

RESOLUTION NO. 2013-26  
BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO BLANCO  
STATE OF COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO,  
APPROVING AN AMENDMENT (SUPN 13-5) OF SPECIAL USE PERMIT 07-08 TO  
AUTHORIZE ON-SITE WASTEWATER TREATMENT AND AMENDING  
CONDITION NUMBER 17 OF SUP 07-08 REGARDING WATER TESTING FOR THE  
ENCANA OIL & GAS MESA TEMPORARY LIVING QUARTERS, IN RIO BLANCO  
COUNTY, COLORADO**

WHEREAS, Encana Oil & Gas is requesting an amendment to Special Use Permit 07-08 to authorize on-site wastewater treatment and modification of Condition Number 17 of SUP 07-08 regarding water testing for the Encana Oil & Gas Mesa Temporary Living Quarters, in Rio Blanco County; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Application on April 11, 2013 upon notice duly given; and

WHEREAS, the Planning Commission, at the April 11, 2013 meeting, voted 6 for / 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the Special Use Permit Amendment subject to all mitigation measures described in the February 2013 Application and subject to the minimum conditions of approval listed below; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Resolution (LUR), the materials submitted by Encana Oil & Gas, the materials submitted by members of the public at the various hearings, the Planning Commission recommendations, and upon notice duly given conducted its own hearing on the Application in Meeker, Colorado on April 22, 2013;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- A. The application is complete;
- B. The public hearing before the Board of County Commissioners was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The property is appropriately zoned for the Project;

D. The Special Use Permit Amendment application meets the requirements of Sections 54, and 224 of the LUR as well as all relevant standards specified in Article X of the LUR;

E. The record is complete;

F. The proposed Special Use Permit Amendment is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Rio Blanco County, Colorado:

A. Special Use Permit Amendment Notice, 13-5, amending Special Use Permit 07-08 for the Encana Oil & Gas Mesa Temporary Living Quarters by authorizing on-site wastewater treatment and amending Condition Number 17 by reducing the number of sampling sites to West Story Spring, Flarity Ridge Spring, and East Stewart Spring for inclusion in the North Parachute Property water quality sampling program is hereby approved, subject to the following conditions:

1. Applicant is to consult with Colorado Department of Public Health and Environment and comply with requirements prior to installation and operation of onsite wastewater treatment system.
2. Applicant is to obtain required Rio Blanco County permits.
3. All other conditions under Special Use Permit 07-08 remain in effect.

B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.

C. Approval of this special use permit constitutes approval of a site specific development plan which establishes a vested property right, as provided by CRS 24-68-101 et.seq.. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0  
AGAINST, THIS 22<sup>nd</sup> DAY OF APRIL 2013.

THE BOARD OF COUNTY  
COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

ATTEST:

Nancy R. Amick  
Nancy R. Amick  
Clerk to the Board



By: [Signature]  
Shawn J. Bolton, Chairman

[Signature]  
John D. Hill, Commissioner

[Signature]  
Jeffrey D. Eskelson, Commissioner