



WOGCC Adopts New Setback and Notice Requirements

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On April 14, 2015, the Wyoming Oil and Gas Conservation Commission unanimously approved a measure increasing the buffer between occupied structures and operation and production facilities from 350 feet to 500 feet. In addition, the adopted rule requires operators provide notice to certain affected surface owners prior to conducting operations. The adopted rule represents the culmination of a rulemaking process that focused predominantly on the appropriate balance between mineral interest access and public health and safety. The final rule provides for the following:

- The 500' setback will become effective once the final rule is signed by Governor Mead;
- The 500' setback is measured from (1) the center of the wellhead during drilling operations and (2) the nearest point of associated production facilities for post-drilling production operations. Production facilities must be setback at a greater distance where technically feasible;
- The Supervisor of the WOGCC may approve a variance to decrease the 500' setback if: (1) the owners of the occupied structure waive the requirement; or (2) good cause is shown;
- Existing locations are subject to the notice and mitigation requirements anytime additional development requires an Application for Permit to Drill or Deepen a Well; and
- An operator must provide notice to the owner of an occupied structure within 1000' of a wellhead or production facilities no more than one hundred and eighty days and not less than thirty days prior to construction of a drilling pad or site for production facilities and provide certain enumerated information; including:
 - A description of the best management practices and site specific measures the operator plans to undertake to mitigate reasonably foreseeable impacts, considering, at a minimum, noise, light, dust, orientation of the drilling pad, and traffic.

For further information regarding the final rule or the WOGCC, please contact [James Parrot](#) or [Samuel Yemington](#).

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