

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of AM Idaho,)
LLC for Spacing Order and to Integrate Unleased)
Mineral Interest Owners in the Drilling Unit)
Consisting of the SW ¼ of Section 10, Township)
8 North, Range 5 West, Boise Meridian, Payette)
County, Idaho.)
AM Idaho, LLC, Applicant.)

Docket No. CC-2019-OGR-01-002

**ORDER TO VACATE HEARING
& STAY PROCEEDING**

A prehearing conference in this matter was held by Administrator Mick Thomas on January 31, 2020, pursuant to IDAPA 04.11.01.510. The conference took place at the City Council Chambers at the Fruitland City Hall, 200. S. Whitley Drive, Fruitland, Idaho at 2:00 pm. The following individuals participated in the prehearing conference: James Thum and Deputy Attorney General Joy Vega, on behalf of the Idaho Department of Lands; James Piotrowski, attorney for Citizens Allied for Integrity and Accountability (“CAIA”), Intervenor (Carrie Grant, Shannon Benedict, Donald and Phyllis Gruell, Sharon Simmons, Lowell and Geraldine Davis, James and Beverly Smith, Dana Harris, and Sandra Dunlap); and uncommitted owners within the proposed spacing unit (Judith and Jimmie Hicks, Karen Oltman, Alan and Glenda Grace, and Shady River LLC); and Stephanie Bonney, attorney for the City of Fruitland. Also present were Wade Moore III, on behalf of Snake River Oil and Gas, and Julie Fugate and Duke Fugate.

No one appeared at the prehearing conference on behalf of the Applicant, AM Idaho, LLC (“AMI”). Upon inquiry from the Administrator on how to proceed given AMI’s absence and AMI’s counsel’s withdrawal notice that relayed the understanding that AMI had filed for Chapter 7 Bankruptcy and relinquished its operator status under the Joint Operating Agreement,

the parties discussed whether this proceeding may be subject to the automatic stay provisions under 11 U.S.C. § 362. Mr. Piotrowski informed the Administrator that he had intended to ask for subpoenas but he believed those may be subject to a stay, and he believed his current motion to dismiss may also be subject to a stay. The parties also discussed that if at some time in the future the Administrator were to rule on the pending motion to dismiss, then the Administrator could issue a briefing schedule for the motion to dismiss to ensure that all parties had a chance to respond.

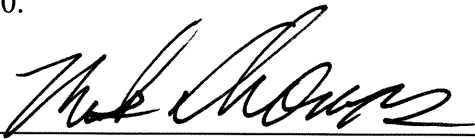
Given the fact that AMI did not appear at the prehearing conference, filed for Chapter 7 bankruptcy, and did not yet give any notice as to whether AMI intends to move forward with this application, the Administrator orders:

- (1) The February 12, 2020 spacing evidentiary hearing is vacated; and
- (2) This proceeding is stayed and continued, which includes a stay on any ruling on the pending motion to dismiss.

The stay will remain in effect until AMI submits information to the Administrator about whether and how this proceeding should move forward or until other notice is provided by the Administrator.

IT IS SO ORDERED

DATED this 4 day of February, 2020.



MICK THOMAS
Administrator, Idaho Department of Lands Oil and
Gas Division

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February 2020, I caused to be served a true and correct copy of the following item in Docket No: CC-2019-OGR-01-002: *Order to Vacate Hearing & Stay Proceeding* by the method indicated below and addressed to the following:

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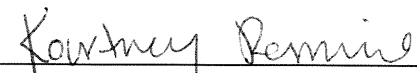
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