



May 21nd, 2013

Finney Land Company
Attn: Mike Finney
PO Box 2471
Durango, CO 81302

**RE: Minor Oil and Gas Facility Application Permit #: 2013-0040
Elm Ridge Exploration – IGE #140**

Dear Mr. Finney:

The application for the above referenced Oil and Gas Facility (“Facility”) is:

- Complete.
- Incomplete - The attached specified deficiencies exist.

Upon review of the above referenced application, the following determination has been made:

- Granted administrative approval in accordance with Section 90-73 of the Oil and Gas Regulations of the La Plata County Land Use Code (LPLUC), subject to the conditions of approval herein.
- When you have remedied the identified defects or deficiencies and submitted the appropriate documentation on the items specified, this office will again consider your application.
- Denied Administrative approval, in accordance with the regulations, you may correct the defects or deficiencies specified and resubmit the application or you may appeal to the Board of County Commissioners as per Section 90-73 of the LPLUC. It is the determination of the Planning Department of La Plata County, Colorado that the proposed Oil and Gas facility, referenced herein as submitted, cannot be operated in compliance with all applicable standards or requirements of these regulations for the reasons attached.

I, Courtney Roseberry, Oil and Gas Planner for the Planning Department of La Plata County, Colorado, certify that I have reviewed the above referenced application, in accordance with the Oil and Gas Regulations of La Plata County, Colorado and have notified the Applicant's agent of my decision.

Signed:  _____

Date: 5/21/13

La Plata County Minor Oil and Gas Facility Permit Application



Planning Department
1060 E. 2nd Ave.
Durango, CO 81301
970-382-6263
[http:// co.laplata.co.us](http://co.laplata.co.us)



County Use Only - Date Received

--APPLICATION MUST BE SUBMITTED IN PERSON OR VIA U.S. MAIL.
--DO NOT STAPLE MATERIALS
--VERIFY FEES PRIOR TO SUBMITTING
--PLEASE REFER TO CHAPTER 90 OF LA PLATA COUNTY CODE
@ http://www.co.laplata.co.us/departments_and_elected_officials/planning/natural_resources_oil_gas

Application Fees Submitted: \$ 1,300.00 Additional Fees Submitted: \$ \$7500.00 Tier III Fee

Proposed Facility Name IGE 140

12 digit Parcel #: 595317300187 Sec., Twp., Rng.: 17, T.33N, R.8W

Lat/Long (decimal degrees)Measurements from Section Lines 37.09995 lat. / 107.74651 long. 1205' FSL, 1073' FWL

Applicant: Elm Ridge Exploration Co. LLC Contact Person: Terry Lindeman

Address: P.O. Box 156, Bloomfield, NM 87413 Phone: 505-632-3476 ext. 210

Designated Agent: Yes No (If Yes, please provide proof of designation)

Agent: Finney Land Co. Contact Person: Doug Joyce

Address: P.O. Box 2471, Durango, CO 81302 Phone: 970-259-5691, 970-769-0488

Emergency Contact: Terry Lindeman Phone: 505-632-3476 ext. 210

Surface Owner: Roger and Mary Porterfield Surface Owner: _____

Address: 3599 CR 318, Ignacio, CO 81137 Address: _____

Phone: 970-563-9003 Phone: _____

APPLICANT'S CERTIFICATION OF COMPLIANCE:

I, Michael J. Finney, as designated agent for Elm Ridge Exploration Co., LLC

(Applicant), hereby certify that the information provided to La Plata County within and related/attached to this application complies with all La Plata County and State of Colorado regulations and is true and accurate. The Applicant will be held legally responsible for all acts, errors and omissions arising from the development specified herein, and which is undertaken by the Applicant, Applicant's Employees, and any independent contractors and subcontractors pursuant to the approval of the application by La Plata County. By signing this application in accordance with all of the regulations of the La Plata Land Use Code, I hereby authorize La Plata County Employees to inspect the site for the Proposed Facility at any time before approval or denial of this application and upon reasonable notice after approval of this application.

Signature: Date: 4-23-2013

COUNTY USE ONLY BENEATH THIS LINE

Based on the information provided herein, this Minor Oil and Gas Facility Permit Application complies with Chapter 90 of the LPLUC and is hereby approved and permitted.

Name: Courtney Roseberry Title: NR Planner

Signature: Date: 5/21/13

CONDITIONS OF APPROVAL: See Attached

Permit/Project # 2013-0040 Land Use Planning District: _____

Project Name: _____ District Land Use: _____

La Plata County Land Use Code Conditions of Approval

Conditions of Approval:

1. The applicant shall submit a listing of the equipment located at the IGE # 140 facility site to the La Plata County Planning Department at eighteen (18) months after the drilling and completion of the well. The equipment listing shall include the total number, size, type and model of equipment. The equipment listed will become this facility's approved and permitted equipment. LPLUC § 90-19 (*Permanent equipment*).

Any future equipment changes will require the applicant to notify the county of these changes.

NOTE: Changes to permanent equipment include, but are not limited to, changes of existing equipment or additions of any piece of equipment that result in greater land use impacts. A modification of permanent equipment shall require the applicant to submit a narrative, site plan, visual mitigation plan, and appropriate fees per the specifications outline in this chapter. LPLUC § 90-44(b).

2. Elm Ridge agrees to install sound walls in the direction of the Porterfield residence if well equipment is installed that contains internal combustion engines (i.e. artificial lift units) and is not required to be or cannot be feasibly electrified, per the 5/15/2013 email sent from Doug Joyce (Finney).
3. At the request of the landowner, Elm Ridge agrees to consult the Porterfields in order to provide reasonable accommodations during drilling and completion activities to avoid negative impacts on the resident's current health problems, per the 5/15/2013 email sent from Doug Joyce (Finney).
4. Approval granted for the Facility shall expire or be considered revoked if drilling operations have not commenced within two years from the date of this approval, or three years with a valid permit extension. LPLUC § 90-44(a)
5. Dust shall be suppressed throughout construction, drilling and operational activities. LPLUC § 90-124(c)(8).
6. The applicant shall adhere to all applicable Roads and Access requirements of 90-124(c), which include but are not limited to Traffic Control Plans, Mud Tracking, Driveway Permits, and Use of chains on large equipment. These requirements are listed on the attached page.
7. All minor facilities shall be colored in uniform or camouflaging, non-contrasting, non-reflective color tones, similar to BLM Standard Environmental and Supplemental Colors coding system. Colors matched to the land, not sky, slightly darker than the adjacent landscape. LPLUC § 90-123(c)(5)(a),(b).

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8. At all times best management practices shall be used to prevent stormwater discharges from impacting surface water quality. LPLUC §90-123(c)(8).
9. All equipment and structures shall be minimally sized to satisfy present and future functional requirements.
10. When the Facility becomes operational, all construction-related debris shall be removed from the site. This site shall be maintained free of debris and excess material at all times during operation. LPLUC § 90-124(d)(1)
11. Weed control and re-vegetation at the Facility shall be performed per LPLUC § 90-124(e)(1),(2) and § 90-124(g)(1),(2),(3)
12. Sound emissions shall at minimum be in accordance with the standards as adopted, and amended from time to time by COGCC. LPLUC 90-122(d)(5).
13. Applicant shall be required to adhere to all other applicable regulations for the construction and operation of the Facility, as outlined in Chapter 90 of the LPLUC.

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90-124(c) Roads and access. Roads and access driveways for all new facilities shall be constructed in compliance with the minimum safety, construction, and maintenance standards provided in section 74-97(g)(4-17) and 74-91(c)(7) of subpart b. In addition, minor and major facilities must meet the following standards:

- (1) Applicant shall remove or require the removal of chains from its heavy equipment before entering a county road.
- (2) If mud and/or debris is tracked onto the county road by applicant or its subcontractor's equipment, applicant shall remove same and restore the condition of the road as promptly as is reasonable under the circumstances.
- (3) All new roads, unless waived by the director, shall have gravel access and well pads with a minimum of six inches of either Class 6 or Class 2 Aggregate Base Course over a stabilized base as defined by the Colorado Department of Transportation Standard Specifications for Road and Bridge Construction. The road or access driveway shall be maintained to this standard throughout permanent operations of the facility.
- (4) For all new access roads, a vehicle tracking pad with a length of 60 feet, or alternative director-approved best management practice, and minimum rock diameter of three inches shall be required for the construction period.
- (5) Applicant shall provide information demonstrating that it has the right to use access roads located between the parcel on which a facility is to be located and the applicable county road or state highway.
- (6) Applicant shall obtain a county driveway permit if applicable, and comply with all CDOT access standards as outlined in the CDOT State Highway Access Code. Temporary widening of driveways for the transportation of heavy machinery shall be permissible with a valid county driveway permit for a period of no longer than one year at which time the driveway shall be returned to County standards. The maximum permissible widening along a County Road shall be 90 feet.
- (7) Applicant shall provide a Traffic Control Plan to the County Public Works Department prior to facility pad construction, drill rig movement commencement of construction, mobilization, demobilization, or any other disruption of two-way traffic, unless the requirement is waived by the County Public Works Department Director.
- (8) Dust shall be suppressed throughout construction, drilling and operational activities.