

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

IN THE MATTER OF AN AMENDED APPLICATION)
BY 8 NORTH LLC FOR AN ORDER ESTABLISHING)
A 1,280-ACRE DRILLING AND SPACING UNIT FOR) CAUSE NO. 407
SECTIONS 35 AND 36, TOWNSHIP 1 NORTH,)
RANGE 69 WEST, 6TH P.M., FOR HORIZONTAL) DOCKET NO. 171000694
WELL DEVELOPMENT OF THE CODELL AND)
NIOBRARA FORMATIONS, WATTENBERG FIELD,) TYPE: SPACING
BOULDER COUNTY, COLORADO)

IN THE MATTER OF AN APPLICATION BY 8 NORTH)
LLC FOR AN ORDER AUTHORIZING NINETEEN (19)) CAUSE NO. 407
ADDITIONAL HORIZONTAL WELLS, FOR A TOTAL)
OF TWENTY (20) HORIZONTAL WELLS, FOR)
PRODUCTION FROM THE CODELL AND) DOCKET NO. 171200773
NIOBRARA FORMATIONS IN AN APPROXIMATE)
1,280-ACRE DRILLING AND SPACING UNIT)
PROPOSED FOR SECTIONS 35 AND 36,)
TOWNSHIP 1 NORTH, RANGE 69 WEST, 6TH P.M.) TYPE: DENSITY
WATTENBERG FIELD, BOULDER COUNTY,)
COLORADO)

REQUEST FOR LOCAL PUBLIC FORUM

The undersigned Local Government Designees for Boulder County and the City of Lafayette hereby submit this request for a local public forum addressing the above-captioned applications (the “Applications”), pursuant to COGCC Rule 508. This request discusses the Applications together, although only the density application in Docket No. 171200773 specifically triggers Rule 508. Nonetheless, the density application has no meaning without reference to the spacing unit application, which Boulder County and Lafayette assert is a procedural flaw in the way the Applications have been filed, and is also the reason that both are addressed here. As reasons for this request, Boulder County and Lafayette states as follows.

1. A public forum is required for the Applications under Rule 508(a) because the Applications, if approved, will result in more than one well or multi-well site per forty acres throughout the proposed unit. The Applications request 20 new wells in an area that already contains 13 wells. *See* Spacing Application at 2. A total of 33 wells in 1,280 acres exceeds a ratio of one well in 40 acres within a unit not previously authorized by the COGCC as set forth in Rule 508(a). Therefore, the Applications trigger the local

public forum requirements of Rule 508 and any COGCC order approving the Applications in the absence of a Rule 508 forum will be invalid.

2. Moreover, the Applications propose multi-well sites that will have significant impact on the areas surrounding them. The Applications fail to show a distribution of wells among the quarter-quarter sections in the proposed unit or explain how the wells or multi-well sites would be distributed in a manner that would not trigger Rule 508 requirements for a local public forum. In light of the prevalence and exacerbated impacts of densely clustered development such as that proposed here, Rule 508 should be read to require a local public forum to address public health, safety and welfare issues wherever any quarter-quarter section in a unit is to be impacted by more than one well.
3. In addition to meeting the density trigger, the Applications raise issues related to public health, safety, and welfare, including the environment and wildlife resources, that may not be completely addressed by COGCC rules or a Rule 503.c Proposed Plan. *See* Rule 508(b)(2).
 - a. Applicant 8 North LLC has not submitted a Rule 503.c Proposed Plan with the Applications, which is a procedural flaw in its application. Neither the undersigned nor the COGCC can therefore determine whether such a plan might address the impacts from the proposed development. A local public forum is necessary to consider and address those impacts.
 - b. The area encompassed by the Applications is close to significant habitation and includes important environmental resources, and the clustered well sites will have intensive impacts on those areas that may not be adequately protected by COGCC rules.
4. Under Rule 508 (b)(2)(A), a local public forum “shall be convened” upon this request, which is timely filed within seven days after notice of the applications was received on September 25, 2017.

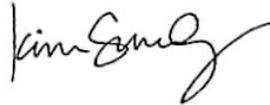
WHEREFORE, on behalf of Boulder County and the City of Lafayette, the undersigned Local Government Designees respectfully requires a local public forum and notify the Director thereof pursuant to Rule 508(b)(3).

Signatures on following page

DATED this 2nd day of October, 2017.

Respectfully Submitted,

Boulder County Local Government Designee



Kimberly Sanchez
Chief Planner
Boulder County Land Use Department
PO Box 471
Boulder, Colorado 80306
(303) 441-3930
ksanchez@bouldercounty.org

City of Lafayette Local Government Designee



Karen Westover
Planning and Building Director
City of Lafayette Planning Division
1290 South Public Road
Lafayette, CO 80026
(303) 661-1270
Karenw@cityoflafayette.com