

**From:** [JJ Winters](#)  
**To:** [Kourtney Romine](#); [Mick Thomas](#); [James Thum](#); [External - Joy M. Vega](#); [James Piotrowski](#); [Marty Durand](#); [mike@hpk.law](#)  
**Cc:** [Sarah Serrato](#)  
**Subject:** Declaration of Counsel  
**Date:** Thursday, October 26, 2023 04:56:42 PM  
**Attachments:** [image001.png](#)  
[Declaration of Counsel.pdf](#)

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Good afternoon,

Please file in the record of this matter the attached declaration of counsel.



**JJ Winters | Deputy Attorney General**

Idaho Department of Lands | Energy and Natural Resources Division

Office of the Attorney General | State of Idaho

208-334-4143 | [idl.idaho.gov](http://idl.idaho.gov)

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RAÚL R. LABRADOR  
ATTORNEY GENERAL

SCOTT L. CAMPBELL  
Deputy Attorney General  
Chief, Energy and Natural Resources Division

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Deputy Attorney General  
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*Attorney for Idaho Department of Lands, Oil and Gas Program*

**BEFORE THE IDAHO DEPARTMENT OF  
LANDS**

IN THE MATTER OF:

The Application of Snake River Oil and Gas, LLC to Integrate the Spacing Unit Consisting of Section 24, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho.

Snake River Oil and Gas, LLC, Applicant.

Docket No. CC-2023-OGR-01-001

**DECLARATION OF COUNSEL**

The Idaho Department of Lands, by and through the Office of the Attorney General, its counsel of record, and pursuant to the request presented by counsel for non-committed owners and the Hearing Officer hereby submits the following Declaration of Counsel.

On Tuesday, October 24, 2023, the Oil and Gas Commission held a second evidentiary hearing in the above-captioned matter. During the hearing, counsel for

the non-committed owners moved the Hearing Officer to require disclosure of all ex parte communications with counsel for the Hearing Officer in this matter. In response to the motion, the Hearing Officer requested the parties submit declarations in response to the allegations.

1. I, J.J. Winters, make the following declaration in the above-captioned matter.
2. I am a Deputy Attorney General with the Idaho Office of the Attorney General, and I am authorized to practice law in Idaho.
3. I am counsel of record for the State of Idaho, State Board of Land Commissioners, and the Idaho Department of Lands in this matter.
4. I am familiar with the screening requirements between Deputy Attorneys General who may be authorized to represent several government agencies as required by the Idaho Rules of Professional Conduct<sup>1</sup>.
5. The Energy and Natural Resources Division of the Office of the Attorney General practices appropriate screening measures between Deputy Attorneys General when representing independent officers and agencies.
6. I have had no ex parte communication with counsel from the Attorney General's Office assigned to represent the Hearing Officer regarding this matter, including Deputy Attorneys General Ms. Joy Vega or Mr. Hayden Marotz.
7. I declare under penalty of perjury under the law of the State of Idaho that the foregoing is true and correct.

<sup>1</sup> The Idaho Rules of Professional Conduct address intra-governmental representation within the Office of the Attorney General and other government agencies: [L]awyers under the supervision of these officers may be authorized to represent several government agencies in intragovernmental legal controversies in circumstances where a private lawyer could not represent multiple private clients. These Rules do not abrogate any such authority. I.R.P.C. Preamble § 18. See also, I.R.P.C. 1.13 comment 9; and I.R.C.P 1.11(b), (c).

DATED this 26<sup>th</sup> day of October, 2023.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "J.J. Winters", written in a cursive style.

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J.J. WINTERS  
Deputy Attorney General

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 26<sup>th</sup> day of October, 2023, I caused to be served a true and correct copy of the foregoing by the following method to:

Mick Thomas  
IDAHO DEPARTMENT OF LANDS  
PO Box 83720  
Boise, ID 83720-0010

Hand Delivery  
 Certified Mail  
 Email: mthomas@idl.idaho.gov  
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Hayden Morotz  
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J.J. Winters  
Deputy Attorney General