

**BEFORE THE IDAHO DEPARTMENT OF LANDS**

**In the Matter of Application of Snake River Oil and Gas, LLC, for Order Establishing a Spacing Unit Consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho** )

Agency Docket No. CC-2024-OGR-01-001

OAH Case No. 24-320-OG-01

**SNAKE RIVER OIL AND GAS, LLC, Applicant.** )

**MOTION OF APPLICANT FOR ORDER DETERMINING CAIA IS NOT A PARTY**

Citizens Allied for Integrity and Accountability (“CAIA”), describing itself as a “a non-profit, membership-based association,” joined in an Objection to Spacing Application (“Objection”) filed in this matter on March 23, 2024.<sup>1</sup>

Idaho Code § 47-328(3)(b) provides that in an application for an order establishing a spacing unit, “[o]nly an uncommitted owner in the affected unit may file an objection or other response to the application, and the uncommitted owner shall file at least fourteen (14) days before the hearing date provided in the notice.” CAIA is not an uncommitted owner in the affected unit, and thus has no statutory right to file an objection or participate in this proceeding as a protestant party. *See* IDAPA 04.11.01.155 (“protestants” in a contested case are: “Persons who oppose an application . . . and who have a statutory right to contest the right, license, award or authority sought by an applicant[.]”)

CAIA has repeatedly attempted to insert itself as a protestant party in previous proceedings controlled by Idaho Code § 47-328(3)(b). Prior to cases being heard by OAH, the Administrator

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<sup>1</sup> CAIA may have been incorrectly described in the Objection. Citizens Allied for Integrity and Accountability, Inc., is a nonprofit corporation incorporated in Idaho in 2015.

of the Idaho Department of Land's Oil and Gas Program applied the restriction in Idaho Code §47-328(3)(b) to determine that CAIA was not a party. *See* the Administrator's August 12, 2021 "Order Determining that CAIA is Not a Party and Denying Petition to Intervene," entered in Docket No. CC-2021-OGR-01-001 (available at [https://ogcc.idaho.gov/wp-content/uploads/024\\_20210812\\_OrderDeterminingCAIAisnotaParty-DenyingPetitionIntervene.pdf](https://ogcc.idaho.gov/wp-content/uploads/024_20210812_OrderDeterminingCAIAisnotaParty-DenyingPetitionIntervene.pdf)), the Administrator's September 15, 2021 "Order Determining CAIA is Not a Party and Denying Petition to Intervene," entered in Docket No. CC-2021-OGR-01-002 (available at [https://ogcc.idaho.gov/wp-content/uploads/031\\_20210915\\_OrderDeterminingCAIANotaParty-DenyingPetitiontoIntervene.pdf](https://ogcc.idaho.gov/wp-content/uploads/031_20210915_OrderDeterminingCAIANotaParty-DenyingPetitiontoIntervene.pdf)), and the Administrator's "Order Determining CAIA is Not a Party," entered in Docket No. CC-2023-OGR-01-001 (available at [https://ogcc.idaho.gov/wp-content/uploads/027\\_20230322\\_OrderDeterminingCAIAisnotaParty.pdf](https://ogcc.idaho.gov/wp-content/uploads/027_20230322_OrderDeterminingCAIAisnotaParty.pdf))

CAIA may still be able to participate in the evidentiary hearing of this matter as a public witness, with the rights set forth in IDAPA 04.11.01.355.

For the reasons set forth above and those set forth in the Administrator's previous orders, in particular because of the limitation set forth in Idaho Code §47-328(3)(b) and IDAPA 04.11.01.155, Applicant respectfully requests an order determining that CAIA is not a party to this proceeding.

DATED this 6th day of June, 2024.

HARDEE, PIÑOL & KRACKE, PLLC



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MICHAEL CHRISTIAN  
Attorney for Applicant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of June, 2024, I caused to be served a true and correct copy of the foregoing by the following method to:

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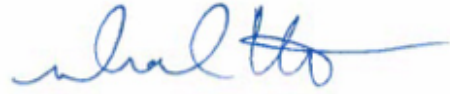
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*Unleased*

A handwritten signature in blue ink, appearing to read "Michael Christian", with a long horizontal flourish extending to the right.

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MICHAEL CHRISTIAN