

STATE OF COLORADO

Bill Ritter, Jr., Governor  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF WILDLIFE**  
AN EQUAL OPPORTUNITY EMPLOYER

Thomas E. Remington, Director  
6060 Broadway  
Denver, Colorado 80216  
Telephone: (303) 297-1192  
*wildlife.state.co.us*



September 16, 2009

NW Region Service Center  
711 Independent Ave.  
Grand Junction, CO 81505

Bill Barrett Corporation  
Attn: Matt Barber  
1099 18<sup>th</sup> Street, Suite 2300  
Denver, CO 80202

RE: Robinson 44C-26-692, 44B-26-692, 43A-26-692, 14A-25-692, 14B-25-692, 44D-26-692, 43B-26-692, 14D-25-692, 14B-25-692

Dear Mr. Barber;

The Colorado Division of Wildlife (CDOW) has reviewed the permit application for the above-referenced Oil and Gas Facility located within SE quarter of the SE quarter, Section 26, Township 6S, Range 92 West, Garfield County. Pursuant to COGCC Rule 306.c and 1202.b, and based on the presence of elk winter concentration area and mule deer critical winter range CDOW is hereby initiating consultation on the above-referenced facility.

Based upon an initial review of the permit application and upon the presence of elk winter concentration area and mule deer critical winter range, CDOW has prepared a list of recommended operating standards and conditions of approval (COAs) specific to the subject location (see Attachment). CDOW recommends that these provisions be incorporated into your permit as COAs to minimize impacts to wildlife resources.

If you agree to the recommended operating standards and conditions of approval contained in the Attachment, please return a signed copy of the Attachment to our office by October 19, 2009. If you have questions about the operating standards or COAs that we have recommended, please contact our Land Use Specialist at 970-255-6180 to discuss alternate Best Management Practices that could be implemented at the location to minimize adverse impacts to wildlife. Otherwise, please return a signed copy of the Attachment to our office by October 19, 2009. If we have not heard back from you by this date, we will forward the recommended operating standards and conditions to the Colorado Oil and Gas Conservation Commission (COGCC) for incorporation into your permit.

As we discussed over the phone on Wednesday, November 16, 2009, Bill Barrett will review CDOWs recommended COAs and also review them with the surface owner. Bill Barrett will return a signed (operator and surface owner) copy of the agreed COAs to the CDOW.

DEPARTMENT OF NATURAL RESOURCES, Harris D. Sherman, Executive Director  
WILDLIFE COMMISSION, Brad Coors, Chair • Tim Glenn, Vice Chair • Dennis Buechler, Secretary  
Members, Jeffrey Crawford • Dorothea Farris • Roy McAnally • John Singletary • Mark Smith • Robert Streeter  
Ex Office Members, Hams Sherman and John Stulp

Note that COGCC's regulations require surface owner consent for some operating standards and for permit-specific wildlife COAs. We have identified on the Attachment the operating standards and COAs that require surface owner consent. We encourage you, as the Operator, to obtain surface owner consent for those items prior to returning the Attachment to our office. For your convenience, we have included a signature block for surface owner consent on the Attachment.

If you have questions, please contact Land Use Specialist, Michael Warren at 970-255-6180. We look forward to working with you for the benefit of wildlife.

Sincerely,

*JT Romatzke*  
Area Wildlife Manager

cc: Dean Riggs, Assistant Regional Manager  
Kim Kaal, Energy Liaison  
Dan Skinner, District Wildlife Manager  
JT Romatzke, Area Wildlife Manager  
Dennis Ahlstrand – COGCC, *via e-mail* [dennis.ahlstrand@state.co.us](mailto:dennis.ahlstrand@state.co.us)

### Operating Standards in Regulation Applicable to the Proposed Location

Robinson 44C-26-692, 44B-26-692, 43A-26-692, 14A-25-692, 14B-25-692, 44D-26-692, 43B-26-692, 14D-25-692, 14B-25-692

1. Operator shall install appropriate fencing and netting on all open pits to prevent access to pits by wildlife and migratory birds [Rule 902.a. and 902.d.]
2. Operator shall keep all disturbed areas free of all undesirable plant species designated to be noxious weeds [1003.f.]
3. During pipeline construction for trenches that are left open for more than five (5) days and are greater than five (5) feet in width, the operator shall install wildlife crossovers and escape ramps where the trench crosses well-defined game trails and at a minimum of one quarter (1/4) mile intervals where the trench parallels well-defined game trails [1203.a.(1)].
4. Operator shall treat waste water pits to control mosquitoes as outlined in Rule 1203.a.(8).
5. Operators shall install and utilize bear-proof dumpsters and trash receptacles per Rule 1204.a.(1).

### Conditions of Approval That Require Surface Owner Consent

Robinson 44C-26-692, 44B-26-692, 43A-26-692, 14A-25-692, 14B-25-692, 44D-26-692, 43B-26-692, 14D-25-692, 14B-25-692

Check yes or no for each condition listed, sign and return this document to CDOW.

| Surface Owner                       |                                     | COA  | Operator                            |                                     |
|-------------------------------------|-------------------------------------|--|-------------------------------------|-------------------------------------|
| YES                                 | NO                                  |  | YES                                 | NO                                  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Set and Post speed limits below 20mph and caution signs on the access road where allowed by surface owners.  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Close and immediately reclaim all roads that are redundant, not used regularly, or have been abandoned to the maximum extent possible to minimize disturbance and habitat fragmentation.   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Reclaim mule deer habitat with native shrubs, grasses, and forbs appropriate to the ecological site disturbed where allowed by surface owners.   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Gate the access road to this facility and limit public access if approved by the surface owner   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Use a wildlife-appropriate fence as outlined in the information available from the CDOW at <a href="http://wildlife.state.co.us/NR/rdonlyres/B0D65D61-6CB0-4746-94F1-6EE194E1C230/0/fencing.pdf">http://wildlife.state.co.us/NR/rdonlyres/B0D65D61-6CB0-4746-94F1-6EE194E1C230/0/fencing.pdf</a> if approved by the surface owner. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Use remote sensing and monitoring. Restrict post-development well site visitations to between the hours of 9:00 a.m. and 3:00 p.m. and reduce well site visitations between December 1 and April 15 in mule deer and elk winter range.   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

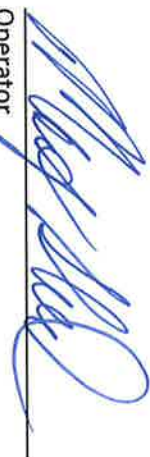
Note

Will be Reclaimed with Dry land Grasses and Dry land a/Fa/Fa only  
 Access will be limited appropriately, A.A.

★



Surface Owner  
George & Diane Robinson  
1415 CR 326  
Silt, CO 81652



Operator  
Bill Barrett Corporation  
1099 18<sup>th</sup> St., Suite 2300  
Denver, CO 80202  
Monty Shedd, Field Superintendent