steven and Robin Bishop, Amie and Jason Echevarria, Rex Wilson, and Patricia and Greg

Fleshman, and Yvonne Smith. Yvonne Smith was in attendance also; Deputy Attorney General J.J. Winters, attorney for the Idaho Department of Lands; and James Thum, Oil & Gas Program Specialist for the Idaho Department of Lands; Kahle Becker, attorney for Jordan and Dana Gross. Jordan Gross was in attendance also; Deputy Attorney General Joy Vega, attorney for the Administrator. No other uncommitted owner participated in the May 3, 2023 prehearing conference except those represented by counsel.

3. The *Notice of Prehearing Conference for Evidentiary Hearing* is hereby restated and incorporated into this *Order Setting Prehearing Briefing Schedule*.
4. During the prehearing conference, parties requested the opportunity to address additional pre-evidentiary hearing topics. To facilitate the orderly submission of non-evidentiary topics for determination by the hearing officer, to provide an opportunity for responses, and to facilitate a reasonable timeframe for the hearing officer to provide a written decision on such matters prior to the evidentiary hearing, the following pre-evidentiary hearing briefing schedule is hereby set:

May 26, 2023	Deadline to file pre-evidentiary hearing motions and supporting memorandum
June 7, 2023	Deadline to file response briefs
June 12, 2023	Deadline to file reply briefs

Within three weeks, the hearing officer will issue a written decision on any motions filed, based on the parties' briefing.

5. The optional pre-evidentiary hearing filings are not the time or place for parties to submit substantive evidence relevant to the subject integration application into the record. The future evidentiary hearing is the proceeding that such evidence may be offered, objected to, and submitted into the record.

6. The optional pre-evidentiary hearing filings should be based on and consistent with the governing IDAPA rules, the Idaho Oil and Gas Conservation Act, and other applicable law.
7. Following the issuance of a written decision, the hearing officer will issue a scheduling order, setting the dates for service of exhibit and witness lists and the date for the evidentiary hearing.
8. Documents currently 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-2023-OGR-01-001.
9. To be considered by the hearing officer, all pre-evidentiary hearing motions and briefs shall be timely filed and correctly served on counsel for all parties who participated in the May 2, 2023 prehearing conference.

Dated this 3rd day of May, 2023.



Richard "Mick" Thomas

Division Administrator
Minerals, Navigable Waterways, Oil & Gas
Idaho Department of Lands

CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of May 2023, 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
Hardee, Pinol & Kracke PLLC
1487 S. David Lane
Boise ID 83705

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: mike@hpk.law
amy@hpk.law

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

- Statehouse Mail
- Hand Delivery
- Email: joy.vega@ag.idaho.gov

JJ Winters
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

- Statehouse Mail
- Hand Delivery
- Email: JJ.Winters@ag.idaho.gov

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

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: mthomas@idl.idaho.gov

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

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: jthum@idl.idaho.gov

J. Kahle Becker
Eagles Center
223 N. 6th Street, # 325,
Boise, Idaho 83702
*Attorney for Jordan A. & Dana C. Gross and
Little Buddy Farm LLC*

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: kahle@kahlebeckerlaw.com

James Piotrowski
Piotrowski Durand, Pllc
P.O. Box 2864
Boise, ID 83701
*Attorney for Citizens Allied for Integrity and
Accountability (CAIA), Joey Ishida, Brenda
Ishida, Juanita Lopez, Sarah Weatherspoon,*

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: james@idunionlaw.com
marty@idunionlaw.com
Beth@idunionlaw.com

David George, Jessica Ishida Sanchez, Juan Sanchez Jr, Gary Hale, Ryan Gentry, Mark Vidlak, and Mary Ann Miller

Jay Douglas and Clare Louise Crom of the Crom Family Revocable Trust
2900 NW 4th Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Jessica and Wesley Bilyeu
7920 Elmore Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Matthew M. White
2950 NW 3rd Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Klinton A. and Mary L. Hutton
9164 W Hedge Hog Place
Peoria, AZ 85383

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Mike E. and Mary Lou Koto Family Trust
7650 Denver Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Richard J. and Sue Lzicar
7912 Elmore Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Mark E. and Melanie Mullins
2812 NW 3rd Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Jason S Lloyd
2815 NW 4th Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

A Leroy Atwood
2663 NW 4th Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Anthony Joel Torres and Joe Torres, Jr.
2613 NW 4th Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Leonard A. and Sandra S. Newman
7850 Elmore Road
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Brians Family Trust
c/o Nicholas & Kate Luper
2515 NW 4th Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

William F. Brown
8301 Uva Drive
Redwood Valley, CA 95470

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

William F. Brown
8301 Uva Drive
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Yvonne Jane Smith
2800 NW 3rd Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Eric A. and Stephanie E. Oleson
2824 NW 3rd Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Andrew G. and Jessica M. Ogburn
2770 NW 3rd Ave
Fruitland, ID 83619

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Jefferson and Chris McGee
318 N. Midland Blvd #2
Nampa, ID 83651

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Kourtney Romine
Kourtney Romine
Workflow Coordinator