

From: [Molly Garner](#)
To: [Kourtney Romine](#); mike@smithmalek.com; [Fugate, Kristina](#); [External - Joy M. Vega](#); [James Thum](#)
Cc: [James Piotrowski](#)
Subject: Submission re Dkt # CC-2020-OGR-01-001 Errata Motion to Substitute Amend
Date: Friday, June 12, 2020 11:23:49 AM
Attachments: [Errata Motion to Substitute Amend 06-12-20.pdf](#)

Attached, please find the NOTICE OF ERRATA, OR MOTION TO SUBSTITUTE AND/OR AMEND, which includes the OBJECTION filed on behalf of Citizens Allied for Integrity and Accountability, et al., by their attorney in the following:

Docket No. CC-2020-OGR-01-001

Before the Idaho Dept. of Lands

In the Matter of the Application of Snake River Oil and Gas, LLC for Spacing Order.

The e-mail I sent yesterday as "Objection" attached a previous filing, an error on my behalf. I apologize for any confusion.

Thank you,
-Molly Garner
Office Manager
Piotrowski Durand, PLLC

James M. Piotrowski
Marty Durand
Piotrowski Durand, PLLC
P.O. Box 2864
Boise, Idaho 83701
Telephone: (208)331-9200
Facsimile: (208)331-9201
Email: James@idunionlaw.com
Email: Marty@idunionlaw.com

Attorneys for CAIA

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the matter of the Application of Snake)	
River Oil and Gas, LLC for Spacing Order,)	Case No. CC-2020-OGR-01-001
)	
Snake River Oil and Gas, LLC, applicant.)	NOTICE OF ERRATA, OR
)	MOTION TO SUBSTITUTE AND/OR
_____)	AMEND

COME NOW Judith and Jimmie Hicks, Karen Oltman, Alan and Glenda Grace, Shady River, LLC, Carrie Grant, Shannon Benedict, Donald and Phyllis Gruell, Sharon Simmons, Lowell and Geraldine Davis, James and Beverly Smith, Dana Harris, Sandra Dunlap, and Citizens Allied for Integrity and Accountability, by and through counsel of record and hereby submit their notice of errata, motion to amend, and motion to substitute. On June 11, 2020 counsel for certain objectors sought to file their Objection to Application for Spacing Unit in the above captioned case. Counsel inadvertently attached the wrong electronic file to their submission to the Idaho Department of Lands. Instead of attaching their Objection, counsel attached a prior pleading in this same case.

The error was unintentional and has caused no prejudice to any opposing party. Objectors hereby move the Department and Commission to accept the attached "Objection" and substitute it for the document submitted via email yesterday afternoon, or, in the alternative to

permit amendment of the document filed yesterday by substitution of the attached document.

DATED this 12th day of June, 2020.

PIOTROWSKI DURAND, PLLC

/s/ James M. Piotrowski
By: James M. Piotrowski
Attorneys for Objectors

James M. Piotrowski
Marty Durand
Piotrowski Durand, PLLC
P.O. Box 2864
Boise, Idaho 83701
Telephone: (208)331-9200
Facsimile: (208)331-9201
Email: James@idunionlaw.com
Email: Marty@idunionlaw.com

Attorneys for CAIA

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the matter of the Application of Snake)	
River Oil and Gas, LLC for Spacing Order,)	Case No. CC-2020-OGR-01-001
)	
Snake River Oil and Gas, LLC, applicant.)	OBJECTION
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_____)	

COME NOW Judith and Jimmie Hicks, Karen Oltman, Alan and Glenda Grace, Shady River, LLC, Carrie Grant, Shannon Benedict, Donald and Phyllis Gruell, Sharon Simmons, Lowell and Geraldine Davis, James and Beverly Smith, Dana Harris, Sandra Dunlap, and Citizens Allied for Integrity and Accountability, by and through counsel of record and hereby submit their objection and response to the application to establish a spacing unit.

Judith and Jimmie Hicks, Karen Oltman and Alan, Glenda Grace and Shady River, LLC are each property owners holding surface and mineral rights within the spacing unit proposed by applicant AM Idaho, LLC (hereafter "AMI"). Carrie Grant, Shannon Benedict, Donald and Phyllis Gruell, Sharon Simmons, Lowell and Geraldine Davis, James and Beverly Smith, and Dana Harris are each mineral rights owners in Fruitland, Idaho. Each of them holds mineral rights which likely include a portion of the hydrocarbon pool that was previously identified by AM Idaho, LLC, and as to which AM Idaho, LLC had applied for a spacing and integration order

before abandoning that application. Sandra Dunlap holds a surface estate within the identified area, and asserts her surface estate would be negatively affected by operations of the Fallon well for which a spacing determination is sought. Citizens Allied for Integrity and Accountability (hereafter “CAIA”) is a non-profit, membership-based organization committed to the responsible development of natural resources in the State of Idaho. CAIA has members both within and near the proposed spacing unit and appears here in its representative capacity.

Various oil companies have sought at least three different spacing units in this tract. Those proposed spacing units have never been based on geology and science, but instead have been chosen by their proponents for political reasons. The same is true here. The proposed spacing unit is not supported by the existing data.

The proposed unit is both over-inclusive and under-inclusive in that it, more likely than not, will exclude some mineral rights holders whose assets are taken, and will include others who will receive payments even though their assets are not being taken.

The proposed spacing unit is designed to exclude certain mineral rights holders for the purpose of attempting to silence their objections to spacing, integration and operations.

The spacing unit determination should not be used as a proxy for a future integration order. The terms of integration, including just and reasonable conditions to protect the interests of mineral rights holders should be expressly and conclusively determined to be separate from and independent of any determination about appropriate spacing.

Spacing determinations should reflect existing uses of surface estates and be devised to minimize impacts on pre-existing surface estate uses. The present application fails to do so.

For all these reasons the present application for spacing unit should be denied until adequate data is available to determine an appropriate spacing unit.

DATED this 11th day of June, 2020.

PIOTROWSKI DURAND, PLLC

 /s/ James M. Piotrowski
By: James M. Piotrowski
Attorneys for Objectors

