

MEMORANDUM

To: All COGCC Employees

From: Robert J. Frick, Hearings Manager

Date: October 19, 2012

RE: Open Records Act Request

The Colorado Oil and Gas Conservation Commission (COGCC) is in receipt of an Open Records Act Request for La Plata county UIC well information for 2012 (excluding tribal wells). Please be advised that I will be the COGCC staff member facilitating this request in coordination with the Colorado Attorney General's Office.

The following is taken from the request:

Pursuant to the Colorado Open Records Act, C.R.S. 24-72-201, et seq., I would like to inspect the following records relating to disposal of E&P waste and produced water into Class II UIC wells in La Plata County, including but not limited to communications, correspondence, reports, daily completion reports, and a complete list of forms requested in the attached table. These public records should include any information submitted by oil and gas operators in La Plata County and related COGCC correspondence.

Under C.R.S. 24-72-202, a public record is defined as all "writings, made, maintained, or kept by the state...or political subdivision of the state...and held by any local government-financed entity for use in the exercise of functions required or authorized by law...." Writings includes "all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics" including digitally stored data and electronic mail messages. See C.R.S. 24-72-202(7). Consequently, my request to inspect the public records identified above is meant to encompass all of the "public records" and "writings" contemplated in the Open Records Act.

Most of the requested materials are readily available via our website and COGIS. However, there may be more materials subject to this request in your work stations or hard drives. The definition of public records applies with equal force to any and all electronic documents, including emails, word documents, spreadsheets, databases, etc. Public records are documents existing at the time of the request.

You are hereby instructed to search for "La Plata county UIC well information for 2012 (excluding tribal wells)" in and around your work stations, storage areas, hard drives, emails, storage devices, etc. This specifically includes all "writings", including, but not limited to "books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics" including digitally stored data and electronic mail messages.

After your search, if you are not in possession of these materials or have no possible interaction with La Plata county UIC wells subject of this request, there is no need for any further action.

If you are in possession of any of these materials, *please come see me*.

While we want to be thorough in our diligence, we don't want to be duplicative in our efforts. If you have any question about what needs to be done, *please come see me*.

Thank you.