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Subject: WIRT Comments on Contested Case CC-2020-OGR-01-003, Barlow 2-14 Well, & Barlow 1-14 Integration Order
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Sent via email message with attached, duplicate, PDF letter, as an organizational response intended for posting with Docket CC-2020-OGR-01-003 on the Idaho Oil and Gas Conservation Commission website

WIRT Comments on Snake River Oil and Gas Barlow 2-14 Well Drilling Application & Permit, Barlow 1-14 Integration Order Docket CC-2016-OGR-01-001, & Contested Case Docket CC-2020-OGR-01-003

For the official record of Snake River Oil and Gas' (SROG) application to drill the Barlow 2-14 oil and gas well near Fruitland, Payette County, Idaho, submitted to the Idaho Department of Lands (IDL) and Idaho Oil and Gas Conservation Commission (IOGCC), the integration order for the too closely located Barlow 1-14 well (Docket CC-2016-OGR-01-001), which neither applies to the Barlow 2-14 well nor protects Idaho citizens and impacted stakeholders from Barlow 2-14 well harms and damages, and the administrative contested case heard on March 9, 2021 (Docket CC-2020-OGR-01-003), to determine whether the Barlow 1-14 well integration order covers the proposed Barlow 2-14 well, I respectfully offer these written comments and accompanying information on behalf of Wild Idaho Rising Tide (WIRT) and its over 3,200 climate activists, members, friends, supporters, and allies, as citizens of Idaho, Montana, Oregon, Washington, and other U.S. states, who own property, businesses, work, and/or reside in or near the Payette River and surrounding watersheds that SROG Barlow 2-14 drilling application permit approval, spacing and integration orders, and infrastructure construction and operation for oil and gas development would directly impact. We object to SROG's Barlow 2-14 project invasion and its significant, cumulative impacts on affected communities, critical ecosystems, public air, water, land, and resources, and private and City of Fruitland water sources within the floodplain, on the banks, and under the Payette River, as insufficiently identified and analyzed in SROG's April 10, 2020 application for a permit to drill, in the Barlow 1-14 integration order, and in pertinent government documents and accompanying public notices offering limited public information, via IOGCC and IDL website pages [1-3].

We also object to this SROG project's significant, cumulative, direct and indirect, adverse impacts on climate change, endangered species, cultural resources, socioeconomic and environmental factors, and reasonable public needs including human and environmental health and safety, drinking and agricultural water, and private property values, rights, uses, enjoyment, and insurability. As further public input and information shared with IOGCC and IDL, we incorporate by reference into this letter of opposition to IOGCC/IDL permitting of Barlow 2-14 drilling activities and application of the Barlow 1-14 well integration order to the Barlow 2-14 well the written and oral comments and linked articles and documents of WIRT and all persons and organizations raising oppositional concerns about this project and its applications, documents, and processes relevant to project analyses, presented through all local, state, and federal public processes before, during, and after this contested case on SROG's latest drilling application and absent spacing and integration

applications for the Barlow 2-14 well.

WIRT earnestly requests and encourages IOGCC and IDL to: 1) Include in the public record for SROG's Barlow 2-14 drilling application, for the nonexistent, unexamined, Barlow 2-14 spacing and integration applications, for the contested case on applying the inadequate, Barlow 1-14 integration order to the Barlow 2-14 well, and for related, project comment periods these comments and all of our written objections and linked citations enclosed in previous WIRT comments addressing Alta Mesa applications to develop the Kauffman 1-9 and 1-34 wells, the ML Investments 1-3, 1-11, and 2-10 wells, and the Smoke Ranch 1-20 and 1-21 wells, and the Trendwell West application to drill the Smith 1-10 well [4-9], 2) Expand public involvement in this contested case beyond impacted mineral holders, willing and forced leasers, and commenters on the Barlow 2-14 well drilling application, due to incomplete Barlow 2-14 spacing and integration application information and the ongoing COVID-19 pandemic, 3) Conduct open, public hearings and comment periods in the most impacted communities, regarding the Barlow 2-14 well drilling and spacing and integration applications and their relevance to previous, current, and potential spacing and integration orders issued by the state and/or opposed and litigated by concerned stakeholders, 4) Better assess the regional significance, scope, and precedence of this project, through a revised, SROG drilling application, explicit spacing and integration applications, and associated public input processes for the hazardously located Barlow 1-14 and 2-14 wells, 5) Perform a community-preferred, scientifically rigorous, independent, unbiased, full environmental study examining this controversial project, and 6) Delay and deny this unnecessary and harmful, fossil fuel infrastructure expansion and consequent exploitation of private and public resources.

Besides urging public participation in comments and testimony for this project's drilling application and integration contested case, WIRT offers these formal remarks drawn from our multiple years of experience, knowledge, and direct interests in this and previous, related, drilling applications, spacing and integration orders, and legal challenges considered at state hearings and in federal courts. This letter of objection also arises from detailed suggestions and guides provided by our colleagues of Citizens Allied for Integrity and Accountability (CAIA) and project-impacted property and mineral holders. We fully support and incorporate by reference into these comments their resistance to the Barlow 1-14 and 2-14 wells and forced integration and their successful, U.S. District Court case rulings, which prompted currently proposed and permitted, SROG well drilling and spacing applications and this integration order contested case. Together, we have identified the following, described problems with the SROG Barlow 2-14 well application, improperly conflated Barlow 1-14 well integration order, and fossil fuels extraction from both Barlow wells, all of which do not adequately evaluate oil and gas production and transportation risks.

Vulnerable Barlow 1-14 & 2-14 Well Locations

Despite outlined precautions in the Barlow 2-14 well application, explaining site preparation and limitations on well and well pad discharges under normal operating conditions, no description appears in the application stating how well operators will handle accidental or incidental releases of polluting and explosive fluids and emissions that could contaminate the surrounding environment, watershed, and inhabitants. Besides mentioning that the well site will include trenches to collect rain and wash water for controlled release or appropriate disposal and to supply material for earthen berms around the location, SROG presents no information in its application about how it will inhibit and mitigate the migration of radioactive, toxic gas from drilled depths to the surface, along the annulus around well casings that powerful flood waters could potentially infiltrate and scour. Considering the riverside location of the Barlow 1-14 and proposed, Barlow 2-14 wells in a floodplain, WIRT expects that permitting and subsequent drilling of these wells will result in significant pollution of fresh water supplies, as prohibited by IDAPA 20.07.02, the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, a possibility that requires IOGCC/IDL denial of drilling permit issuance for this SROG application and its necessary integration order [10]. The Barlow 2-14 application specifically states that, per IDAPA 20.07.02.200.05 regulations, well drilling applications and state permits may be denied, if "a proposed well will result in a waste of oil or gas, a violation of correlative rights, or the pollution of fresh water supplies" [10].

WIRT associates object to the placement of the directionally-drilled, Barlow 1-14 and 2-14 wells, surrounded by casing that will immediately or soon leak or face a 50-percent chance of seeping within 30 years, in such close proximity to the ordinary high water mark of the largest water body in the area, only 465 feet from the Payette River. Even without hydraulic fracturing ("fracking"), acidizing, or other well stimulation treatments, the majority of water pollution problems arising from gas and oil drilling across the United States has implicated aging and improper construction of well casings. Industry studies show that five to seven percent

of all new oil and gas wells leak and that, as wells deteriorate, 50 percent fail mechanical integrity tests within 30 years. Ground and surface water poisoning can carelessly or intentionally occur from the fluids that result as a byproduct of drilling: The deeper the well, the more radioactive the produced material, as in this case, where wells target a reservoir thousands of feet deep. Regular, municipal water quality tests required by the Safe Drinking Water Act may overlook certain poisonous water constituents wrought by well development. Surely, down-gradient wetlands and their wildlife residents in this floodplain, downriver, City of Fruitland, and private, drinking water intake facilities, downstream, economically vital, agricultural and recreational enterprises, and the ecologically unique, Payette/Snake River confluence deserve stronger protections against the possibilities of surface and ground water contamination than permitting and producing the predictably polluting Barlow 1-14 and 2-14 gas and oil wells.

Located in the floodplain of the Payette River, full of standing water, wetlands, riparian areas, and wildlife habitat, the soggy, Barlow 2-14 well site would further risk the already precarious integrity of cement and metal well casings around both the Barlow 1-14 and 2-14 wells located near local fault lines in the fifth most seismically active U.S. state. The Treasure Valley has experienced scores of aftershocks since the 6.5 magnitude earthquake on March 31, 2020, which may have already compromised the mechanical integrity of dozens of lower Payette River watershed fossil fuels wells [11]. Subterranean intrusion of a second tenuous drilling project, only 20 feet from the failed, likely aquifer-polluting, Barlow 1-14 well, would not only compound cumulative, local, oil and gas well damages to water and hydrocarbon reservoirs, all disrupted by recent quakes, but could also eventually lead to land subsidence, disturbing the surface features of low-lying, flood-prone lands surrounding and/or buttressing the Barlow 1-14 and 2-14 wells. Compacted, impermeable, well construction features and nearby roads and irrigation structures, combined with saturated soil conditions or flooding events involving the proposed and drilled well and well pad, could significantly impact surrounding and downstream irrigation water systems and the individual and shared water rights and resources of irrigation district water users. Barlow 1-14 and 2-14 well inundation and pollution mishaps and associated hazards could compromise the value, insurability, and salability of private property, especially existing agricultural businesses, residential dwellings, and water wells downstream from these wells. In states long ravaged by oil and gas industry snafus, like Pennsylvania and Colorado, responsible local and state agencies have approved a minimum setback distance of 1000 feet between wells and private residential structures, greater than the 710 feet to the nearest, occupied structure depicted in the Barlow 2-14 well application. Oil and gas development so close to private and public structures and waterways displays reckless disregard by SROG, IOGCC, and IDL for peer-reviewed science that recommends half-mile setbacks, and demonstrates a perspective of Idaho citizens and their properties as collateral damage. These potentialities and emergency contingency considerations are addressed nowhere in the Barlow 2-14 drilling application. It is thus incomplete and reasonably denied a state permit, as mandated by IDAPA 20.07.02.200.05 and stated in the application, and could also make SROG and the state of Idaho liable for damages and compensation sought through litigation, in the aftermath of a natural or industry disaster.

Surrounding and down-current from the proposed Barlow 2-14 and drilled Barlow 1-14 wells, myriad plants and wildlife species find refuge in the braided channels, lush islands, riparian banks, remote wetlands and ponds, and creek convergences of the Payette River, and would suffer similar, if not magnified, significant impacts like those foisted upon the nearby homes and working ranches, exposed, community irrigation canals, and neighbors in the immediate vicinity, who choose to live in the relatively clean and quiet, rural landscape. Drilling in riverine places most vulnerable to air, water, and soil contamination is not in the best interests of Idahoans and the environments upon which we rely for local agricultural, economic, and recreational activities and productivity. The constant air, noise, and visual pollution, increased traffic, compromised health of individuals, families, and friends, and reduced home, business, and land property values make the human, wildlife, and environmental health and safety ramifications of the Barlow 1-14 and 2-14 wells enormous. Out-of-state companies, workers, and consumers extracting, transporting, exporting, and combusting Idaho hydrocarbon resources could cause residents to relinquish lands and waters essential to securing basic amenities, like food, water, and shelter, and to reduce their participation in productive, economic activities. With these development externalities ultimately costing Idahoans more than the immediate benefits received from drill-and-run, oil and gas exploiters, WIRT cannot imagine a clearer instance of a “proposed well resulting in a waste of oil or gas, a violation of correlative rights, or the pollution of fresh water supplies,” forbidden by IDAPA 20.07.02 and eligible for well permit denial under IDAPA 20.07.02.200.05, as noted in the Barlow 2-14 well application [3, 10].

Backed only by increasingly questionable financial resources, and abetted by IDL drilling permits and leases of public and private lands and minerals at ridiculously low rates, crowded, expensive, exploratory “wildcat”

forays into southwestern Idaho gas fields by SROG and its predecessors reveal both the regional reservoir's marginal productivity and its desperate theft by corporate usurpers of rights and resources. Geologists have stated that the target area holds very little oil and gas reserves, obvious in the close proximity of wells that could not only rupture the integrity of underground water and methane reservoirs but that could also require toxic, potentially tragic, well stimulation techniques to maximize flows from small hydrocarbon deposits. Moreover, such apparently meager oil and gas resources in Idaho, previously bypassed by larger fossil fuels companies, before current, extreme energy extraction technologies like fracking emerged, can only be developed and moved to market with great difficulty and cost to the state, county, leasers, and oil and gas companies, due to lack of appropriate, existing infrastructure.

Payette County citizens and officials have observed and documented with digital, dated photos and videos numerous, risky practices at the Barlow 1-14 and other well sites, before, during, and after drilling commenced. They witnessed a leaking, liquid-bearing vehicle parked on the dirt road to a well pad paralleling Highway 52, standing water covering a well pad prior to drilling, and a generator next to a freshly dug hole, which appeared to pump groundwater (and toxic chemicals?) from under a dirt drill pad in a floodplain. Personnel at one site utilized a loader and a shovel to dump sawdust and shavings on top of a possible diesel fuel or drilling mud spill, covering an area at least 15 feet by 25 feet and of unknown volumes, but with a strong diesel odor [12]. Crews undertook no efforts to remove or remediate the contaminated soil/shavings during the following week of citizen monitoring, and a formal public records request to IDL offices in Boise, for a spill incident report, revealed no agency knowledge of the situation nor the appropriate reporting and remediating procedures for such spills at IDL-permitted oil and gas wells. WIRT further reminds IOGCC and IDL of the some of the worst, local manifestations of corrupt, industry practices that occurred when SROG partner/predecessor Alta Mesa treated a well without legally required notification, application, approval, inspection, and documentation of production stimulation treatments.

While SROG hurriedly installs gathering lines under miles of Payette River floodplain, from a dozen idle, shut-in wells to the Highway 30 processing plant and a decades-old, regional pipeline, Payette County hydrocarbon exploration, extraction, and production and subsequent climate disruption could soon escalate. Rapid, destructive, oil and gas development beside the Payette River, especially imposing well treatments such as fracking and acidizing, could deplete nearby wildlife and perhaps unlawfully obtained, over-allocated water and could mix drilling mud chemicals in this high-water-table floodplain with surrounding wetlands, creeks, rivers, and wildlife habitat. The eventual, probably disastrous outcomes of the Barlow 1-14 and 2-14 wells could set dangerous precedents for impending drilling, fracking, and acidizing on and under state lands and waters already leased by Alta Mesa and Snake River Oil and Gas. The Idaho Department of Fish and Game has leased Payette River Wildlife Management Area lands a few miles upstream for drilling near and below the river, while excluding less toxic and disruptive, public recreation that could disturb breeding and nesting, resident and migratory birds. The Idaho Department of Lands has similarly leased thousands of acres around and beneath the Boise and Snake rivers and the majority of the Payette River in Payette County [13].

Floodplain Management

The Idaho Department of Water Resources' Idaho Flood Hazard Map identifies the Barlow 1-14 and 2-14 well sites as within the Federal Emergency Management Agency's (FEMA) second most risky type of floodplain, "flood hazard area A" [14, 15]. According to federal regulations, Payette County must oversee development in a floodplain.

A floodplain development permit from the community is required for drilling oil and gas wells in a Special Flood Hazard Area...Any equipment at the site that could be damaged by floodwaters will have to be elevated above the BFE [base flood elevations] or made watertight and anchored to resist floatation, collapse, and lateral movement...Any material stored on the site that is highly volatile, flammable, explosive, toxic, or water reactive should be protected to at least the level of the 500-year flood...The community must also ensure that the developer has obtained any other required federal, state, and local permits prior to issuance of a floodplain development permit. This includes a permit from the state agency that regulates oil and gas activities and a spill prevention and counter measure plan...If a drilling site is located in the floodplain, the developer should have an emergency action plan in place [14].

The Barlow 2-14 well drilling application does not note the floodplain characteristics and attendant regulations that SROG must consider and honor to proceed with oil and gas well development. Without proper

government involvement in decisions about this well, SROG would inflict risks of huge financial losses incurred by the state of Idaho and Payette County and their citizens, during and after future floods complicated by this Barlow oil and gas infrastructure and procedural negligence that undermine attempts to seek and secure payment of related insurance and government assistance.

In order for people in your county to be able to get flood insurance, or receive benefits from FEMA in the event of a flood (or maybe other) disaster, the county (or municipality if you happen to be in a town or city) has to have a 'floodplain ordinance.' That ordinance contains limits on construction in the floodplain...This is supposed to prevent filling the floodplain...that would make future floods more severe and damaging. The floodplain ordinance also contains a permit system that is supposed to make sure that the limits are observed. These ordinances have not always been applied to gas drilling etc. operations. But the ordinances do apply to drillers, and enforcement is occurring now. FEMA itself has recently issued technical guidance for floodplain permitting for oil and gas wells.

The driller has to get a permit from the county floodplain administrator before it can begin moving dirt into a 'flood hazard' area, which is another word for a floodplain. The decision of the floodplain administrator can be appealed to the county commission. (Note that this floodplain ordinance/permit is a function of COUNTY government. The STATE Department of [Lands] does NOT issue or enforce this permit. The state [IDL] may informally make sure that the driller has at least applied for the county permit, before the state will get to work issuing the state driller permit.) [16]

Although floods occur regularly in the Payette River watershed – as recently as 1996-97, 2001, 2010, 2014, and later – with Fruitland and Payette perched precariously close to its outlet into the Snake River, Payette County appears either unaware or unprepared for the legal necessity of a flood administrator, floodplain ordinance, and floodplain development permits [17-20]. FEMA mandates county compliance with federal floodplain management and wetland protection regulations, and thus could trump state of Idaho laws constraining county and city authority over oil and gas infrastructure (except planning and zoning laws), such as House Bill 464, state rules governing such development, and permitting decisions by agencies like IDL and IOGCC [21].

Local communities, the state, and FEMA developed the 2012 Payette Watershed Partnership Agreement, “a draft based on the results of discovery and subject to change...[that] will be finalized when agreement is reached” [22]. Its tentative nature implies that Payette River basin counties have not completed floodplain ordinances, much less established flood administrators and the consequent capacity to permit floodplain development, such as both the present and proposed Barlow wells. Therefore, we are sending these extensive, Barlow 2-14 well drilling, spacing, and integration comments to not only IOGCC and IDL but to Payette County, the U.S. Environmental Protection Agency, Federal Emergency Management Agency, and other federal, state, and local agencies, to alert them to the potential violations of county, state, and federal codes that state permitting of the Barlow wells has or will impose. Such missteps could compromise county and citizen flood insurance and federal emergency assistance, not to mention tempt oil and gas field disasters similar to the September 2013, eastern Colorado floods and/or invite legal challenges and injunctions of Barlow 1-14 and 2-14 well permits and orders, arising from civil lawsuits against the county, state, and corporations [23].

Inadequate Drilling, Spacing, & Integration Applications

Obvious to only cursory inspection beyond filed drawings, pictures, briefs, motions, and vague assurances, several components and many specifics of SROG's Barlow 2-14 well plans appear redacted or postponed, and its spacing and integration applications are completely absent. With the recently drilled, Barlow 1-14 well so close, the necessity of exploratory drilling of a second well seems suspicious. In stating the distance and direction of the Barlow 2-14 well from the nearest structures, SROG does not fully disclose the well location in its incomplete application. The company inadequately mentions the possible, dangerous repercussions of the proximity of its proposed Barlow 2-14 well to its adjacent, drilled, completed, and producing Barlow 1-14 well, only 20 feet away. Like separate well leases, the Barlow 2-14 well similarly requires legally binding, spacing and integration applications and orders separate from the Barlow 1-14 well, despite the existence of an earlier well drilled into the same reservoir. Nondisclosure in this application of the northeasterly distance between the previously drilled Barlow 1-14 well and the proposed Barlow 2-14 well may violate Idaho Oil and

Gas Conservation Commission well spacing orders established for the state of Idaho [24]. State documents and legal proceedings of the present contested case, while questioning the applicability of the Barlow 1-14 well integration order to the Barlow 2-14 well, may ultimately abet, with approval of this arrangement, and thus share the burden of harm to impacted parties, of SROG's attempts to hasten permitting that disregards state requirements for drilling, spacing, and integrating mineral pools. Although affected stakeholders in the Barlow 1-14 spacing unit and integration order negotiated or resisted leases of their subsurface mineral rights and lands to previous development companies like Alta Mesa, they did not explicitly finalize such agreements with Snake River Oil and Gas. Thus, the Barlow 1-14 integration order and Barlow 2-14 drilling application do not and cannot name the parties involved in affected leases, and accordingly undermine the legitimacy of associated documents, and deter public discernment of financial interests, relationships, and liabilities [25].

With the likely storage and utilization at the proposed Barlow 2-14 well site of the usual slurry of volatile and toxic chemical substances constituting most drilling muds, state rules and laws governing oil and gas development should include stipulations that mandate baseline sampling and testing of the nearby surface and ground water and water wells most vulnerable to contamination by oil and gas extraction activities, before any drilling occurs, not just prior to well treatments. Although only slightly sufficient and protective, Payette County ordinances require such assessment of two adjacent water wells, the Barlow 1-14 and 2-14 well applications lack descriptions of these imperative procedures so critical to the necessary defense of the health and safety of Idahoans and the water and environmental resources upon which we rely for long-standing economic endeavors, such as agricultural production. Omitting descriptions in Barlow 2-14 well applications of the locations and current conditions of impacted aquifers and the closest water wells discounts and risks pollution of these fresh water supplies, as prohibited by Payette County ordinances and section 50 of IDAPA 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho [10].

Geological profile and prognosis information is questionably redacted in SROG's Barlow 2-14 well drilling application, thus disallowing public deliberation of potential underground interactions between oil, gas, geothermal, and water reservoirs and well structures, which could compromise the integrity and viability of some or all of these resources. The application also lacks topographic contour lines around the well and nearby private and public structures and water bodies in the enclosed map, which would otherwise clearly illustrate the possible down-gradient relationships of these features to the well and indicate the paths that surface spills could travel if they happen. This lapse is especially troubling considering that the proposed well targets floodplain bottomlands near a major water course, the Payette River, upstream only a mile-plus from the City of Fruitland water intake facility. These aforementioned instances of SROG's neglect, omission, redaction, and secrecy, evident in its application for a permit to drill the Barlow 2-14 well, violate section 50 of IDAPA 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, and thus compel IDL/IOGCC's delay and/or denial of approval of this application [10].

Apparent in the schedule of the Barlow 2-14 drilling application filed by SROG, then reviewed, revised, rejected, and ultimately approved by the state of Idaho, SROG never intended to seek a separate spacing and integration order for the Barlow 2-14 pool, which it should have requested via applications prior to securing a well drilling permit and planning work start dates with contracted companies. Such maneuvers belie the intentions of SROG, IDL, and IOGCC to remain unamenable to accepting, much less considering and acting upon, public comments that are predictably shouted by SROG legal filings and hearings. Section 51 of IDAPA 20.07.02 mandates that industry-submitted applications, such as the absent Barlow 2-14 well spacing and integration applications, be posted on IDL's website for a fifteen-day (15) period, to receive written, public and stakeholder comments on whether a proposed application complies with Idaho oil and gas rules. Idaho laws also require that IOGCC and IDL consider all relevant comments, prior to permit approval or denial, and post comments on IDL's website during and following the comment period [10].

How can these state agencies legally allow such rushed drilling, spacing, and integration schedules and burden the public with examining and offering feedback on applications already approved or never submitted? A front-loaded, Barlow 2-14 drilling application and lack of documents and comment periods and deadlines for attendant spacing and integration applications, within an already too-brief time frame amid a pandemic, all imply inexplicable dismissal of justified public concerns about the proposed drilling plan's violations of Idaho code. For instance, despite the relevance of prior WIRT comments to previous drilling applications and the state's permitting decision processes, IDL has rarely posted WIRT remarks and has not publicly compelled revision and/or rejection of incomplete and/or illegal, previous drilling applications for oil and gas wells in Payette and Canyon County, such as this SROG proposal. We accordingly anticipate stronger IDL communication with the public and comment periods opened or reopened for public scrutiny and input on

Barlow 2-14 well drilling, spacing, and integration applications and permits, in response to the information set forth here and in other citizen comments that substantiate SROG application changes.

Premature Barlow 2-14 Well & Integration Approval

* Does not ensure the protection of the constitutional rights of not only impacted mineral and property owners but also nearby residents, businesses, and all other Idaho citizens and communities that could encounter oil and gas extraction in the future. State regulatory decisions on this Barlow situation would set precedents for the hundreds of thousands of acres leased by oil and gas companies for drilling activities that could adversely affect neighborhoods in Payette County, across the Treasure Valley, and in eastern and the rest of Idaho.

* Serves as a precursor to another attempt to integrate/force pool, aggressively lease, and destructively extract the oil and gas of unwilling mineral, land, and property owners near the Payette River in the Fruitland area. As the first administrative step toward integration of private mineral interests for oil and gas extraction, spacing applications predictably allow state regulators to force citizens to surrender their privately owned oil and gas for a pittance of its value and without adequate protections of other private and public resources. But neither a spacing application nor integration order exists for the Barlow 2-14 well.

* Targets the same subsection of the tracts specified in prior, SROG, Barlow 1-14 spacing and integration applications, although the combined operation and significant, cumulative impacts of two wells in such close proximity may require modifications of the size of the surrounding spacing units and revised spacing and integration applications for the Barlow 1-14 well already drilled on the banks of the Payette River by SROG affiliates. All the property owners and environment in the initial applications will share the negative impacts of state decisions on recent and previous, Barlow drilling permit applications, spacing unit proposals, and integration orders, regardless of well ownerships and recipients of lease payments and royalties stated in new applications and contested cases.

* Necessitates the same judicial recourses sought by Idaho citizens and granted in 2018 by a federal judge, who ruled that similar applications and their planned actions violate the constitutional, property, and civil rights of Idahoans whose minerals had been force pooled by the state and companies associated with SROG.

* Recklessly endangers Idahoans and their properties and rights, with the senseless rush by Idaho regulators to push well production and integration that result in more costs than benefits to Idahoans, especially during the current, worldwide, oil and gas glut and historically low oil and gas prices, which could together force less expensive, irresponsible business practices that threaten health and safety and pollute water, air, and soil.

* Encourages construction of pipelines to riskily carry oil and gas from wells in the Barlow 1-14 and Barlow 2-14 spacing units under the Payette River in at least two locations, threatening leaks and accidents at gas wells and along pipelines, which could contaminate river water, underground aquifers, Fruitland water supplies and facilities, and farms, ranches, and their products reliant on river-sourced irrigation.

* Prolongs the uncertainty and distrust endured by Idaho citizens concerned about the financial conditions, bankruptcies, changing names, close relationships, failed communications, and questionable accountability of SROG and its numerous, oil and gas company affiliates, and raises doubts about the ongoing rearrangements of compromised well locations, spacing units, integration orders, and forced leases, as citizens await outcomes of class action lawsuits brought by leaseholders in Idaho and other states, alleging theft of their royalties by affiliated companies.

* Supports fossil fuel industry profiteering on access to private resources, against the will of Idahoans, and facilitates drilling and injection of hazardous chemicals through aquifers and in close proximity to waterways, homes, schools, and farms.

Delay & Deny Barlow 2-14 Approvals

As the Idaho citizens who employ IDL and IOGCC, Wild Idaho Rising Tide expects their staff to uphold the well-being of Idaho waters, lands, wildlife, residents, and resources, over the profit-driven motives of private industry and the state's conflicting interests in revenues from reckless corporate pursuits reliant on IDL/IOGCC approval, like the Barlow 1-14 and Barlow 2-14 well drilling and integration proposals. The plans and practices outlined in the pertinent, Barlow 2-14 drilling application and permit and SROG, contested

case filings ignore and jeopardize the clean water and air and environmental and human health and safety that predicate Idahoans' vital and cherished quality of life. State agency decisions and officials paid to serve the public's best interests should not compromise Idaho oil and gas laws and rules to accommodate corporate and state greed. Along with growing public outrage, opposition, and pressure against these risky oil and gas drilling ventures, WIRT will continue to encourage and build resistance across the state, through ongoing statewide presentations and demonstrations, to relentlessly thwart and halt this and further industrial invasions, especially in reaction to obviously dangerous drilling near water courses and other public assets.

In accordance with the current Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, and considering the inadequacies of SROG's applications for the Barlow 2-14 well and the aforementioned and other possible, significant impacts on fresh water supplies, natural resources, public infrastructure, and associated health, social, and economic conditions, we strongly recommend that the IOGCC and IDL responsibly address the concerns and issues raised in these WIRT comments. For the public record, Wild Idaho Rising Tide requests that IOGCC and IDL reject or at least require revision and extended public review of these well permit and integration procedures, to ensure the best stewardship of Idaho's priceless and irreplaceable, public and private resources that their mismanagement could significantly impact and jeopardize.

WIRT recommends that the Idaho Oil and Gas Conservation Commission and Idaho Department of Lands require additional impact evaluations through a revised, SROG, Barlow 2-14 well drilling application and spacing and integration applications explicitly connected to the Barlow 2-14 well, all responsive to citizen and hearing input. We also concur with state denial of a permit for the Barlow 2-14 well drilling application, and demand state denial of imposition of the Barlow 1-14 well spacing unit and integration order on the Barlow 2-14 well, for the previously stated and other commenters' reasons. During this decisive, project review phase and contested case, we ask that IOGCC and IDL consider and act in accordance with our and our colleagues' letters of objection that substantively address the deficiencies of SROG documents and processes, as we offer the counterbalance of regional insights so crucial to government and community protection of watersheds essential to lives and livelihoods. Thank you for accepting our comments on the Barlow 2-14 well drilling application, Barlow 1-14 well integration order applied to the Barlow 2-14 well, and associated contested case, intended both to improve SROG applications and to advocate for justifiably anticipated, state of Idaho rejection of this SROG scheme to further inflict risks on Idahoans, while reaping the benefits of southwest Idaho oil and gas exploitation.

With great concern for our shared natural resources and fellow citizens in Idaho, WIRT appreciates your consideration of these comments and your responses and actions in accordance with them,

/s/ Helen Yost, MSEE
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Wild Idaho Rising Tide

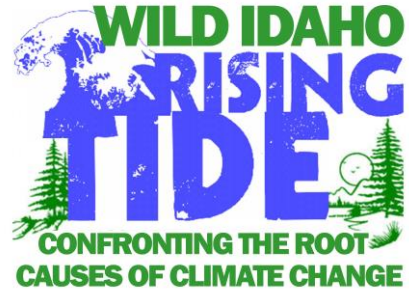
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March 8, 2021

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Sent via email message with attached, duplicate, PDF letter, as an organizational response intended for posting with Docket CC-2020-OGR-01-003 on the Idaho Oil and Gas Conservation Commission website

WIRT Comments on Snake River Oil and Gas Barlow 2-14 Well Drilling Application & Permit, Barlow 1-14 Integration Order Docket CC-2016-OGR-01-001, & Contested Case Docket CC-2020-OGR-01-003

For the official record of Snake River Oil and Gas' (SROG) application to drill the Barlow 2-14 oil and gas well near Fruitland, Payette County, Idaho, submitted to the Idaho Department of Lands (IDL) and Idaho Oil and Gas Conservation Commission (IOGCC), the integration order for the too closely located Barlow 1-14 well (Docket CC-2016-OGR-01-001), which neither applies to the Barlow 2-14 well nor protects Idaho citizens and impacted stakeholders from Barlow 2-14 well harms and damages, and the administrative contested case heard on March 9, 2021 (Docket CC-2020-OGR-01-003), to determine whether the Barlow 1-14 well integration order covers the proposed Barlow 2-14 well, I respectfully offer these written comments and accompanying information on behalf of Wild Idaho Rising Tide (WIRT) and its over 3,200 climate activists, members, friends, supporters, and allies, as citizens of Idaho, Montana, Oregon, Washington, and other U.S. states, who own property, businesses, work, and/or reside in or near the Payette River and surrounding watersheds that SROG Barlow 2-14 drilling application

permit approval, spacing and integration orders, and infrastructure construction and operation for oil and gas development would directly impact. We object to SROG's Barlow 2-14 project invasion and its significant, cumulative impacts on affected communities, critical ecosystems, public air, water, land, and resources, and private and City of Fruitland water sources within the floodplain, on the banks, and under the Payette River, as insufficiently identified and analyzed in SROG's April 10, 2020 application for a permit to drill, in the Barlow 1-14 integration order, and in pertinent government documents and accompanying public notices offering limited public information, via IOGCC and IDL website pages [1-3].

We also object to this SROG project's significant, cumulative, direct and indirect, adverse impacts on climate change, endangered species, cultural resources, socioeconomic and environmental factors, and reasonable public needs including human and environmental health and safety, drinking and agricultural water, and private property values, rights, uses, enjoyment, and insurability. As further public input and information shared with IOGCC and IDL, we incorporate by reference into this letter of opposition to IOGCC/IDL permitting of Barlow 2-14 drilling activities and application of the Barlow 1-14 well integration order to the Barlow 2-14 well the written and oral comments and linked articles and documents of WIRT and all persons and organizations raising oppositional concerns about this project and its applications, documents, and processes relevant to project analyses, presented through all local, state, and federal public processes before, during, and after this contested case on SROG's latest drilling application and absent spacing and integration applications for the Barlow 2-14 well.

WIRT earnestly requests and encourages IOGCC and IDL to: 1) Include in the public record for SROG's Barlow 2-14 drilling application, for the nonexistent, unexamined, Barlow 2-14 spacing and integration applications, for the contested case on applying the inadequate, Barlow 1-14 integration order to the Barlow 2-14 well, and for related, project comment periods these comments and all of our written objections and linked citations enclosed in previous WIRT comments addressing Alta Mesa applications to develop the Kauffman 1-9 and 1-34 wells, the ML Investments 1-3, 1-11, and 2-10 wells, and the Smoke Ranch 1-20 and 1-21 wells, and the Trendwell West application to drill the Smith 1-10 well [4-9], 2) Expand public involvement in this contested case beyond impacted mineral holders, willing and forced leasers, and commenters on the Barlow 2-14 well drilling application, due to incomplete Barlow 2-14 spacing and integration application information and the ongoing COVID-19 pandemic, 3) Conduct open, public hearings and comment periods in the most impacted communities, regarding the Barlow 2-14 well drilling and spacing and integration applications and their relevance to previous, current, and potential spacing and integration orders issued by the state and/or opposed and litigated by concerned stakeholders, 4) Better assess the regional significance, scope, and precedence of this project, through a revised, SROG drilling application, explicit spacing and integration applications, and associated public input processes for the hazardously located Barlow 1-14 and 2-14 wells, 5) Perform a community-preferred, scientifically rigorous, independent, unbiased, full environmental study examining this controversial project, and 6) Delay and deny this unnecessary and harmful, fossil fuel infrastructure expansion and consequent exploitation of private and public resources.

Besides urging public participation in comments and testimony for this project's drilling application and integration contested case, WIRT offers these formal remarks drawn from our

multiple years of experience, knowledge, and direct interests in this and previous, related, drilling applications, spacing and integration orders, and legal challenges considered at state hearings and in federal courts. This letter of objection also arises from detailed suggestions and guides provided by our colleagues of Citizens Allied for Integrity and Accountability (CAIA) and project-impacted property and mineral holders. We fully support and incorporate by reference into these comments their resistance to the Barlow 1-14 and 2-14 wells and forced integration and their successful, U.S. District Court case rulings, which prompted currently proposed and permitted, SROG well drilling and spacing applications and this integration order contested case. Together, we have identified the following, described problems with the SROG Barlow 2-14 well application, improperly conflated Barlow 1-14 well integration order, and fossil fuels extraction from both Barlow wells, all of which do not adequately evaluate oil and gas production and transportation risks.

Vulnerable Barlow 1-14 & 2-14 Well Locations

Despite outlined precautions in the Barlow 2-14 well application, explaining site preparation and limitations on well and well pad discharges under normal operating conditions, no description appears in the application stating how well operators will handle accidental or incidental releases of polluting and explosive fluids and emissions that could contaminate the surrounding environment, watershed, and inhabitants. Besides mentioning that the well site will include trenches to collect rain and wash water for controlled release or appropriate disposal and to supply material for earthen berms around the location, SROG presents no information in its application about how it will inhibit and mitigate the migration of radioactive, toxic gas from drilled depths to the surface, along the annulus around well casings that powerful flood waters could potentially infiltrate and scour. Considering the riverside location of the Barlow 1-14 and proposed, Barlow 2-14 wells in a floodplain, WIRT expects that permitting and subsequent drilling of these wells will result in significant pollution of fresh water supplies, as prohibited by IDAPA 20.07.02, the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, a possibility that requires IOGCC/IDL denial of drilling permit issuance for this SROG application and its necessary integration order [10]. The Barlow 2-14 application specifically states that, per IDAPA 20.07.02.200.05 regulations, well drilling applications and state permits may be denied, if “a proposed well will result in a waste of oil or gas, a violation of correlative rights, or the pollution of fresh water supplies” [10].

WIRT associates object to the placement of the directionally-drilled, Barlow 1-14 and 2-14 wells, surrounded by casing that will immediately or soon leak or face a 50-percent chance of seeping within 30 years, in such close proximity to the ordinary high water mark of the largest water body in the area, only 465 feet from the Payette River. Even without hydraulic fracturing (“fracking”), acidizing, or other well stimulation treatments, the majority of water pollution problems arising from gas and oil drilling across the United States has implicated aging and improper construction of well casings. Industry studies show that five to seven percent of all new oil and gas wells leak and that, as wells deteriorate, 50 percent fail mechanical integrity tests within 30 years. Ground and surface water poisoning can carelessly or intentionally occur from the fluids that result as a byproduct of drilling: The deeper the well, the more radioactive the produced material, as in this case, where wells target a reservoir thousands of feet deep. Regular, municipal water quality tests required by the Safe Drinking Water Act may overlook certain

poisonous water constituents wrought by well development. Surely, down-gradient wetlands and their wildlife residents in this floodplain, downriver, City of Fruitland, and private, drinking water intake facilities, downstream, economically vital, agricultural and recreational enterprises, and the ecologically unique, Payette/Snake River confluence deserve stronger protections against the possibilities of surface and ground water contamination than permitting and producing the predictably polluting Barlow 1-14 and 2-14 gas and oil wells.

Located in the floodplain of the Payette River, full of standing water, wetlands, riparian areas, and wildlife habitat, the soggy, Barlow 2-14 well site would further risk the already precarious integrity of cement and metal well casings around both the Barlow 1-14 and 2-14 wells located near local fault lines in the fifth most seismically active U.S. state. The Treasure Valley has experienced scores of aftershocks since the 6.5 magnitude earthquake on March 31, 2020, which may have already compromised the mechanical integrity of dozens of lower Payette River watershed fossil fuels wells [11]. Subterranean intrusion of a second tenuous drilling project, only 20 feet from the failed, likely aquifer-polluting, Barlow 1-14 well, would not only compound cumulative, local, oil and gas well damages to water and hydrocarbon reservoirs, all disrupted by recent quakes, but could also eventually lead to land subsidence, disturbing the surface features of low-lying, flood-prone lands surrounding and/or buttressing the Barlow 1-14 and 2-14 wells. Compacted, impermeable, well construction features and nearby roads and irrigation structures, combined with saturated soil conditions or flooding events involving the proposed and drilled well and well pad, could significantly impact surrounding and downstream irrigation water systems and the individual and shared water rights and resources of irrigation district water users. Barlow 1-14 and 2-14 well inundation and pollution mishaps and associated hazards could compromise the value, insurability, and salability of private property, especially existing agricultural businesses, residential dwellings, and water wells downstream from these wells. In states long ravaged by oil and gas industry snafus, like Pennsylvania and Colorado, responsible local and state agencies have approved a minimum setback distance of 1000 feet between wells and private residential structures, greater than the 710 feet to the nearest, occupied structure depicted in the Barlow 2-14 well application. Oil and gas development so close to private and public structures and waterways displays reckless disregard by SROG, IOGCC, and IDL for peer-reviewed science that recommends half-mile setbacks, and demonstrates a perspective of Idaho citizens and their properties as collateral damage. These potentialities and emergency contingency considerations are addressed nowhere in the Barlow 2-14 drilling application. It is thus incomplete and reasonably denied a state permit, as mandated by IDAPA 20.07.02.200.05 and stated in the application, and could also make SROG and the state of Idaho liable for damages and compensation sought through litigation, in the aftermath of a natural or industry disaster.

Surrounding and down-current from the proposed Barlow 2-14 and drilled Barlow 1-14 wells, myriad plants and wildlife species find refuge in the braided channels, lush islands, riparian banks, remote wetlands and ponds, and creek convergences of the Payette River, and would suffer similar, if not magnified, significant impacts like those foisted upon the nearby homes and working ranches, exposed, community irrigation canals, and neighbors in the immediate vicinity, who choose to live in the relatively clean and quiet, rural landscape. Drilling in riverine places most vulnerable to air, water, and soil contamination is not in the best interests of Idahoans and the environments upon which we rely for local agricultural, economic, and recreational activities

and productivity. The constant air, noise, and visual pollution, increased traffic, compromised health of individuals, families, and friends, and reduced home, business, and land property values make the human, wildlife, and environmental health and safety ramifications of the Barlow 1-14 and 2-14 wells enormous. Out-of-state companies, workers, and consumers extracting, transporting, exporting, and combusting Idaho hydrocarbon resources could cause residents to relinquish lands and waters essential to securing basic amenities, like food, water, and shelter, and to reduce their participation in productive, economic activities. With these development externalities ultimately costing Idahoans more than the immediate benefits received from drill-and-run, oil and gas exploiters, WIRT cannot imagine a clearer instance of a “proposed well resulting in a waste of oil or gas, a violation of correlative rights, or the pollution of fresh water supplies,” forbidden by IDAPA 20.07.02 and eligible for well permit denial under IDAPA 20.07.02.200.05, as noted in the Barlow 2-14 well application [3, 10].

Backed only by increasingly questionable financial resources, and abetted by IDL drilling permits and leases of public and private lands and minerals at ridiculously low rates, crowded, expensive, exploratory “wildcat” forays into southwestern Idaho gas fields by SROG and its predecessors reveal both the regional reservoir’s marginal productivity and its desperate theft by corporate usurpers of rights and resources. Geologists have stated that the target area holds very little oil and gas reserves, obvious in the close proximity of wells that could not only rupture the integrity of underground water and methane reservoirs but that could also require toxic, potentially tragic, well stimulation techniques to maximize flows from small hydrocarbon deposits. Moreover, such apparently meager oil and gas resources in Idaho, previously bypassed by larger fossil fuels companies, before current, extreme energy extraction technologies like fracking emerged, can only be developed and moved to market with great difficulty and cost to the state, county, leasers, and oil and gas companies, due to lack of appropriate, existing infrastructure.

Payette County citizens and officials have observed and documented with digital, dated photos and videos numerous, risky practices at the Barlow 1-14 and other well sites, before, during, and after drilling commenced. They witnessed a leaking, liquid-bearing vehicle parked on the dirt road to a well pad paralleling Highway 52, standing water covering a well pad prior to drilling, and a generator next to a freshly dug hole, which appeared to pump groundwater (and toxic chemicals?) from under a dirt drill pad in a floodplain. Personnel at one site utilized a loader and a shovel to dump sawdust and shavings on top of a possible diesel fuel or drilling mud spill, covering an area at least 15 feet by 25 feet and of unknown volumes, but with a strong diesel odor [12]. Crews undertook no efforts to remove or remediate the contaminated soil/shavings during the following week of citizen monitoring, and a formal public records request to IDL offices in Boise, for a spill incident report, revealed no agency knowledge of the situation nor the appropriate reporting and remediating procedures for such spills at IDL-permitted oil and gas wells. WIRT further reminds IOGCC and IDL of the some of the worst, local manifestations of corrupt, industry practices that occurred when SROG partner/predecessor Alta Mesa treated a well without legally required notification, application, approval, inspection, and documentation of production stimulation treatments.

While SROG hurriedly installs gathering lines under miles of Payette River floodplain, from a dozen idle, shut-in wells to the Highway 30 processing plant and a decades-old, regional

pipeline, Payette County hydrocarbon exploration, extraction, and production and subsequent climate disruption could soon escalate. Rapid, destructive, oil and gas development beside the Payette River, especially imposing well treatments such as fracking and acidizing, could deplete nearby wildlife and perhaps unlawfully obtained, over-allocated water and could mix drilling mud chemicals in this high-water-table floodplain with surrounding wetlands, creeks, rivers, and wildlife habitat. The eventual, probably disastrous outcomes of the Barlow 1-14 and 2-14 wells could set dangerous precedents for impending drilling, fracking, and acidizing on and under state lands and waters already leased by Alta Mesa and Snake River Oil and Gas. The Idaho Department of Fish and Game has leased Payette River Wildlife Management Area lands a few miles upstream for drilling near and below the river, while excluding less toxic and disruptive, public recreation that could disturb breeding and nesting, resident and migratory birds. The Idaho Department of Lands has similarly leased thousands of acres around and beneath the Boise and Snake rivers and the majority of the Payette River in Payette County [13].

Floodplain Management

The Idaho Department of Water Resources' Idaho Flood Hazard Map identifies the Barlow 1-14 and 2-14 well sites as within the Federal Emergency Management Agency's (FEMA) second most risky type of floodplain, "flood hazard area A" [14, 15]. According to federal regulations, Payette County must oversee development in a floodplain.

A floodplain development permit from the community is required for drilling oil and gas wells in a Special Flood Hazard Area...Any equipment at the site that could be damaged by floodwaters will have to be elevated above the BFE [base flood elevations] or made watertight and anchored to resist floatation, collapse, and lateral movement...Any material stored on the site that is highly volatile, flammable, explosive, toxic, or water reactive should be protected to at least the level of the 500-year flood...The community must also ensure that the developer has obtained any other required federal, state, and local permits prior to issuance of a floodplain development permit. This includes a permit from the state agency that regulates oil and gas activities and a spill prevention and counter measure plan...If a drilling site is located in the floodplain, the developer should have an emergency action plan in place [14].

The Barlow 2-14 well drilling application does not note the floodplain characteristics and attendant regulations that SROG must consider and honor to proceed with oil and gas well development. Without proper government involvement in decisions about this well, SROG would inflict risks of huge financial losses incurred by the state of Idaho and Payette County and their citizens, during and after future floods complicated by this Barlow oil and gas infrastructure and procedural negligence that undermine attempts to seek and secure payment of related insurance and government assistance.

In order for people in your county to be able to get flood insurance, or receive benefits from FEMA in the event of a flood (or maybe other) disaster, the county (or municipality if you happen to be in a town or city) has to have a 'floodplain ordinance.' That ordinance contains limits on construction in the floodplain...This

is supposed to prevent filling the floodplain...that would make future floods more severe and damaging. The floodplain ordinance also contains a permit system that is supposed to make sure that the limits are observed. These ordinances have not always been applied to gas drilling etc. operations. But the ordinances do apply to drillers, and enforcement is occurring now. FEMA itself has recently issued technical guidance for floodplain permitting for oil and gas wells.

The driller has to get a permit from the county floodplain administrator before it can begin moving dirt into a 'flood hazard' area, which is another word for a floodplain. The decision of the floodplain administrator can be appealed to the county commission. (Note that this floodplain ordinance/permit is a function of COUNTY government. The STATE Department of [Lands] does NOT issue or enforce this permit. The state [IDL] may informally make sure that the driller has at least applied for the county permit, before the state will get to work issuing the state driller permit.) [16]

Although floods occur regularly in the Payette River watershed – as recently as 1996-97, 2001, 2010, 2014, and later – with Fruitland and Payette perched precariously close to its outlet into the Snake River, Payette County appears either unaware or unprepared for the legal necessity of a flood administrator, floodplain ordinance, and floodplain development permits [17-20]. FEMA mandates county compliance with federal floodplain management and wetland protection regulations, and thus could trump state of Idaho laws constraining county and city authority over oil and gas infrastructure (except planning and zoning laws), such as House Bill 464, state rules governing such development, and permitting decisions by agencies like IDL and IOGCC [21].

Local communities, the state, and FEMA developed the 2012 Payette Watershed Partnership Agreement, “a draft based on the results of discovery and subject to change...[that] will be finalized when agreement is reached” [22]. Its tentative nature implies that Payette River basin counties have not completed floodplain ordinances, much less established flood administrators and the consequent capacity to permit floodplain development, such as both the present and proposed Barlow wells. Therefore, we are sending these extensive, Barlow 2-14 well drilling, spacing, and integration comments to not only IOGCC and IDL but to Payette County, the U.S. Environmental Protection Agency, Federal Emergency Management Agency, and other federal, state, and local agencies, to alert them to the potential violations of county, state, and federal codes that state permitting of the Barlow wells has or will impose. Such missteps could compromise county and citizen flood insurance and federal emergency assistance, not to mention tempt oil and gas field disasters similar to the September 2013, eastern Colorado floods and/or invite legal challenges and injunctions of Barlow 1-14 and 2-14 well permits and orders, arising from civil lawsuits against the county, state, and corporations [23].

Inadequate Drilling, Spacing, & Integration Applications

Obvious to only cursory inspection beyond filed drawings, pictures, briefs, motions, and vague assurances, several components and many specifics of SROG's Barlow 2-14 well plans appear redacted or postponed, and its spacing and integration applications are completely absent. With the recently drilled, Barlow 1-14 well so close, the necessity of exploratory drilling of a second

well seems suspicious. In stating the distance and direction of the Barlow 2-14 well from the nearest structures, SROG does not fully disclose the well location in its incomplete application. The company inadequately mentions the possible, dangerous repercussions of the proximity of its proposed Barlow 2-14 well to its adjacent, drilled, completed, and producing Barlow 1-14 well, only 20 feet away. Like separate well leases, the Barlow 2-14 well similarly requires legally binding, spacing and integration applications and orders separate from the Barlow 1-14 well, despite the existence of an earlier well drilled into the same reservoir. Nondisclosure in this application of the northeasterly distance between the previously drilled Barlow 1-14 well and the proposed Barlow 2-14 well may violate Idaho Oil and Gas Conservation Commission well spacing orders established for the state of Idaho [24]. State documents and legal proceedings of the present contested case, while questioning the applicability of the Barlow 1-14 well integration order to the Barlow 2-14 well, may ultimately abet, with approval of this arrangement, and thus share the burden of harm to impacted parties, of SROG's attempts to hasten permitting that disregards state requirements for drilling, spacing, and integrating mineral pools. Although affected stakeholders in the Barlow 1-14 spacing unit and integration order negotiated or resisted leases of their subsurface mineral rights and lands to previous development companies like Alta Mesa, they did not explicitly finalize such agreements with Snake River Oil and Gas. Thus, the Barlow 1-14 integration order and Barlow 2-14 drilling application do not and cannot name the parties involved in affected leases, and accordingly undermine the legitimacy of associated documents, and deter public discernment of financial interests, relationships, and liabilities [25].

With the likely storage and utilization at the proposed Barlow 2-14 well site of the usual slurry of volatile and toxic chemical substances constituting most drilling muds, state rules and laws governing oil and gas development should include stipulations that mandate baseline sampling and testing of the nearby surface and ground water and water wells most vulnerable to contamination by oil and gas extraction activities, before any drilling occurs, not just prior to well treatments. Although only slightly sufficient and protective, Payette County ordinances require such assessment of two adjacent water wells, the Barlow 1-14 and 2-14 well applications lack descriptions of these imperative procedures so critical to the necessary defense of the health and safety of Idahoans and the water and environmental resources upon which we rely for long-standing economic endeavors, such as agricultural production. Omitting descriptions in Barlow 2-14 well applications of the locations and current conditions of impacted aquifers and the closest water wells discounts and risks pollution of these fresh water supplies, as prohibited by Payette County ordinances and section 50 of IDAPA 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho [10].

Geological profile and prognosis information is questionably redacted in SROG's Barlow 2-14 well drilling application, thus disallowing public deliberation of potential underground interactions between oil, gas, geothermal, and water reservoirs and well structures, which could compromise the integrity and viability of some or all of these resources. The application also lacks topographic contour lines around the well and nearby private and public structures and water bodies in the enclosed map, which would otherwise clearly illustrate the possible down-gradient relationships of these features to the well and indicate the paths that surface spills could travel if they happen. This lapse is especially troubling considering that the proposed well targets floodplain bottomlands near a major water course, the Payette River, upstream only a

mile-plus from the City of Fruitland water intake facility. These aforementioned instances of SROG's neglect, omission, redaction, and secrecy, evident in its application for a permit to drill the Barlow 2-14 well, violate section 50 of IDAPA 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, and thus compel IDL/IOGCC's delay and/or denial of approval of this application [10].

Apparent in the schedule of the Barlow 2-14 drilling application filed by SROG, then reviewed, revised, rejected, and ultimately approved by the state of Idaho, SROG never intended to seek a separate spacing and integration order for the Barlow 2-14 pool, which it should have requested via applications prior to securing a well drilling permit and planning work start dates with contracted companies. Such maneuvers belie the intentions of SROG, IDL, and IOGCC to remain unamenable to accepting, much less considering and acting upon, public comments that are predictably shouted by SROG legal filings and hearings. Section 51 of IDAPA 20.07.02 mandates that industry-submitted applications, such as the absent Barlow 2-14 well spacing and integration applications, be posted on IDL's website for a fifteen-day (15) period, to receive written, public and stakeholder comments on whether a proposed application complies with Idaho oil and gas rules. Idaho laws also require that IOGCC and IDL consider all relevant comments, prior to permit approval or denial, and post comments on IDL's website during and following the comment period [10].

How can these state agencies legally allow such rushed drilling, spacing, and integration schedules and burden the public with examining and offering feedback on applications already approved or never submitted? A front-loaded, Barlow 2-14 drilling application and lack of documents and comment periods and deadlines for attendant spacing and integration applications, within an already too-brief time frame amid a pandemic, all imply inexplicable dismissal of justified public concerns about the proposed drilling plan's violations of Idaho code. For instance, despite the relevance of prior WIRT comments to previous drilling applications and the state's permitting decision processes, IDL has rarely posted WIRT remarks and has not publicly compelled revision and/or rejection of incomplete and/or illegal, previous drilling applications for oil and gas wells in Payette and Canyon County, such as this SROG proposal. We accordingly anticipate stronger IDL communication with the public and comment periods opened or reopened for public scrutiny and input on Barlow 2-14 well drilling, spacing, and integration applications and permits, in response to the information set forth here and in other citizen comments that substantiate SROG application changes.

Premature Barlow 2-14 Well & Integration Approval

* Does not ensure the protection of the constitutional rights of not only impacted mineral and property owners but also nearby residents, businesses, and all other Idaho citizens and communities that could encounter oil and gas extraction in the future. State regulatory decisions on this Barlow situation would set precedents for the hundreds of thousands of acres leased by oil and gas companies for drilling activities that could adversely affect neighborhoods in Payette County, across the Treasure Valley, and in eastern and the rest of Idaho.

* Serves as a precursor to another attempt to integrate/force pool, aggressively lease, and destructively extract the oil and gas of unwilling mineral, land, and property owners near the

Payette River in the Fruitland area. As the first administrative step toward integration of private mineral interests for oil and gas extraction, spacing applications predictably allow state regulators to force citizens to surrender their privately owned oil and gas for a pittance of its value and without adequate protections of other private and public resources. But neither a spacing application nor integration order exists for the Barlow 2-14 well.

* Targets the same subsection of the tracts specified in prior, SROG, Barlow 1-14 spacing and integration applications, although the combined operation and significant, cumulative impacts of two wells in such close proximity may require modifications of the size of the surrounding spacing units and revised spacing and integration applications for the Barlow 1-14 well already drilled on the banks of the Payette River by SROG affiliates. All the property owners and environment in the initial applications will share the negative impacts of state decisions on recent and previous, Barlow drilling permit applications, spacing unit proposals, and integration orders, regardless of well ownerships and recipients of lease payments and royalties stated in new applications and contested cases.

* Necessitates the same judicial recourses sought by Idaho citizens and granted in 2018 by a federal judge, who ruled that similar applications and their planned actions violate the constitutional, property, and civil rights of Idahoans whose minerals had been force pooled by the state and companies associated with SROG.

* Recklessly endangers Idahoans and their properties and rights, with the senseless rush by Idaho regulators to push well production and integration that result in more costs than benefits to Idahoans, especially during the current, worldwide, oil and gas glut and historically low oil and gas prices, which could together force less expensive, irresponsible business practices that threaten health and safety and pollute water, air, and soil.

* Encourages construction of pipelines to riskily carry oil and gas from wells in the Barlow 1-14 and Barlow 2-14 spacing units under the Payette River in at least two locations, threatening leaks and accidents at gas wells and along pipelines, which could contaminate river water, underground aquifers, Fruitland water supplies and facilities, and farms, ranches, and their products reliant on river-sourced irrigation.

* Prolongs the uncertainty and distrust endured by Idaho citizens concerned about the financial conditions, bankruptcies, changing names, close relationships, failed communications, and questionable accountability of SROG and its numerous, oil and gas company affiliates, and raises doubts about the ongoing rearrangements of compromised well locations, spacing units, integration orders, and forced leases, as citizens await outcomes of class action lawsuits brought by leaseholders in Idaho and other states, alleging theft of their royalties by affiliated companies.

* Supports fossil fuel industry profiteering on access to private resources, against the will of Idahoans, and facilitates drilling and injection of hazardous chemicals through aquifers and in close proximity to waterways, homes, schools, and farms.

Delay & Deny Barlow 2-14 Approvals

As the Idaho citizens who employ IDL and IOGCC, Wild Idaho Rising Tide expects their staff to uphold the well-being of Idaho waters, lands, wildlife, residents, and resources, over the profit-driven motives of private industry and the state's conflicting interests in revenues from reckless corporate pursuits reliant on IDL/IOGCC approval, like the Barlow 1-14 and Barlow 2-14 well drilling and integration proposals. The plans and practices outlined in the pertinent, Barlow 2-14 drilling application and permit and SROG, contested case filings ignore and jeopardize the clean water and air and environmental and human health and safety that predicate Idahoans' vital and cherished quality of life. State agency decisions and officials paid to serve the public's best interests should not compromise Idaho oil and gas laws and rules to accommodate corporate and state greed. Along with growing public outrage, opposition, and pressure against these risky oil and gas drilling ventures, WIRT will continue to encourage and build resistance across the state, through ongoing statewide presentations and demonstrations, to relentlessly thwart and halt this and further industrial invasions, especially in reaction to obviously dangerous drilling near water courses and other public assets.

In accordance with the current Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, and considering the inadequacies of SROG's applications for the Barlow 2-14 well and the aforementioned and other possible, significant impacts on fresh water supplies, natural resources, public infrastructure, and associated health, social, and economic conditions, we strongly recommend that the IOGCC and IDL responsibly address the concerns and issues raised in these WIRT comments. For the public record, Wild Idaho Rising Tide requests that IOGCC and IDL reject or at least require revision and extended public review of these well permit and integration procedures, to ensure the best stewardship of Idaho's priceless and irreplaceable, public and private resources that their mismanagement could significantly impact and jeopardize.

WIRT recommends that the Idaho Oil and Gas Conservation Commission and Idaho Department of Lands require additional impact evaluations through a revised, SROG, Barlow 2-14 well drilling application and spacing and integration applications explicitly connected to the Barlow 2-14 well, all responsive to citizen and hearing input. We also concur with state denial of a permit for the Barlow 2-14 well drilling application, and demand state denial of imposition of the Barlow 1-14 well spacing unit and integration order on the Barlow 2-14 well, for the previously stated and other commenters' reasons. During this decisive, project review phase and contested case, we ask that IOGCC and IDL consider and act in accordance with our and our colleagues' letters of objection that substantively address the deficiencies of SROG documents and processes, as we offer the counterbalance of regional insights so crucial to government and community protection of watersheds essential to lives and livelihoods. Thank you for accepting our comments on the Barlow 2-14 well drilling application, Barlow 1-14 well integration order applied to the Barlow 2-14 well, and associated contested case, intended both to improve SROG applications and to advocate for justifiably anticipated, state of Idaho rejection of this SROG scheme to further inflict risks on Idahoans, while reaping the benefits of southwest Idaho oil and gas exploitation.

With great concern for our shared natural resources and fellow citizens in Idaho, WIRT appreciates your consideration of these comments and your responses and actions in accordance with them,

/s/ Helen Yost, MSEE
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