

**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 30, Township 8 North, )  
Range 4 West, Boise Meridian, Payette County, )  
Idaho. )  
Snake River Oil and Gas, LLC, Applicant. )  
\_\_\_\_\_ )

Docket No. CC-2022-OGR-01-002

**NOTICE OF EVIDENTIARY  
HEARING AND NOTICE OF  
PREHEARING CONFERENCE**

**NOTICE OF HEARING**

NOTICE IS HERBY GIVEN that on Thursday, January 12, 2023, at 9:00 am (MST), the Idaho Department of Lands’ Oil and Gas Division Administrator (“Administrator”) will hold an evidentiary hearing on Snake River Oil and Gas, LLC’s (“Snake River’s”) application to integrate all uncommitted mineral interest owners in the spacing unit consisting of Section 30, Township 8 North, Range 4 West, Boise Meridian, Payette County, Idaho. The hearing will be held at Fruitland City Hall, 200 S. Whitley Dr., Fruitland, Idaho. If additional time is necessary, the hearing will continue Friday, January 13, 2023, at 9:00 am (MST).

The Administrator is authorized to conduct this hearing pursuant to Idaho Code §§ 47-320 and 47-328. At this integration evidentiary hearing, the Administrator will receive evidence and testimony regarding Snake River’s August 29, 2022, integration application. The Administrator will use the factors he articulated in his *Order Determining Just and Reasonable Factors* to determine whether the terms of an integration order fulfill the “just and reasonable” requirement of Idaho Code § 47-320(1).<sup>1</sup> The *Order Determining Just and Reasonable Factors* was mailed to

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<sup>1</sup> The Oil and Gas Conservation Commission decided at its April 23, 2019 meeting that prior to holding an evidentiary hearing on the merits of an integration application, the Administrator would hold a hearing and issue a ruling identifying the factors to be considered in determining whether the terms of a particular integration order fulfill Idaho Code § 47-320(1)’s statutory requirement that “each integration order shall be upon terms and conditions that are just and reasonable.” This was required to comply with the United States District Court for the District of Idaho’s order to “hold a new hearing that complies with due process by explaining the factors

the operator and all uncommitted owners in the spacing unit on Thursday, November 10, 2022, and can also be found on the Idaho Department of Lands website here: <https://ogcc.idaho.gov/administrative-hearings/docket-no-cc-2022-ogr-01-002-application-for-integration/>

Only uncommitted owners within the spacing unit may file objections or other responses to the integration application. Idaho Code § 47-328(3)(b). All objections or other responses addressing the integration application must indicate in the subject line that they are submitted in Docket No. CC-2022-OGR-01-002 and be received by the Administrator on or before 5:00 pm (MST) on Thursday, December 29, 2022. If a person has already filed an objection or response in Docket No. CC-2022-OGR-01-002, it is not necessary to file again.

Additionally, all prehearing motions must be filed on or before 5:00 pm (MST) on Thursday, December 29, 2022. All motions, responses, and objections filed with the Department must be sent to:

Mail: Idaho Department of Lands  
Attn: Mick Thomas  
300 N. 6<sup>th</sup> Street, Suite 103  
P.O. Box 83720  
Boise, ID 83720

e-mail: [kromine@idl.idaho.gov](mailto:kromine@idl.idaho.gov)

Also, pursuant to Idaho Code § 67-5242(3)(c), all other interested persons will have the opportunity to present public testimony at a separate evening session of the hearing on Thursday, January 12, 2023, at 6:00 pm (MST). That session will also take place at Fruitland City Hall, 200 S. Whitley Dr., Fruitland, Idaho. Any person planning to testify during this time will be treated as

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that will be considered when determining whether the terms and conditions of an integration order are “just and reasonable.” *Citizens Allied for Integrity & Accountability, Inc. v. Schultz*, 335 F. Supp. 3d 1216 (D. Idaho 2018).

a public witness, with rights and status in this matter as defined by IDAPA 04.11.01.355. The hearing officer may set time limits for public testimony.

### **NOTICE OF PREHEARING CONFERENCE**

The Administrator HEREBY GIVES NOTICE that he will hold a virtual prehearing conference prior to the hearing on January 5, 2023, at 9:00 am (MST). To participate in the prehearing conference by Zoom, use the following link: <https://idl.zoom.us/j/86961631737>, or from the Zoom application main menu, select Join and then enter Meeting ID 869 6163 1737. Alternatively, to participate by phone only, you may dial (669) 900-6833 and enter Meeting ID 86961631737#.

The prehearing conference will be conducted pursuant to IDAPA 04.11.01.510. The Administrator is authorized to conduct all prehearing procedures pursuant to Idaho Code § 47-328.

The parties should be prepared to discuss the following issues at the prehearing conference:

- Procedure at hearing;
- Disclosure of witnesses and exhibits, including the possibility of exchanging exhibits prior to the hearing and stipulating to admission of exhibits;
- Identification of exhibits;
- Stipulations;
- Prehearing motions;
- Formulating or simplifying the issues; and
- Other matters that may expedite the orderly conduct and disposition of the proceeding or its settlement.

**PARTICIPATING IN THE PREHEARING CONFERENCE IS MANDATORY FOR THE APPLICANT AND UNCOMMITTED MINERAL INTEREST OWNERS WITHIN THE**

UNIT WHO WOULD LIKE TO PARTICIPATE IN THE EVIDENTIARY HEARING AS PARTIES. Participation as a “party” at an evidentiary hearing includes the ability to appear at hearing, introduce evidence, examine, and cross-examine witnesses, make, and argue motions, state positions, and otherwise fully participate in hearings or arguments. IDAPA 04.11.01.157.

Participation in the prehearing conference is not required for those uncommitted mineral interest owners within the unit who choose not to participate in the hearing as parties, but instead participate as public witnesses. Uncommitted mineral interest owners who choose to participate as public witnesses may file written objections and responses, if they have not done so already, and may introduce evidence at hearing by their written or oral statements or exhibits, but do not have parties’ rights to examine witnesses or otherwise participate in the proceedings as parties. IDAPA 04.11.01.355.

The above-captioned proceeding and the prehearing conference are governed by the Oil and Gas Conservation Act (Chapter 3, title 47, Idaho Code); the Idaho Administrative Procedure Act (Chapter 52, title 67, Idaho Code); Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01), to the extent that the Rules of Administrative Procedure are not superseded by Oil and Gas Conservation Act; and the Rules Governing Conservation of Oil and Natural Gas in the State of Idaho (IDAPA 20.07.02). A copy of the Rules of Administrative Procedure is available at the Idaho Department of Lands office located at 300 N. 6th Street, Suite 103, Boise, Idaho, and at the Office of Administrative Rules Coordinator’s website, accessible at <https://adminrules.idaho.gov/>.

The hearing location meets the accessibility requirements of the Americans with Disabilities Act (“ADA”), in accordance with IDAPA 04.11.01.551. If a person requires assistance of the kind the agency is required to provide under the ADA in order to participate in or understand the hearing,

the agency will supply the assistance upon request. Please submit any requests to IDL by 5:00 pm (MST) Thursday, December 29, 2022. Inquiries about scheduling, hearing facilities, etc. should be directed to Kourtney Romine, Workflow Coordinator, Idaho Department of Lands, 300 N. 6<sup>th</sup> Street, Suite 103, P.O. Box 83720, Boise, ID 83720; e-mail: [kromine@idl.idaho.gov](mailto:kromine@idl.idaho.gov); phone: (208) 334-0283.

Dated this 10<sup>th</sup> day of November 2022.

A handwritten signature in black ink that reads "Mick Thomas". The signature is written in a cursive, flowing style.

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Richard "Mick" Thomas

Division Administrator  
Minerals, Public Trust, Oil & Gas  
Idaho Department of Lands

## CERTIFICATE OF MAILING

I hereby certify that on this 10th day of November 2022. I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Snake River Oil & Gas LLC  
c/o Michael Christian  
Hardee, Pinol & Kracke PLLC  
1487 S. David Lane  
Boise ID 83705

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: [mike@hpk.law](mailto:mike@hpk.law)  
[amy@hpk.law](mailto:amy@hpk.law)

Kristina Fugate  
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*Counsel for:*  
*Citizens Allied for Integrity and Accountability (CAIA), Steven and Robin Bishop, Amie and Jason Echevarria, Rex Wilson, and Patricia and Greg Fleshman*

The Gerald & Darcy Mitchell Family Trust  
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