

Thursday, August 23, 2018

STILLWATER COUNTY NEWS

## Letters to the Editor

### Commissioners aren't doing their jobs on CIZ matter

The Stillwater County Commissioners have this theory that landowners have few rights when it comes to oil and gas drilling, and they've been peddling it all over Montana to see if they can get somebody in an official capacity to agree with them.

So far they've been unsuccessful.

Last August, after Beartooth Front landowners spent years collecting the signatures of their neighbors to form a citizen-initiated zone, the commissioners decided that the surface owners needed to get approval of the underlying mineral owners.

This was a new theory they thought up after enough signatures had been submitted. Stillwater is the only county in Montana that has ever interpreted the law this way. There are 111 previously-formed zones all over the state that have required the signatures of surface owners only.

So they asked Attorney Gen-

eral Tim Fox to weigh in on their behalf. After sitting on their request for months, Fox declined to issue an opinion. With no validation of their theory, the commissioners rejected the zone anyway.

When the landowners filed suit to protect their rights, the commissioners appealed to Judge Blair Jones in district court to throw the case out. They said that regulation of drilling is reserved only for the Montana Board of Oil and Gas, and the landowners have no right to petition for a zone. Judge Jones would have none of it, and denied the County's motion.

Unhappy with that outcome, the Commissioners then went to the Board of Oil and Gas at their meeting in Billings last week, and asked them to publicly support the Stillwater County theory of the law. The Board refused.

#### Letter, continued

Let's go back five years to the day an oil man from West Virginia showed up in Billings and promised to bring "a little bit of the Bakken" to the Beartooth Front.

In response, the Stillwater County landowners decided to establish a citizen-initiated zone. Their goal was not to stop oil and gas drilling, but to make sure it was done right so that the land, water, and economy of the Beartooth Front would be preserved.

They approached the Stillwater County Commissioners and asked for their help in establishing guidelines for the collection of signatures and how to set up the zone in a way that would work for the landowners and for Stillwater County. The commissioners refused to meet, and to this day have never shown a bit of interest in why the landowners are concerned and what regulations make sense.

It is unclear why the commissioners are taking this road. They have little public support from inside Stillwater County. At Judge Jones' hearing on the lawsuit in Columbus, 56 people showed up to support the landowners and nobody was there for the Commissioners.

The commissioners aren't doing their jobs. Instead of trying to make new law on behalf of the oil and gas industry, what they should be doing is working with Stillwater landowners to protect the Beartooth Front.

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Nye