

BEFORE THE OIL AND GAS CONSERVATION
COMMISSION OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
CRESTONE PEAK RESOURCES
OPERATING LLC FOR AN ORDER TO: (1)
ESTABLISH AND APPROVE A RULE 216
COMPREHENSIVE DRILLING PLAN FOR
SECTIONS 1, 2, 3, 10, 11 AND 12,
TOWNSHIP 1 NORTH, RANGE 69 WEST, 6th
P.M. AND SECTIONS 25, 26, 27, 34, 35 AND
36, TOWNSHIP 2 NORTH, RANGE 69 WEST,
6TH P.M. FOR THE COMPREHENSIVE
DEVELOPMENT AND OPERATION OF THE
CODELL AND NIOBRARA FORMATIONS,
WATTENBERG FIELD, BOULDER COUNTY,
COLORADO, AND (2) TO APPROVE A RULE
502.b. VARIANCE TO COMMISSION RULE 303.

CAUSE NO.

DOCKET NO. 170500189

TYPE: CPD

MOTION TO INTERVENE IN COMPREHENSIVE DRILLING PLAN APPLICATION

COMES NOW the intervenor, Kenosha Road Property Owners (“Kenosha RPO”), by and through counsel, Matthew Sura, who hereby respectfully requests that, pursuant to COGCC Rule 509, the Kenosha RPO be allowed to intervene in Crestone Peak Operating LLC’s (“Crestone’s”) application for a Rule 216 Comprehensive Drilling Plan for Sections 1, 2, 3, 10, 11 and 12, Township 1 North, Range 69 West, 6th P.M. and Sections 25, 26, 27, 34, 35 and 36, Township 2 North, Range 69 West, 6th P.M.

1. DESCRIPTION OF THE AFFECTED INTEREST: The Kenosha RPO are property owners within the proposed area to be affected by the Comprehensive Drilling Plan. As property owners, they must be invited to participate in the development of the Comprehensive Drilling Plan. COGCC Rule 216.d.(2). Members of Kenosha RPO property interests will be affected by the placement of the well pads, pipelines, and transportation routes that are likely to be decided through the Comprehensive Drilling Plan process. The

Kenosha RPO are therefore interested parties and hereby request to be allowed to intervene in this proceeding. § 34-60-108(2), C.R.S.2009 (“any interested person shall be entitled to be heard” in hearings on rules or orders). The public interest will be served by allowing affected landowners to participate in any decisions that would be made by the COGCC as to the process for writing or approving a Comprehensive Drilling Plan.

2. LEGAL BASIS FOR THE PROTEST: The Kenosha RPO supports the Crestone request for the Rule 502.b. variance to commission Rule 303. This “time-out” to allow for the Comprehensive Drilling Plan to proceed is critical. A Comprehensive Drilling Plan would not be able to occur if the Commission allows competing spacing and drilling applications that have become common in Colorado.

The basis for Kenosha RPO’s intervention is to protect property owners’ interests in ensuring the Comprehensive Drilling Plan occurs with adequate opportunity for landowner involvement. The Crestone application includes a request for approval of a Comprehensive Drilling Plan at a “future hearing date.” Kenosha RPO has reached out to Crestone counsel to ask questions about how the Comprehensive Drilling Plan will proceed: how decisions will be made, the process use to notify landowners, the process to engage potentially affected landowners, the process and criteria to choose suitable surface locations, and how the Comprehensive Drilling Plan process will complement Boulder County’s oil and gas special review permitting process. At this time, Counsel for Crestone could not fully answer these questions. Kenosha RPO is filing this motion to intervene in the event Crestone’s Comprehensive Drilling Plan application process provides a forum to discuss and decide these issues.

3. RELIEF REQUESTED: The Kenosha RPO requests permission to intervene in this application so it may protect its interests that could be impacted by the Comprehensive Drilling Plan.

4. PROPOSED WITNESSES: At this time the Kenosha RPO only anticipates calling Kendra Carberry whose address is: 11780 Kenosha Rd Longmont, CO 80504. The Kenosha RPO reserves the right to supplement this list if necessary.

5. TIME NEEDED: Should a hearing be necessary, the Kenosha RPO will need 30 minutes to present its evidence.

CONCLUSION

The Kenosha RPO recognizes that this is the first time a Comprehensive Development Plan application has come before the COGCC. The Kenosha RPO requests that it be allowed to intervene to protect its interests and ensure that property owners are given a seat at the table in the Comprehensive Drilling Plan process.

Respectfully submitted, this 17th day of April, 2017.



Matthew Sura, #44089
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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2017, a true and correct copy of the foregoing MOTION TO INTERVENE IN COMPREHENSIVE DRILLING PLAN APPLICATION was served on the following parties. Pursuant to COGCC Rule 509, this intervention was delivered to the applicant at least ten (10) business days prior to the first hearing date on the matter.

Via electronic mail and US Mail:

Colorado Oil and Gas Conservation
Commission
Peter Gowen, Secretary
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Denver, Colorado 80203
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Matthew Sura

Via electronic mail only:

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