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**To:** [Kourtney Romine](#)  
**Cc:** [mike@smithmalek.com](mailto:mike@smithmalek.com); [Fugate, Kristina](#); [External - Joy M. Vega](#)  
**Subject:** Submission in Case No. CC-2021-OGR-01-002  
**Date:** Tuesday, September 14, 2021 10:09:31 AM  
**Attachments:** [Response to Motion to Exclude Public Interest.pdf](#)

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BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of Snake River Oil and Gas, LLC for Spacing Order Consisting of the E 1/2 of the SE ¼ of Section 9, SW 1/4 of Section 10, N 1/2 of the N 1/2 of the NW 1/4 of Section 15, and the N 1/2 of the NE 1/4 of the NE 1/4 of Section 16, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho	)	Docket No. CC-2021-OGR-01-002
	)	CAIA’S RESPONSE TO SNAKE RIVER OIL AND GAS’S MOTION TO EXCLUDE INTERESTED PARTIES
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Comes now Citizens Allied for Integrity and Accountability (CAIA), and hereby offers its response to Applicant’s motion for an order determining CAIA’s status and, in the alternative, hereby petitions for leave to Intervene in this proceeding. Applicant Snake River Oil and Gas (SROG) has moved “for order determining that CAIA is not a party” fundamentally opposing the participation of any entity whose primary concern is with the public interest rather than their own profit motive or property. (Motion, p. 1). The motion should be denied as moot because the “remedy” it requests is entirely without meaning.

In the alternative, if the Hearing Officer decides to grant the motion, CAIA hereby petitions to intervene as a party in these proceedings. CAIA is a well-known party to the Department and the Commission. Its address is care of the undersigned counsel.

This motion is made less than 14 days before the hearing in this matter, for good cause. CAIA has participated in this proceeding repeatedly. SROG sat on its rights until 14 days before the hearing in this matter. The Department has treated CAIA as a party in prior proceedings in this very matter, permitting it to present briefing and argument. Deciding at this point that CAIA cannot participate in this proceeding purely because its petition was not timely would work substantial prejudice on CAIA, its members and the public interest.

CAIA's direct interest in this matter arises from several facts. First, CAIA is a public interest charity with a direct and substantial concern for the welfare of Idaho's natural resources and the well-being of its property owners and citizens. Both of those interests are directly affected by SROG's efforts to compel the lease of mineral rights against the wishes of Idaho citizens. The Department of Lands and the Idaho Oil and Gas Commission should welcome the input of public interest organizations in these critical public policy-setting proceedings. Furthermore, the requirement that individual landowners hire a lawyer, incur expenses and inconveniences, merely to protect the property that they already own, is contrary to the public interest, and likely to encourage distrust and resentment toward Idaho government.

Second, CAIA is a membership organization representing Idaho citizens who share its concerns. Its members include mineral rights owners who are being compelled to lease their mineral rights in this proceeding, and/or whose property will be affected by the decisions and actions taken by SROG or some subsequent operator.

Third, in prior proceedings, the Department has granted CAIA the status of intervenor, finding that CAIA's interest in representing its members was adequate to constitute a direct and substantial interest. (See, e.g., Case No. 2015-OGR-01-01; Case No. 2015-OGR-01-01; Order

Granting Limited Intervention, dated October 18, 2015). Nothing about CAIA's interest in these matters has changed since 2015.

For all of the foregoing reasons, the Department should deny SROG's motion as moot. In the alternative, the Department should grant CAIA party status as an intervenor.

Dated this 14<sup>th</sup> day of September, 2021.

PIOTROWSKI DURAND, PLLC

          /s/          James M. Piotrowski            
James M. Piotrowski  
Attorneys for CAIA and Certain Non-  
Consenting Owners

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of September, 2021, I caused to be served a true and correct copy of the preceding document on the following parties/representatives by the method indicated below:

Idaho Department of Lands	U.S. Mail	<input type="checkbox"/>
Attn: Mick Thomas	Hand Delivery	<input type="checkbox"/>
300 N. 6 <sup>th</sup> Street, Suite 103	Certified Mail	<input type="checkbox"/>
PO Box 83720	E-Mail	<input checked="" type="checkbox"/>
Boise, ID 83720		
<a href="mailto:kromine@idl.idaho.gov">kromine@idl.idaho.gov</a>		

Snake River Oil and Gas	U.S. Mail	<input type="checkbox"/>
c/o Michael Christian	Hand Delivery	<input type="checkbox"/>
Smith & Malek, PLLC	Certified Mail	<input type="checkbox"/>
101 S. Capitol Blvd, Suite 930	E-Mail	<input checked="" type="checkbox"/>
Boise, ID 83702		
<a href="mailto:mike@smithmalek.com">mike@smithmalek.com</a>		

Kristina Fugate	U.S. Mail	<input type="checkbox"/>
Deputy Attorney General	Hand Delivery	<input type="checkbox"/>
PO Box 83720	Certified Mail	<input type="checkbox"/>
Boise ID 83720-0010	E-Mail	<input checked="" type="checkbox"/>
<a href="mailto:kristina.fugate@ag.idaho.gov">kristina.fugate@ag.idaho.gov</a>		

Joy Vega	U.S. Mail	<input type="checkbox"/>
Deputy Attorney General	Hand Delivery	<input type="checkbox"/>
PO Box 83720	Certified Mail	<input type="checkbox"/>
Boise ID 83720-0010	E-Mail	<input checked="" type="checkbox"/>
<a href="mailto:joy.vega@ag.idaho.gov">joy.vega@ag.idaho.gov</a>		

\_\_\_\_\_/s/ James M. Piotrowski  
James M. Piotrowski