



COLORADO

**Oil & Gas Conservation
Commission**

Department of Natural Resources

1120 Lincoln Street, Suite 801
Denver, CO 80203

Mr. Mark Hurd
Ms. Margie Hurd
308 South Hayesmount Road
Watkins, Colorado 80137
mmhurd@msn.com

May 20, 2014

Re: Prosper Farms 4-65 13-14 1H Oil and Gas Location Assessment Document
#400545193

Dear Hurd Family,

The Colorado Oil and Gas Conservation Commission (COGCC) has received and reviewed the public comment pertaining to an Oil and Gas Location proposed by Burlington Resources Oil & Gas LP (Burlington). Burlington submitted a Form 2A (Document #400545193) on January 30, 2014 for a proposed Oil and Gas Location in Section 14 Township 4S Range 65W in Arapahoe County Colorado.

By statutory mandate, the COGCC enforces Rules regulating oil and gas development to protect public health, safety, and welfare, including the environment and wildlife resources. In 2009, the newly amended Rules took effect and established the Form 2A, Oil and Gas Location Assessment process, which provides for a site-specific review of the planned surface disturbance associated with a proposed Oil and Gas Location. In this review process, the COGCC may utilize onsite inspections, consultation and input from the Colorado Department of Public Health and Environment, Colorado Division of Wildlife, local governments, surface owners and interested public. Using this input, the COGCC reviews the Rules and the operators' proposed best management practices (BMPs) in consideration of all the geographic, environmental and public health and welfare conditions observed and evaluated and then develops and applies conditions of approval (COAs) to address situations that require additional safeguards beyond the extent of the Rules.

During the site specific Form 2A review process for this location, the COGCC reviewed information related to public health and welfare, including proximity to residences and other public use areas; public comments; and the development plan for the location, including type of equipment, duration of planned activities, and operational plans and practices.

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Commissioners: Thomas L. Compton - Chairman, Richard Alward, John H. Benton, DeAnn Craig,
James W. Hawkins, Tommy Holton, Andrew L. Spielman, Mike King, Dr. Larry Wolk

John W. Hickenlooper, Governor | Mike King, Executive Director, DNR | Matthew J. Lepore, Director



After consideration of the input and comments received from you, the COGCC understands that your concerns include impacts to air quality resulting from fugitive dust and emissions, noise resulting from both equipment transportation and drilling operations, spill prevention, lighting, and traffic control.

The Rules developed and adopted by the COGCC dictate measures to be employed by operators to ensure public health, safety and welfare and mitigate many of the concerns raised in your comment. In addition, locations with nearby receptors (i.e. residential units) may require additional BMPs to enhance these measures and provide additional safeguards beyond those as set forth in the Rules.

Based on our review, the COGCC and Arapahoe County (County) representatives have worked closely with the operator to refine a number of their proposed BMPs and we have developed site-specific COAs to provide additional protection for public health, safety, and welfare.

Understanding that fugitive dust impacts can become both a nuisance and a hazard, the COGCC has applied a COA to the permit requiring the operator to strictly enforce reduced speeds of, no greater than 15 miles per hour within 500 feet of either direction of your property and along the access route. Arapahoe County has required the same of the operator. The access road will be constructed of crushed granite to reduce dust emissions and dust suppressant methods will be employed prior to potentially dust generating activities and visual emissions of dust. Although revegetation is an excellent mitigation method for dust control, portions of the pad will be left non-vegetated or may be gravel covered for continued use of the pad through the lifetime of the wells. However, our Rules stipulate that drilling locations shall be designed and constructed to provide a safe working area while reasonably minimizing surface disturbance and require revegetating areas no longer in use, no later than three months after drilling operations cease.

Further air quality issues are regulated by the CDPHE and include regulations to reduce impacts from equipment emissions. These regulations can be found on the CDPHE website at <http://www.colorado.gov/cs/Satellite?c=Page&childpagename=CDPHE-AP%2FCBONLayout&cid=1251597643322&pagename=CBONWrapper>

To reduce impacts from noise and traffic, the COGCC has applied a COA to the permit requiring the operator to minimize night time traffic, reduce speeds around the residence, and prohibit the use of Jake Brakes. Noise will be further mitigated by designing the site layout in such a manner that will minimize noise impacts and the operator has agreed to the use of noise mitigation measures, if appropriate.

Additional comments and concerns regarding lighting, noise monitoring, and spill prevention have been addressed in the the COGCC Rules, the County Memorandum of Agreement, and operator BMPs.

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In addition, the COGCC has also required the operator of this location to notify us 48 hours prior to commencing construction, 24 hours prior to rig mobilization, and 48 hours prior to beginning fracture stimulation operations. This will allow for the COGCC to conduct coordinated inspections at critical times of operations and work with the operators to ensure that the prescribed measures are in place and effective. If warranted, the COGCC can work with the operator to further refine or enhance the measures taken.

It is anticipated that the Oil and Gas Location Assessment, Form 2A will be approved as early as May 23, 2014, with the COAs and BMPs as shown on the Form 2A. The Form 2A can be found on the COGCC website at <http://cogcc.state.co.us>. We thank you for your participation in the process and appreciate the valuable input you have provided.

Sincerely,
Colorado Oil and Gas Conservation Commission

A handwritten signature in blue ink, appearing to read "Melissa M. Housey", is written over a faint, light blue circular stamp or watermark.

Melissa M. Housey, P.G.
Oil and Gas Location Assessment Specialist

Cc:
Justin Carlile
Diane Kocis
Greg Deranleau