

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



Document Number:

400325736

Date Received:

09/11/2012

Oil and Gas Location Assessment

☒ 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:

**430438**

Expiration Date:

**10/13/2015**

☒ 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: 10432

Name: ENERGY & EXPLORATION PARTNERS OPERATING LP

Address: 100 THROCKMORTON STREET #1700

City: FORT WORTH State: TX Zip: 76102

3. Contact Information

Name: Jeff Reale

Phone: (970) 663-1448

Fax: (970) 667-0046

email: jeff@mistymountainop.com

4. Location Identification:

Name: Winder Number: 9-41

County: WELD

QuarterQuarter: NENE Section: 9 Township: 6N Range: 67W Meridian: 6 Ground Elevation: 4868

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: 651 feet FNL, from North or South section line, and 685 feet FEL, from East or West section line.

Latitude: 40.507220 Longitude: -104.891280 PDOP Reading: 2.2 Date of Measurement: 08/22/2012

Instrument Operator's Name: Richard Gabriel

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

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

Other: \_\_\_\_\_

6. Construction:

Date planned to commence construction: 11/21/2012 Size of disturbed area during construction in acres: 2.00  
Estimated date that interim reclamation will begin: 12/21/2012 Size of location after interim reclamation in acres: 0.25  
Estimated post-construction ground elevation: 4868 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: \_\_\_\_\_

## 7. Surface Owner:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Date of Rule 306 surface owner consultation: 08/18/2012  
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: 20120079 ☐ 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: 898, public road: 565, above ground utilit: 620  
, railroad: 8710, property line: 651

## 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 be 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: #32 Kim Loam, 1-3%

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: \_\_\_\_\_

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: 1989, water well: 1270, depth to ground water: 17  
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 Supply 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:

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

Signed: \_\_\_\_\_ Date: 09/11/2012 Email: jeff@mistymountainop.com

Print Name: Jeff Reale Title: Agent

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:  Director of COGCC Date: 10/14/2012

**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.**

If drill cuttings will be land applied, then a Waste Management Plan meeting the general requirements of Rule 907.a. must be submitted for the land application of drill cuttings. Submit the Waste Management Plan on a Form 4 Sundry Notice via email to ogcc.envirosundry@state.co.us prior to drilling.

### **Attachment Check List**

Att Doc Num	Name
400325736	FORM 2A SUBMITTED
400325744	LOCATION PICTURES
400325745	LOCATION PICTURES
400325746	LOCATION PICTURES
400325747	LOCATION PICTURES
400325749	HYDROLOGY MAP
400325750	SURFACE AGRMT/SURETY
400325751	WASTE MANAGEMENT PLAN
400325865	NRCS MAP UNIT DESC
400325877	ACCESS ROAD MAP
400325878	LOCATION DRAWING

Total Attach: 11 Files

### **General Comments**

<b><u>User Group</u></b>	<b><u>Comment</u></b>	<b><u>Comment Date</u></b>
OGLA	Production facilities for this well are planned to be located at the proposed Winder Tank Battery - see Form 2A Doc #400325880	10/9/2012 1:17:28 PM
Permit	Removed surface bond and notified opr. Final review complete.	10/8/2012 10:49:19 AM
OGLA	COGCC has reviewed the Town of Windsor comments as they pertain to the location. The location is in Weld County and zoned for Agriculture, where the construction of oil and gas wells and production facilities is a use by right.	10/4/2012 12:09:34 PM
Permit	Requested clarification on right to construct.	9/28/2012 4:07:40 PM
OGLA	The location is in a Sensitive Area due to the presence of shallow ground water; changed the Sensitive Area Designation to Yes; operator is proposing closed loop drilling	9/18/2012 11:52:15 AM
Permit	Corrected surface owner is the executer of the lease as per opr.	9/14/2012 4:08:04 PM
LGD	<p>Please be advised that the subject property is located within the Town's Growth Management Area (GMA).The Town's Comprehensive Plan states, "The GMA is intended to define those specific areas within the planning area where it is most logical to extend urban services in the near term, that is, within the next five to ten years."</p> <p>Below please find the conditions of approval that are typically applied to conditional use grants for oil and gas operations located within Town.Therefore, the Town recommends the following conditions be placed on the abovementioned oil and gas facilities:</p> <p>1.Prior to the commencement of drilling, the applicant shall submit comprehensive "Drilling and Site Improvement Plans" for review and approval by the Town.Such plans shall address initial drilling activities, initial installation of site improvements and details, and on-going perpetual maintenance of the subject site including, but not limited to, the following:</p>	9/12/2012 11:18:22 AM

	<p>a.Site access plan.The Drilling and Site Improvement Plans and supplemental information shall address site access points and haul routes for review and approval.</p> <p>b.Public street clean-up and tracking prevention.The Drilling and Site Improvement Plans and supplemental information shall include a tracking pad for review and approval.</p> <p>c.Site grading.The Drilling and Site Improvement Plans and supplemental information shall address site grading, including any earth berms for emergency containment.</p> <p>d.Site lighting.The Drilling and Site Improvement Plans and supplemental information shall include details regarding site lighting fixtures and locations.Security and other site lighting shall utilize full cutoff light fixtures to mitigate light pollution.</p> <p>e.Temporary screening.The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets.</p> <p>f.Fencing.The Drilling and Site Improvement Plans shall depict fencing of the perimeter of the site.Fencing materials shall be reviewed for approval by the Town based upon the character of the surrounding neighborhood.</p> <p>g.Oil and gas equipment.</p> <p>(1)The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties.</p> <p>(2)The applicant shall ensure that the wells and tanks are of the minimum size required to satisfy present and future functional requirements to mitigate visual impacts.</p> <p>(3)Low profile tanks shall be utilized and shall be installed in the least visible manner possible.</p> <p>(4)All tanks and equipment shall be painted to blend-in with the surrounding landscape.</p> <p>h.Air quality.</p> <p>(1)The applicant shall participate in any required Environmental Protection Agency (EPA) air quality monitoring and/or testing by allowing EPA to install equipment on site for said monitoring and testing.</p> <p>(2)The applicant shall install and operate an emissions control device (ECD) capable of reducing Volatile Organic Compound (VOC) emissions on the subject oil and gas equipment in accordance with Colorado Oil and Gas Conservation Commission (COGCC) and/or the Colorado Department of Public Health and Environment (CDPHE) rules and regulations.</p> <p>(3)The applicant shall submit to the Town copies of all air emissions reporting as required by the COGCC and/or the CDPHE's Air Pollution Control Division.</p> <p>i.Water quality.</p> <p>(1)The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements.</p> <p>(2)The applicant shall participate in the Colorado Oil and Gas Association (COGA) Baseline Groundwater Quality Sampling Program utilizing independent third party sampling and laboratories and shall provide to the Town test results obtained before and after drilling operations.</p>		
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	<p>j. Emergency containment. The secondary containment berm surrounding all storage vessels shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel located within the containment area or to State of Colorado standards, whichever requirements are more stringent.</p> <p>k. Waste disposal. The applicant shall submit to the Town copies of all waste management reports as required by the COGCC and/or the CDPHE rules and regulations.</p> <p>l. The following certification blocks shall be included on the Drilling and Site Improvement Plans:</p> <p>(1) A signed owner's acknowledgement certification block.</p> <p>(2) A signed drilling operator's acknowledgement certification block.</p> <p>m. The following notes shall be included on the Drilling and Site Improvement Plans:</p> <p>(1) The applicant shall comply with all rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC).</p> <p>(2) The applicant shall comply with all rules and regulations of the Colorado Department of Public Health and Environment (CDPHE).</p> <p>(3) The applicant shall maintain on-going compliance with all conditions of the Town and Windsor-Severance Fire Rescue.</p> <p>(4) The facilities shall be kept clean and otherwise properly maintained at all times.</p> <p>(5) The existing access may be utilized for oil and gas well activities. This access point is temporary and will be required to be removed at such time that permanent access is available in the future.</p> <p>2. The applicant shall address and comply with the conditions of Windsor-Severance Fire Rescue.</p>		
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Total: 7 comment(s)

**BMP**

<u>Type</u>	<u>Comment</u>

Total: 0 comment(s)