FORM 2A Rev 04/01

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109

Oil and Gas Location Assessment

Document Number: 400299592

Date Received: 06/26/2012

☒ New Location ☐ Amend Existing Location Location#: _____

Submit original plus one copy. This form is to be submitted to the COGCC prior to any ground disturbance activity associated with oil and gas development operations. This Assessment may be approved as a standalone application or submitted as an informational report accompanying an Application for Permit-To-Drill, Form 2. Approval of this Assessment will allow for the construction of the below specified location; however, it does not supersede any land use rules applied by the local land use authority. This form may serve as notice to land owners and other interested parties, please see the COGCC web site at http://colorado.gov/cogcc/ for all accompanying information pertinent to this Oil and Gas Location Assessment.

Location ID: **430121**

Expiration Date: **09/05/2015**

☒ This location assessment is included as part of a permit application.

1. CONSULTATION

☐ This location is included in a Comprehensive Drilling Plan. CDP # _____

☐ This location is in a sensitive wildlife habitat area.

☐ This location is in a wildlife restricted surface occupancy area.

☐ This location includes a Rule 306.d.(1)A.ii. variance request.

2. Operator

Operator Number: 100264

Name: XTO ENERGY INC

Address: 382 CR 3100

City: AZTEC State: NM Zip: 87410

3. Contact Information

Name: Kelly Kardos

Phone: (505) 333-3145

Fax: (505) 213-0546

email: kelly_kardos@xtoenergy.com

4. Location Identification:

Name: TOUPAL SWD Number: 2

County: LAS ANIMAS

QuarterQuarter: SWNE Section: 10 Township: 34S Range: 67W Meridian: 6 Ground Elevation: 7049

Define a single point as a location reference for the facility location. This point should be used as the point of measurement in the drawings to be submitted with this application. When the location is to be used as a well site then the point shall be a well location.

Footage at surface: 1777 feet FNL , from North or South section line, and 1972 feet FEL , from East or West section line.

Latitude: 37.101084 Longitude: -104.872764 PDOP Reading: 6.0 Date of Measurement: 02/08/2012

Instrument Operator's Name: GARY TERRY

5. Facilities (Indicate the number of each type of oil and gas facility planned on location):

Special Purpose Pits:		Drilling Pits:	1	Wells:	1	Production Pits:		Dehydrator Units:	
Condensate Tanks:		Water Tanks:		Separators:		Electric Motors:		Multi-Well Pits:	
Gas or Diesel Motors:		Cavity Pumps:		LACT Unit:		Pump Jacks:		Pigging Station:	
Electric Generators:		Gas Pipeline:		Oil Pipeline		Water Pipeline:	1	Flare:	
Gas Compressors:				VOC Combustor:		Oil Tanks:		Fuel Tanks:	

Other: GAS AND/OR DIESEL MOTORS WILL BE USED FOR THE DRILLING RIG

6. Construction:

Date planned to commence construction: 08/15/2012 Size of disturbed area during construction in acres: 2.07

Estimated date that interim reclamation will begin: 10/15/2012 Size of location after interim reclamation in acres: 0.60

Estimated post-construction ground elevation: 7049 Will a closed loop system be used for drilling fluids: Yes ☐

Will salt sections be encountered during drilling: Yes ☐ No ☒ Is H2S anticipated? Yes ☐ No ☒

Will salt (>15,000 ppm TDS Cl) or oil based muds be used: Yes ☐ No ☒

Mud disposal: Offsite ☒ Onsite ☐ Method: Land Farming ☐ Land Spreading ☐ Disposal Facility ☐

Other: BURY/HAUL

7. Surface Owner:

Name: _____ Phone: _____

Address: _____ Fax: _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____ Date of Rule 306 surface owner consultation: 02/08/2012

Surface Owner: ☒ Fee ☐ State ☐ Federal ☐ Indian

Mineral Owner: ☒ Fee ☐ State ☐ Federal ☐ Indian

The surface owner is: ☒ the mineral owner ☐ committed to an oil and gas lease ☐ is the executer of the oil and gas lease ☐ the applicant

The right to construct the location is granted by: ☐ oil and gas lease ☐ Surface Use Agreement ☐ Right of Way ☒ applicant is owner

Surface damage assurance if no agreement is in place: ☐ $2000 ☐ $5000 ☐ Blanket Surety ID _____

8. Reclamation Financial Assurance:

☒ Well Surety ID: 20100210 ☐ Gas Facility Surety ID: _____ ☐ Waste Mgnt. Surety ID: _____

9. Cultural:

Is the location in a high density area (Rule 603.b.): Yes ☐ No ☒

Distance, in feet, to nearest building: 219 , public road: 11745 , above ground utilit: 10560

, railroad: 10560 , property line: 180

10. Current Land Use (Check all that apply):

Crop Land: ☐ Irrigated ☐ Dry land ☐ Improved Pasture ☐ Hay Meadow ☐ CRP

Non-Crop Land: ☒ Rangeland ☐ Timber ☐ Recreational ☐ Other (describe): _____

Subdivided: ☐ Industrial ☐ Commercial ☐ Residential

11. Future Land Use (Check all that apply):

Crop Land: ☐ Irrigated ☐ Dry land ☐ Improved Pasture ☐ Hay Meadow ☐ CRP

Non-Crop Land: ☒ Rangeland ☐ Timber ☐ Recreational ☐ Other (describe): _____

Subdivided: ☐ Industrial ☐ Commercial ☐ Residential

12. Soils:

List all soil map units that occur within the proposed location. Attach the National Resource Conservation Service (NRCS) report showing the "Map Unit Description" report listing the soil typical vertical profile. This data is to used when segregating topsoil.

The required information can be obtained from the NRCS web site at http://soildatamart.nrcs.usda.gov/ or from the COGCC web site GIS Online map page found at http://colorado.gov/cogcc. Instructions are provided within the COGCC web site help section.

NRCS Map Unit Name: FuD BANDARITO CLAY LOAM, 3 TO 9% SLOPES

NRCS Map Unit Name:

NRCS Map Unit Name:

13. Plant Community:

Complete this section only if any portion of the disturbed area of the location's current land use is on non-crop land.

Are noxious weeds present: Yes ☐ No ☒

Plant species from: ☒ NRCS or, ☐ field observation Date of observation:

List individual species: Western Wheatgrass, Green Needlegrass, Blue Grama, Griffith Wheatgrass, Bluegrass

Check all plant communities that exist in the disturbed area.

- ☐ Disturbed Grassland (Cactus, Yucca, Cheatgrass, Rye)
- ☒ Native Grassland (Bluestem, Grama, Wheatgrass, Buffalograss, Fescue, Oatgrass, Brome)
- ☐ Shrub Land (Mahogany, Oak, Sage, Serviceberry, Chokecherry)
- ☐ Plains Riparian (Cottonwood, Willow, Aspen, Maple, Poplar, Russian Olive, Tamarisk)
- ☐ Mountain Riparian (Cottonwood, Willow, Blue Spruce)
- ☐ Forest Land (Spruce, Fir, Ponderosa Pine, Lodgepole Pine, Juniper, Pinyon, Aspen)
- ☐ Wetlands Aquatic (Bullrush, Sedge, Cattail, Arrowhead)
- ☐ Alpine (above timberline)
- ☐ Other (describe):

14. Water Resources:

Rule 901.e. may require a sensitive area determination be performed. If this determination is performed the data is to be submitted with the Form 2A.

Is this a sensitive area: ☐ No ☒ Yes Was a Rule 901.e. Sensitive Areas Determination performed: ☒ No ☐ Yes

Distance (in feet) to nearest surface water: 266 , water well: 7500 , depth to ground water: 20

Is the location in a riparian area: ☐ No ☒ Yes Was an Army Corps of Engineers Section 404 permit filed ☒ No ☐ Yes

Is the location within a Rule 317B Surface Water Suppl Area buffer zone:

☒ No ☐ 0-300 ft. zone ☐ 301-500 ft. zone ☐ 501-2640 ft. zone

If the location is within a Rule 317B Surface Water Supply Area buffer have all public water supply systems within 15 miles been notified: ☐ No ☐ Yes

15. Comments:

XTO Energy is the surface owner. There are no water wells within a mile of the proposed well

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct and complete.

Signed: Date: 06/26/2012 Email: kelly_kardos@xtoenergy.com

Print Name: KELLY KARDOS Title: SR. PERMITTING TECH

Based on the information provided herein, this Application for Permit-to-Drill complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved: Matthew Lee **Director of COGCC** Date: 9/6/2012

CONDITIONS OF APPROVAL, IF ANY:

All representations, stipulations and conditions of approval stated in this Form 2A for this location shall constitute representations, stipulations and conditions of approval for any and all subsequent operations on the location unless this Form 2A is modified by Sundry Notice, Form 4 or an Amended Form 2A.

Operator must implement site-specific best management practices in accordance with good engineering practices, including, but not limited to, construction of a berm or diversion dike, site grading, or other comparable measures, sufficient to protect the South Fork of the Purgatoire River located 266 feet south of the oil and gas location from a release of drilling, completion, produced fluids, and chemical products.
The operator will conduct baseline sampling of (at a minimum) two locations on the South Fork of the Purgatoire River. One sample from the South Fork of the Purgatoire River should be taken upstream of the pad and one should be taken below the pad. The operator may conduct additional water monitoring at their own discretion. Initial baseline testing shall include laboratory analysis of pH, total dissolved solids (TDS), specific conductivity (SC), sodium adsorption ratio (SAR) calculation, calcium (Ca), potassium (K), magnesium (Mg), sodium (Na), arsenic (As), boron (B), barium (Ba), cadmium (Cd), chromium (Cr), copper (Cu), iron (Fe), manganese (Mn), lead (Pb), selenium (Se). All metals analyzed for total recoverable; bromide (Br), chloride (Cl), fluoride (F), sulfate (SO4), alkalinity (total, HCO3, and CO3 – all expressed as CaCO3), benzene, toluene, ethyl benzene, o-xylene, m- + p-xylene (BTEX), dissolved methane, diesel range organics (DRO), gasoline range organics (GRO). Sampling shall be performed by qualified individuals using methods consistent with commonly accepted environmental sampling procedures. Field observations such as pH, temperature, specific conductance, odor, water color, sediment, bubbles, and effervescence shall also be included.Post completion surface water samples shall be collected at 3 months, 1 year, 3 years and 6 years. Post completion sampling will consist of the same analyte list as the pre-drilling program. Copies of all test results, field parameters and field observations described above shall be provided to the Director and the water well owner within three (3) months of collecting the samples. The analytical data and surveyed sample locations shall also be submitted to the Director in an electronic data deliverable format approved by Director.
Permanent equipment that shall be kept to the minimum possible on the site once drilling, completion and interim reclamation have taken place.
All temporary equipment that contains fluids shall have secondary containment. The secondary containment shall meet the specifications described in rule 604.a.4.
Location is in a sensitive area because of proximity to surface water and is in a riparian buffer; therefore, either a lined drilling pit or closed loop system is required.
Temporary equipment shall be placed as far away from the South Fork of the Purgatoire River as practical.
Provide notice to COGCC 48-hours prior to commencement of construction activities via form 42.
Approval of this form does not authorize injection. Authorization to inject requires approval of Form 31 and Form 33.

Attachment Check List

Att Doc Num	Name
2533628	CORRESPONDENCE
400299592	FORM 2A SUBMITTED
400299606	SURFACE AGRMT/SURETY
400299608	NRCS MAP UNIT DESC
400299609	PROPOSED BMPs
400299610	CONST. LAYOUT DRAWINGS
400299612	ACCESS ROAD MAP
400299613	HYDROLOGY MAP B, AERIAL
400299614	HYDROLOGY MAP B, TOPO
400299615	LOCATION PICTURES
400299616	REFERENCE AREA MAP
400299617	REFERENCE AREA PICTURES
400299618	CONSULT NOTICE
400299620	LOCATION DRAWING

Total Attach: 14 Files

General Comments

User Group	Comment	Comment Date
Permit	Operator revised distance to public road. Final review completed; no LGD or public comment received.	8/9/2012 9:32:48 AM
OGLA	Ready to pass 7/17/2012.	7/10/2012 3:17:37 PM
OGLA	The location falls within in a riparian buffer and shallow groundwater is present therefore the location is a Sensitive Area. The senstive area tab has been changed to yes.	6/29/2012 7:56:34 AM

Total: 3 comment(s)

BMP

Type	Comment
Construction	Certificate to Discharge Under CDPS General Permit No. COR-030000 Stormwater Discharges Associated with Construction Certification No. COR034312 Prior to construction perimeter controls will be installed utilizing cuttings from the clearing operations. Brush Barriers shall be placed down gradient of the disturbance. Once the well pad has been constructed a variety of B.M.P.'s shall be utilized for the site specific conditions. These devices may include but are not limited to: • Brush Barriers • Dirt Berm/Bar Ditch • Clean Water Run on Diversion • Seeding • Erosion Control Blankets • Mulch Tackifier • Rip-Rap During construction each site will be inspected every 14 days and 72 hours after any major storm event. These inspections will be recorded and maintained at the XTO office. Repairs shall be completed within 7 days of the initial inspection. Any modifications shall be revised on the site plan and then implemented at the site. A Field Wide Stormwater Management Plan (SWMP) for the Raton Basin is on file at the XTO Energy Inc. office. A Site Specific SWMP with a Site Plan will be developed for each location and can be found in: • Appendix F- Apache Canyon Lease • Appendix G- Golden Eagle Lease • Appendix H- Hill Ranch Lease • Appendix I- New Elk Lease Wildlife BMP required for Raton Basin utilize bear proof dumpsters and trash receptacles for food related trash at all facilities that generate such trash. Spill Prevention and Counter Measures (SPCC) for the Raton Basin is on file at the XTO Energy Inc. office. The Field SWMP and Site Specific SWMP each address SPCC during construction operations. Typical BMP Site Diagram Attached

Total: 1 comment(s)