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

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| IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE MAMM CREEK FIELD, GARFIELD COUNTY, COLORADO | ) ) ) ) | CAUSE NO. 191<br><br>DOCKET NO. 1010-SP-37 |

**MOTION FOR STAFF PRESENTATION**

Antero Resources Piceance Corporation ("Antero") requests that the Commission direct that the staff of the commission make a presentation in the referenced docket. This application seeks to establish a single drilling and spacing unit for the Williams Fork and Iles Formations comprised of the following lands:

Township 5 South, Range 91 West, 6th P.M.
Section 31: All
Garfield County, Colorado

In addition to creating this approximately 640 acre drilling and spacing unit, the application seeks to establish optional 10-acre bottom hole well density to be drilled from a theoretical maximum of no more than one well pad per 40 acres.

As grounds therefore, Antero states:

1. The COGCC has promulgated, and enforces, a plethora of relevant rules and regulations which address the public health, safety and environmental issues raised in Garfield County's intervention. These include, but are not limited to:

**Water quality is protected by:**

- Blowout prevention equipment - 317.a;
- Casing program to protect hydrocarbon horizons and ground water – 317.d;
- Surface and intermediate casing cementing – 317.h;
- Production casing cementing – 317.i;
- Production casing pressure testing – 317.j;
- Protection of aquifers … before running production casing – 317.k
- Requirement to log well (cement bond log) – 317.o
- Public water system protection – 317B;
- Prevention of pollution; compliance with state water quality standards – 324A.b
- Bradenhead monitoring during well stimulation operations - 341;
- E&P waste management, pits, spills and releases, remediation – 900 Series;
- Stormwater management – 1002.f.

**Air quality is protected by:**

- Prevention of pollution; compliance with state air regulations and permits – 324A.c;
- Odor and dust control (including special provisions for Garfield County) - 805

**Noise impacts are controlled by:**

- Noise abatement requirements (including noise limits) – Rule 802

**"Scarring of the terrain"** is addressed by:

- Drill pad location standards – 1002.d;
- Surface disturbance minimization requirements – 1002.e;
- Access road requirements – 1002.e(4);
- Interim reclamation requirements – 1003;
- Final reclamation requirements – 1004.

These rules are supplemented by permit review procedures that may result in site-specific conditions of approval.

Nevertheless, Garfield County rejects the utility of many, if not all, of these rules, and states that: "... the BOCC asserts that the COGCC Rules fail entirely to address cumulative impacts related to increased well density. The COGCC Rules do not adequately address local concerns regarding well applications nor do they provide any enforcement remedies to ensure compliance with local jurisdiction efforts to mitigate the impacts of oil and gas activity. Response to Director's Order from Prehearing Conference at page 6.

Because the county's intervention calls into question the adequacy of the COGCC rules and regulations across the board, it would be unfair to impose on Antero the sole burden of responding to the county's allegations at hearing. Instead, the Commission should direct that the staff of the commission provide it with a presentation describing the scope and content of the COGCC rules designed to protect public health, safety and the environment, including its permitting process, and otherwise respond to the generalized allegations contained in Garfield County's intervention.

Respectfully submitted this 11th day of January, 2011.

DATED: January 11, 2011.

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By: _____

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 11th day of January, 2011, a true and correct copy of the foregoing **MOTION FOR STAFF PRESENTATION** was delivered via e-mail and U.S. mail to the following:

Rob Willis
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