

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 2,720-ACRE DRILLING AND SPACING UNIT FOR)	CAUSE NO. 407
SECTIONS 13, 14, 23, and 24, TOWNSHIP 2 NORTH,)	
RANGE 69 WEST, 6 TH P.M. AND SECTION)	DOCKET NO. 171000695
18, TOWNSHIP 2 NORTH, RANGE 68 WEST, 6 TH)	
P.M., FOR HORIZONTAL WELL DEVELOPMENT OF)	TYPE: SPACING
THE CODELL AND NIOBRARA FORMATIONS,)	
WATTENBERG FIELD, BOULDER AND WELD)	
COUNTIES, COLORADO)	

IN THE MATTER OF AN APPLICATION BY 8 NORTH)	
LLC FOR AN ORDER AUTHORIZING AN)	
ADDITIONAL THIRTY-ONE (31) HORIZONTAL)	CAUSE NO. 407
WELLS, FOR A TOTAL OF THIRTY-TWO (32))	
HORIZONTAL WELLS, FOR PRODUCTION FROM)	
THE CODELL AND NIOBRARA FORMATIONS IN)	DOCKET NO. 171200774
AN APPROXIMATE 2,720-ACRE DRILLING AND)	
SPACING UNIT PROPOSED FOR SECTIONS)	
13, 14, 23, AND 24, TOWNSHIP 2 NORTH, RANGE 69)	TYPE: DENSITY
WEST, 6 TH P.M. AND SECTION 18 TOWNSHIP 2)	
NORTH, RANGE 68 WEST, 6 TH P.M., WATTENBERG)	
FIELD, BOULDER AND WELD COUNTIES,)	
COLORADO)	

REQUEST FOR LOCAL PUBLIC FORUM

The undersigned Local Government Designee for Boulder County hereby submits 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. 171200774 specifically triggers Rule 508. Nonetheless, the density application has no meaning without reference to the spacing unit application, which Boulder County asserts 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 states as follows.

1. A public forum is required for the Applications under Rule 508(a) because the Applications, if approved, would result in more than one well site or multi-well site in certain forty-acre nominal governmental quarter-quarter sections in the proposed spacing unit. The Applications fail to show a distribution of wells among the quarter-quarter

sections in the proposed unit or explain how the well site or multi-well sites would be distributed in a manner that would not trigger Rule 508 requirements for a local public forum. In the absence of a public forum, any COGCC order approving the Applications that exceeds the Rule 508 density trigger is invalid.

2. The Applications trigger Rule 508 because the number and clustering of wells proposed will exceed the density described in Rule 508(a). The Applications propose a total of 51 wells (19 existing and 32 new) in a 2,720-acre unit not currently approved by the COGCC. The density application proposes three well sites, which will presumably contain at least 10 wells each, and some of them possibly many more. 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. Therefore, both the justification for and purpose of Rule 508 are met by the Applications and a local public forum should be convened.
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.

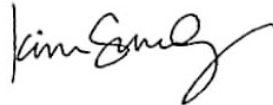
WHEREFORE, on behalf of Boulder County, the undersigned Local Government Designee respectfully require a local public forum and notifies the Director thereof, pursuant to Rule 508(b)(3).

Signature on following page

DATED this 2nd day of October, 2017.

Respectfully Submitted,

Boulder County Local Government Designee

A handwritten signature in black ink, appearing to read "Kim Sanchez", written in a cursive style.

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

ksanchez@bouldercounty.org