

From: [Merritt Dublin](#)
To: [Mike Christian](#); [Filings](#); [Elaine Maneck](#)
Cc: [Allison Olson](#); [James Thum](#)
Subject: RE: OAH Case No. 24-320-OG-02; IDL Agency Docket No. CC-2024-OGR-01-002
Date: Friday, September 27, 2024 2:23:16 PM
Attachments: [image001.png](#)

Good afternoon,

I agree that the filings due today be deferred in view of the agreement that the Administrator may approve it without a hearing. I am available to discuss the process going forward Monday from 10 on except for 2 -3; Tuesday from 11– 2:30, and Wednesday, from noon on. Please confer on what time and date works best for all of you and we will send a notice and link.

Thank you,



Merritt L. Dublin | Administrative Law Judge
Office of Administrative Hearings | State of Idaho
350 N. 9th St., Ste. 300
Boise, Idaho 83720-0104
O: 208-605-4300 W: oah.idaho.gov

From: Mike Christian <mike@hpk.law>
Sent: Friday, September 27, 2024 1:02 PM
To: Merritt Dublin <Merritt.Dublin@oah.idaho.gov>; Filings <filings@oah.idaho.gov>
Cc: Allison Olson <aolson@idl.idaho.gov>; James Thum <jthum@idl.idaho.gov>
Subject: OAH Case No. 24-320-OG-02; IDL Agency Docket No. CC-2024-OGR-01-002

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Madam Hearing Officer –

Per Idaho Code §47-328(3)(b), the deadline for an uncommitted mineral owner to file an objection or other response to the Application in this matter was yesterday, September 26 (14 days before the hearing date). I understand that no objection or other response was filed with OAH or the Department by any uncommitted mineral owner.

Per Idaho Code 47-328(3)(d), “[w]hen applications are uncontested, the applicant may request and the administrator may allow approval without a hearing based on review of

the merits of a verified application and the supporting exhibits.” Because the Application here is uncontested, the Applicant requests that the Administrator approve the Application without a hearing. I understand from conversation today with Ms. Olson, the Department’s counsel, that the Department does not oppose the Application and agrees that it may be approved without a hearing per the statute.

Mr. Thum of the Department has prepared a map of the Harmon field indicating the location of the subject spacing unit which may be attached to an order, and it is attached to this email.

On behalf of the Applicant, I propose that (a) filing of prehearing statements, witness and exhibit disclosures, and exhibits be deferred; and (b) a phone call be held involving you, counsel for the Applicant and counsel for the Department as early as possible next week to discuss the logistics of dispensing with the hearing and proceeding to preparation and issuance of an order of the Administrator per Idaho Code § 47-320(3)(d).

I have copied Ms. Olson and Mr. Thum on this email so they may add any comment or correct any error I’ve made in describing the posture of this matter. I believe based on my conversation with Ms. Olson that the Department concurs with the above and she has authorized me to send this email.

Thanks,

Michael Christian

Of Counsel

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