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## **Conservation officials hold first town hall since pandemic**

Independent-Enterprise, 4-16-23

FRUITLAND — It had been more than three years since the last time Oil and Gas Conservation Commission held a public forum for residents to voice concerns, as even these conversations were affected by COVID-19. But Wednesday evening, the conversation returned to in-person participation, as the commission hosted its first town hall meeting back in Payette County at Fruitland City Hall.

In an April 5 letter to royalty earners as obtained by the newspaper on April 9, Richard Brown, co-owner of Snake River Oil and Gas, encouraged people to attend while stating a belief that opposition to Payette County gas exploration and extraction was coming from outside of the county and from out of state.

“We know they do not represent the best interests or values of ... Payette County residents,” he wrote. “A large turnout of Payette County proponents will provide evidence of strong support for our blossoming industry.”

The town hall was conducted by Mick Thomas, minerals, navigable waters, and oil & gas division administrator with the Idaho Department of Lands. He said the meeting was to give updates on what has changed since 2019, and to provide clarity on new ordinances approved by the Idaho Legislature and Gov. Brad Little this session.

“I’m sincerely flattered, although you’re not here for me, to see so many folks here. A lot of times those seats had just half a dozen people in there,” said Thomas to the crowd, which filled most available seats. “This meeting is for the residents of Payette County.”

And by a show of hands, most attendees indicated they were Payette County residents.

Since the last town hall, the former Alta Mesa Resources, Inc. was sold after filing for bankruptcy. In their place is Snake River Oil and Gas, which is advertised on its website as an Idaho business. Alta Mesa was based in Oklahoma.

In dealing with Snake River Oil and Gas, Thomas described a more successful scenario than before.

“The new operators ... have been much, much easier and more transparent to work with, sincerely,” he said. “They’re also producing a fair amount of natural gas, compared to what the field was making before. I think that’s why some of you are here, because the field’s kind of active.”

In discussing statute changes signed into law this session, Thomas said the commission has been working on changes for more than two years “To help provide some clarity and, frankly, additional protections for the citizens of Idaho and y’all’s residence of Payette County.”

In particular, he said the reporting requirements were updated, including requiring sales of any oil and gas company properties to go to an actual third party instead of to a purchaser known to the seller.

Noteworthy provisions of the bill include, under Idaho Code 47-320, that integration orders go into effect for five years “and as long thereafter as oil and gas operations are being conducted by the operator, unless extended by the department upon application of the operator.”

Even then, an integration does not prevent mineral interest owners from pursuing claims for damages to person, property or water rights, it reads.

Thomas cited Sen. Abby Lee, R-Fruitland, as instrumental in getting local representation on the conservation commission. In addition to an individual who is “knowledgeable in

oil and gas matters, one member is required a mineral owner without an active lease and one is required to be knowledgeable in land use matters.

“The commission’s goal in these statute changes was not to increase the scope of the commission or the authority of the commission. We really wanted to stick with what the Legislature put out there in 2017. Minimum government impact, if at all possible, but guidance that’s appropriate for the state level.”

He noted that the Payette County Board of Commissioners is actively working on changes to county ordinances, to add further protections for county residents.

Thomas also noted that the 1/8 royalty payout paid by Snake River Oil and Gas is now a minimum requirement under Idaho law. According to pay stubs obtained by the newspaper on Wednesday, many owners are paid several hundred dollars each season.

Ahead of Wednesday’s meeting, Citizens Allied for Integrity and Accountability Board President Shelley Brock expressed ongoing concern about protecting mineral owners’ rights with the passage of House Bill 120 during the 2023 Idaho Legislative Session.

“Upward of 100 Payette County citizens have formally objected to being forced into contracts with SROG (or their former partner - the now bankrupt Alta Mesa), to allow extraction of the oil and gas they own, against their will with inadequate compensation for the risks they are forced to assume,” wrote Brock in a Wednesday email. “CAIA is interested in protecting Idaho’s air, water, and people. Snake River Oil and Gas and the Department of Lands continue to insist that the meager profits justify the risks to the properties and lifestyles that draw people to Idaho in the first place.”

According to court documents in the September 2021 case of Citizens Allied for Integrity and Accountability, Inc. v. Schultz, plaintiffs objecting to forced integration included James and Jan Mitchell, Sue Bixby, Martina Jaramiollo, Ryan Keck, Kristie Rae Cooper, and Randy and Teresa Payne. Noteworthy is that one attorney for the defendants filed a notice of withdrawal on April 11.

The case was dismissed with prejudice with defendants seeking \$176,000 in attorney's fees.