

BEFORE THE IDAHO OIL AND GAS CONSERVATION COMMISSION

Randy and Thana Kauffman, *Complainants*,) Docket No. CC-2017-OGR-01-002
)
v.) **NOTICE OF PREHEARING**
) **CONFERENCE**
AM Idaho, LLC and Alta Mesa Services, LP,)
Respondents.)
_____)

NOTICE IS HEREBY GIVEN that the Hearing Officer appointed in the above entitled case has set this matter for a prehearing conference. Given the stipulation between the parties at the hearing on July 29, 2019 to stay proceedings, and given that the basis for said stipulation was due to the pending mediation between the parties on other, similar litigation which was set to occur on September 27, 2019, the Hearing Officer hereby sets a Status Conference **for the purposes of determining if the stay entered in this matter is appropriate to lift so that a final resolution may be achieved.**

The prehearing conference will be conducted pursuant to Idaho Rules of Administrative Procedure 04.11.01.510 through 514, a copy of which is available to all parties at <https://adminrules.idaho.gov/rules/current/04/1101.pdf>.

The prehearing conference is set for October 22, 2019 at 8:30 a.m. MST.

The prehearing conference will be held telephonically and hosted by the Idaho Department of Lands. All parties should call into the conference with the following procedure:

Dial in phone number: 1-877-820-7831

Participant Code: 146275

If any party has technical difficulties calling into conference, they should call Idaho Department of Lands at 208-334-0200 and ask for Mick Thomas.

All parties hereto are reminded of IDAPA 04.11.01.417 which prohibits *ex parte* communications with the Hearing Officer, which states:

Unless required for the disposition of a matter specifically authorized by statute to be done *ex parte*, a presiding officer serving in a contested case shall not communicate, directly or indirectly, regarding any substantive issue in the contested case with any party, except upon notice and opportunity for all parties to participate in the communication. The presiding officer may communicate *ex parte* with a party concerning procedural matters (e.g., scheduling). *Ex parte* communications from members of the general public not associated with any party are not required to be reported by this rule. However, when a presiding officer becomes aware of a written *ex parte* communication regarding any substantive issue from a party or representative of a party during a contested case, the presiding officer shall place a copy of the communication in the file for the case and distribute a copy of it to all parties of record or order the party providing the written communication to serve a copy of the written communication upon all parties of record. Written communications from a party showing service upon all other parties are not *ex parte* communications.

Parties are free to communicate freely with each other if the Hearing Officer is not included.

If you require assistance the agency is required to provide under the Americans with Disabilities Act (ADA) in order to participate in or understand the conference, please contact Kourtney Romine at (208) 334-0200, no later than five (5) days prior to the conference.

DATED this 7th day of October, 2019.

By 

JASON S. RISCH, Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of October, 2019 I caused to be served a true and correct copy of the following items in the Docket No: CC-2017-OGR-01-002: *Notice of Prehearing Conference* by the method indicated below and addressed to the following:

AM Idaho, LLC
c/o Michael Christian
Smith & Malek
101 S. Capitol Boulevard
Suite 930
Boise, ID 83702

- U.S. Mail, postage prepaid
- Hand Delivery
- Certified mail
- Email: mike@smithmalek.com

Randy and Thana Kauffman
4040 Little Willow Rd.
Payette ID 83661

- U.S. Mail, postage prepaid
- Hand Delivery
- Certified mail
- Email: [REDACTED]

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

- U.S. Mail, postage prepaid
- Hand Delivery
- Certified mail
- Email: mthomas@idl.idaho.gov

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

- U.S. Mail, postage prepaid
- Hand Delivery
- Certified mail
- Email: kristina.fugate@ag.idaho.gov



Maggie Mallea, Legal Assistant