

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
STATE OF IDAHO**

Randy and Thana Kauffman, <i>Complainants</i> ,)	
)	Docket No. CC-2017-OGR-01-002
v.)	
)	
AM Idaho, LLC, and Alta Mesa Services, LP,)	BRIEF OF RESPONDENT AM IDAHO
<i>Respondents</i> .)	PURSUANT TO APRIL 23, 2019
)	PREHEARING ORDER
)	
)	

Respondent AM Idaho, LLC provides this brief pursuant to item 2 in the Prehearing Order dated April 23, 2019.

Respondent’s counsel has emailed to the Kauffmans documents in Respondent’s possession relating to sales from ARM Energy Services to third parties. Those emails were delivered today.

Respondent’s counsel also explained via email to the Kauffmans that the documents previously delivered to them included several documents entitled “Truck Loading Manifest and Bill of Lading or Delivery Receipt” relating to trucking of crude oil from the Kauffman #1-9 well. Additionally, Respondent’s counsel emailed to the Kauffmans documents including additional truck tickets for crude oil trucked from the Kauffman #1-9 well from 2014 and 2015. Those emails were delivered today.

While the Kauffmans argue in their April 17, 2019 email that Idaho Code §47-332(4) requires Respondent to deliver to them documents regarding third party “end purchaser” records “regardless of how [it] has to obtain them,” nothing in the statute requires an operator to seek out records from third parties, who are themselves under no obligation to provide those records either to Respondent or to the Kauffmans.

Respondent understands that the Department has been working to obtain documents from third party transporters and purchasers, and the Kauffmans may be able to make a public records request and obtain additional documents from the Department.

Dated this 24th day of April, 2019.

A handwritten signature in black ink, appearing to read "Michael Christian", is written over a horizontal line.

Michael Christian (ISB #4311)
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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April, 2019, I caused to be served a true and correct copy of the foregoing **BRIEF OF RESPONDENT AM IDAHO PURSUANT TO APRIL 23, 2019 PREHEARING ORDER** in the above-referenced matter by the method indicated below, and addressed to the following:

Randy and Thana Kauffman
4040 Little Willow Road
Payette, Idaho 83661

_____ *HAND DELIVER*
_____ *U.S. MAIL*
_____ *OVERNIGHT MAIL*
_____ *TELECOPY (FAX)*
_____ *:(208)___-___*
 E-MAIL:

Mick Thomas
Secretary for the Commission and
Division Administrator
Idaho Department of Lands
PO Box 83720
Boise, Idaho 83720-0050

_____ *HAND DELIVER*
_____ *U.S. MAIL*
_____ *OVERNIGHT MAIL*
_____ *TELECOPY (FAX)*
_____ *:(208)___-___*
 E-MAIL:
mthomas@idl.idaho.gov

Kristina Fugate
Deputy Attorney General
PO Box 83720
Boise, Idaho 83720-0010

_____ *HAND DELIVER*
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