

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of AM Idaho,) LLC for Spacing Order and to Integrate Unleased) Mineral Interest Owners in the Drilling Unit) Consisting of the SW ¼ of Section 10, Township) 8 North, Range 5 West, Boise Meridian, Payette) County, Idaho.) AM Idaho, LLC, Applicant.) _____)	Docket No. CC-2019-OGR-01-002 ORDER DISMISSING APPLICATION
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On March 10, 2020, Administrator Mick Thomas issued an *Order to Show Cause* in the above captioned matter that ordered AM Idaho, LLC (“AMI”) or its Trustee to show cause in writing within fourteen (14) days as to why the Administrator should not dismiss AMI’s application for failure to prosecute. The *Order to Show Cause* further stated that if within fourteen (14) days AMI did not submit any request for hearing or opposition to the entry of an order dismissing this application, the Administrator would enter an order dismissing the application. The *Order to Show Cause* included facts and reasoning in support, including that no one appeared at the prehearing conference or in the proceeding on behalf of AMI after its attorney withdrew, AMI filed for Chapter 7 bankruptcy, and AMI had resigned as operator under the Joint Operating Agreement.

Neither AMI nor its Trustee filed any document to show cause as to why the Administrator should not dismiss this application for failure to prosecute. Neither AMI nor its Trustee requested a hearing on this subject. Thus, based on the failure of AMI to show cause, and the facts and reasoning in the Administrator’s March 10, 2020 *Order to Show Cause*, the Administrator hereby dismisses without prejudice AMI’s application in the above-captioned matter.

PROCEDURES & REVIEW

Pursuant to Idaho Code § 47-328(3)(e) the above-captioned order shall not be subject to any motion to reconsider or further review, except for appeal to the Idaho Oil and Gas Conservation Commission. Pursuant to Idaho Code § 47-328(4), this order may be appealed to the Commission by the applicant or any owner who filed an objection or other response to the application within the time required. An appeal must be filed with the Administrator within fourteen (14) calendar days of the date of issuance of the Administrator’s written decision. The date of issuance shall be April 24, 2020, which is three (3) calendar days after the Administrator deposits the decision in the U.S. mail. Such appeal shall include the reasons and authority for the appeal and shall identify any facts in the record supporting the appeal. Any person appealing shall serve a copy of the appeal materials on any other person who participated in the proceedings below, by certified mail, or by personal service. Any person who participated in the proceeding below may file a response to the appeal within five (5) business days of service of a copy of the appeal materials. The appellant shall provide the Administrator with proof of service of the appeal materials on other persons.

If no appeal is filed within the required time, this decision shall become the final order. Idaho Code § 47-328(6).

IT IS SO ORDERED.

DATED this 21st day of April, 2020.



MICK THOMAS
Administrator, Idaho Department of Lands
Oil and Gas Division

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of April 2020, I caused to be served a true and correct copy of the following item in Docket No: CC-2019-OGR-01-002, *Order Dismissing Application* by regular mail unless indicated otherwise and addressed to the following:

Kristina Fugate State House Mail
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010

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

Mick Thomas Hand Delivery
Idaho Department of Lands

James Thum Hand Delivery
Idaho Department of Lands

Michael Christian AM Idaho, LLC
Registered Agent for AM Idaho, LLC Scott Ricks
101 S. Capitol Blvd, Suite 930 16600 Park Row
Boise ID 83702 Houston, TX 77084

AM Idaho, LLC Snake River Oil & Gas
Christopher Murray Wade Moore III
Chapter 7 Bankruptcy Trustee 3597 E Monarch Sky Lane, Suite 240
Jones Murray & Beatty LLP Meridian, ID 83646
4119 Montrose Blvd. Ste. 230
Houston, TX 77006

James Piotrowski James Piotrowski
Attorney for CAIA and Attorney for Interveners (Carrie Grant, Shannon
Certain Non-Consenting Owners (Judith and Benedict, Donald and Phyllis Gruell, Sharon
Jimmie Hicks, Karen Oltman, Alan and Glenda Simmons, Lowell and Geraldine Davis, James and
Grace, Shady River, LLC) Beverly Smith, Dana Harris, and Sandra Dunlap)
1020 W. Main St, Suite 400 1020 W. Main St, Suite 400
PO Box 2864 PO Box 2864
Boise, ID 83702 Boise, ID 83702

Stephanie J. Bonney & Cherese D. McLain Attorneys for City of Fruitland MSBT Law, Chtd 7699 W Riverside Dr. Boise, ID 83714	City of Fruitland Attn: Suzanne Percy-City Clerk PO Box 324 Fruitland ID 83619	Anadarko Land Corp. Attn: Dale Tingen 1201 Lake Robbins Dr The Woodlands TX 77380
Roland & Amelia Zubel 2731 Dogwood Ave Fruitland, ID	Robbie & Bonnie McGehee 1465 Ponderosa St Fruitland, ID 83619	Cory Anne & Jacob Fortin 2684 Bayberry Dr Fruitland, ID 83619
Brad H. & Charlene R. Henshaw 2694 Bayberry Dr Fruitland, ID 83619	Robert & Barbara Graham 1317 Aspen Dr Fruitland, ID 83619	Donna Mae Hume 910 Jonathan St Fruitland, ID 83619
Rebecca Ferrera 2602 Rome Ave Fruitland, ID 83619	Justin C. & Jessica J. Hayes 2723 Dogwood Ave Fruitland, ID 83619	Gary Owen 1488 Poplar Ave Fruitland, ID 83619
L. Kay McPheeters, Land owner 2692 Bayberry Dr Fruitland, ID 83619	Lee & Hooty Holmes 2685 BayBerry Drive Fruitland, ID 83619	Karen Vail 2822 Spruce Dr. Fruitland, ID 83619
Clint & Susan Traw 2716 Dogwood Ave Fruitland, ID 83619	Carol S. Winger Family Trust 1577 Tamarack St Fruitland, ID 83619	Dean Piotrowski PO Box 1075 Marsing, ID 83639
Dale Verhaeghe & Linda Dernoncourt 1303 Cottonwood Dr Fruitland, ID 83619	Lowell & Geraldine Davis 8407 Washoe Rd Fruitland, ID 83619	John & Janell Rochester 1471 Ponderosa Fruitland, ID 83619
Tom & Peggy Hawkins 2400 Applewood Ave Fruitland, ID 83619	Holly & Adam Fugate 2725 Dogwood Ave. Fruitland, ID 83619	Alan & Glenda Grace 1755 Killebrew Dr Payette, ID 83661
Don L. & Diane D. Johnson 2737 Spruce Dr Fruitland, ID 83619	Rashelle and Michael Boyer 2816 Spruce Drive Fruitland, Idaho 83619	The McPheeters 2692 Bayberry Dr Fruitland, ID 836919

Dawna & George Jackson Living Trust
1485 Tamarack St.
Fruitland, ID 83619

John York
1004 Braeburn St
Fruitland, ID 83619

Colonel Wendell & Norma
Nierman
1203 Cottonwood Dr
Fruitland, ID 83619

Javier & Leticia Arciga
2745 Cedar St
Fruitland, ID 83619

Jimmie & Norma Greene
8512 Shannon Rd
Payette, ID 83661

Joyce McCurdy
2742 Birch Rd
Fruitland, ID 83619

Sharon Simmons
8680 Shannon Road
Payette, ID 83661

Miguel Herrera
1307 NW 24th Street
Fruitland, ID 83619

Miguel Herrera
1303 NW 24th Street
Fruitland, ID 83619

Philip & Kathleen Hendrickson
1208 Cottonwood Dr
Fruitland, ID 83619

William & Roxie Tolbert
1210 Cottonwood Drive
Fruitland, ID 83619

Gale & Beverly Gehret
1415 Cottonwood Dr
Fruitland, ID 83619

Karen Oltman
8970 Hurd Lane
Payette, ID 83661

Lydia & Miguel Machuca
1206 Cottonwood Dr
Fruitland, ID 83619

Francis Florez
1207 NW 24th St
Fruitland, ID 83619

Richard & Cheryl Addison
1424 Cottonwood Dr
Fruitland, ID 83619

Colonel Steve & Laura Lambert
1205 Cottonwood Dr
Fruitland, ID 83619

Dana D. Harris
8301 Washoe Road
Fruitland, Idaho 83619

Robert Jangula
1580 NW 6th Ave
Payette, ID 83661

Ed & Cheryl Adair
2900 Birch Rd
Fruitland, ID 83619

Lauren Silva
1420 Cottonwood Dr
Fruitland, ID 83619

Danny & Lesli Smith
8305 Washoe Rd
Fruitland, ID 83619

Sue A Bixby
2133 Maple Court
Fruitland, ID 83619

Beverly & Jo Smith
8516 Shannon Road
Payette, ID 83619

Julie & Duke Fugate
1861 NW 24th St.
Fruitland, ID 83619

James & Patricia Dille
2635 Dogwood Ave
Fruitland, ID 83619

Jordan & Dana Gross
2820 NW 4th Ave
Fruitland, ID 83619

Albert Exley
1307 Cottonwood Dr
Fruitland, ID 83619

Ella Josephson Trust
2612 Winesap Ave
Fruitland, ID 83619

Alejandro & Llesenia Rangel
2856 Cedar Dr
Fruitland, ID 83619

Leslie & Margaret Gardner Trust
8660 Shannon Rd
Fruitland, ID 83619

Susan R. Coffman
8640 Shannon Rd
Fruitland, ID 83619

David H. Richmond
8531 Shannon Rd
Fruitland, ID 83619

Joseph S. Hild Revocable Trust
Diana L. Ingalls Revocable Trust
8590 Shannon Rd
Fruitland, ID 83619

John Hassell
8516 Washoe Rd
Fruitland, ID 83619

Carl Henderson
8399 Washoe Rd
Fruitland, ID 83619

James Daniel & Joye Renee Durrett
1581 Popular Ave
Fruitland, ID 83619

Lake Willie
2719 Dogwood Ave
Fruitland, ID 83619

Jeanette H. Jones
1587 Popular Ave
Fruitland, ID 83619

Rong Fen Deng & Qiongfang Zhou
2645 Dogwood Ave
Fruitland, ID 83619

Delores McDaniel
1577 Popular Ave
Fruitland, ID 83619

Shannon Holtry Benedict
1590 Popular Ave
Fruitland, ID 83619

Richard Yeager
1484 Popular Ave
Fruitland, ID 83619

Michael G. Jacob
2630 Dogwood Ave
Fruitland, ID 83619

Ramona S. Becerra
1580 NW 26 St
Fruitland, ID 83619

Crystal Russell
1510 NW 26 St
Fruitland, ID 83619

Nola M. Hendon
1513 NW 26th St
Fruitland, ID 83619

Sean F. Bryson
2685 Bayberry Dr.
Fruitland, ID 83619

Kara Gruell
2681 Bayberry Dr
Fruitland, ID 83619

Armondo G. Estillore, Etux
2680 Bayberry Dr
Fruitland, ID 83619

Cindy M. & Rex O. Stice
2603 Applewood Ave
Fruitland, ID 83619

Jeannette Louise Jenkins
1319 NW 24th St
Fruitland, ID 83619

Scott & Nancy Campbell
2611 Applewood Ave
Fruitland, ID 83619

David K. Martin
2617 Applewood Ave
Fruitland, ID 83619

Susan A. Josephson Family Trust
2612 Winesap Ave
Fruitland, ID 83619

Denice Hardie
2609 Winesap Ave
Fruitland, ID 83619

Charlene K. Quade
2608 Winesap Ave
Fruitland, ID 83619

Jack & Mary Jane Raymond Family Trust
2606 Winesap Ave
Fruitland, ID 83619

Lolita N. Bailey
2617 N Whitley Dr
Fruitland, ID 83619

Cody D. & Jill A. Stephens
907 Golden Ave
Fruitland, ID 83619

Kelly & Laura Bernard Family Trust
2602 Golden Ave
Fruitland, ID 83619

Harry J. Wightman
2600 Winesap Ave
Fruitland, ID 83619

Lisa Marie Del Re
910 Golden Ave
Fruitland, ID 83619

Eric E. & Christi J. Garman
1004 Golden Ave
Fruitland, ID 83619

Elisabeth Venegas
1006 Golden Ave
Fruitland, ID 83619

Jose Luis Gonzalez
1008 Golden Ave
Fruitland, ID 83619

Jose P. & Rubicelia B. Monicada
1012 Golden Ave
Fruitland, ID 83619

Dennis D. Whalen
2601 Rome Ave
Fruitland, ID 83619

Donna L. Burzota Family Trust
2600 Applewood Ave
Fruitland, ID 83619

Cheryl A. Smith Family Trust
2605 Rome Ave
Fruitland, ID 83619

Derrell C. Childers
2607 Rome Ave
Fruitland, ID 83619

Ernesto & Lourdes Herrera
2603 Winesap Ave
Fruitland, ID 83619

Elisa Bolanos Galicia
2605 Winesap Ave
Fruitland, ID 83619

Guillermo Trujillo III
2505 Applewood Ave
Fruitland, ID 83619

Florida G. Bowker
2503 Applewood Ave
Fruitland, ID 83619

Richard T. Cook
910 Braeburn St
Fruitland, ID 83619

Michael T. Boudreau
911 Jonathan St
Fruitland, ID 83619

Shawn Richey
1005 Jonathan St
Fruitland, ID 83619

Kenneth & Reiko Walston Family Trust
1011 Jonathan St
Fruitland, ID 83619

Katherine Leona Sherman
1007 Jonathan St
Fruitland, ID 83619

Ronald R. Hall
2402 Applewood Ave
Fruitland, ID 83619

Joseph Dahl
1010 Jonathan St
Fruitland, ID 83619

Vincent A. & Dawn L. Talbott
1008 Jonathan St
Fruitland, ID 83619

Casimiro Paloma Jr
1006 Jonathan St
Fruitland, ID 83619

Jesus L. Iniguez
2507 Applewood Ave
Fruitland, ID 83619

Aaron J. Pahl
1004 Jonathan St
Fruitland, ID 83619

Christopher Garner
903 NW 24th St
Fruitland, ID 83619

George W. Bacus
905 NW 24th St
Fruitland, ID 83619

Amanda M. Tchida
911 NW 24th St
Fruitland, ID 83619

Tyler McKay Osborn
1003 NW 24th St
Fruitland, ID 83619

Idaho Department of Transportation
PO Box 7129
Boise, ID 83707-1129

David & Maurine Burt
1009 NW 24th St
Fruitland, ID 83619

Dakota R. Myers
1005 NW 24th St
Fruitland, ID 83619

Thomas E. & Connie P. Limbaugh
2743 Spruce Dr
Fruitland, ID 83619

River Ridge Estate, LLC
PO Box 2176
Tualatin, OR 97062

Garry R. & Sandra O. Belknap
2735 Spruce Dr
Fruitland, ID 83619

Washoe Irrigation & Water Power Co. Ltd
102 North Main St
Payette, ID 83661

Kenneth E. Alan
8475 Alden Rd
Fruitland, ID 83619

Raymond E. & Alisha B. Horton
2745 Spruce Dr
Fruitland, ID 83619

Carren M. Poff & Karen Newman
2693 Bayberry Dr
Fruitland, ID 83619

Andres & Wren M. Garcia
1335 Poplar Ave
Fruitland, ID 83619

Beau E. Clover
1341 Poplar Ave
Fruitland, ID 83619

Shawn L. Bunger & Nichole Winingar
1380 Poplar Ave
Fruitland, ID 83619

Robert Palomarez
1343 Poplar Ave
Fruitland, ID 83619

Cori L. Smith
2746 Spruce Dr
Fruitland, ID 83619

Joe W. & Sylvia O. Pendergrass
2748 Spruce Dr
Fruitland, ID 83619

Nicholas M Dhaenens
2750 Spruce Dr
Fruitland, ID 83619

Dean & Kay Cardin Trust
2736 Spruce Dr
Fruitland, ID 83619

Willie & Christa R. Lake
2719 Dogwood Ave
Fruitland, ID 83619

Tim L. & Theresa L. Simkins
1453 Dogwood Ct
Fruitland, ID 83619

Northview Ranch HOA
PO Box 393
Fruitland, ID 83619

Jose P. & Cynthia G. Camarillo
1314 Aspen St
Fruitland, ID 83619

Zachary C. & Tiffany Mills
1306 Aspen St
Fruitland, ID 83619

Misty Stowe
1304 Aspen St
Fruitland, ID 83619

Lori A. Arnold
1300 Aspen St
Fruitland, ID 83619

Beau E. Clover
2800 Spruce St
Fruitland, ID 83619

Robert J. Boula
2808 Spruce Dr.
Fruitland, ID 83619

Rachael H. Holtry
1309 Aspen St
Fruitland, ID 83619

Joel M. Clements
1311 Aspen St
Fruitland, ID 83619

Joseph J. & Helen Katancik
2727 Dogwood Ave
Fruitland, ID 83619

Rebecca L. Cowgill & Fernando E. Rangel
1315 Aspen St
Fruitland, ID 83619

Brian R. Vanderoord
2729 Dogwood Ave
Fruitland, ID 83619

Clair & Betty Havens Trust
2817 Dogwood Ave
Fruitland, ID 83619

Michael W. Crowther
2821 Dogwood Ave
Fruitland, ID 83619

Michael & Tanya Fogleman
2825 Dogwood Ave
Fruitland, ID 83619

Karma Jean Gehrke
2720 Dogwood Ave
Fruitland, ID 83619

Tiffany A. Purdy
2724 Dogwood Ave
Fruitland, ID 83619

Tiffany Smith & Scott Horrace
2730 Dogwood Ave
Fruitland, ID 83619

Todd Baker
1581 Tamarack St
Fruitland, ID 83619

Casey & Brandi Mordhorst
2812 Spruce Dr
Fruitland, ID 83619

Richard & JaNel Wood
1580 Tamarack St
Fruitland, ID 83619

Leonzo A. & Naomi Diaz
1480 Tamarack St
Fruitland, ID 83619

Hugh A. & Barbara A. Bullock
2819 Spruce Dr
Fruitland, ID 83619

Robert V. Maxwell
1469 Ponderosa St
Fruitland, ID 83619

Bob J. & Patricia C. Snyder
1563 Ponderosa St
Fruitland, ID 83619

Shaun Ryan & Briar Rose Fogleman
1481 Tamarack St
Fruitland, ID 83619

Charles E. & Karen A. McBee
1479 Tamarack St
Fruitland, ID 83619

Alex Chadwell
1383 Tamarack St
Fruitland, ID 83619

Travis J. & Kayla M. McFetridge
1380 Tamarack St
Fruitland, ID 83619

Chance & Miriam Poe
2859 Cedar St
Fruitland, ID 83619

Charles B. & Keila D. Mass
2855 Cedar St
Fruitland, ID 83619

Shane J. & Meredith M. Hickman
2751 Cedar St
Fruitland, ID 83619

Rebecca W. Musser
2741 Birch Rd
Fruitland, ID 83619

Rachel & William Spurgeon
2740 Birch Rd
Fruitland, ID 83619

Sheila R. Hiatt
2744 Birch Rd
Fruitland, ID 83619

Dustin P. Hillyard
2746 Birch Rd
Fruitland, ID 83619

James M. & Cheryl A. Flannery
2830 Birch Rd
Fruitland, ID 83619

Susan Lynn & Rutilo Monreal Espino
2832 Birch Rd
Fruitland, ID 83619

Pelican Development LLC
2838 Birch Rd
Fruitland, ID 83619

BK Construction, Inc
PO Box 802
Fruitland, ID 83619

Phillip L & Maureen E. Praeger
1235 Tamarack St
Fruitland, ID 83619

Eric & Julie Rysenga
1230 Tamarack St
Fruitland, ID 83619

Sara Ann & Marcus L. Mahler
2833 Birch Rd
Fruitland, ID 83619

Derrick Leon Mahan & Tisha Preshler
1233 Tamarack St
Fruitland, ID 83619

Nathan D. & Christine A. Main
2850 Cedar Dr
Fruitland, ID 83619

Kial K. & Stacy M. Brotherson
2854 Cedar Dr
Fruitland, ID 83619

L&L Builders, Inc
3309 Hazelwood
Caldwell, ID 83605

Agile Design Company
PO Box 844
Fruitland, ID 83619

Gustavo Mata Gonzalez
2904 Birch Rd
Fruitland, ID 83619

RyWest Homes, Inc
125 Beech St
Fruitland, ID 83619

Pelican Development, LLC
2663 NW 4th Ave
Fruitland, ID 83619

Kourtney Romine

Kourtney Romine

Administrative Assistant

Emailed Courtesy Copies to those who had emails on file for this case:

Michael Christian - mike@smithmalek.com / lauren@smithmalek.com

Scott Ricks - sricks@high-mesa.com

Christopher Murray - christopher.murray@jmbllp.com

Wade Moore III - wadem28@hotmail.com

Kristina Fugate - kristina.fugate@ag.idaho.gov

Joy Vega - joy.vega@ag.idaho.gov

Mick Thomas - mthomas@idl.idaho.gov

James Thum - jthum@idl.idaho.gov

James Piotrowski - james@idunionlaw.com

Stephanie J. Bonney & Cherese D. McLain - sjb@msbtlaw.com / cdm@msbtlaw.com

Suzanne Pearcy - spearcy@fruitland.org

Roland Zubel - romcz@aol.com

Robbie & Bonnie McGehee - BMcGehee@tvcc.cc

Cory Anne & Jacob Fortin - coryannefortin@me.com

Brad & Charlene Henshaw - bchenshaw2@reagan.com

Jessica Hayes - riggioni89@hotmail.com

L. Kay McPheeters - kaymcpheeters@gmail.com

Karen Vail - kkvail16@gmail.com

Clint & Susan Traw - susantraw@hotmail.com

Dean Piotrowski - Deanpiot@yahoo.com

Holly & Adam Fugate - holly.joymarie@yahoo.com

Alan & Glenda Grace - talk2gg77@gmail.com

Rashelle and Michael Boyer - rashelleboyer@msn.com / mikeboyer329@gmail.com

Javier & Leticia Arciga - MissLettieMartinez@hotmail.com

Joyce McCurdy - joycemccurdy@gmail.com

Sharon Simmons - smswkdog@gmail.com

Miguel Herrera - plynherrera@hotmail.com

Colonel Steve & Laura Lambert - splambert@verizon.net

Dana D. Harris - danadharris04@gmail.com

Robert Jangula - martaranojangula@gmail.com

Ed & Cheryl Adair - eadair2900@gmail.com

Lauren Silva - lsilva0613@gmail.com

Michael England & Kathleen Hartung - fmandk11@gmail.com

Joey & Brenda Ishida - joeyandbrenda@hotmail.com

Beverly & Jo Smith - gmajonidaho@gmail.com

Danny & Lesli Smith - drs187pc@gmail.com
Sue A Bixby - suebee@fmtc.com
Jordan & Dana Gross - danacayleen@hotmail.com
Julie & Duke Fugate - letstalkjp2004@yahoo.com
Shelley Brock - ushorsepoor@yahoo.com