

Sheila Singer

From: Jason Maxey <jmaxey@weldgov.com>
Sent: Wednesday, May 29, 2019 8:21 AM
Subject: Weld County / COGCC - "Disposition"

Good morning,

I've been getting quite a few calls about this, and wanted to send out an email to everyone in hopes that this will help clear up anything you've heard. This email exchange happened about a week and a half ago, and then I know the COGCC Director mentioned this in the operator meeting on May 22nd. Basically, Weld County was able to have a conversation with the Director and explain how we did not want "final disposition" to hold up your ability to apply for DSU, Form 2 or Form 2As. Weld County has agreed to temporarily waive having the WOGLA complete before you can apply to the COGCC.

WOGLAs are still needed before any construction at a location can begin, but this will allow permitting to happen concurrently, instead of having to get the WOGLA before you can make any applications to the State.

Jeff:

As we discussed yesterday, to assist the operators and move along the DSU applications currently on file with the COGCC for locations in Weld County, the County temporarily waives its right to have WOGLA permitting complete ("disposition") prior to DSU approval as contemplated by C.R.S. §34-60-116(1)(a)(I). Please also consider this temporary waiver in effect for those DSU applications which may be filed from now until the County finally adopts its revised WOGLA procedures that will encompass the new 1041 and enhanced land use authorities provided by S.B. 19-181. We anticipate final adoption in late July or early August, 2019. However, we will let you know of the precise date of the end of this temporary waiver as we get further into our Code amendment process.

Thank you for our discussion yesterday and your attention to this request. Please let me know if you need anything further from us on this issue.

Bruce T. Barker, Esq.

Weld County Attorney

Bruce, the language of your email informs me it is applicable to DSUs. Did weld desire COGCC act on Form 2 and Form 2A before weld does its WOGLA in the interim? We have form 2s which are being held up at this point? please advise.

***Jeff
Jeff Robbins
Director***

Jeff:

Yes, we also desire for the COGCC to act on Form 2 and Form 2A applications as part of the temporary waiver discussed in my previous email. Thank you for mentioning it.

Have a great weekend!

*Bruce T. Barker, Esq.
Weld County Attorney*

Thank you,

Jason S. Maxey
Oil & Gas Specialist
Local Government Designee
1555 N 17th Ave.
Greeley, CO 80631
jmaxey@weldgov.com
Direct: (970) 400-3579



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