

From: [Mick Thomas](#)
To: [Kourtney Romine](#); [James Thum](#)
Subject: FW: Mr. Risch's Order of 7/16/19
Date: Friday, July 19, 2019 04:01:56 PM

-----Original Message-----

From: Randy Kauffman [REDACTED]
Sent: Friday, July 19, 2019 10:04 AM
To: Mick Thomas <mthomas@idl.idaho.gov>
Cc: Jason Risch <courts@rischpisca.com>; Michael Christian <mchristian@mch-lawyer.com>; Kristina Fugate <kristina.fugate@ag.idaho.gov>
Subject: Mr. Risch's Order of 7/16/19

Mr. Thomas,

We strongly on the record object to Mr. Risch's Order of 7/16/19. Mr. Risch states AM does not have to produce documents that are not already in AM's "possession, custody or control". During our 4/17/19 phone conference, Mr. Christian stated he didn't have the end purchaser records. We asked Mr. Risch if he was just going to allow Mr. Christian to state he doesn't have those records and accept that answer. Mr. Risch stated Mr. Christian was going to have to sign an affidavit stating those records were not available to AM.

In order to determine market value, we must have end purchaser records. The IOGCC Final Order of 2/6/19 confirms we are entitled to "all" information. Idaho Code 47-332(4) provides: The lessee must make available to the lessor all information. It does not state we have to get the information from a third party.

During the IOGCC meeting of 12/20/18, Mr. Christian stated AM was selling products at the wellhead to ARM. Mr. Risch states in his 7/16/19 Order: "As far as the record reflects in this matter, there is nothing suggesting that ARM Energy Services is anything other than a third party." We don't believe Mr. Risch has enough information to make that determination. There's also nothing in the record to suggest ARM is not a third party.

Once again Mr. Risch is displaying blatant bias toward AM. How are we supposed to request Mr. Risch's removal when you leave that decision up to him?

Thank you,

Randy and Thana Kauffman

Sent from my iPhone