



DEPARTMENT OF NATURAL RESOURCES
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Routt County Board of Commissioners
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VIA E-MAIL ONLY: nstahoviak@co.routt.co.us, dmonger@co.routt.co.us, and dmitschbush@co.routt.co.us

Re: *Quicksilver Resources' Camilletti 21-10 well*

Dear Commissioners:

I am writing to provide the Colorado Oil and Gas Conservation Commission's comments on Quicksilver Resources' application for a permit to drill the Camilletti 21-10 well pending this evening before the Routt County Board of Commissioners.

On November 4, 2011, Quicksilver formally submitted its application for permit to drill the well to the COGCC. On November 7, the application was deemed complete by COGCC staff and was made available for public comment and comment by Routt County's Local Governmental Designee, or LGD, pursuant to the COGCC rules.

On November 28, the Routt County LGD submitted comments on Quicksilver's application and stated: "*Routt County is concerned that this community is protected from increased noise, air pollution, traffic, contamination of water sources, etc. The applicant should develop monitoring systems for these concerns and mitigation measures established and maintained during the life of the well. There is also a stream and an agriculture water source to the east of the proposed well site. Any access roads and the well pad must have comprehensive a BMP plan and continually monitored for protection of these water sources from erosion and contaminants.*" The COGCC understands and shares the County's aforementioned concerns that oil and gas development proceed in a responsible manner.

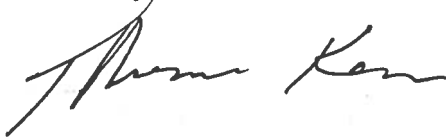
Routt County, though its LGD, did not request the COGCC impose any particular best management practice (BMP) as a condition of approval on Quicksilver's state permit and did not exercise its right to obtain a hearing before the full nine-member commission to demand any

particular BMP be attached to the state permit as a condition of approval. Instead, the County subsequently encouraged Quicksilver to voluntarily conduct its operations using various BMPs and, additionally, the County imposed other BMPs via its local permitting process. However, Quicksilver has objected to the County's proposed water sampling program, including the installation of a monitoring well.

The COGCC believes the County's proposed water sampling program is inappropriate. I and my staff have notified County officials on numerous occasions that the County's proposed water sampling program, in addition to being in conflict with the COGCC's permitting regime, is unnecessary because other technical safeguards, such as proper casing and cementing of the well, will address the County's concerns over water quality. The County's imposition of a costly water sampling plan will usurp the COGCC's authority to minimize adverse impacts arising out of oil and gas development, will bypass the COGCC's permitting regime and related safeguards, and will impede the state policy "to encourage, by every appropriate means, the full development of the state's natural resources to the benefit of all of the citizens of Colorado." CRS § 24-33-103.

I strongly encourage the County to refrain from attaching any technical conditions of approval to Quicksilver's Camilletti 21-10 permit, including such conditions pertaining to water sampling and monitoring. Instead, I encourage the County to participate vigorously in the COGCC's existing LGD program and, if necessary, exercise its right to obtain a hearing before the full nine-member commission to demand any particular BMP be attached to an operator's state permit as a condition of approval.

Sincerely,



Thom Kerr

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