

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION****STATE OF COLORADO****IN THE MATTER OF CHANGES TO THE )  
RULES AND REGULATIONS OF THE OIL )****Cause No. 1R****AND GAS CONSERVATION COMMISSION )  
OF THE STATE OF COLORADO )****DOCKET NO. 0803-RM-02**

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**Yuma County Petition**

Yuma County benefits greatly from the oil and gas industry through local employment either directly through gas companies or through creation of smaller support businesses that contract with energy developers. In addition to providing numerous jobs the industry also purchases a vast amount of goods and services promoting economic growth in the community. Impact of the Draft rules could negatively affect the economy of Yuma County by making energy development in the Eastern DJ Basin even less competitive than other regions of the nation.

The Oil & Gas Industry provides 54% of the County Tax Assessment which is a significant contribution to Yuma County. Any decrease in the tax base of our county would cause serious harm to our schools, hospitals, the economy and the welfare of our citizens. We believe that the Pre-Draft Rules will have a direct and indirect negative impact on future development and production of gas wells in our community while providing little to no benefit to the health, safety and wellbeing to the citizens.

Northeast Colorado and particularly Yuma County is predominately agricultural land comprised of pasture land and farm ground that is mostly privately owned. We believe the Pre-Draft Rules impose a "Takings" by the Commission on the private property owners by dictating how and where the exploration and development of Oil & Gas will occur on their Private Property.

The Pre-Draft rules set up a very cumbersome regime of multi-agency interference and oversight of activities being conducted on "Private Property", thus, diminishing the potential value of the property as well as creating undue cost and expense to the Land Owner and Operator when a contractual agreement has been mutually agreed to by both parties. The proposed Rules circumvent and even negate the agreements that the Surface Owner and Operator might have negotiated as to ingress/egress routes, facility placement, pipeline routes and production structures, not to mention the Multi-State Agencies interjecting their restrictions, objections and even a request for denial to the Director.

We are extremely concerned that the Division of Wildlife [DOW] has any input on the exploration and development of oil and gas in Northeastern Colorado. We believe that the wildlife population in Northeast Colorado has grown and actually thrived right along with the exploration and development of Natural gas. To our knowledge, there are no proven detrimental impacts from oil and gas exploration on wildlife in Northeastern Colorado nor has there been shown that these activities are directly or indirectly responsible for the reduction in wildlife

population of any species in our region. To mandate time restriction or impose restricted surface occupancy areas within Northeastern Colorado will stifle oil and gas development and operations causing a direct impact on the economic stability of Yuma County.

The COGCC and DOW position that Prairie Dogs for example are possibly endangered or at risk from the development of oil and gas in Northeastern Colorado goes directly against Yuma County Ordinance 99-01, which states prairie dogs are injurious, detrimental, and damaging to the County and its inhabitants, both because of injury and damage to crops. Lands and the environment, and because of significant risk to Public Health posed by prairie dogs as a proven disease vector, and further, because the existence of prairie dogs within the Yuma County constitutes a Public nuisance.

Based on the context of the Pre-Draft Rules a substantial amount of the proposed language appears to be drafted and relevant to issues and concerns associated with the Western Slope and other areas of the State other than the Eastern Plains of Colorado. The "One-Size" fits all approach taken by the Commission and reflected in the Pre-Draft Rules fail to take into account the vast differences between Oil & Gas Development and production on the Western Slope and that of the Eastern Plains. In Yuma County the wells drilled are typically less than 2,500 feet in depth and the average drilling time required is less than 48 hours. Furthermore, due to the advancement in the drilling technology and utilization of Coil Tubing Rigs, the footprint of a drill location is smaller in size, which means less total area disturbed and less reclamation time required on typical locations of ½ to 1 acre in size.

We feel that the proposed Pre-Draft Rules will add additional expenses to existing wells and new wells to be drilled, which will make drilling new wells uneconomic, and existing wells less economic thereby causing them to be plugged earlier than current existing economics. This will then impact the County of Yuma by having a detrimental Impact on our economic stability. There are a large number of wells located in Northeastern Colorado that are a number of years old, some dating back to the late 1970's and early 1980's. We would respectfully request that these wells be grandfathered in. Once again the dynamics associated with the oil and gas development in Eastern Colorado is vastly different than the other regions and should not be regulated as such.

We believe that the COGCC is denying the Citizens of Northeastern Colorado their Due-Process by refusing to hold adequate hearings though out the state in those regions that will be most affected by the Pre-Draft Rules. And that these proceedings are on a fast track by the COGCC to the detriment of the industry and the rural communities that rely on gas and oil development for part of their economic stability. As stated it is a significant part of Yuma County's tax base.

We, The Yuma County Citizens believe the existing Pre-Draft Rules fail drastically in recognizing, differentiating and addressing the significant differences between the issues, concerns and "Private" Property rights of the Eastern Plains of Colorado and those within the other Regions in the State.