



IDAHO OIL AND GAS CONSERVATION COMMISSION

Betty Coppersmith, Chair  
Ray Hinchcliff, Vice Chair  
Jim Classen, Commissioner  
Dustin Miller, Commissioner  
Jennifer Riebe, Commissioner

Mick Thomas, Secretary to the Commission

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Final Minutes  
Idaho Oil and Gas Conservation Commission Regular Meeting  
August 16, 2022

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Tuesday, August 16, 2022, with the physical location at State Capitol, House Hearing Room, (EW42), Lower Level, East Wing, 700 W Jefferson Street, Boise, Idaho. There was also a teleconference option. The meeting began at 1:30 p.m. (MT). Chairman Betty Coppersmith presided. The following members were present:

Vice Chairman Ray Hinchcliff – via teleconference  
Commissioner Dustin Miller  
Commissioner Jennifer Riebe

For the record, a quorum was in attendance; Chairman Coppersmith, Commissioner Miller, Commissioner Riebe, and Secretary Thomas were present at the physical location. Vice Chairman Hinchcliff called in via teleconference. Commissioner Classen was absent.

• **ANNOUNCEMENTS**

Chairman Coppersmith went over the agenda items and confirmed that Vice Chairman Hinchcliff was on the phone.

**1. Division Administrator's Report**

- A. Financial Update
- B. Current Oil and Gas Activity
- C. Status Update
  - i. Oil and Gas Well Analysis
  - ii. Class II Injection Well – Permit Status

Commissioner Miller inquired about the timeline for the completion of the application. Secretary Thomas responded that there was not a timeline for the completion of the EPA Class II well. Secretary Thomas explained that in conversations with EPA, they shared there are still a few variables, and they are understandably a little cautious to say this is going to be done by November or December. Depending on how their supervisors evaluate comments, there may be an additional comment period, or there may not. Once the decision is made by the EPA to either approve or deny this application, then it's up to the operator to schedule the work-over rig to come in and do the different things needed. Secretary Thomas added that we are at least 10-12 months from having a functioning Class II injection well in Idaho or it could be way more beyond that.

- **CONSENT – ACTION ITEM(S)**

2. **Approval of Minutes** – May 19, 2022 – Regular Meeting (Boise)

*COMMISSION ACTION:* A motion was made by Commissioner Miller that the Commission approve the meeting minutes. Commissioner Riebe seconded the motion. The motion carried on a vote of 4-0.

- **REGULAR – ACTION ITEM(S)**

3. **Election of Chairman and Vice-Chairman** – Presented by Mick Thomas, Division Administrator – Minerals, Navigable Waters, and Oil & Gas

*RECOMMENDATION:* Direct the Commission to elect a Chairman and Vice Chairman.

*DISCUSSION:* Chairman Coppersmith asked Vice Chairman Hinchcliff if he would be willing to continue in the position of Vice Chairman. Vice Chairman Hinchcliff responded yes. Chairman Coppersmith stated that she would be happy to continue in her role unless there is a motion otherwise.

*COMMISSION ACTION:* A motion was made by Commissioner Miller that the Commission re-elect Betty Coppersmith as Chair and Ray Hinchcliff as Vice Chair of the Idaho Oil and Gas Conservation Commission for the next term. Commissioner Riebe seconded the motion. The motion carried on a vote of 4-0.

*Background information was provided by the presenter indicated below. No Commission action is required on the Information Agenda.*

- **INFORMATION**

4. **Update on Proposed Legislation for Title 47, Chapter 3, Idaho Code for the 2023 Legislative Session** – Presented by Mick Thomas, Division Administrator – Minerals, Navigable Waters, and Oil & Gas

The audio recording of this agenda item is available by request to the Department of Lands, Attn: Oil and Gas Commission Recording Secretary, PO Box 83720, Boise, Idaho 83720-0050 or by email to [public\\_records\\_request@idl.idaho.gov](mailto:public_records_request@idl.idaho.gov).

5. **Presentation: Overview of Legal Requirements for Commission: Open Meetings; Public Records; Ethics in Government** – Presented by Kristina Fugate, Deputy Attorney General

At 2:11 p.m., a motion was made by Chairman Coppersmith that the Commission convene into Executive Session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Commissioner Riebe seconded the motion. Chairman Coppersmith stated a roll call vote is required. *Roll Call Vote:* Aye: Riebe, Hinchcliff, Miller, Coppersmith; Nay: None; Absent: Classen.

Chairman Coppersmith noted that no more discussion will happen after the Executive Session, and no action will be taken during the Executive Session.

- **Executive**

- A. Idaho Code 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. [TOPIC: CAIA v. Miller]

At 2:39 p.m., the Commission resolved out of Executive Session by unanimous consent. For the record, no decisions were made during the Executive Session.

There being no further business before the Commission, at 2:39 p.m. a motion to adjourn was made by Commissioner Riebe. Commissioner Miller seconded the motion. The motion carried on a vote of 4-0. Meeting adjourned.

IDAHO OIL AND GAS CONSERVATION COMMISSION

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*/s/ Betty Coppersmith*

Betty Coppersmith, Chairman  
Idaho Oil and Gas Conservation Commission

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*/s/ Mick Thomas*

Mick Thomas  
Secretary to the Commission

The above-listed final minutes were approved by the Commission at the November 15, 2022 regular Idaho Oil and Gas Conservation Commission meeting.