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**To:** [Scott Zanzig](#); [Elaine Maneck](#)  
**Subject:** Fw: Docket#CC-2025-OGR-001-005 public comment  
**Date:** Wednesday, December 24, 2025 1:10:22 PM  
**Attachments:** [argus-AMI-maneca-acid-tracking.doc](#)  
[AM settles with ACE on acidizing, no permits.doc](#)  
[alta mesa violation - acidizing 2018.pdf](#)

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**From:** shelley brock <[sbrock4idaho@gmail.com](mailto:sbrock4idaho@gmail.com)>  
**Sent:** Wednesday, December 24, 2025 12:50:50 PM  
**To:** Filings <[filings@oah.idaho.gov](mailto:filings@oah.idaho.gov)>  
**Cc:** James Piotrowski <[james@idunionlaw.com](mailto:james@idunionlaw.com)>  
**Subject:** Docket#CC-2025-OGR-001-005 public comment

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Please add the following to the record on Docket#CC-2025-OGR-001-005.

In keeping with statements made during the December 17 integration hearing at Fruitland City Hall, I submit the following evidence demonstrating that this industry in general, and operator SROG and their former partner AMI specifically, all too often have adhered to the saying "it's easier to ask forgiveness than it is to get permission."

1. Argus Observer article regarding illegal acidizing of a gas well owned by SROG and former partner AMI in Payette County, which was not made public or dealt with by regulators until at least 7 months after the fact.
2. Argus Observer article demonstrating that the operators received a proverbial slap on the hand for the violation. Their punishment included submitting an application to acidize that well retroactively, nearly a year after already having done so, and paying a fraction of the recommended fines.
3. Argus Observer article demonstrating the same operators 'recompleted' a gas well in Payette County in 2018 with a whole host of violations related to mandatory permitting. These violations likely obscured valid reporting of royalties for the property owners and taxpayers on hydrocarbons recovered from that well.

Shelley Brock  
President, Board of Directors - C.A.I.A.  
Citizens Allied for Integrity and Accountability  
Eagle, Idaho  
208-559-6127

FEATURED

## IDL settles with Alta Mesa over regulatory violations

LESLIE THOMPSON The Argus Observer Apr 9, 2019 Updated 10 hrs ago  0



Alta Mesa's facilities off Little Willow Road, northeast of Fruitland, are pictured in this Monday photo.

[Leslie Thompson | The Argus Observer](#)

PAYETTE COUNTY — State officials late last week reached a settlement with Alta Mesa, the state's sole oil and gas producer, for violating state regulatory rules while performing work on a natural gas well in Payette County. In the settlement agreement and consent order, AM Idaho, also known as Alta Mesa, admits to the violations. Those rules within the Idaho Oil and Gas Conservation Act were violated when Alta Mesa took steps to perform an acid treatment on the ML Investments 1-11 natural gas well in July of 2018 before getting approval. Alta Mesa will pay less than half of the civil penalty fines originally proposed in the complaint filed in February.

According to the agreement with the Oil and Gas Conservation Commission, Alta Mesa has 30 days to meet its terms. Those include paying the civil penalties; retroactively applying for the well treatment as well as paying the \$1,000 for the application; and handing over a report that Idaho Department of Lands officials have repeatedly requested since they discovered the violation in July of 2018. That's when Alta Mesa sought last-minute approval to use 500 gallons of Xylene and 1,000 gallons of a mixture containing 15 percent hydrofluoric acid to treat a natural gas well. After IDL denied the work request, the company treated the well and notified the state via its attorney several days later.

An administrative complaint and notice of violation was filed by the Idaho Attorney General on behalf of IDL on Feb. 5, 2019. In that complaint, the state sought \$20,000 in civil penalties. For the first violation, performing a well treatment before obtaining proper approval, the state sought \$10,000. For the second violation, failing to timely submit a complete report on well treatment, the state also sought \$10,000. However, in the

**W.Barlow-PC0075**

settlement agreement the state agreed to accept a total \$5,000 for the first violation and \$3,000 for the second violation.

The settlement does not preclude Alta Mesa from its obligation to comply with local, state or federal law in the future.

### **Who's checking the water?**

Even if Alta Mesa had filed the permit required, nearby well owners weren't quite close enough to be notified of the acid treatment used on the well. A-quarter mile or less is causal for notice to homeowners, well owners and public drinking water systems with a recognized source or protected area according to Idaho administrative rules. Those who receive such a notice are also supposed to be given an opportunity to request Alta Mesa pay for testing of their wells before or after the company treated its well.

According to information on record with the Idaho Department of Water Resources, which was emailed by Mick Thomas, division administrator, Oil & Gas and secretary to the Oil & Gas Commission, there are three private water wells located in a one-mile radius of the ML Investments 1-11 well, though none are closer than 2,200 feet (or about a-half mile).

Monitoring freshwater sources also falls under the responsibility of Alta Mesa, unless it is determined the proposed treatment doesn't pose a threat.

As far as monitoring wastewater produced by Alta Mesa, IDL does not have the authority to do that, Thomas confirmed. That responsibility goes to Idaho Department of Environmental Quality Wastewater Program, which has oversight of disposal practices in order to protect public health as well as Idaho's surface and groundwater resources.

"All produced water from the wells in Payette County is disposed of in a facility approved by IDEQ," wrote Thomas. "Frequency of monitoring or testing of fluids received by the facility are determined by IDEQ."

### **'No hydraulic fracturing took place'**

Because the "pressure was below the fracture gradient" in the application of the acid treatment to the ML Investments well, "no hydraulic fracturing took place," according to Thomas' email. Placing acid in the well does not make it an injection well either, he said.

In the case of ML Investments 1-11, Thomas pointed to matrix acidizing over fracturing.

"The use of acid in oil and gas exploration dates back over 120 years and is a routine procedure to remove deposits from well surfaces," wrote Thomas. "Matrix acidizing is a stimulation process used to improve flow, or to remove damage. It does so by dissolving the sediments and mud solids within the pores, which stimulates the flow of hydrocarbons."

"The industry has long employed acid stimulation to increase the performance of oil, water, or gas wells by removing the near-wellbore damage, which is the natural byproduct of drilling and production operations," wrote Thomas.

Solutions which contain hydrochloric acid and hydrofluoric acid are often used to dissolve deposits, he said.

## **IDL notes decline in field production**

Overall, natural gas production on the Willow Field in Payette County appears to be slowing down with fewer and fewer wells in production. In January of 2018, Alta Mesa's monthly report filed with IDL stated there were 207,830 units of natural gas taken from 12 wells; in January of 2019 that unit number dipped down by nearly half, with the company reporting 115,105 units produced by only four wells.

IDL requires operators such as Alta Mesa to report on the volumes of hydrocarbons and liquids produced from each well along with methods and location of disposal. Those reports are posted on the Idaho Oil and Gas Commission's website.

According to Thomas, the department, which tracks production volumes and receives production reports per Idaho code, "has seen a reduction in overall field production."

In reports on the commission's website, several wells in Payette County are now listed as "shut-in," including the Fallon and Barlow wells near the Payette River. A shut-in well is one that has been purposely closed off by the oil and gas producer in wells that begin producing water along with the oil or gas.

Leslie Thompson is the editor at The Argus Observer. She can be reached at (541) 823-4818 or by emailing [lesliet@argusobserver.com](mailto:lesliet@argusobserver.com). To comment on this story, go to [www.argusobserver.com](http://www.argusobserver.com).

## AG alerts Alta Mesa that it violated regulatory rules

Leslie Thompson The Argus Observer Apr 2, 2019 Updated Apr 2, 2019 1



Natural gas is flared from energy firm Alta Mesa's Fallon well site across the Payette River from the City of Fruitland water and wastewater facilities in March 2018.

Rob Ruth | The Argus Observer

**PAYETTE COUNTY** — The sole oil and gas producer in Idaho violated state regulatory rules on use of chemical fracturing, according to an administrative complaint and notice of violation filed by the Idaho Attorney General on behalf of the Idaho Department of Lands.

The complaint filed on Feb. 5, 2019 alleges that AM Idaho, also known as Alta Mesa, which has several natural gas wells in Payette County, violated Idaho Code by “treating a well” without the proper steps. This included not giving ample notice to or getting approval from Idaho Oil and Gas Commission and not obtaining a permit and paying applicable fees before performing the work.

According to the facts in the administrative complaint, Alta Mesa requested by email on July 9, 2018, the authorization to use acid treatment in the ML Investments No. 1-11 well. The email said the company was planning to pump an entire treatment into the well, which included 500 gallons of Xylene and 1,000 gallons of a mixture that contained 15 percent hydrofluoric acid. The plan was to perform the treatment by the end of the day the email was sent.

IDL officials, according to the complaint, responded within two hours citing Idaho Administrative Code stating “all well treatments require an application, fee and review,” and did not approve the company’s notice.

A request for a phone call by Alta Mesa followed the email, during which Alta Mesa stated it would resubmit the request, but did not say operations would proceed.

The following day, a revised work request from Alta Mesa was emailed to IDL stating “Objective: Suspect near well bore damage. Pump acid treatment to help dissolve possible skin damage near well bore and increase well deliverability.”

IDL requested more information, including a copy of the contractor’s proposed work program, to evaluate whether such a treatment would require a permit, according to the complaint.

Three days later, on July 13, 2018, Alta Mesa’s attorney by phone, and subsequently Alta Mesa by email, informed IDL that Alta Mesa had already proceeded with treating the well.

Alta Mesa was given a deadline of July 20, 2018 to get more information to IDL, including a final report from the contractor, which was only partially met on July 18. On July 20, IDL reiterated its request for additional information including “method and timeline for the management, storage and disposal of well treatment fluids, including the disposal site and plans for reuse, if any.” IDL gave Alta Mesa an additional week to get the information, and Alta Mesa responded within two days, again with partial information.

On Aug. 3, IDL sent a second request for the final report from the contractor, and asked a followup question “about how the range of frac gradients for the area was calculated.” IDL again gave Alta Mesa a week to respond, and the company responded early informing IDL that “its contractor did not do a post job report and there was no recording of the job digitally or by chart recorder.

“Instead, Alta Mesa monitored the analog pressure gauges and sight glasses throughout the job and recorded those numbers,” according to the complaint.

Alta Mesa did provide IDL its formula for calculating frac pressure.

Several questions the newspaper sent to Idaho Department of Lands won’t be answered until the end of this week, according to Mick Thomas, division administrator, Oil & Gas and secretary to the Oil & Gas Commission. These questions include whether IDL officials since knowing about the violation in July of 2018 have conducted, or instructed any outside agency to perform monitoring or testing of groundwater or nearby wells to see whether the hydrofluoric acid or xylene is showing up elsewhere.

Also asked was whether IDL has knowledge that acid or other chemicals have been being put into other wells in Payette County.

The complaint gave AM Idaho 14 days to respond and request either an administrative hearing or an informal settlement meeting. Scott Graf, public information officer for the Idaho Attorney General office, said that while they don’t normally comment on pending actions or specific settlement discussions, that “a formal hearing has not been scheduled,” and no reply has yet come back from IDL about whether AM Idaho has responded to them regarding a settlement meeting.

Regardless of which hearing option Alta Mesa chooses, the alleged violations, according to the complaint, carry a proposed civil penalty of \$20,000.

Citizens Allied for Integrity and Accountability, a watchdog group based in Eagle, alerted media to the Feb. 5 administrative complaint. The group’s President Shelley Brock responded to the news by saying, “This just confirms what industry representatives here have admitted from the start: that they would use whatever means necessary to produce those wells ... What we find exceptionally disturbing is the fact that it has taken state regulators seven months to formally

charge Alta Mesa for violating the law, and that during that time these officials have continued to mislead the media and citizens about what is really happening here.”

Brock was referring to the numerous concerns brought forth by citizens at multiple city council meetings and town halls regarding fracking.

IDL officials and Alta Mesa representatives have repeatedly told the community that Idaho’s geology doesn’t work for hydraulic fracturing — including Governor Brad Little in when he was still campaigning for his current seat during a televised public debate who said, “There is no fracking in Idaho.”

While hydraulic fracturing, more commonly known as fracking might not be the method of extraction being used by Alta Mesa, chemical fracturing is the well treatment described in the administrative complaint.

According to records, this is the company’s second administrative violation in the past four months, having been charged in October of 2018 for recompleting a gas well without proper protocol, including permits. In that instance, the state settled with AM Idaho for a fraction of the proposed penalties.

Alta Mesa is also the subject of a class action suit regarding nonpayment of royalties with citizens in Payette County, and several other similar class action suits across the United States.

Requests for comment from Alta Mesa were unreturned by press time.

Leslie Thompson is the editor at The Argus Observer. She can be reached at (541) 823-4818 or by emailing [lesliet@argusobserver.com](mailto:lesliet@argusobserver.com). To comment on this story, go to [www.argusobserver.com](http://www.argusobserver.com).

### Treating wells with acid

Acidizing refers to the stimulation of a reservoir formation by pumping a solution containing reactive acid to improve the permeability and enhance production of a well. In sandstone formations, the acids help enlarge the pores, while in carbonate formations, the acids dissolve the entire matrix. Acidizing can be divided into two categories:

- Matrix acidizing – mostly used in sandstone formations, acid is pumped into a well at low pressures, dissolving sediments and mud solids, increasing the permeability of the rock, enlarging the natural pores, and stimulating the flow of oil and gas.
- Fracture acidizing – mostly used in carbonate formations, involves pumping acid at higher pressures, but still lower than those used during fracking. The acids fracture the rock, allowing for the flow of oil and gas.

Acidizing usually occurs in aging wells that are in the final stages of production. It primarily uses hydrochloric and hydrofluoric acids at highly diluted concentrations, between 1 and 15 percent.

It is listed by the National Fire Protection Association in the most dangerous category of hazardous materials, and is recognized on the Superfund list as an “extremely hazardous substance.” HF can cause severe burns to the skin and eyes, and can damage lungs in ways that are not immediately noticeable. If absorbed through the skin, even in minute amounts, and left untreated, it can cause death.

Source: Earthworks.org

LAWRENCE G. WASDEN  
Attorney General  
State of Idaho

DEPT. OF LANDS  
2018 OCT -5 PM 3:02  
BOISE, IDAHO

DARRELL G. EARLY  
Deputy Attorney General  
Chief, Natural Resources Division

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*Attorneys for Complainants*

BEFORE THE IDAHO OIL AND GAS CONSERVATION COMMISSION

In the Matter of:	)	Docket No. CC-2018-OGR-01-002
	)	
AM IDAHO, LLC & ALTA MESA SERVICES,	)	ADMINISTRATIVE COMPLAINT &
LP.	)	NOTICE OF VIOLATION
	)	
Respondent.	)	

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This administrative complaint against AM Idaho, LLC and Alta Mesa Services, LP (collectively "Respondent" or "Alta Mesa") is filed on behalf of the Idaho Department of Lands' Oil and Gas Division ("IDL") with the Idaho Oil and Gas Conservation Commission ("Commission") pursuant to Idaho Code §§ 47-329 and 47-328(1) and (2). This complaint also serves as a notice of violation issued to Alta Mesa pursuant to Idaho Code § 47-329. As described below, IDL has identified certain alleged violations by Alta Mesa of Title 47, Chapter



3, Idaho Code, commonly known as the Oil and Gas Conservation Act, and the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho, IDAPA 20.07.02.

### **JURISDICTION AND AUTHORITY**

1. The Commission has jurisdiction and authority over all persons and property necessary to enforce the Oil and Gas Conservation Act ("Act"). Idaho Code § 47-314(8); Idaho Code § 47-315(1).
2. The Commission has authority to make and enforce rules, regulations, and orders, and do whatever may reasonably be necessary to carry out the provisions of the Act. Idaho Code § 47-314(8); Idaho Code § 47-315(1), (8).
3. Complainant IDL has "the power to exercise, under the general control and supervision of the commission, all of the rights, powers and duties vested by law in the commission, except those provided in sections 47-328 and 47-329(3)." Idaho Code § 47-314(7).

### **APPLICABLE LAWS AND REGULATIONS**

4. Idaho Code § 47-316 provides:
  - (1) It shall be unlawful to commence operations for the drilling or treating of a well for oil and gas without first giving notice to the commission of intention to drill or treat and without first obtaining a permit from the commission under such rules and regulations as may be reasonably prescribed by the commission and by paying to the commission a filing and service fee as provided by this section.
    - (a) Any request for a permit or authorization as set forth in subsection (3)(a), (b), (c), (d), (e), (f), (g), (m), (n) or (o) of this section shall be made by application to the department of lands, and processed as provided in this section.
    - ...
  - (3) The department shall collect the following fees . . .
    - (g) Application for a recompletion, modified blow out prevention standards, using a vacuum for oil or gas recovery, removing casing, or multiple zone completion, if separate from an application for a permit to drill or plug and abandon a well.....1,000

5. IDAPA 20.07.02.30.01 provides:

Written Authorization Required. Any written notice of intention to do work or to change plans previously approved must be filed with the Department, unless otherwise directed, and must be approved before the work is begun. Such approval may be given orally and, if so given, shall thereafter be confirmed by the Department in writing. Written notices may be submitted to the Department by e-mail or facsimile.

6. IDAPA 20.07.02.200.01 provides:

Permits Required. Prior to the commencement of operations to drill, deepen, or plug back to any source of supply other than the existing producing horizon, application shall be delivered to the Department of intention to drill, deepen, or plug back any well for oil or gas, and approval obtained.

7. Idaho Code § 47-324(2) provides “An operator shall file all well test reports within thirty (30) days of completing or recompleting the well. The reports shall include all oil, gas and water produced during all tests.”

8. IDAPA 20.07.02.340 provides:

WELL COMPLETION/RECOMPLETION REPORT AND WELL REPORT. Within thirty (30) days after the completion of a well drilled for oil or gas, or the recompletion of a well into a different source of supply, or where the producing interval is changed, a completion report shall be filed with the Department, on a form prescribed by the Department. Such report shall include name, number, and exact location of the well; lease name, date of completion and date of first production, if any; name and depth of hydrocarbon reservoir(s), if a multiple completion, from which well is producing; annulus pressure test; initial production test, including oil, gas, and water, if any; a well report as defined in Section 010; and such other relevant information as the Department may require.

9. Idaho Code § 47-329(3) provides:

Any person who violates or fails to comply with any of the provisions of this chapter or any rules or orders made or promulgated hereunder may be assessed a civil penalty by the commission or its duly authorized agent of not more than ten thousand dollars (\$10,000) for each violation and shall be liable for reasonable attorney's fees. Each day the violation continues shall constitute a separate and additional violation, punishable by separate and additional civil penalties in like amount or other like civil penalties as determined by the commission; provided that

the civil penalties do not begin to accrue until the date notice of violation and opportunity to be heard are given.

- (a) Assessment of a civil penalty may be made in conjunction with any other commission administrative action.
- (b) No civil penalty may be assessed unless the person charged was given notice and opportunity for a hearing pursuant to chapter 52, title 67, Idaho Code, which civil penalty begins to accrue no earlier than the date notice of violation and opportunity for a hearing are given.
- (c) If the commission is unable to collect such penalty or if any person fails to pay all or a set portion of the civil penalty as determined by the commission, it may recover such amount by action in the appropriate district court.
- (d) Any person against whom the commission has assessed a civil penalty under the provisions of this section may, within twenty-eight (28) days of the final action by the agency making the assessment, appeal the assessment to the district court of the county in which the violation is alleged by the commission to have occurred pursuant to chapter 52, title 67, Idaho Code.
- (e) All civil penalties collected pursuant to this section shall be remitted to the oil and gas conservation fund.

### **FACTS**

- 10. IDL granted Alta Mesa a permit to drill a gas well named the ML Investments #2-10 on June 27, 2013. The ML Investments #2-10 well is located in a 640 acre spacing unit composed of Section 10, Township 8N, Range 4W, Boise Meridian, Payette County, Idaho, located in the Willow Field.
- 11. Alta Mesa is the current operator of the ML Investments #2-10.
- 12. Alta Mesa completed the ML Investments #2-10 well on March 26, 2014. The well completion report named the producing interval as 4194–4204' MD (Measured Depth). The well's valve was opened to allow gas to flow on or about August 29, 2015.

13. On May 31, 2017, IDL sent a letter to Alta Mesa that approved May 2017 sundry notices for plug back / workover operations subject to several conditions, including that "All plug back and workover operations will be limited to the existing producing horizon in each well."
14. Alta Mesa performed a series of workovers in the producing horizon referred to as "LT" (Lower Target) or "Sand 2" in February, March, and April of 2018. The purposes of those workovers was to alleviate water encroachment.
15. On April 10, 2018, Alta Mesa sent a sundry notice to IDL that stated its intention to plug back the ML Investments #2-10 well from the "Sand 2" or "LT" interval and instead perforate and test the "Sand 1" interval between 4000-50' MD.
16. On April 16, 2018, Alta Mesa resent its sundry notice to plug back and recomplete the ML Investments #2-10.
17. On April 17, 2018, IDL notified Alta Mesa that the operations described in its sundry notice required an application.
18. On April 18, 2018, IDL received Alta Mesa's application to recomplete and plug back the ML Investments #2-10 well. Alta Mesa paid the \$1,000 required application fee on May 10, 2018.
19. IDL approved Alta Mesa's application for recompletion on May 16, 2018. The approved permit stipulations cited Idaho Code § 47-324(2) and specifically stated that "A Well Completion or Recompletion Report and Well Report (form IDLOG0021.01, revised 12/17) shall be filed with the department within thirty (30) days of completion and testing operations."

20. On June 20, 2018, IDL received Alta Mesa's ML Investments #2-10's well completion report, which Alta Mesa signed and dated June 18, 2018. The completion report gave April 15, 2018 as the date of test and date of first production.
21. On July 18, 2018, Alta Mesa submitted to IDL a revised Production / Disposition Report for the ML Investments #2-10 well. That production report did not indicate what producing horizon or zone the well's April 2018 production had occurred from. In a July 25, 2018 e-mail to Alta Mesa representatives, IDL requested that Alta Mesa submit a revised report for April 2018 and subsequent months that indicated from which zone production occurred. After not receiving any response from Alta Mesa, on August 3, 2018, IDL sent another e-mail to Alta Mesa representatives requesting revised production reports.
22. Alta Mesa provided a revised April 2018 production report to IDL via e-mail on August 3, 2018. The revised April Production Report reported condensate and gas production from both ML Investments #2-10's "Sand 1" and ML Investments #2-10's "Sand 2."

## **VIOLATIONS**

**Violation One:** Violation of Idaho Code § 47-316(1)(a), IDAPA 20.07.02.030, IDAPA 20.07.02.200.01

**Proposed Civil Penalty Amount:** \$10,000

Alta Mesa violated Idaho Code § 47-316(1)(a), IDAPA 20.07.02.030, and IDAPA 20.07.02.200.01 when Alta Mesa performed a plug back and recompletion to a different producing horizon before obtaining IDL approval for a plug back and recompletion. Alta Mesa's June 20, 2018 Well Recompletion Report indicated that the ML Investments #2-10's date of first production from the Sand 1 recompletion was April 15, 2018. Thus, workover

operations would have to have begun on or before April 15, 2018. While Alta Mesa submitted a sundry notice on April 10 and April 16, 2018, and IDL received Alta Mesa's application to recompleting the well on April 18, 2018, IDL did not approve Alta Mesa's application for recompleting until May 16, 2018. IDL's approval was therefore at least thirty days after the work was performed. Alta Mesa's April 18, 2018 application did not indicate that Alta Mesa had already performed the work it applied for approval to perform. Alta Mesa was required to obtain IDL approval before Alta Mesa performed that work. Alta Mesa failed to do so. Thus, IDL alleges Alta Mesa violated Idaho Code § 47-316(1)(a), IDAPA 20.07.02.030, and IDAPA 20.07.02.200.01.

**Violation Two:** Violation of Idaho Code § 47-324(2) and IDAPA 20.07.02.340

**Proposed Civil Penalty Amount:** \$10,000

Alta Mesa violated Idaho Code § 47-324(2) and IDAPA 20.07.02.340 by failing to timely submit its Well Completion or Recompleting Report. Alta Mesa's Recompleting Report was dated June 18, 2018 and received by IDL on June 20, 2018. That report indicated that the ML Investments #2-10 well's date of first production from the recompleting of Sand 1 was April 15, 2018. Idaho Code § 47-324(2) requires a well test report to be filed "within 30 days of completing or recompleting the well." Thirty days after the April 15, 2018 reported date of first production was May 16, 2018. Alta Mesa filed its report June 20, 2018, which was 36 days past the 30 days specified in Idaho Code § 47-324(2). Thus, IDL alleges Alta Mesa violated Idaho Code § 47-324(2).

**Total Proposed Civil Penalty: \$20,000**

### **REQUEST FOR RELIEF**

**As a result of the violations above, IDL requests the Commission award the following relief:**

1. Civil penalties of \$20,000 to IDL, which IDL shall remit to the Oil and Gas Conservation Fund pursuant to Idaho Code § 47-329(3)(e).
2. IDL's reasonable attorney fees under Idaho Code § 47-329(3).

### **OPPORTUNITY TO RESPOND**

This complaint also serves as a notice to Alta Mesa of its violations and notice of Alta Mesa's opportunity for a hearing as provided in Idaho Code § 47-329. Because the Department has filed this Notice of Violation with the Commission as an administrative complaint, Alta Mesa has the right to proceed directly to a formal administrative hearing before the Commission under the Idaho Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. Alternatively, the Idaho Rules of Administrative Procedure of the Attorney General at IDAPA 04.11.01 encourage the use of informal proceedings, also known as settlement conferences, to settle contested cases.

If Alta Mesa decides to resolve this matter without proceeding directly to an administrative hearing, Alta Mesa can request a settlement meeting at IDL's Boise office. A request for an informal settlement meeting must be made via phone or e-mail within fourteen (14) days of receipt of this Notice of Violation. Please contact Kristina Fugate, Deputy Attorney General, to schedule an informal settlement meeting at (208) 334-2400 or [kristina.fugate@ag.idaho.gov](mailto:kristina.fugate@ag.idaho.gov).

The following IDL Oil and Gas Division representatives may be in attendance at the settlement meeting: Administrator, Program Manager, and Deputy Attorney General. At the settlement meeting, IDL will review the facts of this case, including any information and explanation Alta Mesa may wish to provide.

If Alta Mesa decides to forego the informal settlement meeting and request a formal administrative hearing before the Idaho Oil and Gas Conservation Commission, Alta Mesa must submit that request in writing by e-mail or letter within fourteen (14) days of receipt of this Notice of Violation. Please address requests for an administrative hearing to: Mick Thomas, Secretary to the Idaho Oil and Gas Conservation Commission at 300 N. 6<sup>th</sup> St, Suite 103, Boise, ID 83720 or mthomas@idl.idaho.gov. A failure to request an informal settlement meeting or to request a formal administrative hearing will result in IDL proceeding to a formal hearing before the Commission pursuant to Idaho Code §§ 47-328 and 47-329.

DATED this 5th day of October, 2018.

  
KRISTINA N. FUGATE  
Deputy Attorney General



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5<sup>th</sup> day of October, 2018, a true and correct copy of the foregoing document was served on the following individual(s) by the method indicated:

Alta Mesa Services, LP &  
AM Idaho, LLC  
c/o Michael Christian  
Marcus, Christian, Hardee &  
Davies, LLP  
737 North 7th Street  
Boise ID 83702-5595

☒ [ X ] Certified Mail, Return Receipt  
Requested  
☒ [ X ] U.S. Mail  
☐ [ ] Overnight Delivery  
☐ [ ] Messenger Delivery  
☐ [ ] Email: MChristian@mch-  
lawyer.com

  
\_\_\_\_\_  
KRISTINA N. FUGATE  
Deputy Attorney General