

ORDINANCE NO. 80-3

AN ORDINANCE REQUIRING THAT ANY PERSON OR ENTITY SEEKING TO CONDUCT EXPLORATION FOR OIL, GAS, OR GEOTHERMAL ENERGY WITHIN THE LIMITS OF CARIBOU COUNTY, IDAHO, SHALL FIRST OBTAIN A PERMIT FROM THE BOARD OF COUNTY COMMISSIONERS; REQUIRING SAID PERSON OR ENTITY TO SUBMIT AN APPLICATION FOR SAID PERMIT; DESIGNATING THE INFORMATION REQUIRED IN SAID APPLICATION; SETTING FORTH THE PROCESS FOR ISSUANCE OF A PERMIT; REQUIRING THE APPLICANT TO SUBMIT A BOND INSURING LAND OWNERS ON WHOSE PROPERTY EXPLORATION WILL BE CONDUCTED; PROVIDING FOR ACTS CONSTITUTING A VIOLATION OF THIS ORDINANCE; PRESCRIBING PENALTIES FOR VIOLATION THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Board of County Commissioners of Caribou County, Idaho, deem it to be in the best interest of the County and of property owners within the County to adopt regulations governing the exploration for natural gas, oil, and geothermal energy within Caribou County, Idaho.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CARIBOU COUNTY, IDAHO, AS FOLLOWS:

Section 1: Any person, partnership, joint venture, corporation, or other entity desiring to conduct exploration activities within Caribou County, Idaho, for the discovery of oil, gas, or geothermal energy, shall first obtain a permit for the conduct of such exploration activities from the Board of County Commissioners of Caribou County, Idaho.

Section 2: Said person or entity desiring to conduct such exploration activities shall submit an Application for Permit to the Clerk of Caribou County. Said application shall contain:

- A. The name of the person, persons, partnership, joint venture, corporation, or other entity making application.
- B. The permanent address of such person or entity.
- C. The name of all principal officers or owners of said entity, and their addresses.
- D. The name or names and permanent addresses of all managers or supervisors of the exploration activities to be conducted in Caribou County, Idaho.
- E. The telephone numbers of such person or entity.

F. If a corporation, partnership, or joint venture, the place where incorporated or formed.

G. The legal description of any properties on which said exploration work shall be conducted.

H. The name or names of owners of property on which exploration work shall be conducted.

I. A map or plan attached to said application showing the specific location and routes of planned exploration by the applicant.

J. The specific type of exploration activity to be conducted by the applicant and the method by which such exploration shall be undertaken.

K. The date on which said exploration activity is set to begin and the date on which said exploration activity will be completed.

L. The name and address of the person or entity employing or contracting with the applicant for said exploration activities.

Section 3: Upon receipt of said application the County Clerk shall assign a number to said application and cause the same to be entered into books of record adopted for that purpose. Immediately thereafter, the Clerk shall cause said application to be presented to the Board of County Commissioners at the next regular meeting of said Board. The Clerk shall also forward a copy of said application to the land owner on whose property said exploration shall be conducted, and the Clerk shall advise said land owner of the date said application shall be presented to the Board for its consideration. The land owner shall have the right to be present at said meeting and to raise any recommendations or objections to the issuance of an exploration permit.

Section 4: At the next regular meeting of said Board, the Board shall review and consider said application, designate an amount of bond as hereafter prescribed, and if the same is satisfactory, shall cause to be issued a permit to the applicant for the requested exploratory work.

Section 5: Before issuing said permit and before the applicant begins the desired exploratory work, the applicant shall first submit to the Board evidence of a current surety bond with a company acceptable to the Board insuring the land owner of the property on which the applicant seeks to enter against risk of loss by damage to the land owner's property or injury to his person, or to that of his family, guests, visitors, or other

persons lawfully on his property, due to the intentional, malicious, wilful, or negligent act or omission of the applicant in the conduct of its operation on the land owner's property. Failure to provide proof of said bonding shall preclude the applicant from conducting any exploration activities on any property within Caribou County.

Section 6: If any person or legal entity shall conduct exploration activities within Caribou County, Idaho, without having first complied with all provisions of this Ordinance, said person or entity shall be in violation of this Ordinance.

Section 7: Any person or entity who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction of the same, shall be punished by confinement in the Caribou County Jail for a period not to exceed six (6) months and/or a fine of \$300.00. Each day that any person or entity conducts exploration activities within Caribou County, Idaho, without having first complied with the provisions of this Ordinance, shall constitute a separate violation of this Ordinance.

Section 8: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 9: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

DATED: This 28 day of may, 1980.

BOARD OF COUNTY COMMISSIONERS
CARIBOU COUNTY, IDAHO

By Robert E. Anderson
Robert E. Anderson, Chairman

Attest:

Elaine S. Johnson
Elaine S. Johnson
Clerk