

From: [Asher Weinberg](#)
To: [Arthur Koepsell - DNR](#); [Julie Webb](#)
Cc: [Greg Deranleau - DNR](#)
Subject: RE: Noble Sundry Notices requesting Exceptions to Rule 318A.f
Date: Friday, September 25, 2015 11:28:02 AM
Attachments: [Water Well Sampling \(19.9 KB\).msg](#)

Arthur,

Please see the detailed documentation below showing Noble's efforts to obtain consent to conduct follow up sampling:

Moser H22-765 (Document # 400899405)

Moser State H22-785 (Document # 400899408)

John Moser – Landowner

- Noble mailed initial access letter to landowner on 12/11/14
- Access letter received by Noble on 12/31/2014
- Noble's third party consultant on site to sample wells on 1/19/15 – Consultant had questions regarding flow of water on location. Tenant farmer was unable to help. Landowner put consultant in touch with farm hand for the property. When consultant attempted to contact the farm hand, the phone system was down.
- Noble mailed a second access letter to the landowner on 3/2/2015
- Noble received access on 3/16/2015
- The consultant made additional attempts to contact the landowner by phone on 3/31/15 and 4/7/15 with no response.
- Consultant emailed the landowner on 8/7/2015 (attached) with no response.

NCLP AA06-63-1HNB (Document # 400899414)

Previous Landowner: D & D Bashor Farms LLC

Current Landowner: Nick and Gloria Kallsen

- Noble mailed initial access letter to new landowner on 8/10/2015; no response
- Noble's third party consultant hand delivered access letter to landowner on 9/22/2015; still no response.

If you have any questions please get back to me. Thanks,

Asher Weinberg
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From: Arthur Koepsell - DNR [mailto:Arthur.Koepsell@state.co.us]

Sent: Friday, September 18, 2015 3:15 PM

To: Julie Webb; Asher Weinberg

Cc: Greg Deranleau - DNR

Subject: EXTERNAL: Noble Sundry Notices requesting Exceptions to Rule 318A.f

Julie and Asher,

The COGCC has been reviewing document numbers 400899405, 400899408 and 400899414 which request exceptions to Rule 318A.f. A review of the attachments to all three of the Sundries indicate that Noble is only making one attempt to contact the owners of potential water sources by uncertified mail. Rule 318A.f. provides important data that is demonstrative to individual water well owners and the public at large that oil and gas development is not negatively impacting water quality and gives confidence that it would be caught quickly, therefore the COGCC does not consider a single letter requesting consent to sample a water well to be a reasonable good faith effort.

The COGCC recognizes that a potential water source owner did grant access in December 2014 and March 2015 but could not be contacted to actually collect a sample. However, Noble had six months between March (the last documented contact) and September to follow up with that owner or other potential water source owners. For example, the attachment for the Sundry Notice for the Moser H22-567 (doc number 400899405) identified six additional potential water source owners for which attempts to gain consent by phone or direct contact could have been made.

At this time Sundry Notices 400899405, 400899408 and 400899414 will be put on hold until Noble provides additional documentation of their efforts including attempts to contact the owner that granted consent but then could not be contacted. Please provide documentation demonstrating Noble's reasonable good faith efforts to obtain consent to conduct sampling by October 2, 2015.

Please contact me if you have any questions.

Thanks,

Arthur

Arthur W. Koepsell, P.G.
Environmental Data Analyst



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