

Audio Transcription

In the Matter of: The Application of) Docket No.
Snake River Oil and Gas, LLC to) CC-2-23-OGR-01001
integrate unleased mineral interest) Application for
owners, in the spacing unit) Integration
consisting of Section 24, Township 8)
North, Range 5 West, Boise Meridian,)
Payette County, Idaho.)
Snake River Oil and Gas, LLC,)
Applicant.)

TRANSCRIPT OF RECORDED HEARING
TO DETERMINE "JUST AND REASONABLE" FACTORS
DATE OF HEARING, MARCH 14, 2023

REPORTED BY:

MARY (RAINEY) STOCKTON, CSR No. 746

Notary Public

Page 2

1 A P P E A R A N C E S
2 Michael Thomas, Hearing Officer
3
4 Mike Christian, Attorney for Applicant
5
6 James Piotrowski, Attorney for CAIA and other property
7 owners
8
9 J. Kahle Becker, Attorney for Jordan and Dana Gross
10 and Little Buddy Farm, LLC
11
12 J.J. Winters, Deputy Attorney General for the Idaho
13 Department of Lands
14
15
16
17
18
19
20
21
22
23
24
25

Page 3

1 THE HEARING PROCEEDED AS FOLLOWS:
2
3 HEARING OFFICER THOMAS: Folks, thank you for
4 your patience. We're recording today's Zoom meeting;
5 and I'm also using an audio recorder as a back-up.
6 We're now on the recording for Docket No.
7 CC-2023-OGR-01-001.
8 It's 9:04 A.M., Tuesday, March 14, 2023.
9 We are at the Fruitland City Hall in
10 Fruitland, Idaho.
11 This is the time set for hearing to address
12 the scope of the factors I'll consider when determining
13 whether the terms and conditions of an integration order
14 are just and reasonable as provided in Idaho Code
15 47-320, Sub 1 for the spacing unit consisting of
16 Section 24, Township 8 North, Range 5 West, Boise
17 Meridian, Payette County, Idaho.
18 My name is Mick Thomas and I am the Oil and
19 Gas Division Administrator presiding over and conducting
20 the hearing pursuant to Idaho Code 47-328.
21 Before I continue, I want to let everyone know
22 that I have reviewed all the briefs and comments. I
23 give equal weight to written and oral comments and
24 arguments.
25 Here's some housekeeping. This hearing is in

Page 4

1 person with a virtual component via Zoom. This hearing
2 is being recorded on Zoom as required by IDAPA
3 04.11.01.651. We also have a back-up recording device
4 recording the hearing.
5 Those of you on Zoom, please mute your
6 microphones until you are called on. Please speak
7 loudly and clearly when it is your turn. If there is a
8 disturbance, you'll be reminded to mute your microphone.
9 If the disturbance continues, you may be muted and/or
10 disconnected.
11 For those appearing in person, it is important
12 you identify yourself by stating your name for the
13 record before you speak.
14 If you are here as a representative, please
15 indicate your own name; as well as who you are
16 representing.
17 I may ask clarifying questions while you
18 speak.
19 When you come up, if you're in person, I move
20 the podium right here so folks on Zoom could maybe see.
21 It looks like we've lost the video again; so
22 I'll bring that back. You could be speaking to someone
23 other than me. Let's see if I can do that. There you
24 go.
25 As my January 31, 2023 Notice indicates, this

Page 5

1 hearing was noticed to address the scope of factors to
2 determine just or reasonable terms to be determined just
3 and reasonable.
4 The purpose of this hearing is not to address
5 what terms are, in fact, just and reasonable. That is a
6 question for a future evidentiary hearing held at a
7 later date.
8 I have allowed briefing and submittal of
9 affidavits on the issues of the scope of factors used to
10 determine just and reasonable and the hearing was
11 noticed to take only argument.
12 I want to, again, clarify that the deadline
13 for uncommitted owners to respond to the application has
14 not passed. They can still participate in future
15 evidentiary hearings on the integration application.
16 Witnesses and evidence may be submitted at the future
17 evidentiary hearing.
18 With that, I'd like to first take appearances.
19 Mr. Christian, will you please identify
20 yourself and who you represent for the record?
21 MR. CHRISTIAN: Michael Christian here for the
22 applicant, Snake River Oil and Gas, Mr. Administrator.
23 HEARING OFFICER THOMAS: Thank you.
24 Mr. Becker, could you please identify yourself
25 and who you represent? You don't have to stand up, if

Page 6

1 you don't want to.
 2 MR. BECKER: Kahle Becker representing Jordan
 3 Gross, Dana Gross and Little Buddy Farm, LLC.
 4 HEARING OFFICER THOMAS: Thank you.
 5 Mr. Piotrowski, can you please identify
 6 yourself and who you represent?
 7 MR. PIOTROWSKI: James Piotrowski on behalf of
 8 Joey Ishida, Brenda Ishida, Juanita Lopez, Sarah
 9 Weatherspoon, David George, Jessica Ishida Sanchez, Juan
 10 Sanchez, Jr., Gary Hale, Ryan Gentry, Mark Vidlak, and
 11 Mary Ann Miller; as well as Citizens Allied for
 12 Integrity and Accountability.
 13 HEARING OFFICER THOMAS: Thank you, Mr.
 14 Piotrowski.
 15 Ms. Winters, can you please identify yourself
 16 and who you represent?
 17 MS. WINTERS: Good morning, Mr. Hearing
 18 Officer. My name's J.J. Winters, Deputy Attorney
 19 General and appearing on behalf of the Idaho Department
 20 of Lands.
 21 HEARING OFFICER THOMAS: Thank you.
 22 Are there any other uncommitted mineral
 23 interest owners in the proposed unit that plan on
 24 participating today? All right.
 25 Next, I'd like to insure all parties

Page 7

1 understand what documents are in the record.
 2 Documents in the record are Docket No.
 3 CC-2023-OGR-01-001 are on the OGCC website at:
 4 Ogcc.idaho.gov/administrative-hearings.
 5 I also have a copy of listed documents for the
 6 record orally.
 7 January 23, 2023, Application of Integration
 8 with Exhibits A through L.
 9 January 23, 2023, Idaho Department of Lands
 10 Acknowledgment of Application.
 11 January 30, '23, the Affidavit of Publication
 12 or Notes of Intent and Certified Mailing Receipts.
 13 January 31st, 2023, Order Vacating Hearing and
 14 Notice of Hearing to determine Just and Reasonable
 15 Factors.
 16 February 1st, '23, Affidavit of Publication.
 17 February 9, '23, Comments from Mary Ann
 18 Miller.
 19 February 17, '23, Kahle Becker on behalf of
 20 Jordan A. and Dana C. Gross and Little Buddy Farms, LLC,
 21 Notice of Appearance and Motion to Continue.
 22 February 17, '23, the Applicant Response to
 23 Motion to Continue.
 24 February 21, '23, Comment from Sarah
 25 Weatherspoon.

Page 8

1 February 21, '23, Kahle Becker Motion to
 2 Continue, Reply Brief.
 3 February 22, '23, James Piotrowski on behalf
 4 of Citizens Allied for Integrity and Accountability;
 5 Joey Ishida, Brenda Ishida, Juanita Lopez, Sarah
 6 Weatherspoon, David George, Jessica Ishida Sanchez, Juan
 7 Sanchez, Jr., Gary Hale, Ryan Gentry, Mark Vidlak, and
 8 Mary Ann Miller. And a Brief of Nonconsenting Owners in
 9 Support of Motion to Continue.
 10 February 22, '23, the Order Continuing the
 11 Opening Brief deadline.
 12 February 24, '23, the Applicant E-mail
 13 Response. Newly Leased Mineral Interest Owners.
 14 February 28, '23, the Idaho Department of
 15 Lands Opening Brief.
 16 February 28, '23, James Piotrowski Opening
 17 Brief.
 18 March 1st, '23, the Applicant Opening Brief.
 19 March 1st, '23, the Applicant Motion of
 20 Applicant Per Order Determining CAIA is not a Party.
 21 March 1st, '23, Kahle Becker Opening Brief.
 22 March 6, '23, Kahle Becker Response Brief and
 23 Motion for Disqualification.
 24 March 8th, '23, the Applicant Response Brief.
 25 March 10th, '23, the Applicant Opposition to

Page 9

1 Motion for Disqualification.
 2 March 13th, '23, Kahle Becker Reply Brief.
 3 March 13th, '23, the Applicant Reply Brief.
 4 Again, all of this material is on the OGCC's
 5 website.
 6 In addition to the briefing on factors to be
 7 used to determine the just and reasonable terms today, I
 8 received a March 6th, '23 Motion to Disqualify the
 9 Hearing Officer filed by the Grosses.
 10 Snake River's counsel provided a written
 11 response to the Motion.
 12 I did not receive any additional related
 13 Motions or responses from other parties.
 14 Under IDAPA 04.11.01-565 when a pre-hearing
 15 Motion is filed, all parties seeking similar relief must
 16 join in the Motion or file a similar Motion within seven
 17 days after receiving the original Motion.
 18 Seven days have passed since the Motion was
 19 filed; however, parties responding to the Motion will
 20 have 14 days from the time of filing of the Motion for
 21 lack of responding.
 22 Given that Motion relates to whether I can act
 23 as the presiding officer over the hearing, and it was
 24 only filed on March 6th, I'll begin by offering all
 25 parties an opportunity for oral argument on that Motion.

Page 10

1 This oral argument will be before our just and
 2 reasonable section of this hearing.
 3 And I'll allow everyone to speak for up to
 4 five minutes.
 5 Mr. Becker, since you filed the Motion, I'll
 6 give you -- it's your Motion, so you can begin, if you'd
 7 like. You're welcome to walk up.
 8 MR. BECKER: Thank you, Your Honor.
 9 This is Kahle Becker for the Grosses and
 10 Little Buddy Farm.
 11 As the Hearing Officer pointed out, we filed a
 12 Motion for Disqualification.
 13 Our concern is that the State is an interested
 14 and perhaps adverse party due to its ownership and
 15 management of a Trust resource for the State of Idaho.
 16 Namely, the navigable Payette River, which cuts across
 17 the middle of the proposed integration unit.
 18 I've requested, pursuant to Idaho's Public
 19 Records Request laws, copies of documents related to any
 20 lease or any sort of financial arrangement that has been
 21 entered into between the State and the Applicant.
 22 Since this Integration Order looks to the type
 23 of arrangements that have been entered into between
 24 other integrated parties, who chose to be integrated
 25 voluntarily, I think the State's lease is certainly

Page 11

1 something that would impact the determination of some of
 2 the issues that are put forth by the Advocate here.
 3 So, I'm still waiting for a response to my
 4 public records request; but out of an abundance of
 5 caution, we felt that it would be best to have a new
 6 Hearing Officer appointed in this particular situation
 7 so that the public can have confidence that the person
 8 who's deciding their case has not negotiated a financial
 9 arrangement with the Applicant that actually puts them
 10 in an adverse situation to other parties who are being
 11 compelled to be integrated in this particular unit.
 12 Again, our concern is simply public confidence
 13 in the process and insuring that all parties have due
 14 process and that this is a completely transparent
 15 process for the citizens in the State of Idaho. Thank
 16 you.
 17 HEARING OFFICER THOMAS: Thank you, Mr.
 18 Becker.
 19 Mr. Christian, you did file a response brief
 20 to this. If you would like to provide any testimony at
 21 this time, you're welcome to.
 22 MR. CHRISTIAN: Thank you, Mr. Administrator.
 23 Briefly, I've really already pointed out in
 24 the brief the two main points.
 25 One: Our view is that the Motion is untimely.

Page 12

1 It was filed beyond 14 days after you appeared on the
 2 scene as the Hearing Officer via your January 31st
 3 Notice of Hearing and was not filed promptly following
 4 the availability of the facts on which it relies.
 5 I'm not going to go through every detail of
 6 that, but it's in my briefing.
 7 I think it's also -- it's meritless on the
 8 substance. The point made in the Motion itself in the
 9 briefs submitted by the Grosses was that there is a
 10 conflict of interest because you oversee the leasing of
 11 State minerals, which isn't the case. A completely
 12 different person within the Department of Lands under a
 13 different supervisor is responsible for State leasing.
 14 So, there's a division of interest. And there hasn't
 15 been any evidence provided that you have any personal
 16 animus or bias.
 17 And, finally, you -- you are not a generic
 18 Hearing Officer to be disqualified and replaced. The
 19 Statute specifically provides that the Administrator of
 20 the oil and gas program is to decide integration
 21 applications.
 22 So, for those reasons -- and, again, as is set
 23 forth in our briefing -- we would request that you deny
 24 the Motion for Disqualification.
 25 HEARING OFFICER THOMAS: Thank you, Mr.

Page 13

1 Christian.
 2 Are there any other parties who would like to
 3 offer argument on this?
 4 MR. PIOTROWSKI: Mr. Thomas, I'd like to be
 5 heard on this.
 6 HEARING OFFICER THOMAS: Thank you, Mr.
 7 Piotrowski. Go ahead.
 8 MR. PIOTROWSKI: Thank you. In addition to
 9 the grounds that go to disqualification in the Gross's
 10 Motion, there is even a larger and more substantial
 11 basis for disqualification of the Hearing Officer in the
 12 case. It has nothing to do with personal animus or
 13 bias. Mr. Christian's vote is on the wrong issue.
 14 What it has to do with is institutional bias.
 15 The Oil and Gas Commission, which is a part of the
 16 Department of Lands, of which you are the Administrator,
 17 have a compulsion, a statutory compulsion to encourage
 18 the rapid development of oil and gas resources. This is
 19 your job as a matter of Idaho law.
 20 To then have you sit as the Hearing Officer
 21 over the terms of your wish how those items will be
 22 divided, creates the tremendous appearance -- at least
 23 the appearance; and the likely actuality of
 24 institutional bias.
 25 You cannot tell us what is just and reasonable

Page 14

1 when your job is to drill, baby, drill.
 2 You cannot tell us that you have taken
 3 appropriate depth to insure the right of all interested
 4 parties when your statutory command is to get the
 5 hydrocarbons out.
 6 And as a result, this process is fundamentally
 7 unfair, fundamentally violates due process of law and
 8 fundamentally represents the wrong decision-maker of
 9 this case.
 10 If the appearance of impartiality matters,
 11 then the decision-maker should not be an entity who's
 12 statutorily commanded to approve integration and
 13 drilling and extraction.
 14 It should, instead, be a neutral third-party
 15 who understands that these are merely business decisions
 16 to be made.
 17 And, yet, this system, which include the party
 18 that's -- that works for an interested party, isn't
 19 accomplishing that.
 20 I believe we should find a neutral Hearing
 21 Officer for these cases starting with this one and going
 22 forward.
 23 HEARING OFFICER THOMAS: Thank you, Mr.
 24 Piotrowski.
 25 Ms. Vega, do you have any argument at this

Page 15

1 time?
 2 MS. VEGA: Thank you, Mr. Thomas. Just a
 3 reminder, I'm just observing this morning. I don't
 4 intend to participate.
 5 But maybe Ms. Winters has some comments on
 6 behalf of the Department of Lands.
 7 HEARING OFFICER THOMAS: Thank you, Ms. Vega.
 8 I misread the script at the bottom of the picture. I
 9 apologize.
 10 Ms. Winters, do you have any comments at this
 11 time?
 12 MS. WINTERS: Briefly, Mr. Hearing Officer.
 13 As you indicated, the Department of Lands filed an
 14 opening brief in the Just and Reasonable, but did not
 15 necessarily address the Motion to Disqualify.
 16 After reading the briefing and considering the
 17 filings, the Department would just like to make a
 18 statement on the record that it is disappointed in the
 19 accusatory tone in which some of the briefing has been
 20 written.
 21 It is unfortunate that the Department has to
 22 defend the integrity of the Department and the Oil and
 23 Gas Commission; both of which are separate legal
 24 entities created by Statute.
 25 Although the Oil and Gas Commission is housed

Page 16

1 within the Idaho Department of Lands, these matters
 2 remain separate.
 3 My client, Mr. Thumb, (Phonetic) and I'm sure
 4 Mr. Thomas, take great care to place the required
 5 screens between them.
 6 Neither entity created the statutory
 7 arrangement but all take it very seriously and will
 8 continue to follow the law as it is written.
 9 Mr. Thomas, with his experience in the oil and
 10 gas industry, is a preferred Hearing Officer for the
 11 very reason of his experience.
 12 To imply that either the Department or the
 13 State or any member of the Commission is anything but
 14 fair and impartial is unfortunate.
 15 It is the Department's vote that this hearing
 16 and any upcoming hearings and briefings be conducted
 17 with professionalism and respect. Thank you.
 18 HEARING OFFICER THOMAS: Thank you, Ms.
 19 Winters.
 20 Are there any other parties who would like to
 21 provide arguments on this? All right.
 22 Mr. Becker, you can offer any final rebuttal,
 23 if you would like.
 24 MR. BECKER: I just want to address the
 25 timeliness here.

Page 17

1 As the Hearing Officer is aware, the Statute
 2 gave some extremely tight time frames here. And the
 3 Statute for disqualification also does have some time
 4 frames, but it also has a general provision regarding
 5 discovery of factors that may indicate potential grounds
 6 for disqualification; such as, those as you've indicated
 7 here.
 8 I think what's lost in Mr. Christian's
 9 arguments is the fact that the average citizen who
 10 receives this giant packet of information for an
 11 Applicant, to extract hydrocarbons that have sat under
 12 the earth for hundreds of thousands of years, millions
 13 of years; all the sudden it's placed on this fast track
 14 "you've got to get it done right now."
 15 This is a big deal to these people who are all
 16 of the sudden forced with the prospect of staring at a
 17 drill rig for the next -- or drilling operation for the
 18 next 30 years. To consider terms of leases that are in
 19 fine print and dozens of pages long, this is a lot for
 20 someone to digest.
 21 In this situation, Mr. Christian points out
 22 dates at which his Applicant did certain things.
 23 It then takes time for things to get mailed
 24 out to the parties who are being told that they're about
 25 to be integrated under terms that Mr. Christian's

Page 18

1 clients think are fair without providing much
 2 information for the people to be integrated to consider.
 3 In this particular case, my client went to his
 4 long-time attorney. And after dealing with that, a
 5 replacement attorney within that office, then all of the
 6 sudden was informed that, in fact, his long-time
 7 attorney represented Mr. Christian's client. And so,
 8 that created a bit of a delay.
 9 My client then searched out another attorney
 10 who had some experience in mineral extraction underneath
 11 Idaho's ground, some experience in administrative law
 12 practice and we were able to connect and sign an
 13 engagement letter.
 14 There's a lot to digest and consider in a
 15 short amount of time. And realizing that: Hey, there's
 16 navigable waterway that traverses this unit and look
 17 into the statutes and rules that then allow one to
 18 realize that the State potentially has an interest -- a
 19 monetary interest, as well as a regulatory interest in
 20 this particular integration unit.
 21 I think it requires a lot of connecting the
 22 dots that, frankly, the average attorney wouldn't have
 23 put together.
 24 Here I was able to connect those dots. I did
 25 so in as quick as time as reasonably possible. I am

Page 19

1 still waiting for actual leases or documentation as to
 2 what the financial arrangement is between the Department
 3 of Lands and Snake River Oil and Gas. I still don't
 4 have those documents because of the time frames under
 5 the Public Records Request Act.
 6 So, we have moved diligently here. I
 7 immediately notified the Hearing Officer once I
 8 connected those dots here.
 9 And -- and, frankly, with all due respect, to
 10 the Department of Lands, I think it's something that
 11 should have been pointed out in their opening brief.
 12 Again, in the interest of full disclosure
 13 here, that they're not simply a regulatory function, but
 14 they are an interested party in this particular
 15 situation.
 16 So, again, I'm not trying to be accusatory
 17 here; but, you know, this is government works fast when
 18 it's transparent and the people understand how their
 19 decisions are being made by the elected officials and
 20 those that are paid for with tax dollars.
 21 And so, again, we're interested in
 22 transparency. We're seeking transparency through a
 23 Public Records Request.
 24 We feel that having an independent Hearing
 25 Officer in this situation is going to provide that

Page 20

1 confidence that the government is working for all of
 2 these people; and not simply the Applicant. Thank you.
 3 HEARING OFFICER THOMAS: Thank you, Mr.
 4 Becker.
 5 After the arguments I've heard, I am deciding
 6 not to disqualify myself as the Hearing Officer.
 7 I'll just tell you this orally. The Gross's
 8 cite that the navigable waterways and the integration
 9 unit means that I am not a disinterested party.
 10 I do not supervise or administer the oil and
 11 gas mineral leases in the Department -- for the
 12 Department of Lands in the State. That is a different
 13 division entirely.
 14 I don't have any knowledge about what those
 15 specifically lease terms are.
 16 There are no facts indicating that I am bias,
 17 prejudice interest or substantial prior involvement in
 18 the matter other than as a presiding Officer.
 19 The request also appears to be untimely as my
 20 employment and job titles were included on the Notice of
 21 Hearing issued well over 14 days before the Motion and
 22 the Grosses do not indicate what new facts were
 23 discovered later.
 24 The Notice of Hearing was issued January 31st
 25 and the Gross's attorney appeared on February 17, '23.

Page 21

1 Finally, Idaho Code 47-328, Sub 3, Sub D
 2 expressly provides that the Administrator shall hear the
 3 application and make a decision.
 4 In the event I decided to hire a Hearing
 5 Officer, I am still statutorily asked as the
 6 Administrator to issue the order.
 7 While I am -- finally, while I am ruling on
 8 this Motion orally now, I will follow up with a written
 9 decision stating the facts and reasons for my
 10 determination pursuant to Idaho Code 67-5252, Sub 3.
 11 All right.
 12 Switching gears. Let's turn to the hearing
 13 topic of the scope of factors used to determine just and
 14 reasonable.
 15 The purpose of this hearing is not to address
 16 which terms are, in fact, just and reasonable. That is
 17 a question for a future evidentiary hearing at a later
 18 date.
 19 I have allowed briefing and submittal of
 20 affidavits on the issues of the scope of factors used to
 21 determine just and reasonable in the hearing, as
 22 noticed, state only argument.
 23 So, we'll proceed with oral arguments at this
 24 hearing.
 25 I will first hear arguments from the

Page 22

1 Applicant, Snake River.
 2 This will be followed by arguments from Mr.
 3 Piotrowski.
 4 This will be followed with arguments by Mr.
 5 Becker.
 6 Afterward, I accept -- I will accept arguments
 7 from the Idaho Department of Lands.
 8 Then other uncommitted owners, if they are
 9 present.
 10 Then Snake River will have an opportunity for
 11 rebuttal.
 12 Arguments for each party will be limited to 10
 13 minutes.
 14 After argument is complete, I will accept
 15 public comments. I will limit these comments to five
 16 minutes. I'll first take public comment from those
 17 appearing in person; and then I'll take comment from
 18 anyone on Zoom.
 19 So, with that, I would invite Mr. Christian to
 20 provide argument at this time.
 21 MR. CHRISTIAN: Thank you, Mr. Administrator.
 22 You have the Applicants' proposed factors for
 23 consideration. We set them forth both in the
 24 application and I think they're listed in the briefing.
 25 As you're aware, the Administrator's found

Page 23

1 those factors to be appropriate in three previous
 2 integration proceedings.
 3 The Applicant has indicated that it's not
 4 aware of any circumstances in Section 24 that would make
 5 it any different from any other previous integration;
 6 such that those factors should be changed or not used.
 7 Neither of the groups objecting mineral owners
 8 have offered any evidence that Section 24 is different
 9 in any way.
 10 I'm not going to spend further time repeating
 11 my briefing on that subject or your previous orders back
 12 to you.
 13 But as you've previously found, the factors
 14 are within the authority of the Commission. They do not
 15 impose burdens, conditions or restrictions in excess of
 16 or inconsistent with existing statutory provisions; and
 17 they comply with Commission rules.
 18 And, finally, they're consistent with the
 19 purposes of the Act, which is to encourage development,
 20 protect correlative rights and prevent waste.
 21 As you've noted per your Notice of Hearing,
 22 the purpose of this proceeding is for the parties to
 23 propose factors to be considered in the later merits
 24 hearing in determining just and reasonable terms of
 25 integration.

Page 24

1 It's not to determine whether discovery is
 2 permitted; although, the Act expressly says it is not --
 3 it is not to determine whether to halt the matter
 4 entirely or refer it in some unspecified fashion to a
 5 District Court.
 6 It is not to determine whether integration
 7 should be denied outright.
 8 It is not to determine whether, I doubt, that
 9 20-0702 is in effect; although it is.
 10 It is not to consider specific terms and
 11 conditions of integration; such as, royalty rate or
 12 bonding or surface use or any other specific condition.
 13 I'm going to pass over the subject of the
 14 tenor of the briefing. I think Ms. Winters addressed it
 15 well.
 16 On the substance, to the extent that they have
 17 anything to do with establishing factors to be
 18 considered, the cases regarding rate setting by
 19 regulated public utilities that the Grosses rely pretty
 20 heavily upon -- and I think Mr. Piotrowski may have in
 21 the past -- are not relevant.
 22 The Act here is not concerned with
 23 establishing a rate of return on invested capital as the
 24 laws and regulations for regulated utilities are.
 25 It's concerned with balancing correlative

Page 25

1 rights and preventing waste and encouraging the
 2 development of oil and gas resources in the State of
 3 Idaho while doing so.
 4 Working interest owners and committed royalty
 5 owners have entirely different interests in regulated
 6 utilities.
 7 You know, one is interested in earning a fair,
 8 but essentially guaranteed, rate of return on invested
 9 capital while occupying government sanctioned monopoly
 10 position.
 11 The other is interested in maximizing
 12 efficient production in the non-monopoly position while
 13 balancing the correlative rights of others.
 14 Several of the issues that are argued,
 15 particularly by Grosses are, again, irrelevant for the
 16 purposes of this proceeding.
 17 The Statute does not permit discovery in
 18 integration proceedings. This is recognized in both
 19 DAPA and the HE's rules that discovery's allowed only
 20 when permitted by the Statute and that's not the case
 21 here.
 22 There is no due process requirement of
 23 discovery in every administrative proceeding.
 24 The driver's license case -- suspension case
 25 cited by the Grosses is not relevant. It does not say

Page 26

1 that discovery was required in every administrative
 2 proceeding and it involved a scheme or issuance of
 3 subpoenas that was already allowed as part of the
 4 defined due process. This is true on a number of
 5 points.
 6 But if the Grosses think that this should be
 7 changed for integration -- or anybody else does -- they
 8 need to take it up with the Legislature.
 9 Hundreds of owners have voluntarily leased;
 10 and millions have around the country. And markets have
 11 been established without such process, without the
 12 operating of providing unfettered access to its books
 13 and records.
 14 Likewise, if the Grosses -- or any other party
 15 -- think that the rates set for deemed lease owners --
 16 which, by the way, is both equal to the prevailing rate
 17 in Section 24 in the basin, generally; and consistent
 18 with the rate set by Statute in other states -- if they
 19 think that it needs to be different, again, they need to
 20 take it up with the Legislature.
 21 If they think that there is evidence that
 22 market -- the market for lease royalty rates is
 23 different than Snake River has suggested, they can
 24 present that evidence at the merits hearing when it's
 25 scheduled.

Page 27

1 This is not the time and place for arguing
 2 about specific terms and conditions in integration;
 3 whether it's bonding levels or prohibition of surface
 4 use or prohibition of flurring or limitation to a single
 5 well or compensation beyond what the integration Statute
 6 provides for. Those are not factors to consider their
 7 outcomes.
 8 The factors that the Applicant has proposed
 9 for consideration already allow for a party to present
 10 evidence on those subjects and make the case for why
 11 circumstances, whatever they may be of Section 24, where
 12 the proposed operations relative to their property calls
 13 for changed terms and conditions.
 14 Regarding the -- I'll say one more thing.
 15 What the Grosses seem to argue is that a market -- they
 16 argue repeatedly that Snake River wants to impose
 17 submarket rates, but they seem to be arguing if the
 18 market is a rate and provisions that provide maximal
 19 protections to uncommitted mineral owners and a royalty
 20 that's based on externalities other than the value of
 21 the oil and gas produced. But that's not a market
 22 value.
 23 Regarding the items that are attached to the
 24 Gross's briefing, the article advocating for higher
 25 royalty rates in State leases doesn't have anything to

Page 28

1 do with royalty rates for integrated owners. It doesn't
 2 contradict the market evidence already presented by the
 3 Applicant.
 4 Secondly, the lobbying information about the
 5 \$250, the Idaho Petroleum Marketers Association gave to
 6 Representative Boyle's campaign, is irrelevant to the
 7 selection of factors to be considered.
 8 In any case, the Petroleum Marketers
 9 Association is not the gas industry. It's the trade
 10 group that represents gas station owners. So, whatever
 11 the Grosses think it might show, it doesn't.
 12 Lastly, the December 22, 2022 production
 13 report -- that I think they've attached to one of their
 14 last briefs -- you know, really in the Applicants' view
 15 should be a cause for celebration. There were
 16 abnormally high prices for a very short period; and as a
 17 result, royalty owners are going to receive bigger
 18 checks; and the State is going to receive more severance
 19 taxes because the Applicant generated more revenue.
 20 That is the way it works.
 21 But that single report is not evidence that
 22 Snake River has done or will do anything unfair toward
 23 the owners.
 24 Lastly, the constitutional arguments that the
 25 opposing owners raise repeatedly are not issues for you

Page 29

1 to decide or that you even have the authority to decide.
 2 But I will point out what they are arguing for
 3 is far in excess of what Judge Winnill ordered in the
 4 CAIA versus Schultz case. And I would argue that we are
 5 here because this process is already far in excess of
 6 what he ordered. He ordered only that the Department
 7 specify factors before the merits hearing so the parties
 8 would know what types of evidence to bring. He
 9 specifically found that the process would not be delayed
 10 because that was all in his ordering. That hasn't
 11 turned out to be the case.
 12 The objecting owners are receiving more
 13 process than that; several rounds of briefing, oral
 14 argument.
 15 In other words, up to three or four
 16 opportunities to be heard and to tell you what they
 17 think the factors ought to be.
 18 Of course they are entitled to be heard. This
 19 doesn't mean that they're entitled to turn every
 20 proceeding into a full-blown lawsuit.
 21 No other State does it that way. In other
 22 States, more limited processes have been upheld against
 23 challenges for many decades.
 24 I am not going to repeat from my briefing
 25 again why the factors that the Applicant has proposed

Page 30

1 are appropriate because you've already issued multiple
2 orders under similar circumstances and I think your
3 reasoning in those orders is sound.
4 So, with that, I'm happy to stand for
5 questions. Otherwise, I will speak in rebuttal.
6 HEARING OFFICER THOMAS: Thank you, Mr.
7 Christian. I reserve the right to ask questions later
8 during your rebuttal. I don't have any questions at
9 this time.
10 Mr. Piotrowski, I invite you to provide any
11 arguments you would like.
12 MR. PIOTROWSKI: Thank you, Mr. Thomas.
13 After just being lectured that it was not the
14 time and place to discuss what's actually just and
15 reasonable, Mr. Christian spent a lot of time discussing
16 what's just and reasonable. And I wish we would have a
17 little more consistency in the position taken by all
18 parties in this process.
19 Because, for instance, the purpose we are here
20 for today is to determine what would be necessary for
21 you, the Hearing Officer, to set terms that are just and
22 reasonable.
23 I would start that, number one, is the ability
24 to not integrate. If Snake River Oil and Gas is
25 guaranteed integration, then this process cannot yield

Page 31

1 just and reasonable terms.
2 If there is no option to not integrate, then
3 we're here spinning our wheels because you're going to
4 integrate. And that violates due process. It violates
5 notions of fairness and it absolutely violates the idea
6 that the terms must be just and reasonable.
7 Because if there are not any just and
8 reasonable terms, you don't have the option to say, no,
9 don't integrate, which means you are required to assume
10 that there are just and reasonable terms.
11 That's a rigged process. That is not a
12 reasonable process. It is the fact story process, I
13 realize. But it is a rigged process.
14 As a Hearing Officer, under the Idaho
15 Administrative Procedures Act, you are required to
16 follow the law; not just the Statute that sets up your
17 position; you are required to follow the law as it
18 relates to this matter.
19 And in this matter, it is possible that
20 integration is not warranted at all; but, yet, that is
21 not an option available to you.
22 I would suggest either you make that option
23 available to you or admit that you can't set just and
24 reasonable terms. That's number one.
25 Two is: You need to have the power to adjust

Page 32

1 the royalty rate. This is a financial transaction.
2 Snake River Oil and Gas is in the business to make
3 money, period, end of sentence, done.
4 They are not performing a public service.
5 They are not interested in the right of mineral owners.
6 They are in this to make money.
7 And the suggestion that we will not address
8 the royalty rate at all means that this cannot be a
9 process for setting just and reasonable terms.
10 Because the most important just and reasonable
11 terms in any compelled sale are what's being sold and
12 what's being paid for. And, yet, you've had the ability
13 to adjust royalty rates taken away from you.
14 So, again, Mr. Hearing Officer, either write a
15 decision that says you can't set just and reasonable
16 rates because your hands have been tied; or adjust the
17 royalty rate. Find authority to adjust the royalty
18 rate.
19 In a prior case, you concluded that you had
20 some power to adjust royalty rate in the leases; a power
21 you have not ever exercised, a power that we don't think
22 exists. Because in a lease -- a lease, by definition,
23 is a transaction between two individuals.
24 Now, if you can adjust private contracts, that
25 would be an interesting outcome. Private contracts are

Page 33

1 already executed. I don't think you can do that.
2 Your power sets terms for those who will be
3 offered leases, those who will be deemed leased and those
4 who will have other interests; but you cannot compel
5 people to enter into leases. You can only deem them
6 leased.
7 Third, is you really ought to be limiting
8 integration. The pool that are disclosed -- the pools
9 of hydrocarbons that are disclosed by the application.
10 You can't possibly know what are just and reasonable
11 term if we're talking about a pool in 10B; but you also
12 integrate the interest in a pool in 10D, which is
13 totally separate, doesn't -- may not even exist. If it
14 does exist, we don't know about it. We don't know its
15 size, we don't know its value.
16 So, on the third -- or fourth thing --
17 depending on how you count these -- what you want to do
18 is insure that integration is limited to what we
19 absolutely know about today.
20 Integrating unknown interests would be
21 literally impossible to set just and reasonable terms.
22 But if there is -- I don't know -- 50,000 feet
23 deep, there is a massive pool of crude oil, well, the
24 terms for that lease, the terms for that integration
25 would be vastly different from the terms of a small pool

Page 34

1 of natural gas at 5,000 feet.
 2 To accomplish this, you should require full
 3 disclosure by both the Department of Lands and Snake
 4 River Oil and Gas of all information in their possession
 5 that would be likely to be relevant here.
 6 That would include the extent of the pool, the
 7 likelihood of recovery, forecasts or predictions of
 8 market rate in the future.
 9 While you can call it discovery, you can also
 10 just call it the Hearing Officer exercising his
 11 authority to insure that the proceeding is fair and
 12 reasonable by ordering Snake River Oil and Gas to
 13 disclose all of that information.
 14 I'll call it discovery. Since Mr. Christian
 15 has pointedly repeatedly told us there is no discovery
 16 allowed, let's call it compelled disclosure.
 17 Next, you should consider all possible methods
 18 of extraction and drilling. The fact is that what
 19 happens in these cases -- as the Hearing Officer well
 20 knows -- is that integration is granted and then a well
 21 permit is submitted and the opportunity for real public
 22 input in the well permit process is extremely limited;
 23 and, yet, that is precisely where the rubber meet the
 24 road.
 25 Rather than relying on a less open, less

Page 35

1 public process that is not accompanied by due process,
 2 let's discuss methods of drilling and extraction, here
 3 and now, in this proceeding and those terms as part of
 4 the integration order.
 5 Another factor you must draft is preventing
 6 the confiscatory taping and protecting property owners
 7 from the bad business decisions of their neighbors.
 8 The equal fiction that this is fundamentally
 9 some kind of a democratic process is just that of
 10 fiction. Once 55 percent of people have leased,
 11 everybody else is stuck.
 12 There is no other method. There's no other
 13 process, that I'm aware of, in the American economy
 14 where I am stuck buying into the bad business decisions
 15 of my next door neighbor.
 16 Yes, the action of a neighbor can affect
 17 property values on the margins. If my neighbor sells
 18 his half-million-dollar house for \$100,000, I cannot be
 19 compelled to sell my similar house for \$100,000; and if
 20 I were, that would be neither just nor reasonable.
 21 Next is, I think the Hearing Officer really
 22 ought to address finding and appointing a neutral
 23 decision-maker.
 24 Idaho law is very clear that where the
 25 decision-maker has some interest, has the appearance of

Page 36

1 impropriety -- not the reality -- just the appearance --
 2 that that decision-maker should step aside.
 3 You asked if there was a statutory requirement
 4 that the Administrator do this, that has not stopped the
 5 Idaho Supreme Court from ordering disqualification of
 6 similar cases.
 7 Now, I'm not re-arguing this qualification
 8 Motion, but I am suggesting that one of the factors for
 9 insuring the terms are just and reasonable, it is a
 10 decision that should be made by somebody who is not
 11 employed by any division of any property.
 12 Because -- no offense to you -- but the fact
 13 is you are employed by a property owner in this State.
 14 And in terms of setting up just and reasonable factors,
 15 one of the things you could do is say that the remaining
 16 proceeding will be conducted before a true neutral.
 17 I want to respond to something that Mr.
 18 Christian said.
 19 This process that we're following is not the
 20 result of the decision in CAIA v Schultz. CAIA v
 21 Schultz did -- in that case, the federal judge did what
 22 federal judges do. He decided a narrow issue and
 23 declined to decide any other issue.
 24 The narrow issue he decided was that, in the
 25 absence of prior disclosure of what just and reasonable

Page 37

1 means, it violated due process to lead to a decision in
 2 that case. That's all he decided. He didn't decide
 3 anything else. He didn't decide a process that was
 4 otherwise constitutional. What he decided was the
 5 process was unconstitutional for this reason.
 6 Everything after that comes from your bosses,
 7 the Oil and Gas Commission. The Oil and Gas Commission
 8 charged you with determining in each case what were the
 9 factors that would be considered in that case.
 10 And when Mr. Christian objects that you should
 11 stop doing that and just keep using the same factors in
 12 every case, he is asking that you violate the command
 13 given to you by your employer.
 14 I would suggest -- after 30 -- nearly 30 years
 15 as an employment lawyer -- that you decline that
 16 invitation.
 17 What we need here is a process where it is
 18 possible to decide against integration.
 19 It is possible to adjust the royalty rate
 20 based on the individual factors that might make a
 21 different royalty rate more just, more reasonable.
 22 You should be able to adjust the bonus payment
 23 again, so that you can determine whether those factors
 24 require something different.
 25 You should limit integration; and in the

Page 38

1 process of doing this, it's going to be necessary to
 2 require full disclosure of all the information the
 3 parties have.
 4 If Snake River Oil and Gas, for instance, is
 5 aware that there is not one pool in the Department, but
 6 two and they don't -- or three or four -- and they don't
 7 disclose that to objecting owners, nonconsenting owners,
 8 then we are fundamentally engaging in dishonesty,
 9 injustice and unreasonable if you then integrate all of
 10 that interest.
 11 The fact is the Statute here does not allow
 12 you to do what the Statute tells you to do to determine
 13 what is just and reasonable.
 14 And so it is well past time for somebody to
 15 simply admit that you can't set just and reasonable
 16 terms if you can't change the price.
 17 This is an economic financial transaction,
 18 among other things; and if you can't change the price,
 19 you can't be just and reasonable. Thank you very much.
 20 HEARING OFFICER THOMAS: Thank you, Mr.
 21 Piotrowski. I do have one or two questions for you, if
 22 you don't mind.
 23 MR. PIOTROWSKI: Absolutely.
 24 HEARING OFFICER THOMAS: First one, just for
 25 clarity, Snake River Oil and Gas and the Department have

Page 39

1 proposed using the same factors used in the past three
 2 integrations; specifically, Docket No. CC-2022-OGR-
 3 01-001, 002, and Docket No. 2021-OGR-01-02.
 4 Do you agree with these factors; and if not,
 5 what's your alternative proposal?
 6 MR. PIOTROWSKI: My alternative proposal is
 7 set out in the brief. Those factors were inappropriate
 8 in those cases.
 9 They are even more inappropriate in this case.
 10 Exactly how and to what extent they're inappropriate, we
 11 don't know because Snake River Oil and Gas is permitted,
 12 by your agency, to not disclose what it knows about my
 13 clients' property.
 14 HEARING OFFICER THOMAS: Thank you, Mr.
 15 Piotrowski. One more question.
 16 Are the 11 property owners mentioned in your
 17 brief members of CAIA?
 18 MR. PIOTROWSKI: To my knowledge, they are.
 19 HEARING OFFICER THOMAS: Okay. Do you have
 20 additional clients in this unit that are also CAIA
 21 members?
 22 MR. PIOTROWSKI: I don't know that. I don't
 23 have additional clients in this unit. I don't -- you
 24 know, I can tell you that. I don't know whether CAIA
 25 has additional members in this unit.

Page 40

1 HEARING OFFICER THOMAS: Thank you, Mr.
 2 Piotrowski. Those are all the questions I have at this
 3 time.
 4 All right. Mr. Becker.
 5 MR. BECKER: Kahle Becker on behalf of the
 6 Grosses and Little Buddy Farm, LLC.
 7 I want to correct something that Mr. Christian
 8 said. This is a State sanctioned monopoly. There's one
 9 Applicant. There's no one else here who's applying to
 10 integrate this property. There's no other operator in
 11 the entire basin here who's taking the oil and gas from
 12 underneath these people's property.
 13 So, this is a take-it-or-leave-it deal by one
 14 Applicant. And we're being told to go to the
 15 Legislature and change the law. Unfortunately, it seems
 16 like Snake River Oil and Gas, an out-of-state company,
 17 has a close relationship with the legislators than my
 18 clients do, than the constituents that they represent
 19 do.
 20 This impacts surface owners in the State of
 21 Idaho who vote for their representatives. Snake River
 22 Oil and Gas can't vote. Its Board of Directors, its
 23 corporate headquarters aren't in Idaho. The money they
 24 make is sent out of Idaho and we're left with the mess
 25 to clean up afterwards.

Page 41

1 There was a promise that this was going to be
 2 a boom for small town in Idaho in the Payette/Weiser
 3 River area. What have they got? Submarket royalties,
 4 the risk of having to clean up a mess whenever this
 5 company leaves. They want something better.
 6 My clients are not opposed to oil and gas
 7 leasing. They're not opposed to oil and gas
 8 integration. They want to be treated fairly with
 9 dignity and with respect. I think that's for everyone
 10 in this basin who's now faced with the process of being
 11 forced to sell their oil and gas underneath their
 12 property to one, one Applicant here.
 13 We're being told that this is a wildcat
 14 operation. It's highly risky. \$9 million a month? I
 15 don't know if anyone else in this room is making
 16 \$9 million a month. I certainly am not. But \$9 million
 17 a month is a good chunk of change.
 18 And how much of that is staying in Idaho? We
 19 don't know. We don't know because the Applicant won't
 20 tell us. We have a Statute that their industry wrote
 21 that they believe doesn't allow us to even find out.
 22 We don't know what their corporate structure
 23 is, how they're using wholly-owned subsidiaries or
 24 closely-related entities to do business like a ^ shell
 25 game and inflate the amount of their overhead so that

Page 42

1 people's royalties are artificially deflated.
 2 Not only it's 1/8th over a ^ raw number.
 3 It's 1/8th of what? How do we even know what 1/8th is?
 4 You're going to take garbage in and put garbage out,
 5 that's what this process is here.
 6 And so, yes, I understand the Department's put
 7 between a rock and a hard place. It didn't write this
 8 Statute. Legislators did with the behest to the oil and
 9 gas industry. So, we're stuck with it. And I believe
 10 it's wholly unconstitutional.
 11 And a factor that this Hearing Officer said
 12 that would be considered is an administrative order
 13 cannot violate constitution or statutory provisions.
 14 Well, this entire statutory scheme violates
 15 the State constitution and the Federal constitution.
 16 And we've already had one court case take a
 17 bite out of a denial of due process; and perhaps we may
 18 need another one here to set this case back -- this type
 19 of proceeding back on the tracks.
 20 The concerns in this particular situation are,
 21 yes, right out of the gate, there's a denial of a right
 22 to discovery.
 23 So, the Applicant doesn't tell us who works
 24 for it. Doesn't tell us how much money it's making.
 25 Doesn't tell us what its costs are. And we're just

Page 43

1 supposed to come in and propose fair and reasonable
 2 factors in the dark.
 3 Yet, the Statute has an opportunity for this
 4 Hearing Officer to put it back on the tracks. Idaho
 5 Code 47-320, Sub 1 requires that the integration order
 6 proposed be on terms that are just and reasonable.
 7 Just is what's morally right. Is it morally
 8 right for this out-of-state company to come in here and
 9 drill, baby, drill in people's yards?
 10 They get to sit and look at a view of the
 11 hills, the farms; and now all the sudden they've got a
 12 flare that they're looking at.
 13 Well, the Applicant, itself, says: Well, the
 14 price of that is whatever royalties they pay.
 15 Well, again, back to Mr. Piotrowski, just
 16 because someone else signed on to a bad deal doesn't
 17 mean everyone else has to get a bad deal. The price
 18 that's paid needs to reflect market realities here.
 19 Yes, Snake River is absolutely entitled to
 20 make a reasonable rate of return on its investment. I
 21 don't doubt they spent a ton of money going out there
 22 thumping around hoping for what kind of gas is located
 23 where; but at some point, this is no longer a wildcat
 24 operation.
 25 They're here to stay and they're here to make

Page 44

1 a ton of money. And the less they leave in Idaho, the
 2 better for their out-of-state company profits.
 3 So, tell us how much you're making. Show us
 4 the records. Let us understand exactly how much money's
 5 going out of state and how the wholly-owned subsidiaries
 6 and related entities are being controlled and how much
 7 they're making.
 8 Let the citizens of Idaho know if they are
 9 being treated reasonably because, not only does the
 10 integration order need to be just, morally right, it
 11 needs to be reasonable. Reasonable -- I've pointed out,
 12 it looks to -- the reasonable rate of return, the
 13 investment-backed expectations; Snake River Oil and Gas
 14 has that; my clients have that; other people who might
 15 be integrated down the road have that type of
 16 expectation, as well; that they're treated reasonably.
 17 That they're not forced to sell their house
 18 for submarket rates. That they're not forced to go
 19 clean up a drill rig that's been left there after some
 20 company decides to go bankrupt and forfeit its -- what
 21 is it -- 16 or \$6,000 statutory bond. That's not
 22 reasonable.
 23 30 years from now, \$16,000 is probably going
 24 to buy a loaf of bread.
 25 We need to have fair and reasonable rates and

Page 45

1 bonds that prepare for the eventuality that mineral and
 2 gas extraction company cleans up its mess when it's
 3 done.
 4 Now, I understand the Hearing Officer's hands
 5 are tied with the Statute that's unconstitutional that
 6 prohibits discovery.
 7 However, the Hearing Officer is empowered to
 8 issue subpoenas. It is empowered to issue orders to
 9 insure that the terms are just and reasonable.
 10 And so, what I would propose is that in
 11 briefing that line be set to require a list of documents
 12 and areas of inquiry that we think need to be disclosed;
 13 and then the Hearing Officer can decide based on that
 14 what information it will compel the Applicant to
 15 disclose to the objecting parties with sufficient time
 16 that they can hire their own expert witnesses. They can
 17 hire their own accountants to go through and propose
 18 what is actually a just and reasonable term.
 19 I also think that the terms of the lease right
 20 now are proposed on a take-it-or-leave-it basis. Again,
 21 Snake River Oil and Gas is working with the Legislature
 22 right now to make it even a more take-it-or-leave-it
 23 deal. And if that goes through while these proceedings
 24 are in place, that Statute, I think, will also be
 25 challenged because it's even more unconstitutional than

Page 46

1 the one we're already working with here.
 2 But those are the factors that I think we need
 3 to consider here; our citizens of the State of Idaho
 4 getting a good deal. And right now, we just don't know.
 5 We know Snake River Oil and Gas is making a
 6 ton of money and they're proposing four to five new
 7 wells in this area.
 8 This is not a wildcat play anymore. They're
 9 here to make money and they want to do it as cheaply as
 10 they possibly can. It's time to put this train back on
 11 the tracks and make sure that the citizens of Idaho are
 12 actually making out all right as they were promised
 13 whenever the first gas was discovered here. Thank you.
 14 HEARING OFFICER THOMAS: Thank you, Mr.
 15 Becker. I've got a few questions for you.
 16 MR. BECKER: Yes.
 17 HEARING OFFICER THOMAS: First, you just
 18 mentioned earlier in your argument \$9 million a month.
 19 Can you tell me exactly what you're referring
 20 to there and what your source was?
 21 MR. BECKER: Mr. Christian cited the
 22 Department's website that had their production reports.
 23 I looked at the latest one that was filed, which was
 24 December, and it showed \$9 million.
 25 I think if you added up the numbers on the --

Page 47

1 I believe it was the last three of 20 pages, they go
 2 well by well. Some information is redacted. We don't
 3 know why.
 4 But the final report there said \$9 million,
 5 approximately. And so, you know, it looks to be in the
 6 \$110 million a year range.
 7 I didn't hear any rebuttals from Mr. Christian
 8 taking issue with that number. So, it sounds like it's
 9 accurate. That sounds like that's the value of the gas
 10 that they sold.
 11 But how that's then split out with cost of
 12 production and overhead and other things that they take
 13 out before they pay royalties -- and, frankly, the total
 14 amount of royalties that stay here in the State of
 15 Idaho, we don't know.
 16 I don't even know how much the Department of
 17 Lands is getting right now under the terms of the lease
 18 that it entered into.
 19 So, you know, we hope to flush all that out
 20 and make sure the people are being treated just and
 21 reasonable.
 22 HEARING OFFICER THOMAS: Thank you, Mr.
 23 Becker. One more question.
 24 In the opening brief, you shared some items
 25 that could be seen as factors or terms and you just

Page 48

1 spoke to that a little bit already.
 2 But, for clarity, can you please tell me which
 3 of these are actual factors versus terms that you would
 4 request at the evidentiary hearing?
 5 MR. BECKER: I'm looking back through my brief
 6 here.
 7 What I'm saying is that I think the terms that
 8 the Hearing Officer has used in the past, the eight
 9 terms that have been cited in Mr. Christian's briefing
 10 and in prior orders, are certainly things to consider.
 11 But I worry that they are being used to
 12 arbitrarily narrow issues and that they should be viewed
 13 as more expansive. Specifically, just and reasonable.
 14 That is not statutorily limited. It is a
 15 broad and open-ended inquiry that really takes this
 16 Hearing Officer sitting as a court of equity over a
 17 State sanctioned monopoly.
 18 So, what I would propose is that things to be
 19 considered are: Overall, are things just and
 20 reasonable?
 21 And the starting point of that is who's making
 22 what and where's the money going?
 23 And so, you know, can that fit within these
 24 eight factors; arguably, I would say overall, we've got
 25 the requirement of this Statute that must be interpreted

Page 49

1 consistent with Idaho constitution and the Federal
 2 constitution.
 3 So, once we have information, perhaps
 4 additional factors come to light.
 5 But right now simply saying: Well, we got
 6 these eight factors that we've used in the past, I don't
 7 even know what we're here arguing about yet because I
 8 can't get any information out of the Applicant here
 9 other than what it voluntarily chooses to provide, which
 10 is self-serving statements that say "in my experience,
 11 these things aren't reasonable."
 12 Well, to any lawyer who's been in a court, the
 13 reasonable -- what is reasonable in terms of relevant
 14 discovery is things that could lead to the discovery of
 15 relevant information at trial.
 16 Mr. Christian's client is saying: Oh, this
 17 isn't relevant. You don't need to consider it.
 18 So, I'm saying at the outset here, let's take
 19 a step back. Let's require some additional financial
 20 disclosures. And then maybe we need to revisit these
 21 terms here.
 22 But, off the bat is, are our citizens of Idaho
 23 being treated justly and reasonably? That ought to be
 24 condition number one.
 25 HEARING OFFICER THOMAS: Thank you, Mr.

Page 50

1 Becker.
 2 Are there any other uncommitted mineral
 3 interest owners in the spacing unit that would like to
 4 provide argument today? All right. Thank you.
 5 At this time, I'll invite the Department of
 6 Lands to provide argument. Ms. Winters.
 7 MS. WINTERS: Thank you, Mr. Hearing Officer.
 8 Beyond what the Department provided in its briefing
 9 regarding just and reasonable factors, the Department
 10 has nothing to add.
 11 HEARING OFFICER THOMAS: Thank you, Ms.
 12 Winters.
 13 I'll allow Snake River to offer your rebuttal
 14 at this time.
 15 MR. CHRISTIAN: Thank you, Mr. Administrator.
 16 Speaking first to Mr. Piotrowski's points.
 17 The assertion that integration is guaranteed, of course,
 18 ignores the fact that we can't even get to where we are
 19 today without having engaged in a lengthy resume of
 20 efforts and having achieved voluntary leases with a
 21 significant majority of the mineral owners in the
 22 section.
 23 And beyond that, we have to show, you know, as
 24 part of our application, that we had an adequate resume
 25 of efforts to attempt in good faith to lease those

Page 51

1 uncommitted owners who are now subject to integration.
 2 We have to show that we've complied with
 3 fairly extensive notice requirements and all the other
 4 requirements of the Statute for an integration
 5 application. So, it is not accurate to say that
 6 integration is guaranteed. There's a significant amount
 7 of effort and clearing of bars that occurs before we
 8 even get to this point.
 9 With respect to the argument about the ability
 10 to adjust royalty, I mean, this exists. Mr. Piotrowski
 11 acknowledges the Statute says for -- you know, the
 12 option under the Statute to elect to lease, the royalty
 13 is set at a minimum of 1/8th.
 14 The objecting mineral owners are perfectly
 15 within their rights to come to the merits hearing and
 16 provide evidence that the royalty rate for the lease
 17 election should be higher; for example, because they
 18 think that the fair market royalty rate in the area is
 19 no longer 1/8th. It's something different.
 20 You know, the deemed lease rate of 1/8th is
 21 set in Statute as it is in many other states with
 22 integration or compulsory pooling statutes.
 23 And, of course, you know, there's -- there's
 24 reasons for that, that this all -- again, this all goes
 25 back to, you know, the purposes for spacing an

Page 52

1 integration, which is to deal with the effects of the
 2 adverse effects of a rule of capture.
 3 And, you know, the incentives in the Statute
 4 are not to incentivize mineral interest owners to hold
 5 out for the best deal possible by integration;
 6 otherwise, no development would ever occur because
 7 everyone would hold out.
 8 There is a balancing again going on with the
 9 correlative rights between those mineral interest owners
 10 who have committed to development through leasing and
 11 the operator. And, again, we don't get there until a
 12 significant majority of people in the unit have made the
 13 decision that they don't want to do it at all. There's
 14 a balancing of those interests and the interest of those
 15 uncommitted owners.
 16 The purpose of the proceeding is not to
 17 maximize the return to one side or the other.
 18 To Mr. Piotrowski's point that you haven't
 19 exercised the authority to adjust the lease rate in
 20 prior proceedings is because there hasn't been any
 21 evidence offered to you to do so.
 22 The evidence that's been offered has
 23 consistently been, you know, what the market royalty
 24 rates for leases in the area has been for some time.
 25 You know, we hope that we have greater success

Page 53

1 and that more operators come in. And if more operators
 2 come in, there will be greater competition and the
 3 royalty rates and bonuses will undoubtedly rise faster
 4 than they have.
 5 They have risen since Snake River got here;
 6 apparently, just not fast enough for the purposes of the
 7 Grosses and the other uncommitted mineral interest
 8 owners.
 9 As to Mr. Piotrowski's point about limiting
 10 integration, you know, the fact of the matter is if you
 11 look at the application here, Snake River has, in fact,
 12 identified multiple stands that it wishes to test down
 13 to its planned -- total depth of its planned initial
 14 well.
 15 So, there is already information in the
 16 application, you know, indicating what it is that Snake
 17 River wishes to develop and what it wishes to integrate.
 18 To his argument about disclosure of all
 19 possible methods of extraction, again, you know, the
 20 operator has to submit an application for permits to
 21 drill. There are opportunities for the public to
 22 provide comment on those. There are extensive
 23 regulations in IDAPA 20-0702 that the operator has to
 24 comply with, technically, to insure that the wells are
 25 operated safely and efficiently.

Page 54

1 Again, if participants in the process think
 2 that the process should be different, then they need to
 3 take it up with the Legislature.
 4 With respect to Mr. Piotrowski's argument
 5 about changing the Hearing Officer, of course, that
 6 would directly violate the Act.
 7 As you've already noted, you're required to
 8 make the decision in this case. Even if you hire or
 9 appoint a Hearing Officer, they would issue a
 10 recommended decision and you're required to make the
 11 ultimate -- or issue the order, finally. So, a term or
 12 condition that exceeds or violates the terms of the Act
 13 is, by definition, unreasonable.
 14 Lastly, you know, to Mr. Piotrowski's point
 15 that I have mischaracterized CAIA versus Schultz, what
 16 Judge Winmill ordered in that case, I quoted his
 17 language in my briefing. That's exactly what he
 18 ordered.
 19 And, you know, there's -- there is the
 20 opportunity for mineral interest owners to provide
 21 evidence, additional evidence and there has been in
 22 every previous integration proceeding to provide
 23 evidence to support terms and conditions that they think
 24 should be different from what the Applicant proposes.
 25 That remains true in this case.

Page 55

1 Objecting mineral interest owners will have
 2 the opportunity to present evidence to apply the
 3 factors; and if they choose not to do so, that's their
 4 option.
 5 Well, I guess to Mr. Piotrowski's argument
 6 that our suggestion is not simply that we should just
 7 use the same factors every single time, we haven't come
 8 in here and suggested that to you.
 9 We, in our application, provided you with
 10 reasons why those factors were -- if they were
 11 appropriate before our appropriate now.
 12 And we know of no different circumstances in
 13 Section 24 that should compel you to use different
 14 factors for consideration.
 15 And, again, if the objecting mineral owners
 16 wanted to present evidence to you of circumstances in
 17 Section 24 that would compel the use of different
 18 factors, they were welcome to do so here today and they
 19 didn't.
 20 Moving on to Mr. Becker's comments. I mean,
 21 honestly, his argument sounded more like a political
 22 stunt speech than a legal argument.
 23 You know, we do not -- the Applicant does not
 24 occupy a monopoly position. There is nothing that
 25 prevents any other operator from coming into this State

Page 56

1 and investing in capital and competing against it and,
 2 you know, working to develop their own gas resources and
 3 compete for leases and do all those things.
 4 You know, we are -- the integration proceeding
 5 is, again, a balancing of the correlative rights of
 6 committed mineral interest owners and uncommitted
 7 mineral interest owners.
 8 Because of spacing requirements that have come
 9 about here -- as well as virtually everywhere else in
 10 the producing world -- to deal with and mitigate the
 11 effects of the rule of capture, it's not possible to
 12 develop without having some system in place that allows
 13 development to go forward if the majority of the mineral
 14 interest owners have made the decision that it should
 15 happen. So, we're not in a monopolist position.
 16 I'm not going to respond to all of the things
 17 about sub-royalty rates and cleaning up a mess and shell
 18 games and things other than to say it's just evidence-
 19 free. There has been no evidence supplied to you to
 20 support any of those things. And it's unfortunate.
 21 Lastly, Mr. Becker said that the Grosses are
 22 not against oil and gas development or integration.
 23 They simply wish to be treated fairly.
 24 And that's precisely what the Applicant is
 25 proposing and what the Statute, frankly, provides for.

Page 57

1 They are to receive a bonus equal to the highest bonus
 2 paid in the unit prior to the application. So, they're
 3 getting the best deal on the bonus side that's out there
 4 in this unit.
 5 They are -- you know, because, historically,
 6 the lease rate has been set at the market level, they're
 7 going to get a royalty rate that is equivalent to what
 8 other landowners who are negotiating and signing leases
 9 voluntarily are getting. That's not unfair.
 10 Mr. Becker and Mr. Piotrowski may say that
 11 just because somebody else agrees to a bad deal doesn't
 12 mean we should be subject to it.
 13 But there's no evidence that that's a bad deal
 14 under the circumstances in Idaho right now.
 15 Again, you know, if the objecting mineral
 16 owners wish to ask for and propose different royalty
 17 rates or other terms and conditions, they are welcome to
 18 bring evidence to the hearing to support that proposal.
 19 That's all I have and I'm happy to answer your
 20 questions.
 21 HEARING OFFICER THOMAS: Thank you, Mr.
 22 Christian. I don't have any questions for you at this
 23 time.
 24 MR. CHRISTIAN: Thank you.
 25 HEARING OFFICER THOMAS: I would like to move

Page 58

1 on to any public comments for those folks who have shown
2 up in person. And there's no one to provide comments, I
3 think, via Zoom.
4 So, if there's anyone in the room that would
5 like to provide public comment at this time, please walk
6 up.
7 MR. DICK ALTACAR: (Phonetic) Do I have to
8 walk up or can I talk real loud? I'm hard of hearing.
9 HEARING OFFICER THOMAS: State your name for
10 me, please.
11 MR. DICK ALTACAR: Dick and Sue Altacar.
12 We're in this district.
13 HEARING OFFICER THOMAS: Okay.
14 MR. DICK ALTACAR: How long has this oil
15 company's track record with your Department been? And
16 how many years experience do you have dealing with them?
17 Can you answer that for me?
18 HEARING OFFICER THOMAS: Certainly. That's
19 fine. This current operator acquired operations I think
20 in early 2021. We've been dealing with them since that
21 time. I've been in my role for a little over
22 five-and-a-half years.
23 And so, I hope that answers your question.
24 MR. DICK ALTACAR: I mean, if there's
25 disapproval with them, you would have record of that and

Page 59

1 you're keeping all that in record.
2 HEARING OFFICER THOMAS: Yeah. The website
3 has all the comments and stuff that's been provided.
4 MR. DICK ALTACAR: Thank you.
5 HEARING OFFICER THOMAS: Are there any other
6 comments?
7 Go ahead.
8 MS. JOANNE HIGBEE: I'm going to stand here
9 because it's easier.
10 HEARING OFFICER THOMAS: You can even sit, if
11 you'd like.
12 MS. JOANNE HIGBEE: Okay. Thank you.
13 HEARING OFFICER THOMAS: Joanne, just a
14 moment. Can everybody hear Joanne when she's talking?
15 Okay.
16 Go ahead.
17 MS. JOANNE HIGBEE: Okay.
18 HEARING OFFICER THOMAS: For the record, say
19 your name. We all kind of know you, but I want
20 everybody to know you.
21 MS. JOANNE HIGBEE: My name is Joanne Higbee.
22 HEARING OFFICER THOMAS: Thank you.
23 MS. JOANNE HIGBEE: I own property in
24 Section 13 and 14.
25 So, I guess my only comment is when I read Ms.

Page 60

1 Winters' Department of Lands statement, number C said
2 that the royalty should be similar to those in the
3 section or those nearby. Did I understand that
4 correctly?
5 Because I'd like to know the mechanism you
6 have for acquiring that information on nearby sections
7 to make sure it is correct.
8 HEARING OFFICER THOMAS: All right. Thank you
9 for that comment. We're not going to -- this isn't a
10 Q-and-A back and forth with the parties. So, I hope you
11 know that she's not going to provide an answer to that.
12 But that's a fine comment.
13 MS. JOANNE HIGBEE: Well, if there is not --
14 if the Department doesn't have a database or a mechanism
15 in place, it would seem appropriate that they create one
16 so that if there is a higher royalty paid in a nearby
17 section that you adjust offers accordingly.
18 HEARING OFFICER THOMAS: I appreciate that.
19 Thank you.
20 Are there any other comments at this time?
21 MS. LORI RYANS: I will.
22 HEARING OFFICER THOMAS: Go ahead.
23 MS. LORI RYANS: My husband and I just bought
24 our property out on --
25 HEARING OFFICER THOMAS: And your name,

Page 61

1 please?
2 MS. LORI RYANS: Lori Ryans. My husband,
3 Kevin and I, just bought our property out on northwest
4 fourth this last July. And so it appears in the letters
5 -- I have no background in understanding of how all this
6 oil leasing works -- but it appears from what we've
7 gotten the letters that to drill they need 160-acre
8 portion of land. Is that correct? Is that why we're
9 all being integrated forcibly or willingly into a
10 160-acre unit?
11 I'll go on with my comments. I might be
12 wrong. I might not be. Since it's not a back and
13 forth --
14 That just seems -- I could care less about the
15 money and the royalties and trying to get more. It's
16 this being forced into 160-acre units so that they're
17 able to drill these gas wells.
18 We're right bordering the parcel that it would
19 happen on. And to have to look out at these gas wells,
20 not knowing how close they're going to be to our
21 property line, how many of them there's going to be on
22 that parcel next to us, it does not seem right that you
23 could force property owners into a situation like this
24 where they have no choice and you're amassing this
25 160-acre parcel so that the drilling that can happen,

Page 62

1 whether somebody wants to be a part of that or not.
 2 I could see if everybody was willing to pull
 3 their property together to do this thing. That's one
 4 thing.
 5 But when you have property owners who aren't
 6 wanting to do that, then it just really seems unfair and
 7 unjust to me that that would happen. And it will
 8 negatively affect the value of our property.
 9 HEARING OFFICER THOMAS: Thank you. I can
 10 share that for gas in Idaho, standard spacing is
 11 160 acres or a 640-acre unit.
 12 There are options if the geology presents
 13 itself to custom size a unit, depending on the size --
 14 the estimated size of the pool that will be drained.
 15 So, if the pool, for example, covers
 16 300 acres, okay, then that unit is still going to be
 17 square, right, or geographically it's going to have to
 18 be obviously over 300 acres so that it could fully cover
 19 all of that pool.
 20 That's a little bit of information I can
 21 provide. Right. I can't ask these folks to testify
 22 back to you. But I'm happy to provide some answers to
 23 your questions.
 24 So, that is also a Statute; 160 or 640.
 25 MS. LORI RYANS: It seems like maybe that

Page 63

1 original amount, the thought would have been that
 2 somebody -- the person wanting to enter into the lease
 3 would have had a piece of property that large. And so,
 4 then if they did, it's really not affecting the other
 5 landowners around them if they have that 160 acres or
 6 640 acres.
 7 But when they have a smaller acreage and then
 8 you're trying to get all the other smaller acreages
 9 around them to make up this amount, then I think it's
 10 kind of defeating the purpose, or whatever, of keeping
 11 those wells away from the property owners who have no
 12 interest in that who don't want to look at them, who
 13 don't want that noise and activity right next to them or
 14 to see the flames. We can see a flame from where we are
 15 already, but...
 16 HEARING OFFICER THOMAS: Thank you.
 17 MS. LORI RYANS: Thank you. Appreciate the
 18 time.
 19 HEARING OFFICER THOMAS: Are there any other
 20 comments today?
 21 MR. SCOTT: I would like to ask a question.
 22 I'm Murray (Phonetic) Scott. I'm representing Mary Ann
 23 Miller.
 24 The 160-acre parcels that they're drilling in,
 25 if you are the property owner of the property that is

Page 64

1 designated, do you have the absolute right to say: No,
 2 you cannot drill on my property? Do you have -- is
 3 there an option on that at all?
 4 And can that parcel, that 160 acres that we're
 5 talking about, could it be into one corner and then you
 6 frack over to the area that you're dealing in? Are
 7 those things that are possible?
 8 I haven't heard anything of the possibilities
 9 of where the locations of anything would be and how it
 10 would affect the property owners in the area. I'm just
 11 asking a question.
 12 HEARING OFFICER THOMAS: Yeah. I can give you
 13 a little bit of information on that.
 14 To my knowledge -- and as I've been previously
 15 asked -- I know what the operator's done so far. And
 16 there hasn't been any unagreed between a surface owner
 17 and the operator to drill, to put a well pad on.
 18 They have volunteered a surface use agreement
 19 with the surface owners where all of the pads are.
 20 So, there's the information I have for you
 21 there.
 22 And in some orders that I've given, that's a
 23 requirement that there has to be a voluntary agreement
 24 between the surface use. Right?
 25 We also have guidelines in Statute that set --

Page 65

1 that put setbacks from the unit boundary to the well.
 2 Right. So that it's ideally impossible, if not very
 3 difficult, to get real close to that unit and then by --
 4 you know, take any hydrocarbons from outside the unit,
 5 as you're referring to.
 6 Also, regarding fracturing; so far in Western
 7 Idaho, there hasn't been any hydraulic fracturing.
 8 And, as a geologist, I can say that that would
 9 be highly unlikely. Because of the way the geology is
 10 here and the formation, it's not conducive to hydraulic
 11 fracturing. You'd basically get a wellbore full of
 12 beach sand probably. That's a little bit of an
 13 exaggeration. There's no real need to fracture
 14 sandstone with the porosity that we have here in
 15 Southwest Idaho. So, it's just not -- the geology in
 16 this area is not conducive to it. In fact, it would
 17 probably be deleterious. All right.
 18 MR. SCOTT: Thank you.
 19 HEARING OFFICER THOMAS: Thank you. Any other
 20 comments?
 21 MS. LORI RYANS: Can I ask a question?
 22 HEARING OFFICER THOMAS: Okay.
 23 MS. LORI RYANS: So, then you were talking
 24 about setback. Is there a distance from one property
 25 owner to the next that they must keep their wells away

1 from?
 2 Our little acre-and-a-half piece and the
 3 property around us that's going to be drilled on -- or
 4 that they want to drill on -- - do they have to stay
 5 back a certain distance from our property line? Or they
 6 can come right up to the property line and put in a
 7 well?
 8 HEARING OFFICER THOMAS: Off the top of my
 9 head, I don't have that answer. I apologize. I'll find
 10 it and respond to you separately outside this hearing,
 11 if you don't mind, to answer that. All right? If
 12 that's okay.
 13 MS. LORI RYANS: Yeah. Yeah.
 14 HEARING OFFICER THOMAS: All right.
 15 MR. CHRISTIAN: Mr. Administrator, might I
 16 offer some information to answer some of the folks'
 17 questions briefly on behalf of the Applicant?
 18 HEARING OFFICER THOMAS: Well, keep it very
 19 focused, Mr. Christian.
 20 MR. CHRISTIAN: Yes. I think it was Mr.
 21 Altacar or Ms. Altacar. The question was the track
 22 record of the Applicant.
 23 I just wanted to let you know that one of the
 24 principles, Richard Brown, lives in Idaho full-time.
 25 His family has connections to Idaho that go back to the

1 '50s. And I believe they've owned a place in Idaho
 2 since the 1970s.
 3 This is a 640-acre unit; not a 160-acre unit.
 4 And it is a requirement of the Statute that
 5 the drill site be leased. So, we can't drill -- have a
 6 drill location on an integrated tract. That's all.
 7 HEARING OFFICER THOMAS: Thank you, Mr.
 8 Christian.
 9 All right. It's now 10:27 on March 14, 2023
 10 and this hearing is concluded. I'll take this under
 11 advisement and issue a written order. Thank you,
 12 everyone, for your participation today. It will be
 13 within 30 days, which is April 13th. Good day.
 14 (THE HEARING CONCLUDED)
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

REPORTER'S CERTIFICATE

1
 2
 3 I, Rainey (M.) Stockton, Certified
 4 Shorthand Reporter, certify:
 5 That the audio recording of the
 6 proceedings was transcribed by me or under my direction.
 7 That the foregoing is a true and correct
 8 transcription of all testimony given, to the best of my
 9 ability.
 10 I further certify that I am not a relative
 11 or employee of any attorney or party, nor am I
 12 financially interested in the action.
 13 IN WITNESS WHEREOF, I set my hand and seal
 14 this 27th day of March, 2023.
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25 My commission expires September 3, 2024



Mary (Rainey) Stockton
 Notary Public
 CSR No. 426

	63:7	35:16;62:8;64:10	15:9;66:9
\$	acres (1) 63:8	affecting (1) 63:4	apparently (1) 53:6
\$100,000 (2) 35:18,19	acre-and-a-half (1) 66:2	Affidavit (2) 7:11,16	Appearance (6) 7:21;13:22,23;14:10;35:25; 36:1
\$110 (1) 47:6	acres (6) 62:11,16,18;63:5,6;64:4	affidavits (2) 5:9;21:20	appearances (1) 5:18
\$16,000 (1) 44:23	across (1) 10:16	Afterward (1) 22:6	appeared (2) 12:1;20:25
\$250 (1) 28:5	act (8) 9:22;19:5;23:19;24:2,22; 31:15;54:6,12	afterwards (1) 40:25	appearing (3) 4:11;6:19;22:17
\$6,000 (1) 44:21	action (1) 35:16	again (23) 4:21;5:12;9:4;11:12;12:22; 19:12,16,21;25:15;26:19; 29:25;32:14;37:23;43:15; 45:20;51:24;52:8,11;53:19; 54:1;55:15;56:5;57:15	appears (3) 20:19;61:4,6
\$9 (6) 41:14,16,16;46:18,24;47:4	activity (1) 63:13	against (4) 29:22;37:18;56:1,22	applicant (33) 5:22;7:22;8:12,18,19,20,24, 25:9;3:10;21:11;9:17;11:22; 20:2;22:1;23:3;27:8;28:3,19; 29:25;40:9,14;41:12,19;42:23; 43:13;45:14;49:8;54:24;55:23; 56:24;66:17,22
A	actual (2) 19:1;48:3	agency (1) 39:12	Applicants' (2) 22:22;28:14
ability (3) 30:23;32:12;51:9	actuality (1) 13:23	agree (1) 39:4	application (14) 5:13,15;7:7,10;21:3;22:24; 33:9;50:24;51:5;53:11,16,20; 55:9;57:2
able (4) 18:12,24;37:22;61:17	actually (4) 11:9;30:14;45:18;46:12	agreement (2) 64:18,23	applications (1) 12:21
abnormally (1) 28:16	add (1) 50:10	agrees (1) 57:11	apply (1) 55:2
absence (1) 36:25	added (1) 46:25	ahead (4) 13:7;59:7,16;60:22	applying (1) 40:9
absolute (1) 64:1	addition (2) 9:6;13:8	Allied (2) 6:11;8:4	appoint (1) 54:9
absolutely (4) 31:5;33:19;38:23;43:19	additional (7) 9:12;39:20,23,25;49:4,19; 54:21	allow (6) 10:3;18:17;27:9;38:11; 41:21;50:13	appointed (1) 11:6
abundance (1) 11:4	address (8) 3:11;5:1,4;15:15;16:24; 21:15;32:7;35:22	allowed (5) 5:8;21:19;25:19;26:3;34:16	appointing (1) 35:22
accept (3) 22:6,6,14	addressed (1) 24:14	allows (1) 56:12	appreciate (2) 60:18;63:17
access (1) 26:12	adequate (1) 50:24	ALTACAR (8) 58:7,11,11,14,24;59:4;66:21, 21	appropriate (6) 14:3;23:1;30:1;55:11,11; 60:15
accompanied (1) 35:1	adjust (11) 31:25;32:13,16,17,20,24; 37:19,22;51:10;52:19;60:17	alternative (2) 39:5,6	approve (1) 14:12
accomplish (1) 34:2	administer (1) 20:10	Although (3) 15:25;24:2,9	approximately (1) 47:5
accomplishing (1) 14:19	administrative (5) 18:11;25:23;26:1;31:15; 42:12	amassing (1) 61:24	April (1) 67:13
Accountability (2) 6:12;8:4	Administrator (11) 3:19;5:22;11:22;12:19; 13:16;21:2,6;22:21;36:4;50:15; 66:15	American (1) 35:13	arbitrarily (1) 48:12
accountants (1) 45:17	Administrator's (1) 22:25	among (1) 38:18	area (7) 41:3;46:7;51:18;52:24;64:6, 10;65:16
accurate (2) 47:9;51:5	admit (2) 31:23;38:15	amount (6) 18:15;41:25;47:14;51:6; 63:1,9	areas (1) 45:12
accusatory (2) 15:19;19:16	adverse (3) 10:14;11:10;52:2	and/or (1) 4:9	arguably (1) 48:24
achieved (1) 50:20	advisement (1) 67:11	animus (2) 12:16;13:12	argue (3) 27:15,16;29:4
acknowledges (1) 51:11	Advocate (1) 11:2	Ann (4) 6:11;7:17;8:8;63:22	argued (1) 25:14
Acknowledgment (1) 7:10	advocating (1) 27:24	anymore (1) 46:8	
acquired (1) 58:19	affect (3)	apologize (2)	
acquiring (1) 60:6			
acreage (1)			

<p>arguing (4) 27:1,17;29:2;49:7</p> <p>argument (18) 5:11;9:25;10:1;13:3;14:25; 21:22;22:14,20;29:14;46:18; 50:4,6;51:9;53:18;54:4;55:5, 21,22</p> <p>arguments (12) 3:24;16:21;17:9;20:5;21:23, 25;22:2,4,6,12;28:24;30:11</p> <p>around (5) 26:10;43:22;63:5,9;66:3</p> <p>arrangement (4) 10:20;11:9;16:7;19:2</p> <p>arrangements (1) 10:23</p> <p>article (1) 27:24</p> <p>artificially (1) 42:1</p> <p>aside (1) 36:2</p> <p>assertion (1) 50:17</p> <p>Association (2) 28:5,9</p> <p>assume (1) 31:9</p> <p>attached (2) 27:23;28:13</p> <p>attemp (1) 50:25</p> <p>Attorney (7) 6:18;18:4,5,7,9,22;20:25</p> <p>audio (1) 3:5</p> <p>authority (5) 23:14;29:1;32:17;34:11; 52:19</p> <p>availability (1) 12:4</p> <p>available (2) 31:21,23</p> <p>average (2) 17:9;18:22</p> <p>aware (5) 17:1;22:25;23:4;35:13;38:5</p> <p>away (3) 32:13;63:11;65:25</p>	<p>35:7,14;43:16,17;57:11,13</p> <p>balancing (5) 24:25;25:13;52:8,14;56:5</p> <p>bankrupt (1) 44:20</p> <p>bars (1) 51:7</p> <p>based (3) 27:20;37:20;45:13</p> <p>basically (1) 65:11</p> <p>basin (3) 26:17;40:11;41:10</p> <p>basis (2) 13:11;45:20</p> <p>bat (1) 49:22</p> <p>beach (1) 65:12</p> <p>Becker (27) 5:24;6:2,2;7:19;8:1,21,22; 9:2;10:5,8,9;11:18;16:22,24; 20:4;22:5;40:4,5,5;46:15,16, 21;47:23;48:5;50:1;56:21; 57:10</p> <p>Becker's (1) 55:20</p> <p>begin (2) 9:24;10:6</p> <p>behalf (7) 6:7,19;7:19;8:3;15:6;40:5; 66:17</p> <p>behest (1) 42:8</p> <p>best (3) 11:5;52:5;57:3</p> <p>better (2) 41:5;44:2</p> <p>beyond (4) 12:1;27:5;50:8,23</p> <p>bias (5) 12:16;13:13,14,24;20:16</p> <p>big (1) 17:15</p> <p>bigger (1) 28:17</p> <p>bit (5) 18:8;48:1;62:20;64:13;65:12</p> <p>bite (1) 42:17</p> <p>Board (1) 40:22</p> <p>Boise (1) 3:16</p> <p>bond (1) 44:21</p> <p>bonding (2) 24:12;27:3</p> <p>bonds (1) 45:1</p> <p>bonus (4) 37:22;57:1,1,3</p> <p>bonuses (1)</p>	<p>53:3</p> <p>books (1) 26:12</p> <p>boom (1) 41:2</p> <p>bordering (1) 61:18</p> <p>bosses (1) 37:6</p> <p>both (5) 15:23;22:23;25:18;26:16; 34:3</p> <p>bottom (1) 15:8</p> <p>bought (2) 60:23;61:3</p> <p>boundary (1) 65:1</p> <p>Boyle's (1) 28:6</p> <p>bread (1) 44:24</p> <p>Brenda (2) 6:8;8:5</p> <p>Brief (19) 8:2,8,11,15,17,18,21,22,24; 9:2,3;11:19,24;15:14;19:11; 39:7,17;47:24;48:5</p> <p>briefing (17) 5:8;9:6;12:6,23;15:16,19; 21:19;22:24;23:11;24:14; 27:24;29:13,24;45:11;48:9; 50:8;54:17</p> <p>briefings (1) 16:16</p> <p>Briefly (3) 11:23;15:12;66:17</p> <p>briefs (3) 3:22;12:9;28:14</p> <p>bring (3) 4:22;29:8;57:18</p> <p>broad (1) 48:15</p> <p>Brown (1) 66:24</p> <p>Buddy (4) 6:3;7:20;10:10;40:6</p> <p>burdens (1) 23:15</p> <p>business (5) 14:15;32:2;35:7,14;41:24</p> <p>buy (1) 44:24</p> <p>buying (1) 35:14</p>	<p>called (1) 4:6</p> <p>calls (1) 27:12</p> <p>campaign (1) 28:6</p> <p>can (37) 4:23;5:14;6:5,15;9:22;10:6; 11:7;16:22;26:23;32:24;33:1,5; 34:9,9;35:16;37:23;39:24; 45:13,16,16;46:10,19;48:2,23; 58:8,17;59:10,14;61:25;62:9, 20;63:14;64:4,12;65:8,21;66:6</p> <p>capital (3) 24:23;25:9;56:1</p> <p>capture (2) 52:2;56:11</p> <p>care (2) 16:4;61:14</p> <p>case (24) 11:8;12:11;13:12;14:9;18:3; 25:20,24,24;27:10;28:8;29:4, 11;32:19;36:21;37:2,8,9,12; 39:9;42:16,18;54:8,16,25</p> <p>cases (5) 14:21;24:18;34:19;36:6;39:8</p> <p>cause (1) 28:15</p> <p>caution (1) 11:5</p> <p>CC-2022-OGR- (1) 39:2</p> <p>CC-2023-OGR-01-001 (2) 3:7;7:3</p> <p>celebration (1) 28:15</p> <p>certain (2) 17:22;66:5</p> <p>certainly (4) 10:25;41:16;48:10;58:18</p> <p>Certified (1) 7:12</p> <p>challenged (1) 45:25</p> <p>challenges (1) 29:23</p> <p>change (4) 38:16,18;40:15;41:17</p> <p>changed (3) 23:6;26:7;27:13</p> <p>changing (1) 54:5</p> <p>charged (1) 37:8</p> <p>cheaply (1) 46:9</p> <p>checks (1) 28:18</p> <p>choice (1) 61:24</p> <p>choose (1) 55:3</p> <p>chooses (1)</p>
B			
<p>baby (2) 14:1;43:9</p> <p>back (15) 4:22;23:11;42:18,19;43:4,15; 46:10;48:5;49:19;51:25;60:10; 61:12;62:22;66:5,25</p> <p>background (1) 61:5</p> <p>back-up (2) 3:5;4:3</p> <p>bad (6)</p>	<p>Board (1) 40:22</p> <p>Boise (1) 3:16</p> <p>bond (1) 44:21</p> <p>bonding (2) 24:12;27:3</p> <p>bonds (1) 45:1</p> <p>bonus (4) 37:22;57:1,1,3</p> <p>bonuses (1)</p>		
		C	
		<p>CAIA (8) 8:20;29:4;36:20,20;39:17,20, 24;54:15</p> <p>call (4) 34:9,10,14,16</p>	

<p>49:9 chose (1) 10:24 Christian (24) 5:19,21,21;11:19,22;13:1; 17:21;22:19,21;30:7,15;34:14; 36:18;37:10;40:7;46:21;47:7; 50:15;57:22,24;66:15,19,20; 67:8 Christian's (6) 13:13;17:8,25;18:7;48:9; 49:16 chunk (1) 41:17 circumstances (6) 23:4;27:11;30:2;55:12,16; 57:14 cite (1) 20:8 cited (3) 25:25;46:21;48:9 citizen (1) 17:9 Citizens (7) 6:11;8:4;11:15;44:8;46:3,11; 49:22 City (1) 3:9 clarify (1) 5:12 clarifying (1) 4:17 clarity (2) 38:25;48:2 clean (3) 40:25;41:4;44:19 cleaning (1) 56:17 cleans (1) 45:2 clear (1) 35:24 clearing (1) 51:7 clearly (1) 4:7 client (5) 16:3;18:3,7,9;49:16 clients (6) 18:1;39:20,23;40:18;41:6; 44:14 clients' (1) 39:13 close (3) 40:17;61:20;65:3 closely-related (1) 41:24 Code (5) 3:14,20;21:1,10;43:5 coming (1) 55:25 command (2) 14:4;37:12</p>	<p>commanded (1) 14:12 Comment (8) 7:24;22:16,17;53:22;58:5; 59:25;60:9,12 comments (16) 3:22,23;7:17;15:5,10;22:15, 15;55:20;58:1,2;59:3,6;60:20; 61:11;63:20;65:20 Commission (8) 13:15;15:23,25;16:13;23:14, 17;37:7,7 committed (3) 25:4;52:10;56:6 company (6) 40:16;41:5;43:8;44:2,20; 45:2 company's (1) 58:15 compel (4) 33:4;45:14;55:13,17 compelled (4) 11:11;32:11;34:16;35:19 compensation (1) 27:5 compete (1) 56:3 competing (1) 56:1 competition (1) 53:2 complete (1) 22:14 completely (2) 11:14;12:11 complied (1) 51:2 comply (2) 23:17;53:24 component (1) 4:1 compulsion (2) 13:17,17 compulsory (1) 51:22 concern (2) 10:13;11:12 concerned (2) 24:22,25 concerns (1) 42:20 concluded (3) 32:19;67:10,14 condition (3) 24:12;49:24;54:12 conditions (7) 3:13;23:15;24:11;27:2,13; 54:23;57:17 conducive (2) 65:10,16 conducted (2) 16:16;36:16 conducting (1)</p>	<p>3:19 confidence (3) 11:7,12;20:1 confiscatory (1) 35:6 conflict (1) 12:10 connect (2) 18:12,24 connected (1) 19:8 connecting (1) 18:21 connections (1) 66:25 consider (10) 3:12;17:18;18:2,14;24:10; 27:6;34:17;46:3;48:10;49:17 consideration (3) 22:23;27:9;55:14 considered (6) 23:23;24:18;28:7;37:9; 42:12;48:19 considering (1) 15:16 consistency (1) 30:17 consistent (3) 23:18;26:17;49:1 consistently (1) 52:23 consisting (1) 3:15 constituents (1) 40:18 constitution (5) 42:13,15,15;49:1,2 constitutional (2) 28:24;37:4 continue (6) 3:21;7:21,23;8:2,9;16:8 continues (1) 4:9 Continuing (1) 8:10 contracts (2) 32:24,25 contradict (1) 28:2 controlled (1) 44:6 copies (1) 10:19 copy (1) 7:5 corner (1) 64:5 corporate (2) 40:23;41:22 correctly (1) 60:4 correlative (5) 23:20;24:25;25:13;52:9;56:5</p>	<p>cost (1) 47:11 costs (1) 42:25 counsel (1) 9:10 count (1) 33:17 country (1) 26:10 County (1) 3:17 course (4) 29:18;50:17;51:23;54:5 Court (5) 24:5;36:5;42:16;48:16;49:12 cover (1) 62:18 covers (1) 62:15 create (1) 60:15 created (3) 15:24;16:6;18:8 creates (1) 13:22 crude (1) 33:23 current (1) 58:19 custom (1) 62:13 cuts (1) 10:16</p>
D			
			<p>Dana (2) 6:3;7:20 DAPA (1) 25:19 dark (1) 43:2 database (1) 60:14 date (2) 5:7;21:18 dates (1) 17:22 David (2) 6:9;8:6 day (1) 67:13 days (6) 9:17,18,20;12:1;20:21;67:13 deadline (2) 5:12;8:11 deal (12) 17:15;40:13;43:16,17;45:23; 46:4;52:1,5;56:10;57:3,11,13 dealing (4) 18:4;58:16,20;64:6 decades (1)</p>

<p>29:23 December (2) 28:12;46:24 decide (8) 12:20;29:1,1;36:23;37:2,3, 18;45:13 decided (5) 21:4;36:22,24;37:2,4 decides (1) 44:20 deciding (2) 11:8;20:5 decision (10) 21:3,9;32:15;36:10,20;37:1; 52:13;54:8,10;56:14 decision-maker (5) 14:8,11;35:23,25;36:2 decisions (4) 14:15;19:19;35:7,14 decline (1) 37:15 declined (1) 36:23 deem (2) 33:3,5 deemed (2) 26:15;51:20 deep (1) 33:23 defeating (1) 63:10 defend (1) 15:22 defined (1) 26:4 definition (2) 32:22;54:13 deflated (1) 42:1 delay (1) 18:8 delayed (1) 29:9 deleterious (1) 65:17 democratic (1) 35:9 denial (2) 42:17,21 denied (1) 24:7 deny (1) 12:23 Department (28) 6:19;7:9;8:14;12:12;13:16; 15:6,13,17,21,22;16:1,12;19:2, 10;20:11,12;22:7;29:6;34:3; 38:5,25;47:16;50:5,8,9;58:15; 60:1,14 Department's (3) 16:15;42:6;46:22 depending (2) 33:17;62:13</p>	<p>depth (2) 14:3;53:13 Deputy (1) 6:18 designated (1) 64:1 detail (1) 12:5 determination (2) 11:1;21:10 determine (13) 5:2,10;7:14;9:7;21:13,21; 24:1,3,6,8;30:20;37:23;38:12 determined (1) 5:2 determining (4) 3:12;8:20;23:24;37:8 develop (3) 53:17;56:2,12 development (7) 13:18;23:19;25:2;52:6,10; 56:13,22 device (1) 4:3 DICK (6) 58:7,11,11,14,24;59:4 different (18) 12:12,13;20:12;23:5,8;25:5; 26:19,23;33:25;37:21,24; 51:19;54:2,24;55:12,13,17; 57:16 difficult (1) 65:3 digest (2) 17:20;18:14 dignity (1) 41:9 diligently (1) 19:6 directly (1) 54:6 Directors (1) 40:22 disappointed (1) 15:18 disapproval (1) 58:25 disclose (4) 34:13;38:7;39:12;45:15 disclosed (3) 33:8,9;45:12 disclosure (6) 19:12;34:3,16;36:25;38:2; 53:18 disclosures (1) 49:20 disconnected (1) 4:10 discovered (2) 20:23;46:13 discovery (12) 17:5;24:1;25:17,23;26:1; 34:9,14,15;42:22;45:6;49:14,</p>	<p>14 discovery's (1) 25:19 discuss (2) 30:14;35:2 discussing (1) 30:15 dishonesty (1) 38:8 disinterested (1) 20:9 Disqualification (9) 8:23;9:1;10:12;12:24;13:9, 11;17:3,6;36:5 disqualified (1) 12:18 Disqualify (3) 9:8;15:15;20:6 distance (2) 65:24;66:5 District (2) 24:5;58:12 disturbance (2) 4:8,9 divided (1) 13:22 Division (4) 3:19;12:14;20:13;36:11 Docket (4) 3:6;7:2;39:2,3 documentation (1) 19:1 documents (6) 7:1,2,5;10:19;19:4;45:11 dollars (1) 19:20 done (5) 17:14;28:22;32:3;45:3;64:15 door (1) 35:15 dots (3) 18:22,24;19:8 doubt (2) 24:8;43:21 down (2) 44:15;53:12 dozens (1) 17:19 draft (1) 35:5 drained (1) 62:14 drill (15) 14:1,1;17:17;43:9,9;44:19; 53:21;61:7,17;64:2,17;66:4; 67:5,5,6 drilled (1) 66:3 drilling (6) 14:13;17:17;34:18;35:2; 61:25;63:24 driver's (1) 25:24</p>	<p>due (10) 10:14;11:13;14:7;19:9; 25:22;26:4;31:4;35:1;37:1; 42:17 during (1) 30:8</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier (1) 46:18 early (1) 58:20 earning (1) 25:7 earth (1) 17:12 easier (1) 59:9 economic (1) 38:17 economy (1) 35:13 effect (1) 24:9 effects (3) 52:1,2;56:11 efficient (1) 25:12 efficiently (1) 53:25 effort (1) 51:7 efforts (2) 50:20,25 eight (3) 48:8,24;49:6 either (3) 16:12;31:22;32:14 elect (1) 51:12 elected (1) 19:19 election (1) 51:17 else (9) 26:7;35:11;37:3;40:9;41:15; 43:16,17;56:9;57:11 E-mail (1) 8:12 employed (2) 36:11,13 employer (1) 37:13 employment (2) 20:20;37:15 empowered (2) 45:7,8 encourage (2) 13:17;23:19 encouraging (1) 25:1 end (1)</p>
--	--	--	---

<p>32:3 engaged (1) 50:19 engagement (1) 18:13 engaging (1) 38:8 enough (1) 53:6 enter (2) 33:5;63:2 entered (3) 10:21;23;47:18 entire (2) 40:11;42:14 entirely (3) 20:13;24:4;25:5 entities (3) 15:24;41:24;44:6 entitled (3) 29:18,19;43:19 entity (2) 14:11;16:6 equal (4) 3:23;26:16;35:8;57:1 equity (1) 48:16 equivalent (1) 57:7 essentially (1) 25:8 established (1) 26:11 establishing (2) 24:17,23 estimated (1) 62:14 even (14) 13:10;29:1;33:13;39:9; 41:21;42:3;45:22,25;47:16; 49:7;50:18;51:8;54:8;59:10 event (1) 21:4 eventuality (1) 45:1 everybody (4) 35:11;59:14,20;62:2 everyone (6) 3:21;10:3;41:9;43:17;52:7; 67:12 everywhere (1) 56:9 evidence (20) 5:16;12:15;23:8;26:21,24; 27:10;28:2,21;29:8;51:16; 52:21,22;54:21,21,23;55:2,16; 56:19;57:13,18 evidence- (1) 56:18 evidentiary (5) 5:6,15,17;21:17;48:4 Exactly (4) 39:10;44:4;46:19;54:17</p>	<p>exaggeration (1) 65:13 example (2) 51:17;62:15 exceeds (1) 54:12 excess (3) 23:15;29:3,5 executed (1) 33:1 exercised (2) 32:21;52:19 exercising (1) 34:10 Exhibits (1) 7:8 exist (2) 33:13,14 existing (1) 23:16 exists (2) 32:22;51:10 expansive (1) 48:13 expectation (1) 44:16 expectations (1) 44:13 experience (6) 16:9,11;18:10,11;49:10; 58:16 expert (1) 45:16 expressly (2) 21:2;24:2 extensive (2) 51:3;53:22 extent (3) 24:16;34:6;39:10 externalities (1) 27:20 extract (1) 17:11 extraction (6) 14:13;18:10;34:18;35:2; 45:2;53:19 extremely (2) 17:2;34:22</p>	<p>36:8,14;37:9,11,20,23;39:1,4,7; 43:2;46:2;47:25;48:3,24;49:4, 6;50:9;55:3,7,10,14,18 facts (4) 12:4;20:16,22;21:9 fair (7) 16:14;18:1;25:7;34:11;43:1; 44:25;51:18 fairly (3) 41:8;51:3;56:23 fairness (1) 31:5 faith (1) 50:25 family (1) 66:25 far (4) 29:3,5;64:15;65:6 Farm (3) 6:3;10:10;40:6 Farms (2) 7:20;43:11 fashion (1) 24:4 fast (3) 17:13;19:17;53:6 faster (1) 53:3 February (12) 7:16,17,19,22,24;8:1,3,10,12, 14,16;20:25 federal (4) 36:21,22;42:15;49:1 feel (1) 19:24 feet (2) 33:22;34:1 felt (1) 11:5 few (1) 46:15 fiction (2) 35:8,10 file (2) 9:16;11:19 filed (10) 9:9,15,19,24;10:5,11;12:1,3; 15:13;46:23 filing (1) 9:20 filings (1) 15:17 final (2) 16:22;47:4 finally (5) 12:17;21:1,7;23:18;54:11 financial (6) 10:20;11:8;19:2;32:1;38:17; 49:19 find (4) 14:20;32:17;41:21;66:9 finding (1) 35:22</p>	<p>fine (3) 17:19;58:19;60:12 first (7) 5:18;21:25;22:16;38:24; 46:13,17;50:16 fit (1) 48:23 five (3) 10:4;22:15;46:6 five-and-a-half (1) 58:22 flame (1) 63:14 flames (1) 63:14 flare (1) 43:12 flurring (1) 27:4 flush (1) 47:19 focused (1) 66:19 Folks (4) 3:3;4:20;58:1;62:21 folks' (1) 66:16 follow (4) 16:8;21:8;31:16,17 followed (2) 22:2,4 following (2) 12:3;36:19 FOLLOWS (1) 3:1 force (1) 61:23 forced (5) 17:16;41:11;44:17,18;61:16 forcibly (1) 61:9 forecasts (1) 34:7 forfeit (1) 44:20 formation (1) 65:10 forth (5) 11:2;12:23;22:23;60:10; 61:13 forward (2) 14:22;56:13 found (3) 22:25;23:13;29:9 four (3) 29:15;38:6;46:6 fourth (2) 33:16;61:4 frack (1) 64:6 fracture (1) 65:13 fracturing (3)</p>
	F		
	<p>faced (1) 41:10 fact (12) 5:5;17:9;18:6;21:16;31:12; 34:18;36:12;38:11;50:18; 53:10,11;65:16 factor (2) 35:5;42:11 factors (42) 3:12;5:1,9;7:15;9:6;17:5; 21:13,20;22:22;23:1,6,13,23; 24:17;27:6,8;28:7;29:7,17,25;</p>		

<p>65:6,7,11 frames (3) 17:2,4;19:4 frankly (4) 18:22;19:9;47:13;56:25 free (1) 56:19 Fruitland (2) 3:9,10 full (4) 19:12;34:2;38:2;65:11 full-blown (1) 29:20 full-time (1) 66:24 fully (1) 62:18 function (1) 19:13 fundamentally (5) 14:6,7,8;35:8;38:8 further (1) 23:10 future (5) 5:6,14,16;21:17;34:8</p>	<p>geologist (1) 65:8 geology (3) 62:12;65:9,15 George (2) 6:9;8:6 giant (1) 17:10 Given (3) 9:22;37:13;64:22 goes (2) 45:23;51:24 Good (5) 6:17;41:17;46:4;50:25;67:13 government (3) 19:17;20:1;25:9 granted (1) 34:20 great (1) 16:4 greater (2) 52:25;53:2 Gross (3) 6:3,3;7:20 Grosses (14) 9:9;10:9;12:9;20:22;24:19; 25:15,25;26:6,14;27:15;28:11; 40:6;53:7;56:21 Gross's (4) 13:9;20:7,25;27:24 ground (1) 18:11 grounds (2) 13:9;17:5 group (1) 28:10 groups (1) 23:7 guaranteed (4) 25:8;30:25;50:17;51:6 guess (2) 55:5;59:25 guidelines (1) 64:25</p>	<p>hard (2) 42:7;58:8 head (1) 66:9 headquarters (1) 40:23 hear (4) 21:2,25;47:7;59:14 heard (5) 13:5;20:5;29:16,18;64:8 HEARING (115) 3:1,3,11,20,25;4:1,4;5:1,4,6, 10,17,23;6:4,13,17,21;7:13,14; 9:9,23;10:2,11;11:6,17;12:2,3, 18,25;13:6,11,20;14:20,23; 15:7,12;16:10,15,18;17:1;19:7, 24;20:3,6,21,24;21:4,12,15,17, 21,24;23:21,24;26:24;29:7; 30:6,21;31:14;32:14;34:10,19; 35:21;38:20,24;39:14,19;40:1; 42:11;43:4;45:4,7,13;46:14,17; 47:22;48:4,8,16;49:25;50:7,11; 51:15;54:5,9;57:18,21,25;58:8, 9,13,18;59:2,5,10,13,18,22; 60:8,18,22,25;62:9;63:16,19; 64:12;65:19,22;66:8,10,14,18; 67:7,10,14 hearings (2) 5:15;16:16 heavily (1) 24:20 held (1) 5:6 Here's (1) 3:25 Hey (1) 18:15 HIGBEE (7) 59:8,12,17,21,21,23;60:13 high (1) 28:16 higher (3) 27:24;51:17;60:16 highest (1) 57:1 highly (2) 41:14;65:9 hills (1) 43:11 hire (4) 21:4;45:16,17;54:8 historically (1) 57:5 hold (2) 52:4,7 honestly (1) 55:21 Honor (1) 10:8 hope (4) 47:19;52:25;58:23;60:10 hoping (1) 43:22</p>	<p>house (3) 35:18,19;44:17 housed (1) 15:25 housekeeping (1) 3:25 hundreds (2) 17:12;26:9 husband (2) 60:23;61:2 hydraulic (2) 65:7,10 hydrocarbons (4) 14:5;17:11;33:9;65:4</p>
G		I	
<p>game (1) 41:25 games (1) 56:18 garbage (2) 42:4,4 Gary (2) 6:10;8:7 Gas (43) 3:19;5:22;12:20;13:15,18; 15:23,25;16:10;19:3;20:11; 25:2;27:21;28:9,10;30:24;32:2; 34:1,4,12;37:7,7;38:4,25; 39:11;40:11,16,22;41:6,7,11; 42:9;43:22;44:13;45:2,21;46:5, 13;47:9;56:2,22;61:17,19; 62:10 gate (1) 42:21 gave (2) 17:2;28:5 gears (1) 21:12 General (2) 6:19;17:4 generally (1) 26:17 generated (1) 28:19 generic (1) 12:17 Gentry (2) 6:10;8:7 geographically (1) 62:17</p>	<p style="text-align: center;">H</p> <p>Hale (2) 6:10;8:7 half-million-dollar (1) 35:18 Hall (1) 3:9 halt (1) 24:3 hands (2) 32:16;45:4 happen (4) 56:15;61:19,25;62:7 happens (1) 34:19 happy (3) 30:4;57:19;62:22</p>	<p>Idaho (39) 3:10,14,17,20;6:19;7:9;8:14; 10:15;11:15;13:19;16:1;21:1, 10;22:7;25:3;28:5;31:14; 35:24;36:5;40:21,23,24;41:2, 18;43:4;44:1,8;46:3,11;47:15; 49:1,22;57:14;62:10;65:7,15; 66:24,25;67:1 Idaho's (2) 10:18;18:11 IDAPA (3) 4:2;9:14;53:23 idea (1) 31:5 ideally (1) 65:2 identified (1) 53:12 identify (5) 4:12;5:19,24;6:5,15 ignores (1) 50:18 immediately (1) 19:7 impact (1) 11:1 impacts (1) 40:20 impartial (1) 16:14 impartiality (1) 14:10 imply (1) 16:12 important (2) 4:11;32:10 impose (2) 23:15;27:16 impossible (2) 33:21;65:2 impropriety (1) 36:1 inappropriate (3) 39:7,9,10 incentives (1) 52:3</p>	

incentivize (1) 52:4	25;24:6,11;25:18;26:7;27:2,5; 30:25;31:20;33:8,18,24;34:20; 35:4;37:18,25;41:8;43:5;44:10; 50:17;51:1,4,6,22;52:1,5; 53:10;54:22;56:4,22	13:21;27:23;47:24	61:8
include (2) 14:17;34:6		J	landowners (2) 57:8;63:5
included (1) 20:20	integrations (1) 39:2	James (3) 6:7;8:3,16	Lands (16) 6:20;7:9;8:15;12:12;13:16; 15:6,13;16:1;19:3,10;20:12; 22:7;34:3;47:17;50:6;60:1
inconsistent (1) 23:16	Integrity (3) 6:12;8:4;15:22	January (7) 4:25;7:7,9,11,13;12:2;20:24	language (1) 54:17
independent (1) 19:24	intend (1) 15:4	Jessica (2) 6:9;8:6	large (1) 63:3
indicate (3) 4:15;17:5;20:22	Intent (1) 7:12	JJ (1) 6:18	larger (1) 13:10
indicated (3) 15:13;17:6;23:3	interest (24) 6:23;8:13;12:10,14;18:18,19, 19;19:12;20:17;25:4;33:12; 35:25;38:10;50:3;52:4,9,14; 53:7;54:20;55:1;56:6,7,14; 63:12	JOANNE (9) 59:8,12,13,14,17,21,21,23; 60:13	last (3) 28:14;47:1;61:4
indicates (1) 4:25	interested (8) 10:13;14:3,18;19:14,21;25:7, 11;32:5	job (3) 13:19;14:1;20:20	Lastly (4) 28:12,24;54:14;56:21
indicating (2) 20:16;53:16	interesting (1) 32:25	Joey (2) 6:8;8:5	later (5) 5:7;20:23;21:17;23:23;30:7
individual (1) 37:20	interests (4) 25:5;33:4,20;52:14	join (1) 9:16	latest (1) 46:23
individuals (1) 32:23	interpreted (1) 48:25	Jordan (2) 6:2;7:20	law (8) 13:19;14:7;16:8;18:11; 31:16,17;35:24;40:15
industry (4) 16:10;28:9;41:20;42:9	into (13) 10:21,23;18:17;29:20;33:5; 35:14;47:18;55:25;61:9,16,23; 63:2;64:5	Jr (2) 6:10;8:7	laws (2) 10:19;24:24
inflate (1) 41:25	invested (2) 24:23;25:8	Juan (2) 6:9;8:6	lawsuit (1) 29:20
information (17) 17:10;18:2;28:4;34:4,13; 38:2;45:14;47:2;49:3,8,15; 53:15;60:6;62:20;64:13,20; 66:16	investing (1) 56:1	Juanita (2) 6:8;8:5	lawyer (2) 37:15;49:12
informed (1) 18:6	investment (1) 43:20	Judge (3) 29:3;36:21;54:16	lead (2) 37:1;49:14
initial (1) 53:13	investment-backed (1) 44:13	judges (1) 36:22	lease (17) 10:20,25;20:15;26:15,22; 32:22,22;33:24;45:19;47:17; 50:25;51:12,16,20;52:19;57:6; 63:2
injustice (1) 38:9	invitation (1) 37:16	July (1) 61:4	Leased (6) 8:13;26:9;33:3,6;35:10;67:5
input (1) 34:22	invite (3) 22:19;30:10;50:5	justly (1) 49:23	leases (11) 17:18;19:1;20:11;27:25; 32:20;33:3,5;50:20;52:24;56:3; 57:8
inquiry (2) 45:12;48:15	involved (1) 26:2	K	leasing (5) 12:10,13;41:7;52:10;61:6
instance (2) 30:19;38:4	involvement (1) 20:17	Kahle (8) 6:2;7:19;8:1,21,22;9:2;10:9; 40:5	least (1) 13:22
instead (1) 14:14	irrelevant (2) 25:15;28:6	keep (3) 37:11;65:25;66:18	leave (1) 44:1
institutional (2) 13:14,24	Ishida (6) 6:8,8,9;8:5,5,6	keeping (2) 59:1;63:10	leaves (1) 41:5
insure (6) 6:25;14:3;33:18;34:11;45:9; 53:24	issuance (1) 26:2	Kevin (1) 61:3	lectured (1) 30:13
insuring (2) 11:13;36:9	issue (11) 13:13;21:6;36:22,23,24;45:8, 8;47:8;54:9,11;67:11	kind (4) 35:9;43:22;59:19;63:10	left (2) 40:24;44:19
integrate (8) 30:24;31:2,4,9;33:12;38:9; 40:10;53:17	issued (3) 20:21,24;30:1	knowing (1) 61:20	legal (2) 15:23;55:22
integrated (9) 10:24,24;11:11;17:25;18:2; 28:1;44:15;61:9;67:6	issues (6) 5:9;11:2;21:20;25:14;28:25; 48:12	knowledge (3) 20:14;39:18;64:14	legislators (2) 40:17;42:8
Integrating (1) 33:20	items (3)	knows (2) 34:20;39:12	Legislature (5) 26:8,20;40:15;45:21;54:3
integration (41) 3:13;5:15;7:7;10:17,22; 12:20;14:12;18:20;20:8;23:2,5,		L	lengthy (1) 50:19
		lack (1) 9:21	
		land (1)	

<p>less (4) 34:25;25;44:1;61:14</p> <p>letter (1) 18:13</p> <p>letters (2) 61:4,7</p> <p>level (1) 57:6</p> <p>levels (1) 27:3</p> <p>license (1) 25:24</p> <p>light (1) 49:4</p> <p>likelihood (1) 34:7</p> <p>likely (2) 13:23;34:5</p> <p>Likewise (1) 26:14</p> <p>limit (2) 22:15;37:25</p> <p>limitation (1) 27:4</p> <p>limited (5) 22:12;29:22;33:18;34:22; 48:14</p> <p>limiting (2) 33:7;53:9</p> <p>line (4) 45:11;61:21;66:5,6</p> <p>list (1) 45:11</p> <p>listed (2) 7:5;22:24</p> <p>literally (1) 33:21</p> <p>Little (11) 6:3;7:20;10:10;30:17;40:6; 48:1;58:21;62:20;64:13;65:12; 66:2</p> <p>lives (1) 66:24</p> <p>LLC (3) 6:3;7:20;40:6</p> <p>loaf (1) 44:24</p> <p>lobbying (1) 28:4</p> <p>located (1) 43:22</p> <p>location (1) 67:6</p> <p>locations (1) 64:9</p> <p>long (2) 17:19;58:14</p> <p>longer (2) 43:23;51:19</p> <p>long-time (2) 18:4,6</p> <p>look (5) 18:16;43:10;53:11;61:19;</p>	<p>63:12</p> <p>looked (1) 46:23</p> <p>looking (2) 43:12;48:5</p> <p>looks (4) 4:21;10:22;44:12;47:5</p> <p>Lopez (2) 6:8;8:5</p> <p>LORI (9) 60:21,23;61:2,2;62:25;63:17; 65:21,23;66:13</p> <p>lost (2) 4:21;17:8</p> <p>lot (4) 17:19;18:14,21;30:15</p> <p>loud (1) 58:8</p> <p>loudly (1) 4:7</p>	<p>maximal (1) 27:18</p> <p>maximize (1) 52:17</p> <p>maximizing (1) 25:11</p> <p>may (9) 4:9,17;5:16;17:5;24:20; 27:11;33:13;42:17;57:10</p> <p>maybe (4) 4:20;15:5;49:20;62:25</p> <p>mean (6) 29:19;43:17;51:10;55:20; 57:12;58:24</p> <p>means (4) 20:9;31:9;32:8;37:1</p> <p>mechanism (2) 60:5,14</p> <p>meet (1) 34:23</p> <p>meeting (1) 3:4</p> <p>member (1) 16:13</p> <p>members (3) 39:17,21,25</p> <p>mentioned (2) 39:16;46:18</p> <p>merely (1) 14:15</p> <p>Meridian (1) 3:17</p> <p>meritless (1) 12:7</p> <p>merits (4) 23:23;26:24;29:7;51:15</p> <p>mess (4) 40:24;41:4;45:2;56:17</p> <p>method (1) 35:12</p> <p>methods (3) 34:17;35:2;53:19</p> <p>Michael (1) 5:21</p> <p>Mick (1) 3:18</p> <p>microphone (1) 4:8</p> <p>microphones (1) 4:6</p> <p>middle (1) 10:17</p> <p>might (6) 28:11;37:20;44:14;61:11,12; 66:15</p> <p>Miller (4) 6:11;7:18;8:8;63:23</p> <p>million (7) 41:14,16,16;46:18,24;47:4,6</p> <p>millions (2) 17:12;26:10</p> <p>mind (2) 38:22;66:11</p>	<p>mineral (21) 6:22;8:13;18:10;20:11;23:7; 27:19;32:5;45:1;50:2,21;51:14; 52:4,9;53:7;54:20;55:1,15; 56:6,7,13;57:15</p> <p>minerals (1) 12:11</p> <p>minimum (1) 51:13</p> <p>minutes (3) 10:4;22:13,16</p> <p>mischaracterized (1) 54:15</p> <p>misread (1) 15:8</p> <p>mitigate (1) 56:10</p> <p>moment (1) 59:14</p> <p>monetary (1) 18:19</p> <p>money (10) 32:3,6;40:23;42:24;43:21; 44:1;46:6,9;48:22;61:15</p> <p>money's (1) 44:4</p> <p>monopolist (1) 56:15</p> <p>monopoly (4) 25:9;40:8;48:17;55:24</p> <p>month (4) 41:14,16,17;46:18</p> <p>morally (3) 43:7,7;44:10</p> <p>more (19) 13:10;27:14;28:18,19;29:12, 22;30:17;37:21,21;39:9,15; 45:22,25;47:23;48:13;53:1,1; 55:21;61:15</p> <p>morning (2) 6:17;15:3</p> <p>most (1) 32:10</p> <p>Motion (29) 7:21,23;8:1,9,19,23;9:1,8,11, 15,16,16,17,18,19,20,22,25; 10:5,6,12;11:25;12:8,24;13:10; 15:15;20:21;21:8;36:8</p> <p>Motions (1) 9:13</p> <p>move (2) 4:19;57:25</p> <p>moved (1) 19:6</p> <p>Moving (1) 55:20</p> <p>much (8) 18:1;38:19;41:18;42:24; 44:3,4,6;47:16</p> <p>multiple (2) 30:1;53:12</p> <p>Murray (1) 63:22</p>
	M		
<p>mailed (1) 17:23</p> <p>Mailing (1) 7:12</p> <p>main (1) 11:24</p> <p>majority (3) 50:21;52:12;56:13</p> <p>making (7) 41:15;42:24;44:3,7;46:5,12; 48:21</p> <p>management (1) 10:15</p> <p>many (4) 29:23;51:21;58:16;61:21</p> <p>March (12) 3:8;8:18,19,21,22,24,25;9:2, 3,8,24;67:9</p> <p>margins (1) 35:17</p> <p>Mark (2) 6:10;8:7</p> <p>market (11) 26:22,22;27:15,18,21;28:2; 34:8;43:18;51:18;52:23;57:6</p> <p>Marketers (2) 28:5,8</p> <p>markets (1) 26:10</p> <p>Mary (4) 6:11;7:17;8:8;63:22</p> <p>massive (1) 33:23</p> <p>material (1) 9:4</p> <p>matter (6) 13:19;20:18;24:3;31:18,19; 53:10</p> <p>matters (2) 14:10;16:1</p>			

<p>must (5) 9:15;31:6;35:5;48:25;65:25</p> <p>mute (2) 4:5,8</p> <p>muted (1) 4:9</p> <p>myself (1) 20:6</p>	<p>non-monopoly (1) 25:12</p> <p>nor (1) 35:20</p> <p>North (1) 3:16</p> <p>northwest (1) 61:3</p> <p>noted (2) 23:21;54:7</p> <p>Notes (1) 7:12</p> <p>Notice (8) 4:25;7:14,21;12:3;20:20,24; 23:21;51:3</p> <p>noticed (3) 5:1,11;21:22</p> <p>notified (1) 19:7</p> <p>notions (1) 31:5</p> <p>number (7) 26:4;30:23;31:24;42:2;47:8; 49:24;60:1</p> <p>numbers (1) 46:25</p>	<p>11,20;14:21,23;15:7,12;16:10, 18;17:1;19:7,25;20:3,6,18; 21:5;30:6,21;31:14;32:14; 34:10,19;35:21;38:20,24; 39:14,19;40:1;42:11;43:4;45:7, 13;46:14,17;47:22;48:8,16; 49:25;50:7,11;54:5,9;57:21,25; 58:9,13,18;59:2,5,10,13,18,22; 60:8,18,22,25;62:9;63:16,19; 64:12;65:19,22;66:8,14,18; 67:7</p> <p>Officer's (1) 45:4</p> <p>officials (1) 19:19</p> <p>OGCC (1) 7:3</p> <p>Ogcidahogov/administrative-hearings (1) 7:4</p> <p>OGCC's (1) 9:4</p> <p>Oil (35) 3:18;5:22;12:20;13:15,18; 15:22,25;16:9;19:3;20:10;25:2; 27:21;30:24;32:2;33:23;34:4, 12;37:7,7;38:4,25;39:11;40:11, 16,22;41:6,7,11;42:8;44:13; 45:21;46:5;56:22;58:14;61:6</p> <p>once (3) 19:7;35:10;49:3</p> <p>One (32) 11:25;14:21;18:17;25:7; 27:14;28:13;30:23;31:24;36:8, 15;38:5,21,24;39:15;40:8,9,13; 41:12,12;42:16,18;46:1,23; 47:23;49:24;52:17;58:2;60:15; 62:3;64:5;65:24;66:23</p> <p>only (9) 5:11;9:24;21:22;25:19;29:6; 33:5;42:2;44:9;59:25</p> <p>open (1) 34:25</p> <p>open-ended (1) 48:15</p> <p>Opening (8) 8:11,15,16,18,21;15:14; 19:11;47:24</p> <p>operated (1) 53:25</p> <p>operating (1) 26:12</p> <p>operation (3) 17:17;41:14;43:24</p> <p>operations (2) 27:12;58:19</p> <p>operator (7) 40:10;52:11;53:20,23;55:25; 58:19;64:17</p> <p>operators (2) 53:1,1</p> <p>operator's (1) 64:15</p> <p>opportunities (2)</p>	<p>29:16;53:21</p> <p>opportunity (6) 9:25;22:10;34:21;43:3; 54:20;55:2</p> <p>opposed (2) 41:6,7</p> <p>opposing (1) 28:25</p> <p>Opposition (1) 8:25</p> <p>option (7) 31:2,8,21,22;51:12;55:4;64:3</p> <p>options (1) 62:12</p> <p>oral (5) 3:23;9:25;10:1;21:23;29:13</p> <p>orally (3) 7:6;20:7;21:8</p> <p>order (12) 3:13;7:13;8:10,20;10:22; 21:6;35:4;42:12;43:5;44:10; 54:11;67:11</p> <p>ordered (5) 29:3,6,6;54:16,18</p> <p>ordering (3) 29:10;34:12;36:5</p> <p>orders (6) 23:11;30:2,3;45:8;48:10; 64:22</p> <p>original (2) 9:17;63:1</p> <p>others (1) 25:13</p> <p>Otherwise (3) 30:5;37:4;52:6</p> <p>ought (4) 29:17;33:7;35:22;49:23</p> <p>out (30) 10:11;11:4,23;14:5;17:21,24; 18:9;19:11;29:2,11;39:7;40:24; 41:21;42:4,17,21;43:21;44:5, 11;46:12;47:11,13,19;49:8; 52:5,7;57:3;60:24;61:3,19</p> <p>outcome (1) 32:25</p> <p>outcomes (1) 27:7</p> <p>out-of-state (3) 40:16;43:8;44:2</p> <p>outright (1) 24:7</p> <p>outset (1) 49:18</p> <p>outside (2) 65:4;66:10</p> <p>over (10) 3:19;9:23;13:21;20:21; 24:13;42:2;48:16;58:21;62:18; 64:6</p> <p>Overall (2) 48:19,24</p> <p>overhead (2) 41:25;47:12</p>
N			
<p>name (7) 3:18;4:12,15;58:9;59:19,21; 60:25</p> <p>Namely (1) 10:16</p> <p>name's (1) 6:18</p> <p>narrow (3) 36:22,24;48:12</p> <p>natural (1) 34:1</p> <p>navigable (3) 10:16;18:16;20:8</p> <p>nearby (3) 60:3,6,16</p> <p>nearly (1) 37:14</p> <p>necessarily (1) 15:15</p> <p>necessary (2) 30:20;38:1</p> <p>need (14) 26:8,19;31:25;37:17;42:18; 44:10,25;45:12;46:2;49:17,20; 54:2;61:7;65:13</p> <p>needs (3) 26:19;43:18;44:11</p> <p>negatively (1) 62:8</p> <p>negotiated (1) 11:8</p> <p>negotiating (1) 57:8</p> <p>neighbor (3) 35:15,16,17</p> <p>neighbors (1) 35:7</p> <p>Neither (3) 16:6;23:7;35:20</p> <p>neutral (4) 14:14,20;35:22;36:16</p> <p>new (3) 11:5;20:22;46:6</p> <p>Newly (1) 8:13</p> <p>Next (9) 6:25;17:17,18;34:17;35:15, 21;61:22;63:13;65:25</p> <p>noise (1) 63:13</p> <p>Nonconsenting (2) 8:8;38:7</p>	O		
<p>must (5) 9:15;31:6;35:5;48:25;65:25</p> <p>mute (2) 4:5,8</p> <p>muted (1) 4:9</p> <p>myself (1) 20:6</p>	<p>objecting (8) 23:7;29:12;38:7;45:15; 51:14;55:1,15;57:15</p> <p>objects (1) 37:10</p> <p>observing (1) 15:3</p> <p>obviously (1) 62:18</p> <p>occupy (1) 55:24</p> <p>occupying (1) 25:9</p> <p>occur (1) 52:6</p> <p>occurs (1) 51:7</p> <p>off (2) 49:22;66:8</p> <p>offense (1) 36:12</p> <p>offer (4) 13:3;16:22;50:13;66:16</p> <p>offered (4) 23:8;33:3;52:21,22</p> <p>offering (1) 9:24</p> <p>offers (1) 60:17</p> <p>office (1) 18:5</p> <p>OFFICER (81) 3:3;5:23;6:4,13,18,21;9:9,23; 10:11;11:6,17;12:2,18,25;13:6,</p>	<p>11,20;14:21,23;15:7,12;16:10, 18;17:1;19:7,25;20:3,6,18; 21:5;30:6,21;31:14;32:14; 34:10,19;35:21;38:20,24; 39:14,19;40:1;42:11;43:4;45:7, 13;46:14,17;47:22;48:8,16; 49:25;50:7,11;54:5,9;57:21,25; 58:9,13,18;59:2,5,10,13,18,22; 60:8,18,22,25;62:9;63:16,19; 64:12;65:19,22;66:8,14,18; 67:7</p> <p>Officer's (1) 45:4</p> <p>officials (1) 19:19</p> <p>OGCC (1) 7:3</p> <p>Ogcidahogov/administrative-hearings (1) 7:4</p> <p>OGCC's (1) 9:4</p> <p>Oil (35) 3:18;5:22;12:20;13:15,18; 15:22,25;16:9;19:3;20:10;25:2; 27:21;30:24;32:2;33:23;34:4, 12;37:7,7;38:4,25;39:11;40:11, 16,22;41:6,7,11;42:8;44:13; 45:21;46:5;56:22;58:14;61:6</p> <p>once (3) 19:7;35:10;49:3</p> <p>One (32) 11:25;14:21;18:17;25:7; 27:14;28:13;30:23;31:24;36:8, 15;38:5,21,24;39:15;40:8,9,13; 41:12,12;42:16,18;46:1,23; 47:23;49:24;52:17;58:2;60:15; 62:3;64:5;65:24;66:23</p> <p>only (9) 5:11;9:24;21:22;25:19;29:6; 33:5;42:2;44:9;59:25</p> <p>open (1) 34:25</p> <p>open-ended (1) 48:15</p> <p>Opening (8) 8:11,15,16,18,21;15:14; 19:11;47:24</p> <p>operated (1) 53:25</p> <p>operating (1) 26:12</p> <p>operation (3) 17:17;41:14;43:24</p> <p>operations (2) 27:12;58:19</p> <p>operator (7) 40:10;52:11;53:20,23;55:25; 58:19;64:17</p> <p>operators (2) 53:1,1</p> <p>operator's (1) 64:15</p> <p>opportunities (2)</p>	<p>29:16;53:21</p> <p>opportunity (6) 9:25;22:10;34:21;43:3; 54:20;55:2</p> <p>opposed (2) 41:6,7</p> <p>opposing (1) 28:25</p> <p>Opposition (1) 8:25</p> <p>option (7) 31:2,8,21,22;51:12;55:4;64:3</p> <p>options (1) 62:12</p> <p>oral (5) 3:23;9:25;10:1;21:23;29:13</p> <p>orally (3) 7:6;20:7;21:8</p> <p>order (12) 3:13;7:13;8:10,20;10:22; 21:6;35:4;42:12;43:5;44:10; 54:11;67:11</p> <p>ordered (5) 29:3,6,6;54:16,18</p> <p>ordering (3) 29:10;34:12;36:5</p> <p>orders (6) 23:11;30:2,3;45:8;48:10; 64:22</p> <p>original (2) 9:17;63:1</p> <p>others (1) 25:13</p> <p>Otherwise (3) 30:5;37:4;52:6</p> <p>ought (4) 29:17;33:7;35:22;49:23</p> <p>out (30) 10:11;11:4,23;14:5;17:21,24; 18:9;19:11;29:2,11;39:7;40:24; 41:21;42:4,17,21;43:21;44:5, 11;46:12;47:11,13,19;49:8; 52:5,7;57:3;60:24;61:3,19</p> <p>outcome (1) 32:25</p> <p>outcomes (1) 27:7</p> <p>out-of-state (3) 40:16;43:8;44:2</p> <p>outright (1) 24:7</p> <p>outset (1) 49:18</p> <p>outside (2) 65:4;66:10</p> <p>over (10) 3:19;9:23;13:21;20:21; 24:13;42:2;48:16;58:21;62:18; 64:6</p> <p>Overall (2) 48:19,24</p> <p>overhead (2) 41:25;47:12</p>

<p>oversee (1) 12:10</p> <p>own (5) 4:15;45:16,17;56:2;59:23</p> <p>owned (1) 67:1</p> <p>owner (4) 36:13;63:25;64:16;65:25</p> <p>owners (43) 5:13;6:23;8:8,13;22:8;23:7; 25:4,5;26:9,15;27:19;28:1,10, 17,23,25;29:12;32:5;35:6;38:7, 7;39:16;40:20;50:3,21;51:1,14; 52:4,9,15;53:8;54:20;55:1,15; 56:6,7,14;57:16;61:23;62:5; 63:11;64:10,19</p> <p>ownership (1) 10:14</p>	<p>24:21;38:14;39:1;48:8;49:6</p> <p>patience (1) 3:4</p> <p>pay (2) 43:14;47:13</p> <p>Payette (2) 3:17;10:16</p> <p>Payette/Weiser (1) 41:2</p> <p>payment (1) 37:22</p> <p>people (9) 17:15;18:2;19:18;20:2;33:5; 35:10;44:14;47:20;52:12</p> <p>people's (3) 40:12;42:1;43:9</p> <p>Per (2) 8:20;23:21</p> <p>percent (1) 35:10</p> <p>perfectly (1) 51:14</p> <p>performing (1) 32:4</p> <p>perhaps (3) 10:14;42:17;49:3</p> <p>period (2) 28:16;32:3</p> <p>permit (3) 25:17;34:21,22</p> <p>permits (1) 53:20</p> <p>permitted (3) 24:2;25:20;39:11</p> <p>person (8) 4:1,11,19;11:7;12:12;22:17; 58:2;63:2</p> <p>personal (2) 12:15;13:12</p> <p>Petroleum (2) 28:5,8</p> <p>Phonetic (3) 16:3;58:7;63:22</p> <p>picture (1) 15:8</p> <p>piece (2) 63:3;66:2</p> <p>Piotrowski (24) 6:5,7,7,14;8:3,16;13:4,7,8; 14:24;22:3;24:20;30:10,12; 38:21,23;39:6,15,18,22;40:2; 43:15;51:10;57:10</p> <p>Piotrowski's (6) 50:16;52:18;53:9;54:4,14; 55:5</p> <p>place (8) 16:4;27:1;30:14;42:7;45:24; 56:12;60:15;67:1</p> <p>placed (1) 17:13</p> <p>plan (1) 6:23</p> <p>planned (2)</p>	<p>53:13,13</p> <p>play (1) 46:8</p> <p>please (11) 4:5,6,14;5:19,24;6:5,15;48:2; 58:5,10;61:1</p> <p>podium (1) 4:20</p> <p>point (8) 12:8;29:2;43:23;48:21;51:8; 52:18;53:9;54:14</p> <p>pointed (4) 10:11;11:23;19:11;44:11</p> <p>pointedly (1) 34:15</p> <p>points (4) 11:24;17:21;26:5;50:16</p> <p>political (1) 55:21</p> <p>pool (10) 33:8,11,12,23,25;34:6;38:5; 62:14,15,19</p> <p>pooling (1) 51:22</p> <p>pools (1) 33:8</p> <p>porosity (1) 65:14</p> <p>portion (1) 61:8</p> <p>position (6) 25:10,12;30:17;31:17;55:24; 56:15</p> <p>possession (1) 34:4</p> <p>possibilities (1) 64:8</p> <p>possible (9) 18:25;31:19;34:17;37:18,19; 52:5;53:19;56:11;64:7</p> <p>possibly (2) 33:10;46:10</p> <p>potential (1) 17:5</p> <p>potentially (1) 18:18</p> <p>power (5) 31:25;32:20,20,21;33:2</p> <p>practice (1) 18:12</p> <p>precisely (2) 34:23;56:24</p> <p>predictions (1) 34:7</p> <p>preferred (1) 16:10</p> <p>pre-hearing (1) 9:14</p> <p>prejudice (1) 20:17</p> <p>prepare (1) 45:1</p> <p>present (5)</p>	<p>22:9;26:24;27:9;55:2,16</p> <p>presented (1) 28:2</p> <p>presents (1) 62:12</p> <p>presiding (3) 3:19;9:23;20:18</p> <p>pretty (1) 24:19</p> <p>prevailing (1) 26:16</p> <p>prevent (1) 23:20</p> <p>preventing (2) 25:1;35:5</p> <p>prevents (1) 55:25</p> <p>previous (4) 23:1,5,11;54:22</p> <p>previously (2) 23:13;64:14</p> <p>price (4) 38:16,18;43:14,17</p> <p>prices (1) 28:16</p> <p>principles (1) 66:24</p> <p>print (1) 17:19</p> <p>prior (6) 20:17;32:19;36:25;48:10; 52:20;57:2</p> <p>private (2) 32:24,25</p> <p>probably (3) 44:23;65:12,17</p> <p>Procedures (1) 31:15</p> <p>proceed (1) 21:23</p> <p>PROCEEDED (1) 3:1</p> <p>proceeding (12) 23:22;25:16,23;26:2;29:20; 34:11;35:3;36:16;42:19;52:16; 54:22;56:4</p> <p>proceedings (4) 23:2;25:18;45:23;52:20</p> <p>process (35) 11:13,14,15;14:6,7;25:22; 26:4,11;29:5,9,13;30:18,25; 31:4,11,12,12,13;32:9;34:22; 35:1,1,9,13;36:19;37:1,3,5,17; 38:1;41:10;42:5,17;54:1,2</p> <p>processes (1) 29:22</p> <p>produced (1) 27:21</p> <p>producing (1) 56:10</p> <p>production (4) 25:12;28:12;46:22;47:12</p> <p>professionalism (1)</p>
P			
<p>packet (1) 17:10</p> <p>pad (1) 64:17</p> <p>pads (1) 64:19</p> <p>pages (2) 17:19;47:1</p> <p>paid (5) 19:20;32:12;43:18;57:2; 60:16</p> <p>parcel (4) 61:18,22,25;64:4</p> <p>parcels (1) 63:24</p> <p>part (5) 13:15;26:3;35:3;50:24;62:1</p> <p>participants (1) 54:1</p> <p>participate (2) 5:14;15:4</p> <p>participating (1) 6:24</p> <p>participation (1) 67:12</p> <p>particular (6) 11:6,11;18:3,20;19:14;42:20</p> <p>particularly (1) 25:15</p> <p>parties (18) 6:25;9:13,15,19,25;10:24; 11:10,13;13:2;14:4;16:20; 17:24;23:22;29:7;30:18;38:3; 45:15;60:10</p> <p>Party (9) 8:20;10:14;14:17,18;19:14; 20:9;22:12;26:14;27:9</p> <p>pass (1) 24:13</p> <p>passed (2) 5:14;9:18</p> <p>past (5)</p>			

<p>16:17 profits (1) 44:2 program (1) 12:20 prohibition (2) 27:3,4 prohibits (1) 45:6 promise (1) 41:1 promised (1) 46:12 promptly (1) 12:3 property (28) 27:12;35:6,17;36:11,13; 39:13,16;40:10,12;41:12; 59:23;60:24;61:3,21,23;62:3,5, 8;63:3,11,25,25;64:2,10;65:24; 66:3,5,6 proposal (3) 39:5,6;57:18 propose (6) 23:23;43:1;45:10,17;48:18; 57:16 proposed (9) 6:23;10:17;22:22;27:8,12; 29:25;39:1;43:6;45:20 proposes (1) 54:24 proposing (2) 46:6;56:25 prospect (1) 17:16 protect (1) 23:20 protecting (1) 35:6 protections (1) 27:19 provide (18) 11:20;16:21;19:25;22:20; 27:18;30:10;49:9;50:4,6;51:16; 53:22;54:20,22;58:2,5;60:11; 62:21,22 provided (6) 3:14;9:10;12:15;50:8;55:9; 59:3 provides (4) 12:19;21:2;27:6;56:25 providing (2) 18:1;26:12 provision (1) 17:4 provisions (3) 23:16;27:18;42:13 Public (15) 10:18;11:4,7,12;19:5,23; 22:15,16;24:19;32:4;34:21; 35:1;53:21;58:1,5 Publication (2) 7:11,16</p>	<p>pull (1) 62:2 purpose (6) 5:4;21:15;23:22;30:19; 52:16;63:10 purposes (4) 23:19;25:16;51:25;53:6 pursuant (3) 3:20;10:18;21:10 put (9) 11:2;18:23;42:4,6;43:4; 46:10;64:17;65:1;66:6 puts (1) 11:9</p> <p style="text-align: center;">Q</p> <p>Q-and-A (1) 60:10 qualification (1) 36:7 quick (1) 18:25 quoted (1) 54:16</p> <p style="text-align: center;">R</p> <p>raise (1) 28:25 Range (2) 3:16;47:6 rapid (1) 13:18 rate (23) 24:11,18,23;25:8;26:16,18; 27:18;32:1,8,17,18,20;34:8; 37:19,21;43:20;44:12;51:16, 18,20;52:19;57:6,7 rates (13) 26:15,22;27:17,25;28:1; 32:13,16;44:18,25;52:24;53:3; 56:17;57:17 Rather (1) 34:25 raw (1) 42:2 read (1) 59:25 reading (1) 15:16 real (4) 34:21;58:8;65:3,13 realities (1) 43:18 reality (1) 36:1 realize (2) 18:18;31:13 realizing (1) 18:15 really (7) 11:23;28:14;33:7;35:21;</p>	<p>48:15;62:6;63:4 re-arguing (1) 36:7 reason (2) 16:11;37:5 reasonable (54) 3:14;5:2,3,5,10;7:14;9:7; 10:2;13:25;15:14;21:14,16,21; 23:24;30:15,16,22;31:1,6,8,10, 12,24;32:9,10,15;33:10,21; 34:12;35:20;36:9,14,25;37:21; 38:13,15,19;43:1,6,20;44:11, 11,12,22,25;45:9,18;47:21; 48:13,20;49:11,13,13;50:9 reasonably (4) 18:25;44:9,16;49:23 reasoning (1) 30:3 reasons (4) 12:22;21:9;51:24;55:10 rebuttal (5) 16:22;22:11;30:5,8;50:13 rebuttals (1) 47:7 Receipts (1) 7:12 receive (4) 9:12;28:17,18;57:1 received (1) 9:8 receives (1) 17:10 receiving (2) 9:17;29:12 recognized (1) 25:18 recommended (1) 54:10 record (11) 4:13;5:20;7:1,2,6;15:18; 58:15,25;59:1,18;66:22 recorded (1) 4:2 recorder (1) 3:5 recording (4) 3:4,6;4:3,4 Records (6) 10:19;11:4;19:5,23;26:13; 44:4 recovery (1) 34:7 redacted (1) 47:2 refer (1) 24:4 referring (2) 46:19;65:5 reflect (1) 43:18 regarding (6) 17:4;24:18;27:14,23;50:9; 65:6</p>	<p>regulated (3) 24:19,24;25:5 regulations (2) 24:24;53:23 regulatory (2) 18:19;19:13 related (3) 9:12;10:19;44:6 relates (2) 9:22;31:18 relationship (1) 40:17 relative (1) 27:12 relevant (6) 24:21;25:25;34:5;49:13,15, 17 relief (1) 9:15 relies (1) 12:4 rely (1) 24:19 relying (1) 34:25 remain (1) 16:2 remaining (1) 36:15 remains (1) 54:25 reminded (1) 4:8 reminder (1) 15:3 repeat (1) 29:24 repeatedly (3) 27:16;28:25;34:15 repeating (1) 23:10 replaced (1) 12:18 replacement (1) 18:5 Reply (3) 8:2;9:2,3 report (3) 28:13,21;47:4 reports (1) 46:22 represent (5) 5:20,25;6:6,16;40:18 representative (2) 4:14;28:6 representatives (1) 40:21 represented (1) 18:7 representing (3) 4:16;6:2;63:22 represents (2) 14:8;28:10</p>
---	--	---	--

<p>Request (7) 10:19;11:4;12:23;19:5,23; 20:19;48:4</p> <p>requested (1) 10:18</p> <p>require (5) 34:2;37:24;38:2;45:11;49:19</p> <p>required (8) 4:2;16:4;26:1;31:9,15,17; 54:7,10</p> <p>requirement (5) 25:22;36:3;48:25;64:23;67:4</p> <p>requirements (3) 51:3,4;56:8</p> <p>requires (2) 18:21;43:5</p> <p>reserve (1) 30:7</p> <p>resource (1) 10:15</p> <p>resources (3) 13:18;25:2;56:2</p> <p>respect (5) 16:17;19:9;41:9;51:9;54:4</p> <p>respond (4) 5:13;36:17;56:16;66:10</p> <p>responding (2) 9:19,21</p> <p>Response (7) 7:22;8:13,22,24;9:11;11:3,19</p> <p>responses (1) 9:13</p> <p>responsible (1) 12:13</p> <p>restrictions (1) 23:15</p> <p>result (3) 14:6;28:17;36:20</p> <p>resume (2) 50:19,24</p> <p>return (5) 24:23;25:8;43:20;44:12; 52:17</p> <p>revenue (1) 28:19</p> <p>reviewed (1) 3:22</p> <p>revisit (1) 49:20</p> <p>Richard (1) 66:24</p> <p>rig (2) 17:17;44:19</p> <p>rigged (2) 31:11,13</p> <p>right (36) 4:20;6:24;14:3;16:21;17:14; 21:11;30:7;32:5;40:4;42:21,21; 43:7,8;44:10;45:19,22;46:4,12; 47:17;49:5;50:4;57:14;60:8; 61:18,22;62:17,21;63:13;64:1, 24;65:2,17;66:6,11,14;67:9</p> <p>rights (6)</p>	<p>23:20;25:1,13;51:15;52:9; 56:5</p> <p>rise (1) 53:3</p> <p>risen (1) 53:5</p> <p>risk (1) 41:4</p> <p>risky (1) 41:14</p> <p>River (26) 5:22;10:16;19:3;22:1,10; 26:23;27:16;28:22;30:24;32:2; 34:4,12;38:4,25;39:11;40:16, 21;41:3;43:19;44:13;45:21; 46:5;50:13;53:5,11,17</p> <p>River's (1) 9:10</p> <p>road (2) 34:24;44:15</p> <p>rock (1) 42:7</p> <p>role (1) 58:21</p> <p>room (2) 41:15;58:4</p> <p>rounds (1) 29:13</p> <p>royalties (6) 41:3;42:1;43:14;47:13,14; 61:15</p> <p>royalty (25) 24:11;25:4;26:22;27:19,25; 28:1,17;32:1,8,13,17,17,20; 37:19,21;51:10,12,16,18;52:23; 53:3;57:7,16;60:2,16</p> <p>rubber (1) 34:23</p> <p>rule (2) 52:2;56:11</p> <p>rules (3) 18:17;23:17;25:19</p> <p>ruling (1) 21:7</p> <p>Ryan (2) 6:10;8:7</p> <p>RYANS (9) 60:21,23;61:2,2;62:25;63:17; 65:21,23;66:13</p>	<p>65:12</p> <p>sandstone (1) 65:14</p> <p>Sarah (3) 6:8;7:24;8:5</p> <p>sat (1) 17:11</p> <p>saying (4) 48:7;49:5,16,18</p> <p>scene (1) 12:2</p> <p>scheduled (1) 26:25</p> <p>scheme (2) 26:2;42:14</p> <p>Schultz (4) 29:4;36:20,21;54:15</p> <p>scope (5) 3:12;5:1,9;21:13,20</p> <p>SCOTT (3) 63:21,22;65:18</p> <p>screens (1) 16:5</p> <p>script (1) 15:8</p> <p>searched (1) 18:9</p> <p>Secondly (1) 28:4</p> <p>Section (12) 3:16;10:2;23:4,8;26:17; 27:11;50:22;55:13,17;59:24; 60:3,17</p> <p>sections (1) 60:6</p> <p>seeking (2) 9:15;19:22</p> <p>seem (4) 27:15,17;60:15;61:22</p> <p>seems (4) 40:15;61:14;62:6,25</p> <p>selection (1) 28:7</p> <p>self-serving (1) 49:10</p> <p>sell (3) 35:19;41:11;44:17</p> <p>sells (1) 35:17</p> <p>sent (1) 40:24</p> <p>sentence (1) 32:3</p> <p>separate (3) 15:23;16:2;33:13</p> <p>separately (1) 66:10</p> <p>seriously (1) 16:7</p> <p>service (1) 32:4</p> <p>set (17) 3:11;12:22;22:23;26:15,18;</p>	<p>30:21;31:23;32:15;33:21; 38:15;39:7;42:18;45:11;51:13, 21;57:6;64:25</p> <p>setback (1) 65:24</p> <p>setbacks (1) 65:1</p> <p>sets (2) 31:16;33:2</p> <p>setting (3) 24:18;32:9;36:14</p> <p>seven (2) 9:16,18</p> <p>Several (2) 25:14;29:13</p> <p>severance (1) 28:18</p> <p>shall (1) 21:2</p> <p>share (1) 62:10</p> <p>shared (1) 47:24</p> <p>shell (2) 41:24;56:17</p> <p>short (2) 18:15;28:16</p> <p>show (4) 28:11;44:3;50:23;51:2</p> <p>showed (1) 46:24</p> <p>shown (1) 58:1</p> <p>side (2) 52:17;57:3</p> <p>sign (1) 18:12</p> <p>signed (1) 43:16</p> <p>significant (3) 50:21;51:6;52:12</p> <p>signing (1) 57:8</p> <p>similar (6) 9:15,16;30:2;35:19;36:6; 60:2</p> <p>simply (7) 11:12;19:13;20:2;38:15; 49:5;55:6;56:23</p> <p>single (3) 27:4;28:21;55:7</p> <p>sit (3) 13:20;43:10;59:10</p> <p>site (1) 67:5</p> <p>sitting (1) 48:16</p> <p>situation (7) 11:6,10;17:21;19:15,25; 42:20;61:23</p> <p>size (4) 33:15;62:13,13,14</p> <p>small (2)</p>
	S		
	<p>safely (1) 53:25</p> <p>sale (1) 32:11</p> <p>same (3) 37:11;39:1;55:7</p> <p>Sanchez (4) 6:9,10;8:6,7</p> <p>sanctioned (3) 25:9;40:8;48:17</p> <p>sand (1)</p>		

<p>33:25;41:2 smaller (2) 63:7,8 Snake (25) 5:22;9:10;19:3;22:1,10; 26:23;27:16;28:22;30:24;32:2; 34:3,12;38:4,25;39:11;40:16, 21;43:19;44:13;45:21;46:5; 50:13;53:5,11,16 sold (2) 32:11;47:10 somebody (5) 36:10;38:14;57:11;62:1;63:2 someone (3) 4:22;17:20;43:16 sort (1) 10:20 sound (1) 30:3 sounded (1) 55:21 sounds (2) 47:8,9 source (1) 46:20 Southwest (1) 65:15 spacing (5) 3:15;50:3;51:25;56:8;62:10 speak (5) 4:6,13,18;10:3;30:5 speaking (2) 4:22;50:16 specific (3) 24:10,12;27:2 specifically (5) 12:19;20:15;29:9;39:2;48:13 specify (1) 29:7 speech (1) 55:22 spend (1) 23:10 spent (2) 30:15;43:21 spinning (1) 31:3 split (1) 47:11 spoke (1) 48:1 square (1) 62:17 stand (3) 5:25;30:4;59:8 standard (1) 62:10 stands (1) 53:12 staring (1) 17:16 start (1) 30:23</p>	<p>starting (2) 14:21;48:21 State (24) 10:13,15,21;11:15;12:11,13; 16:13;18:18;20:12;21:22;25:2; 27:25;28:18;29:21;36:13;40:8, 20;42:15;44:5;46:3;47:14; 48:17;55:25;58:9 statement (2) 15:18;60:1 statements (1) 49:10 states (3) 26:18;29:22;51:21 State's (1) 10:25 stating (2) 4:12;21:9 station (1) 28:10 Statute (26) 12:19;15:24;17:1,3;25:17,20; 26:18;27:5;31:16;38:11,12; 41:20;42:8;43:3;45:5,24;48:25; 51:4,11,12,21;52:3;56:25; 62:24;64:25;67:4 statutes (2) 18:17;51:22 statutorily (3) 14:12;21:5;48:14 statutory (8) 13:17;14:4;16:6;23:16;36:3; 42:13,14;44:21 stay (3) 43:25;47:14;66:4 staying (1) 41:18 step (2) 36:2;49:19 still (6) 5:14;11:3;19:1,3;21:5;62:16 stop (1) 37:11 stopped (1) 36:4 story (1) 31:12 structure (1) 41:22 stuck (3) 35:11,14;42:9 stuff (1) 59:3 stunt (1) 55:22 Sub (5) 3:15;21:1,1,10;43:5 subject (4) 23:11;24:13;51:1;57:12 subjects (1) 27:10 submarket (3) 27:17;41:3;44:18</p>	<p>submit (1) 53:20 submittal (2) 5:8;21:19 submitted (3) 5:16;12:9;34:21 subpoenas (2) 26:3;45:8 sub-royalty (1) 56:17 subsidiaries (2) 41:23;44:5 substance (2) 12:8;24:16 substantial (2) 13:10;20:17 success (1) 52:25 sudden (4) 17:13,16;18:6;43:11 Sue (1) 58:11 sufficient (1) 45:15 suggest (2) 31:22;37:14 suggested (2) 26:23;55:8 suggesting (1) 36:8 suggestion (2) 32:7;55:6 supervise (1) 20:10 supervisor (1) 12:13 supplied (1) 56:19 Support (4) 8:9;54:23;56:20;57:18 supposed (1) 43:1 Supreme (1) 36:5 sure (4) 16:3;46:11;47:20;60:7 surface (7) 24:12;27:3;40:20;64:16,18, 19,24 suspension (1) 25:24 Switching (1) 21:12 system (2) 14:17;56:12</p>	<p>33:11;59:14;64:5;65:23 taping (1) 35:6 tax (1) 19:20 taxes (1) 28:19 technically (1) 53:24 tells (1) 38:12 tenor (1) 24:14 term (3) 33:11;45:18;54:11 terms (43) 3:13;5:2,5;9:7;13:21;17:18, 25;20:15;21:16;23:24;24:10; 27:2,13;30:21;31:1,6,8,10,24; 32:9,11;33:2,21,24,24,25;35:3; 36:9,14;38:16;43:6;45:9,19; 47:17,25;48:3,7,9;49:13,21; 54:12,23;57:17 test (1) 53:12 testify (1) 62:21 testimony (1) 11:20 Third (2) 33:7,16 third-party (1) 14:14 THOMAS (54) 3:3,18;5:23;6:4,13,21;11:17; 12:25;13:4,6;14:23;15:2,7; 16:4,9,18;20:3;30:6,12;38:20, 24;39:14,19;40:1;46:14,17; 47:22;49:25;50:11;57:21,25; 58:9,13,18;59:2,5,10,13,18,22; 60:8,18,22,25;62:9;63:16,19; 64:12;65:19,22;66:8,14,18; 67:7 thought (1) 63:1 thousands (1) 17:12 three (5) 23:1;29:15;38:6;39:1;47:1 Thumb (1) 16:3 thumping (1) 43:22 tied (2) 32:16;45:5 tight (1) 17:2 timeliness (1) 16:25 titles (1) 20:20 today (9) 6:24;9:7;30:20;33:19;50:4,</p>
T			
	<p>take-it-or-leave-it (3) 40:13;45:20,22 talk (1) 58:8 talking (4)</p>		

<p>19:55:18;63:20;67:12 today's (1) 3:4 together (2) 18:23;62:3 told (4) 17:24;34:15;40:14;41:13 ton (3) 43:21;44:1;46:6 tone (1) 15:19 top (1) 66:8 topic (1) 21:13 total (2) 47:13;53:13 totally (1) 33:13 toward (1) 28:22 town (1) 41:2 Township (1) 3:16 track (3) 17:13;58:15;66:21 tracks (3) 42:19;43:4;46:11 tract (1) 67:6 trade (1) 28:9 train (1) 46:10 transaction (3) 32:1,23;38:17 transparency (2) 19:22,22 transparent (2) 11:14;19:18 traverses (1) 18:16 treated (6) 41:8;44:9,16;47:20;49:23; 56:23 tremendous (1) 13:22 trial (1) 49:15 true (3) 26:4;36:16;54:25 Trust (1) 10:15 trying (3) 19:16;61:15;63:8 Tuesday (1) 3:8 turn (3) 4:7;21:12;29:19 turned (1) 29:11 two (5)</p>	<p>11:24;31:25;32:23;38:6,21 type (3) 10:22;42:18;44:15 types (1) 29:8</p> <p style="text-align: center;">U</p> <p>ultimate (1) 54:11 unagreed (1) 64:16 uncommitted (9) 5:13;6:22;22:8;27:19;50:2; 51:1;52:15;53:7;56:6 unconstitutional (4) 37:5;42:10;45:5,25 Under (11) 9:14;12:12;17:11,25;19:4; 30:2;31:14;47:17;51:12;57:14; 67:10 underneath (3) 18:10;40:12;41:11 understands (1) 14:15 undoubtedly (1) 53:3 unfair (4) 14:7;28:22;57:9;62:6 unfettered (1) 26:12 unfortunate (3) 15:21;16:14;56:20 Unfortunately (1) 40:15 unit (23) 3:15;6:23;10:17;11:11; 18:16,20;20:9;39:20,23,25; 50:3;52:12;57:2,4;61:10;62:11, 13,16;65:1,3,4;67:3,3 units (1) 61:16 unjust (1) 62:7 unknown (1) 33:20 unlikely (1) 65:9 unreasonable (2) 38:9;54:13 unspecified (1) 24:4 untimely (2) 11:25;20:19 up (22) 4:19;5:25;10:3,7;21:8;26:8, 20;29:15;31:16;36:14;40:25; 41:4;44:19;45:2;46:25;54:3; 56:17;58:2,6,8;63:9;66:6 upcoming (1) 16:16 upheld (1) 29:22</p>	<p>upon (1) 24:20 use (7) 24:12;27:4;55:7,13,17;64:18, 24 used (9) 5:9;9:7;21:13,20;23:6;39:1; 48:8,11;49:6 using (4) 3:5;37:11;39:1;41:23 utilities (3) 24:19,24;25:6</p> <p style="text-align: center;">V</p> <p>Vacating (1) 7:13 value (5) 27:20,22;33:15;47:9;62:8 values (1) 35:17 vastly (1) 33:25 Vega (3) 14:25;15:2,7 versus (3) 29:4;48:3;54:15 via (3) 4:1;12:2;58:3 video (1) 4:21 Vidlak (2) 6:10;8:7 view (3) 11:25;28:14;43:10 viewed (1) 48:12 violate (3) 37:12;42:13;54:6 violated (1) 37:1 violates (6) 14:7;31:4,4,5;42:14;54:12 virtual (1) 4:1 virtually (1) 56:9 voluntarily (4) 10:25;26:9;49:9;57:9 voluntary (2) 50:20;64:23 volunteered (1) 64:18 vote (4) 13:13;16:15;40:21,22</p> <p style="text-align: center;">W</p> <p>waiting (2) 11:3;19:1 walk (3) 10:7;58:5,8 wants (2)</p>	<p>27:16;62:1 warranted (1) 31:20 waste (2) 23:20;25:1 waterway (1) 18:16 waterways (1) 20:8 way (5) 23:9;26:16;28:20;29:21;65:9 Weatherspoon (3) 6:9;7:25;8:6 website (4) 7:3;9:5;46:22;59:2 weight (1) 3:23 welcome (4) 10:7;11:21;55:18;57:17 wellbore (1) 65:11 wells (6) 46:7;53:24;61:17,19;63:11; 65:25 West (1) 3:16 Western (1) 65:6 what's (7) 17:8;30:14,16;32:11,12;39:5; 43:7 wheels (1) 31:3 whenever (2) 41:4;46:13 where's (1) 48:22 wholly (1) 42:10 wholly-owned (2) 41:23;44:5 who's (7) 11:8;14:11;40:9,11;41:10; 48:21;49:12 wildcat (3) 41:13;43:23;46:8 willing (1) 62:2 willingly (1) 61:9 Winmill (2) 29:3;54:16 Winters (11) 6:15,17,18;15:5,10,12;16:19; 24:14;50:6,7,12 Winters' (1) 60:1 wish (4) 13:21;30:16;56:23;57:16 wishes (3) 53:12,17,17 within (8) 9:16;12:12;16:1;18:5;23:14;</p>
---	--	--	---

48:23;51:15;67:13 without (5) 18:1;26:11,11;50:19;56:12 Witnesses (2) 5:16;45:16 words (1) 29:15 working (5) 20:1;25:4;45:21;46:1;56:2 works (5) 14:18;19:17;28:20;42:23; 61:6 world (1) 56:10 worry (1) 48:11 write (2) 32:14;42:7 written (6) 3:23;9:10;15:20;16:8;21:8; 67:11 wrong (3) 13:13;14:8;61:12 wrote (1) 41:20	67:9 10B (1) 33:11 10D (1) 33:12 10th (1) 8:25 11 (1) 39:16 13 (1) 59:24 13th (3) 9:2,3;67:13 14 (6) 3:8;9:20;12:1;20:21;59:24; 67:9 16 (1) 44:21 160 (4) 62:11,24;63:5;64:4 160-acre (6) 61:7,10,16,25;63:24;67:3 17 (3) 7:19,22;20:25 1970s (1) 67:2 1st (4) 7:16;8:18,19,21	67:13 300 (2) 62:16,18 31 (1) 4:25 31st (3) 7:13;12:2;20:24	
Y		4	
yards (1) 43:9 year (1) 47:6 years (7) 17:12,13,18;37:14;44:23; 58:16,22 yield (1) 30:25	2	47-320 (2) 3:15;43:5 47-328 (2) 3:20;21:1	
Z		5	
Zoom (7) 3:4;4:1,2,5,20;22:18;58:3		5 (1) 3:16 5,000 (1) 34:1 50,000 (1) 33:22 50s (1) 67:1 55 (1) 35:10	
0		6	
002 (1) 39:3 01-001 (1) 39:3 04.11.01.651 (1) 4:3 04.11.01-565 (1) 9:14	20 (1) 47:1 20-0702 (2) 24:9;53:23 2021 (1) 58:20 2021-OGR-01-02 (1) 39:3 2022 (1) 28:12 2023 (6) 3:8;4:25;7:7,9,13;67:9 21 (2) 7:24;8:1 22 (3) 8:3,10;28:12 23 (24) 7:7,9,11,16,17,19,22,24;8:1, 3,10,12,14,16,18,19,21,22,24, 25;9:2,3,8;20:25 24 (8) 3:16;8:12;23:4,8;26:17; 27:11;55:13,17 28 (2) 8:14,16	6 (1) 8:22 640 (2) 62:24;63:6 640-acre (2) 62:11;67:3 67-5252 (1) 21:10 6th (2) 9:8,24	
1		8	
1 (2) 3:15;43:5 1/8th (6) 42:2,3,3;51:13,19,20 10 (1) 22:12 10:27 (1)	3	8 (1) 3:16 8th (1) 8:24	
		9	
	3 (2) 21:1,10 30 (6) 7:11;17:18;37:14,14;44:23;	9 (1) 7:17 9:04 (1) 3:8	