

Reception#: 870936
12/01/2015 11:18:23 AM Jean Alberico
1 of 4 Rec Fee \$0.00 Doc Fee 0.00 GARFIELD COUNTY CO

LAND USE CHANGE PERMIT

for

A Parcel of Land Located approximately 14.5 miles north of the Town of Parachute off of County Road 215, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T5S, R95W, owned by Encana Oil and Gas (USA) Inc. and further described in the legal description attached as Exhibit "A".

(Assessor's Parcel No. 2135-273-00-015)

In accordance with and pursuant to provisions of the Garfield County Land Use and Development Code, as amended, and the Director's Decision Letter dated April 23, 2015, the Director of the Community Development Department hereby authorizes the following activity:

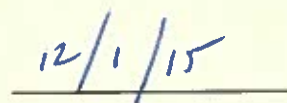
*A Storage Facility, known as the Encana F29 Storage Facility (Laydown Yard), approximately 2.68 acres in size on an overall tract of 26,442 acres as shown on the site plan attached as Exhibit "B".
(GAPA-8221)*

This Administrative Land Use Change Permit is issued subject to the conditions set forth in Exhibit "C" and shall be valid only during compliance with such conditions and other applicable provisions of the Garfield County Land Use and Development Code, as amended, Building Code, and other regulations of the Board of County Commissioners of Garfield County, Colorado.

COMMUNITY DEVELOPMENT DEPARTMENT
GARFIELD COUNTY, COLORADO



Fred A. Jarman, AICP
Director of Community Development



Date

Exhibit A

Encana Oil and Gas (USA)

Legal Description

Garfield County Parcel #2135-273-00-015

Section: 27 Township: 5 Range: 96 SEC 2 LOT 4(NET 27.16A) ALSO A TR IN SEC 2&11 CONT 341.07A SEC 3 S2NE, S2NW, S2 LOT 1(40.82A) 2(40.69A) 3(40.57A) 4(40.44A) SEC 4 S2NE, S2NW, S2, LOT 1(40.33A) 2(40.21A) 3(40.11A) 4(39.99A) SEC 5 S2NE, S2NW, S2 LOT 1(39.80A) 2(39.52A) 3(39.24A) 4(38.96A) SEC'S 8,9,10 ALL SEC 14 W2NE, NW, S2 SEC 15 W2NE, NENE, NW, S2 SEC 16 ALL SEC 17 E2 SEC'S 21,22,23,24 ALL SEC 25 TR 37(107.06A) LOTS 1(37.84A) 2(37.42A) 6(6.55A) 7(11.27A) N2NE, W2, SWSE SEC'S 26,27,28 ALL SEC 33 N2NE, NENW, E2NWNW SEC 34 NE, N2NW, SENW SEC 35 N2 SEC 36 N2, & PT OF THE SE(NET 116.88A) EXCEPT A PT ALONG THE C/L OF PARA. CRK. TO POB CONT 43.32A SEC 15- 5-95 A PT OF SEC 15 CONT 467.62A SEC 16 ALL THAT PT LYING S OF SOUTHERN MOST MAHOGANY MARKER CONT 386A SEC 17 S2S2, THAT PT OF THE N2S2 LYING S OF THE SOUTHERN MOST MAHOGANY MARKER CONT 41A SEC 19 E2, LOTS 1(40A) 2(40A) 3(21.41A) 4(21.42A) 5 (40A) 6(40A) 7(40A) 8(40A) 9(21.44A) 10(21.45A) 11(40A) 12(40A) SEC'S 20,21,22,27,28,29 ALL SEC 30 E2 LOTS 1(40A) 2(40A) 3(21.49A) 4(18.78A) 6(40A) 7(40A) 8(40A) 9(40A) 10(14.95A) 13(18.21A) 14(40A) 15(40A) TR 37(12.93A) SEC 31-5-95 NE LOT 1(40A) 2(40A) 3(21.79A) 4(21.93A) 5(40A) 6(40A) 7(40A) 8(40A) 9(22.07A) 10(22.21A) 11(40A) 12(40A) SE SEC'S 32,33,34 ALL SEC 1-6-96 LOT 3(43.51A) 4(43.41A) 5(43.31A) 6(43.21A) 7(40A) 8(40A) 9(40A) 10(40A) 11(40A) 12(40A) 13(40A) 14(40A) SEC 2 SW, SE, LOT 1(43.12A) 2(43.05A) 3(42.97A) 4(42.90A) 5(40A) 6(40A) 7(40A) 8(40A) 9(40A) 10(40A) 11(40A) 12(40A) SEC 3 E2SW, SE LOT 1(42.81A) 2(42.72A) 3(42.63A) 4(20.87A) 5(19.63A) 6(40A) 7(40A) 8(40A) 9(40A) 10(40A) 11(40A) 12(19.65A) 13(19.67A) 14(19.69A) SEC 4 LOT 3(52.68A) 4(54.26A) 6(42.70A) 7(39.50A) 8(39.57A) 9(40.27A) 10(41.11A) 12(41. 53A) 13(41.63A) 14(40.82A) THAT PT CONT 82.40A IN LOTS 1&11, S2NW, NWSW, SEC 9-8-96 LOT 1(44.30A) 2(44.01A) 3(42.51A) 4(42.21A) 5(42.40A) 6(43.67A) 7(43.95A) 8(40.60A) 9(40.85A) 10(40.51A) 11(40.77 A) 12(40.86A) 13(40.80A) 14(40.53A) 15(40.28A) SWNW SEC 10 NE, E2NW, LOT 1(19.70A) 2(19.72A) E2SW 3(19.72A) 4(27.46A) SE SEC 15 W2NE, NW, SW, W2SE SEC 16 E2SW, SE LOT 1(15.47A) 2(15.42A) 3(15.37A) 4(8.36A) 5(28.74A) 6(40A) 7(40A) 8(40A) 9(40A) 10(40A) 11(40A) 12(38.04A) 13(39.74A) 14(39.27A) SEC 21 SE, E2NW, N2SE LOT 5(26.95A) 6(26.97A) 7(26.98A) SEC 22 NE, NW, N2SW, LOT 1(27. 02A) 2(27.07A) EXCEPT 67.18 AC FOR CO.RD. 215 ROW AND SLIDE PARCEL. EXCEPT A TR OF LAND KNOWN AS THE CHEVRON RESERVOIR RIGHT OF FIRST REFUSAL PARCEL CONT 958.3 ACRES AND DESC IN BK 1602 PG 342. MINE & RETORT AREA

PROJECT LOCATION DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE1/4 NW1/4 OF SECTION 29, T5S, R95W, 6th P.M., GARFIELD COUNTY, COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29 AND RUNNING
THENCE S89°46'19"E, 1589.35 FEET ALONG THE NORTH LINE THEREOF;
THENCE S0°13'41"W, 2027.03 FEET TO THE POINT OF BEGINNING;
THENCE N42°37'19"E, 63.16 FEET; THENCE N54°14'05"E, 128.66 FEET;
THENCE N62°59'03"E, 104.68 FEET; THENCE N67°19'21"E, 83.02 FEET;
THENCE S89°22'19"E, 26.23 FEET; THENCE S68°10'56"E, 131.61 FEET;
THENCE S80°40'21"E, 52.94 FEET; THENCE N89°35'11"E, 35.63 FEET;
THENCE S22°06'24"E, 93.57 FEET; THENCE S80°36'19"W, 38.25 FEET;
THENCE S68°25'02"W, 204.60 FEET; THENCE S66°02'33"W, 179.61 FEET;
THENCE S72°49'00"W, 87.85 FEET; THENCE S79°33'43"W, 223.98 FEET;
THENCE N11°00'10"W, 47.99 FEET; THENCE N68°34'20"E, 142.56 FEET;
THENCE N13°39'32"W, 66.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 2.683 ACRES, MORE OR LESS.

THE BASIS OF BEARING FOR THIS SURVEY IS N0°09'11"E, 2653.89 FEET BETWEEN FOUND MONUMENTS AT THE WITNESS CORNER TO THE EAST ONE-QUARTER CORNER AND THE WITNESS CORNER TO THE NORTHEAST CORNER OF SECTION 29, T5S, R95W, 6TH P.M.

Exhibit B

Site Plan

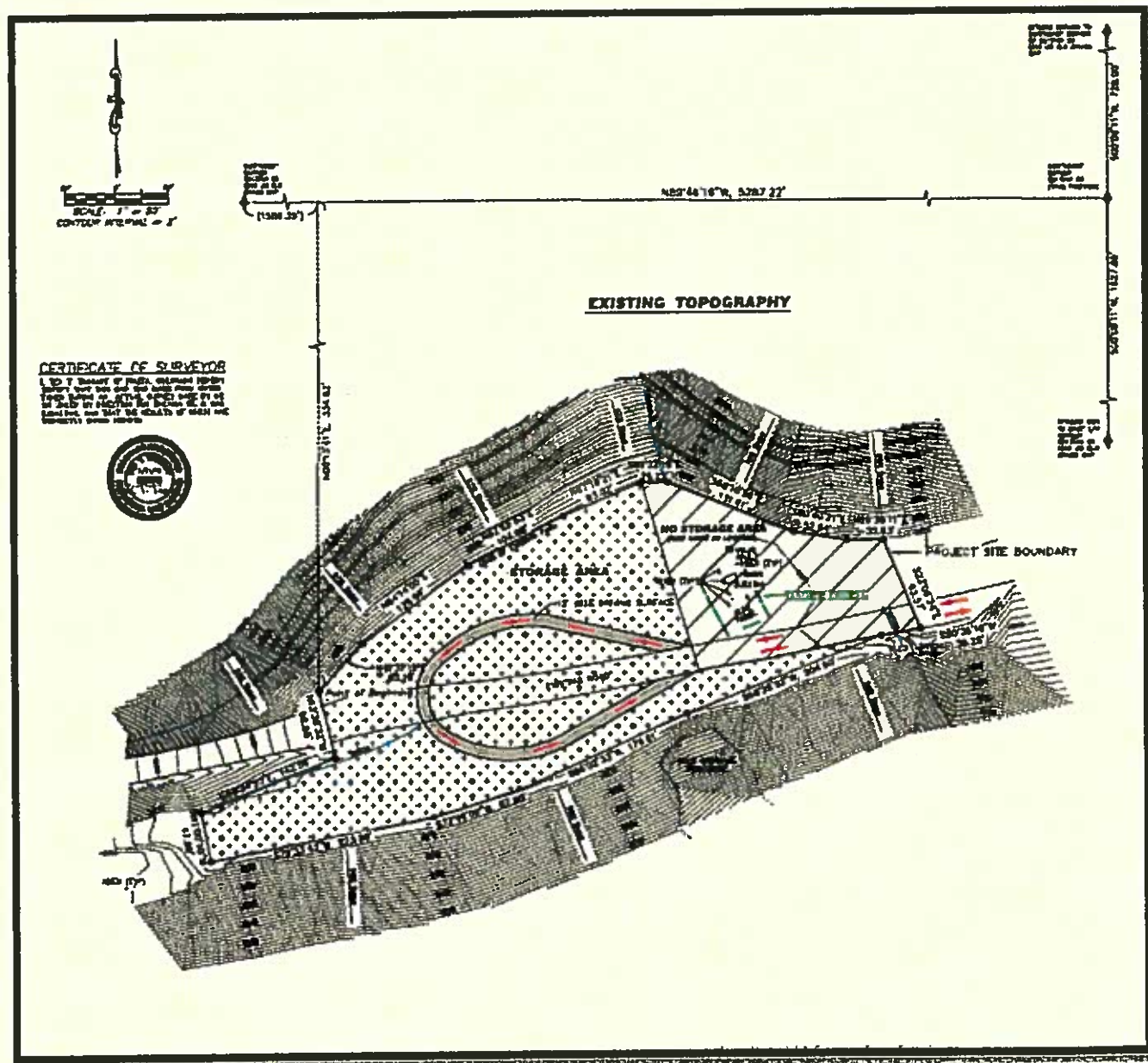


Exhibit C

Conditions of Approval

1. That all representations made by the Applicant in the application shall be conditions of approval unless specifically altered by the conditions of approval.
2. That the Encana Oil and Gas (USA) Inc. F29 Storage Facility shall be operated in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
3. Prior to issuance of the Land Use Change Permit, the Applicant shall prepare a supplemental engineering assessment of geohazards associated with rock fall and landslide potential which report shall include any recommendations for mitigation. Said supplement shall be subject to review by the County's Consulting Engineer. Installation or implementation of the recommendations of said report shall be conditions of approval.
4. Prior to issuance of the Land Use Change Permit, the Applicant shall provide an updated site plan that shall include the following:
 - a. Delineation of any rock fall hazard mitigation pursuant to the supplemental engineering assessment on rock fall and slope stability issues.
 - b. Delineation on the site plan or site plan notes setting forth general circulation patterns for vehicle access and storage areas on the site including protection of existing equipment (risers and valves) on the site.
 - c. Delineation on the site plan or site plan notes identifying grading and drainage improvements, the weir location, any additional grading and drainage BMP's.
5. Prior to issuance of the Land Use Change Permit the Applicant shall provide a supplement to the Final Drainage Report prepared by Olsson and Associates (dated 1/16/15) to include an assessment of the performance of the existing improvements (berms and riprap) and any additional BMP's appropriate to address potential for sediment transport or soil erosion. Installation or implementation of the recommendations of the report and the supplemental assessment shall be conditions of approval. Ongoing maintenance of the improvements shall be required.
6. The Applicant shall maintain all elements of the roadway access system to the current standards reflected in the Olsson Roadway Standards Assessment.
7. The facility shall maintain compliance with the Storm Water Management Plan, Reclamation Plan, Fugitive Dust Control Plan, and Weed Management Plan.
8. The Applicant shall maintain in place a bond with the COGCC for Reclamation of the site.
9. The Applicant shall comply with the recommendations from Colorado Parks and Wildlife (CPW) and the provisions of the Encana/CPW North Parachute Ranch Wildlife Mitigation Agreement.
10. Weed Management on the site shall specifically include work to prevent the spread of Redstem Filaree and removal of weedy vegetation to limit wildfire fuels.