STATE OF COLORADO OIL AND GAS CONSERVATION COMMISSION

IN THE MATTER OF THE APPLICATION OF	)	
ANTERO RESOURCES PICEANCE CORPORATION	)	
FOR AN ORDER ESTABLISHING AN APPROXIMATE	)	
640 ACRE DRILLING AND SPACING UNIT FOR	)	**CAUSE NO. 191**
THE PRODUCTION OF GAS AND ASSOCIATED	)	
HYDROCARBONS FROM THE WILLIAMS FORK	)	
FORMATION AND ILES FORMATION OF THE	)	**DOCKET NO. 1101-SP-02**
MESAVERDE GROUP FOR CERTAIN DESCRIBED	)	
LANDS IN THE MAMM CREEK FIELD AREA	)	
GARFIELD COUNTY, COLORADO	)	

MOTION OF BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, COLORADO, FOR INTERVENTION UNDER COGCC RULE 509(a)

COMES NOW the Board of County Commissioners of Garfield County, Colorado (hereinafter "BOCC"), and pursuant to the provisions of the Colorado Oil and Gas Conservation Commission ("COGCC") Rule 509(a), moves to intervene concerning the Application of Antero Resources Piceance Corporation, by right and without fee, acting by and through its local designee, Judy Jordan, and the Garfield County Attorney's Office, Cassandra Coleman, Assistant Garfield County Attorney. As grounds for this request, pursuant to the provisions of COGCC Rule 509(a), the BOCC states as follows:

I. FACTUAL AND LEGAL BASIS FOR INTERVENTION

A. The BOCC is a local government within the meaning of the COGCC Rules. Through this intervention, the BOCC intends to raise environmental, public health, safety and welfare concerns regarding drilling into an area currently containing significant water resources, residential development, public traffic and transportation corridors, and visual significance.

B. The BOCC's concerns are related to public health, safety and welfare and the environment as such relate to all of the current uses for the subject surface properties set forth above.

C. The COGCC is responsible for fostering the development of gas resources in a manner consistent with the protection of public health, safety and welfare. (§ 34-60-102(1)(a)(I) & (IV); § 34-60-106(2)(d), C.R.S. (2010), as amended.)

D. Section 34-60-108(7), C.R.S., states: "Any interested party desiring to protest the granting of the petition shall, at least 3 days prior to the date of the hearing, file a written protest with the commission which shall briefly state the basis of the protest." This motion is timely filed pursuant to § 34-60-108, C.R.S.

E. All of the BOCC's concerns as set forth herein relate to the impact of the proposed exponentially increased well drilling upon the citizens of Garfield County and particularly the Silt Mesa development, the Peach Valley development, and the Town of Silt, Colorado. These development areas are high-density residential developments located within unincorporated Garfield County. These neighborhoods, inclusive of the Town of Silt, provide residence to more than 2,300 people.

F. Conflicts and inconsistencies exist between "The Rifle, Silt, New Castle Community Development Plan" (Community Development Plan) in these residential developments and the proposed order submitted by the Applicant. Specifically, the Community Development Plan indicates one surface location per quarter section. The Applicant is now proposing surface locations of one per quarter quarter section. This is a 4-fold increase in surface density from that represented in the Community Development Plan. Additionally, the Applicant is now proposing downhole location density of one well per ten (10) acres, an approximate 4-fold increase over the currently authorized downhole density. The cumulative impacts of exponentially increased well densities may result in adverse affects upon the public welfare unless resolved in a manner that will reduce, not exacerbate, impacts upon the residents of this area. Those cumulative impacts include:

1. Potentially severe and long-lasting air quality contamination resulting from potentially severe dust, odor, and noise impacts.

2. The proposed increase in well density will proliferate the number of pipelines and service roads, scar the terrain, damage roads, impact air quality and water quality, increase noise pollution, and greatly increase the duration of those impacts in an area of high density residential development. All of the foregoing will create safety hazards and health hazards, and may diminish the quality of life for the residents of that area.

3. Increased heavy equipment traffic resulting from the proposed increased well drilling, both in numbers of vehicles and duration of impact, will create increased traffic on the subject county roads. Said roads may already be inadequate in width, road strength and design to handle existing natural gas development traffic.

4. An increased likelihood of accidental contamination or other impacts due to the increase number of wells.

G. The current Application of Antero Resources Piceance Corporation does not adequately address any of the foregoing issues. It is the responsibility of the applicant to analyze all of the foregoing public health, safety and welfare and environmental issues, and propose appropriate mitigation including any limitations on the number of wells to be drilled, locations of well sites, methods of drilling, methods of transportation of gas, attendant by-products, and industrial equipment, all appropriate to necessary mitigation efforts.

H. In addition, the Bureau of Land Management owns some of the surface rights and some mineral rights affected by the area addressed by this Application. Additional and/or different policies and procedures may be applicable pursuant to the Memorandum of Understanding between the Bureau of Land Management and the COGCC and other governing documents.

II. REQUESTED RELIEF

For relief, the BOCC of Garfield County requests that the COGCC deny the Application or in the alternative order the Applicant to mitigate all impacts addressed by the BOCC's evidence presented at the hearing, including, without limitation, all water and air contamination, impacts to the general public and the public roads and lands, all from increased dust, odor, noise and traffic.

A. Potential impacts that are not adequately addressed by the Application, include:

1. Severe and long-lasting air quality contamination resulting from severe dust, odor, and noise impacts.

2. Scarring of the terrain, damage to roads, impacts on air quality and water quality, and increased noise pollution, in an area of high density residential development. All of the foregoing will create safety hazards and health hazards, and may diminish the quality of life for the residents of that area.

3. Increased heavy equipment traffic resulting from the proposed increased well drilling, both in numbers of vehicles and duration of impact.

4. An increased likelihood of accidental contamination or other impacts due to the increase number of wells.

Pursuant to Rule 509(a)(2), these potential impacts described-above are not addressed by the Application. The COGCC's rules and regulations specifically allow the BOCC to intervene in these proceedings to present evidence regarding these potential impacts, which are not specifically addressed by the COGCC's rules and regulations. Nothing in the COGCC rules adequately addresses cumulative impacts of increased well density. Additionally, the COGCC rules do not require applicants to confer with local jurisdictions or address the concerns of local governments.

III. INTENDED PRESENTATION

Intervenor may elect to call no witnesses or present no exhibits. The following may be produced if warranted by the state of the evidence before the COGCC:

A. Witnesses.

1. Judy Jordan, Local Designee and Oil and Gas Auditor. Ms. Jordan may present evidence concerning the impacts of drilling in the proposed area including testimony of potential water, air, visual, soil erosion and surface land use impacts.

2. Mike Samson, Commissioner. Mr. Samson may present evidence as a member of the Board of County Commissioners concerning the policies and practices of Garfield County directed to the protection of the public health, safety and welfare of its citizens. Mr. Samson may present specific evidence concerning the impacts to county thoroughfares in the proposed drilling area.

3. Mary Meisner, Garfield County Public Health Director or Jim Rada, Environmental Health Officer. Ms. Meisner or Mr. Rada may present evidence concerning the potential negative impacts of the increased natural gas drilling in the proposed area to the public health of the citizens living and utilizing the subject area.

4. Marvin Stephens, Garfield County Road & Bridge Director. Mr. Stephens may present evidence as the Garfield County Road and Bridge Director concerning impacts to county roads and the necessity to mitigate those impacts through redesign and reconstruction of the impacted county roads.

5. Lou Vallario, Garfield County Sheriff. Mr. Vallario may present evidence as the Garfield County Sheriff concerning the negative impacts of increased well density and the traffic associated with that increased density upon the safety of the traveling public in the impacted area.

6. Randy Withee, Garfield County Engineer. Mr. Withee may present evidence as the Garfield County Engineer concerning the inadequate design of county transportation corridors in the impacted area for use for additional heavy construction and industrial traffic in the vicinity of the proposed increased drilling. Mr. Withee may also present testimony in any technical area for which he is qualified as the Garfield County Engineer.

7. Leslie Robinson. Ms. Robinson may testify as a representative of Grand Valley Citizens Alliance, concerning the perceived impacts on the general public in the vicinity of the Silt Mesa and Peach Valley developments from the proposed Application for increased well density. She will testify concerning her knowledge of the evidence she has received from area citizens concerning current gas developments in the same vicinity and resultant anticipated impacts from the proposal of Antero Resources Piceance Corporation.

8. Dr. Geoffrey Thyne, Professor of Geology, University of Wyoming. Dr. Thyne may testify to the geology and stratigraphy in the area and the possibilities for water contamination, directly or indirectly, resulting from drilling activities in Colorado.

9. Dr. Robert Moran, Geologist. Dr. Moran may testify to the geology and stratigraphy in the area and the possibilities for water contamination, directly or indirectly, resulting from drilling activities in Colorado.

10. Rob Hykys, Garfield County GIS Analyst. Mr. Hykys may testify as the Garfield County GIS Analyst responsible for preparation of maps, plats and exhibits to be utilized in this proceeding.

11. Representative of LSC Transportation Consultants, Inc., Colorado Springs, Colorado. A representative from LSC Transportation Consultants, Inc. may testify concerning the preparation of the Garfield County Transportation Master Plan,

12. Representative of URS Corporation, Colorado Springs, Colorado. A representative of URS Corporation may testify concerning the preparation of the Garfield County Transportation Master Plan.

13. Tamra Allen, Planner for Garfield County Building and Planning Department. Ms. Allen may testify regarding Garfield County zoning, the Garfield County Comprehensive Plan and zoning and building code requirements, including grading requirements.

14. Beth Strudley, Citizen, Silt, Colorado. Ms. Strudley may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

15. Fiona Lloyd, Citizen, Silt, Colorado. Ms. Lloyd may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

16. Sue Schmidt, Citizen, Silt, Colorado. Ms. Schmidt may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

17. Gary Aho, Citizen, Silt, Colorado. Mr. Aho may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

18. Lindsey George, Citizen, Silt, Colorado. Ms. George may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

19. Michael Erion, Citizen, Silt, Colorado. Mr. Erion may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

20. Ed Colbey, Citizen, Silt, Colorado. Mr. Colbey may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

21. Bob Koper, Citizen, Silt, Colorado. Mr. Koper may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

22. Janean Nutter, Citizen, Silt, Colorado. Ms. Nutter may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

23. Sandy Pickard, Citizen, Silt, Colorado. Ms. Pickard may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

24. Emily Kielmeyer, Citizen, Rifle, Colorado Ms. Kielmeyer may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

25. Eileen Pressler, Citizen, Silt, Colorado. Ms. Pressler may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close

proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

26. Tara Meixsell, Citizen, New Castle, Colorado. Ms. Meixsell may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

27. Linda Dixon, Citizen, Silt, Colorado. Ms. Dixon may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

28. Deb Nicholson, Citizen, Silt, Colorado. Ms. Nicholson may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

29. Paul Schoeppner, Citizen, Silt, Colorado. Mr. Schoeppner may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

30. Frank Fraser, Citizen, Rifle, Colorado. Mr. Fraser may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

31. Neil Wagstrom, Citizen, Silt, Colorado. Mr. Wagstrom may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close

proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

32. Dave Pegg, Citizen, Silt, Colorado. Mr. Pegg may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

33. Joe Wright, Citizen, Silt, Colorado. Mr. Wright may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

34. Dan Becker, Citizen, Silt, Colorado. Mr. Becker may be called to present his opinion concerning impacts of greatly increased natural gas drilling in the close proximity to his residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

35. Nikki Fender, Citizen, Silt, Colorado. Ms. Fender may be called to present her opinion concerning impacts of greatly increased natural gas drilling in the close proximity to her residence. Said testimony will be based upon actual experience with the gas industry, statements by Antero Resources Piceance Corporation concerning their proposed development within Silt and the alteration of the nature of the impacts from the currently approved drilling program of one well and one drill pad per 160 acres to the current proposal that is many times greater in impact.

36. Representative of COGCC staff. This witness may be called to present testimony regarding the application of COGCC rules and regulations, accidental contamination that has occurred in Garfield County and whether the COGCC rules prevented such contamination, and other relevant issues.

37. One or more expert witnesses who assisted with or directed the health impact assessment conducted in Garfield County. Such witness(es) may testify regarding the study, methodology and application to the area addressed by this Application.

38. Unknown technical experts. Garfield County may call one or more expert witnesses to evaluate the current proposal as well as the drilling practices of the applicant, Antero Resources Piceance Corporation, to demonstrate the impacts of the drilling on the water and air

quality of the subject area, or to demonstrate the cumulative safety and health impacts caused by the proposed increased well density.

B. Exhibits.

Garfield County will provide exhibits to the COGCC staff and all parties on or before January 10, 2011, to allow adequate time for these to be placed in the COGCC packets. Currently, at a minimum, Garfield County anticipates using the following exhibits:

1. The Rifle, Silt, New Castle Community Development Plan.

2. Piceance Basin Phase IV Baseline Water Quality Study – Garfield County, Colorado, dated February 9, 2007, prepared by S. S. Papadopulos & Associates, Inc. for the COGCC.

3. Phase I Hydrogeologic Characterization of the Mamm Creek Field Area in Garfield County dated March 23, 2006 prepared by URS Corporation.

4. Phase II Hydrogeologic Characterization of the Mamm Creek Field Area, Garfield County, Colorado dated September, 2008 prepared by S. S. Papadopulos & Associates.

5. Review of Phase I and Phase II Hydrogeologic Study prepared for Garfield County by Dr. Geoffrey Thyne dated December 20, 2008.

6. Powerpoint presentation of Dr. Geoffrey Thyne - Summary of Phase I and Phase II Hydrogeologic Characterization Studies - Mamm Creek Area, Garfield County, Colorado.

7. Map portraying theoretical surface locations under current Rules and Order, as well as theoretical downhole locations under current Rules and Order.

8. Map portraying theoretical proposed surface spacing, as well as theoretical proposed downhole locations.

9. Health and environmental studies to the extent those studies provide information relevant to the well density increase proposed for Silt Mesa;

10. Documents from public presentations by Antero Resources Piceance Corporation concerning its anticipated development program demonstrating the impacts of increasing the approved down hole well locations nearly sixteen times from current approvals, increasing the number of surface use sites four fold from current approvals and increasing the duration of operations, as such impacts affect the public health, safety and welfare of the citizens of Garfield County, Colorado;

11. The Garfield County Transportation Master Plan of March, 2006, prepared for the Board of County Commissioners of Garfield County; and

12. Maps portraying the locations and density of residential water wells in the affected area.

13. Any and all expert reports prepared specifically for the hearing on the above-referenced matter subsequent to the tender of this document.

14. Any studies specifically prepared for the COGCC regarding the above-referenced matter.

15. The BOCC reserves the right to amend this list of exhibits upon the discovery or creation of additional exhibits subsequent to the tender of this document.

16. Any exhibits for purposes of rebuttal or impeachment.

WHEREFORE, the Intervenor, the Board of County Commissioners of Garfield County, Colorado, submits its intervention of right as set forth in the COGCC Rule 509(a) and herein requests that this Commission grant this intervention as set forth in that Rule. Additionally, the Intervenor requests that it be allowed to participate, pursuant to the COGCC Rules, as a party in all aspects of this matter including any hearing established for consideration of the Application of Antero Resources Piceance Corporation.

DATED: December 22, 2010.

Respectfully submitted,

CASSANDRA COLEMAN, #37370
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ATTORNEY FOR INTERVENOR
BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, COLORADO

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and accurate copies of the foregoing MOTION OF THE BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, COLORADO FOR INTERVENTION UNDER COGCC RULE 509(a) were emailed and deposited in the United States Mail, postage prepaid, this 22nd day of December, 2010, to the following:

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