



Valentine Ranch, LLC

23085 CR 43.7
Aguilar, CO 81020

Date: January 10, 2016

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Environmental Manager
COGCC
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Response: Assessment of COGCC Spill Number: 400905336 Dated: 11/19/2015

Spill Issues: 400905336

The final report on this spill was dated 11/19/2015 , 64 days after the beginning of the spill.

Reference Doc: [400902883_approvedspillsept2015.pdf](#)

The spill ran down the lease road for about 225' where it left the access road and entered a dry drainage that was considered waters of the state with no live water.

Response:

A complete analysis requires determination of how long it will take adverse chemicals released from the spill to contaminate wet lands and live water from transit snow and rain precipitation. This needs to be addressed in all spills since it cannot be ignored when CBM Waste Water is released into a "dry drainage". This drainage is one of the most productive wildlife and livestock water sources in the area. It is also one of the few that remained loaded with large, live pools during the 2002 and 2012 droughts. There is also a livestock pond, containing water that is traversed by the Methane and CBM Water Pipelines. *The drainage is live, and has lots of water, even after the late summer drought.*

The blowout started late Thursday evening (9/17/15), and surface discharge ran until early Saturday morning (9/19/15), at which time it appeared to flow underground following the pipe. The blowout was heaviest Friday night (9/18/15). Discharge water appeared to flow underground until Sunday morning (9/20/15) at which time the pumps were shut off. Some residual flowed after that.

Although a timely form 19 was submitted to COGCC, the adjacent development owner's downstream of the drainage were not notified. The source water protection people in Aguilar were not notified.

There was excavation at the same site early in September. COGCC indicated that there was another incident in the area, neither occurrence could be found on Skytruth. Was the early September activity the first incident?

Reference Doc: [400902883_approvedspillsept2015.pdf](#)

Estimated total volume of spill 5bbls. The spill ran down the lease road for about 225' were it left the access road and entered a dry drainage that was considered waters of the state with no live water.

Response:

The claim that only 5-barrels of waste escaped is in question. While the reported surface discharge distance was 225' (COGCC reports 400'), the transit science of soils in this area indicate that 5 barrels probably wouldn't get 20'. In as much as the Pioneer employee saw the physical discharge Friday afternoon, it is difficult to believe only a nominal amount of 5 barrels would be reported in the report document. Considering the evidence, conservatively, somewhere around 330 barrels were released.

Only two CBM wells are mentioned in the reports, including the chemical analysis report, but it appears that a third well is on the pipe line, and upstream of the junction. If true, the reports are incomplete.

It was readily evident that livestock drank from the bubbling spill pool. How this could have been overlooked in the report is mystical.

Reference Doc: [400905336](#)

Cause of spill "human error".

Response:

The COGCC report gave the cause of the blowout as human error. There appears to be a design/maintenance disconnect since there have been numerous blowouts in a relative small area since 2002.

Road Maintenance

Reference Doc: [Insp. 673502977](#)

"... access road had been recently graded"

Response:

Pioneer Natural Resources has to traverse about six miles of a rural developments maintained roads to

check their well sites. Normally, CBM well employees drive the roads daily. The Valentine Ranch utilizes the roads but subsidizes some of the costs of maintenance. Pioneer Natural Resources installed gas and water pipelines on and along these roads changing the structure and burying the gravel purchased by the development to make the roads safe and usable. There is also storm water erosion caused primarily by the pipeline construction, making one area extremely dangerous. As a result of the last heavy snow (11/17/15) the development paid a snow remover a heavy sum to clear their roads however there was no financial support from Pioneer Natural Resources as they entered after the roads were cleared. The owners in the Development have several times, communicated this to Pioneer Natural Resources and advised COGCC. The roads to this date have seen minimal and inadequate attention from the CBM producers. The spill is not on the development but the COGCC report noted that the roads in the spill area had been graded. One more instance where the local residents are forced to subsidize Pioneer Natural Resources costs of doing business.

Other Issues:

The CBM waste water is pumped by submersible pumps powered by commercial engines. Although the pumps were turned off the engines ran for almost a month. This has a direct impact on the Apishapa Valley environmental and is not cost effective for the CBM Producers. There will possibly be a direct effect of the revenue for the Shareholders and Royalty owners.

Thank you for your time.
D.A. Valentine