

# PIONEER

## NATURAL RESOURCES

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Pioneer Natural Resources USA Inc.  
5205 N. O'Connor Blvd. Suite 200  
Irving, Texas 75039-3746  
Main: 972-444-9001 Fax: 972-969-3576

October 3, 2017

Director Matt Lepore  
Colorado Oil & Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203

RE: COGCC Rule 502.b Variance Request for 1001.c Surface Owner Waiver  
for the Cora 12-19 Offsite Pit / Facility ID: 258353  
Township 33 South, Range 65 West, Section 19  
Las Animas County, Colorado

Dear Director Lepore,

Pioneer has obtained from a private surface owner a Surface Owner Waiver under Rule 1001.c for final reclamation of the Cora 12-19 Offsite Pit and related access road. The offsite pit was originally constructed at a location approved by the landowner; the landowner wishes the pit to remain in place for the purposes of livestock and wildlife watering. We have performed final reclamation on this location in accordance with the surface owner's request. Due to the surface owner's final reclamation requests of the offsite pit and access road, whose future use will be utilized by the landowner for beneficial purposes of livestock and wildlife watering, we are requesting your approval for a variance from requirements of the specific sections of the 1004 rule as specified in Section III "Reclamation Plan Details" of the Site-Specific Final Reclamation Plan within this document. We have provided all of the information and documentation in accordance with COGCC Operator Guidance on Rule 1001.c: Reclamation Variances and Waivers from December 17, 2015.

Pioneer has entered into an agreement with the surface owner regarding topsoil protection and reclamation of the Cora 12-19 Offsite Pit. Pioneer has also completed an evaluation of whether public health, safety and welfare will be protected and significant adverse environmental impacts would be prevented if compliance with the specific sections of the 1004 rule is not required. Pioneer's evaluation, along with evidence and demonstrations are included in the Site-Specific Reclamation Plan included in this letter.

The following attached documents for the Cora 12-19 Offsite Pit were developed in accordance with the December 17, 2015 version of the COGCC 1001.c: Reclamation Variances and Waivers guidance document:

**(1) "Final Reclamation & Pit Closure Agreement" and "Reclamation Consultation Form"**

\*These two documents fulfill the five requirements of Section I in the December 17, 2015 version of the COGCC 1001.c: Reclamation Variances and Waivers" guidance document.

**(2) "Site Specific Final Reclamation Plan"**

\*This document, along with all images and exhibits, fulfill the eight requirements of Section II.B in the December 17, 2015 version of the COGCC 1001.c: Reclamation Variances and Waivers” guidance document.

**(3) Pioneer’s Field-Wide Final Reclamation Plan and Best Management Practices**

\*This document provides more detailed information concerning the local environment and land conditions in the Raton Basin where Pioneer operators, as well as more detailed information concerning Pioneer’s application and use of specific reclamation practices and techniques.

We have made a good faith effort to provide the necessary information and evidence requested in the December 17, 2015 version of the COGCC 1001.c: Reclamation Variances and Waivers guidance document in order for the Director to evaluate our request for waiving specified provisions of Rule 1004 to fulfill the surface owner’s requests for final reclamation.

Pioneer is requesting this variance so that it can complete final reclamation in accordance with a private landowner’s request, and remain consistent with that landowner’s use of his/her property. We respectfully ask you to review and approve our variance request from the specified sections of the 1004 final reclamation requirements.

Sincerely,

Pioneer Natural Resources USA, Inc.

A handwritten signature in black ink that reads "LaCretia White". The signature is written in a cursive, flowing style. There is a small, faint circular stamp or mark to the left of the first letter "L".

LaCretia White, REM  
Staff Environmental Specialist

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# **Surface Owner Reclamation Letter Agreement**

Rule 1001.c. Surface Owner Waiver of 1000-Series Rules  
(Attachment)

# **PIONEER**

## **NATURAL RESOURCES**

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Pioneer Natural Resources USA, Inc.  
5205 N. O'Connor Blvd. Suite 200  
Irving, Texas 75039-3746  
Main: 972-444-9001 Fax: 972-969-3576

April 11, 2016

Burro Canyon Ranch LLC  
13283 County Road 53.5  
Trinidad, CO 81082

Re: REVISED Final Reclamation Letter & Pit Closure Agreement  
Cora 21-19 Pit / Facility ID 258353  
Township 33 South, Range 65 West, Section 19  
Las Animas County, CO

Mr. Taylor,

Pioneer Natural Resources USA, Inc. (Pioneer) consulted with you on September 9, 2015 regarding the plugging and abandonment of the Cora 21-19 and the disposition of the Cora 21-19 Pit (Facility #258353). During that consultation you requested that Pioneer not reclaim certain features of the Cora 21-19 Pit. The COGCC is requiring that Pioneer to obtain a formal agreement in order to turn this pit, in its current state, over to the surface owner. This letter agreement (including any exhibits) will set forth the final agreement between you and Pioneer regarding the Cora 21-19 Pit and final reclamation as required by the COGCC.

Exhibit 'A' to this letter agreement sets forth the specific reclamation plan for your property, including, identifying those specific portions of the location for which you have requested Pioneer waive final reclamation requirements under COGCC Rule 1004 and a description of the reclamation plans on those areas that are not subject to the waiver. Pioneer shall conduct its final reclamation in accordance with such plan.

The reasons you have provided for waiving Pioneer's obligation to perform final reclamation include:

- 1) You intend to use the location as-is and believe that it adds value to your property.
- 2) Additional surface disturbance necessary to return the pond to original contour would impede the success of reclamation and have a more substantial impact on the surface stability and current vegetative growth than leaving the surface in its current contour and condition.

Please be advised that the Cora 21-19 Pit was tested and the SAR (sodium adsorption ratio) in one sample was in exceedance of the COGCC 910 Reclamation Standards. The SAR in this sample was reported at a concentration of 14, and the standard states that it needs to be below 12.

This limit of 12 is based on recommendations made in the USDA Agricultural Handbook 60 for returning land for use as crop land. This reference can be found at this website link <http://www.ars.usda.gov/Services/docs.htm?docid=10158>.

By signing this agreement you are confirming that you have been notified of this exceedance and you are accepting the pond 'as-is' in its current condition. Your agreement is required to turn this pond over in its current condition for use as a stock pond, otherwise Pioneer will be required to reclaim and close the pond.

By waiving Pioneer's obligations for final reclamation required under COGCC Rule 1004 as set forth in this letter agreement, you are acknowledging that the current condition of the location subject to the waiver is satisfactory to you. By executing below and agreeing to the reclamation plan set forth in this letter agreement (including Exhibit A), you acknowledge that for that portion of the location for which you are granting the waiver, you are knowingly and forever waiving all reclamation protections otherwise afforded by COGCC Rule 1004. ***Additionally, you acknowledge that repurposing an oil and gas pit as a pond may have water rights implications and that Pioneer makes no representations or warranties about your ability to use such pit as a pond nor does it have any obligation to provide water to such pit.***

This letter agreement contains all of the agreements, conditions, promises and covenants between the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements, representations or understandings with respect to the subject matter hereof. This letter agreement shall be binding upon and inure to the benefit of the parties and their respective agents, officers, employees, shareholders, directors, insurers, legal representatives, heirs, successors and assigns. This letter agreement shall be construed and governed in accordance with the laws of the State of Colorado without regard to the choice of law provisions thereof. This letter agreement may be executed via facsimile or email by PDF format in one or more counterparts, all of which when taken together shall constitute one agreement.

If you are in agreement with the terms and conditions of this letter agreement, please sign below and scan and email a fully executed copy of this letter to Chris Hollmann at [chris.hollmann@pxd.com](mailto:chris.hollmann@pxd.com), or via mail in the enclosed self-addressed stamped envelope.

Sincerely,  
Pioneer Natural Resources USA, Inc.

  
Chris Hollmann  
Staff Landman

ACCEPTED AND AGREED TO THIS 11 DAY OF April, 2016  
Burro Canyon Ranch LLC

  
Doug Taylor, Owner-Manager

## EXHIBIT "A"

### Final Reclamation & Pit Closure Agreement

COGCC FACILITY/LOCATION STATUS: AC		Location ID: 258353	
API	Pit Name	Location	COGCC Rule Variance
N/A	Cora 21-19 Pit	T33S-R65W Sec. 19: NENW	Rule 1004.a.(1)

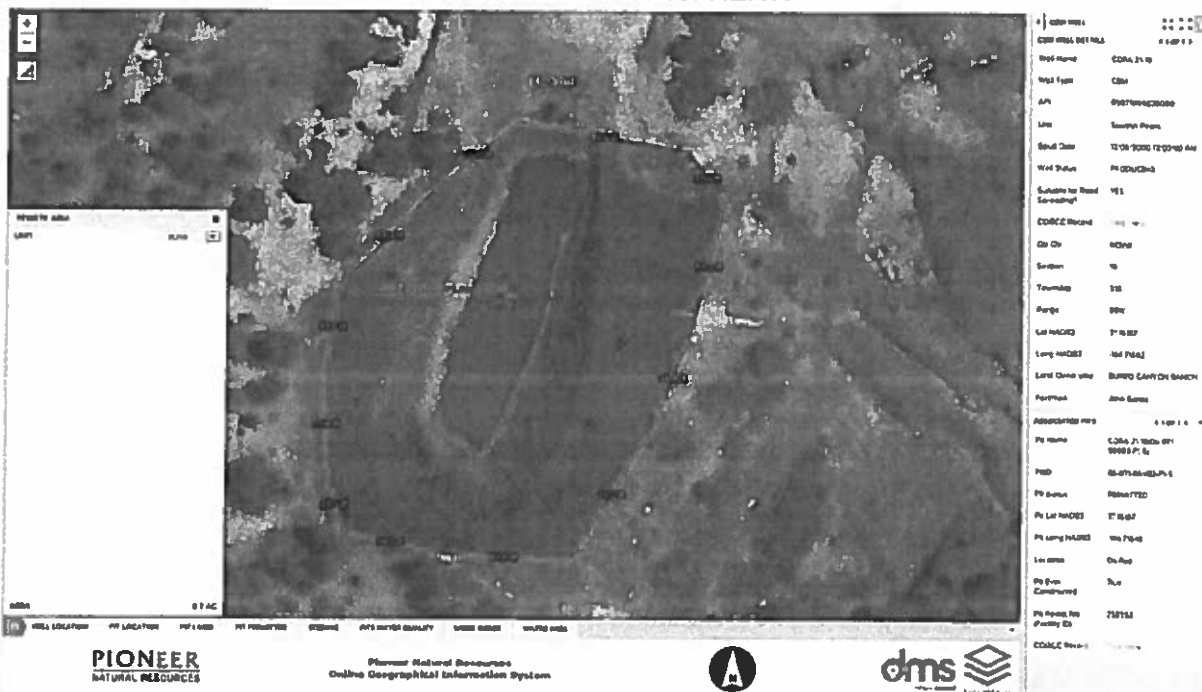
This document sets forth the specific reclamation plan for your property, including, identifying those specific portions of the location for which you have waived Pioneer's reclamation requirements under COGCC Rule 1004; and a description of the reclamation plans for those areas that are not subject to the waiver. Pioneer shall conduct its final reclamation in accordance with this plan.

Pioneer shall conduct final reclamation in accordance with requests made during your consultation on September 9, 2015 as follows:

- 1) Pioneer will remove all facilities, including piping, related to its operations from the pit and surrounding area.
- 2) The offsite pond will remain in place to maintain current vegetative growth to be used as a stock pond.

All other reclamation requirements required in COGCC Rule 1004 will be completed by Pioneer. Additionally, Pioneer shall perform all reclamation requirements as specified in COGCC Rule 1004 which cannot be waived by the Surface Owner.

#### Cora 21-19 Offsite Pond T33S-R65W Sec. 19: NENW



**Pioneer Final Reclamation  
Consultation Form**

Rule 305.f. (6) Final Reclamation Consultation

(Attachment)



Final Reclamation Landowner  
Consultation Form

WELL NAME: Lara 21-19

TWN 33 RNG 65 QTR/QTR NE/4 NW/4

Please confirm below if the road corridor and any associated stream or drainage crossing(s) on your property utilized by Pioneer to access this well existed prior to the drilling of the well:

☒ Existed prior to well drilling

Description of original road or  
corridor: Bunch Road prior to Drilling operations

What are your requests involving the well pad and associated access road on your property?  
Do you want Pioneer to perform:

☐ Full Reclamation and restore all disturbed areas as nearly as practicable to predrilling conditions within the boundaries of the surface use agreement

Description \_\_\_\_\_

☒ Partial Reclamation (identify improvements of value to you as a landowner (well pad, road, etc.) that you would like to retain

Description Keep Road in place as is, Drill 5' x 5' well pad  
leave gravel in place on well pad.  
well pad to be utilized as livestock feeding area.  
Road is old Bunch Road to access area.

Seed Mix to be used for Reclamation Reseeding and Revegetation

☒ Use Recommended NRCS Seed Mix

Comments or changes to this mix: \_\_\_\_\_

☐ Use Landowner Specified Seed Mix

Comments \_\_\_\_\_

(Provide seed mix tag for variance request)

Reclamation of Access Road(s)

What are your specific requests involving the access road on your property associated with this well?  
Do you want Pioneer to:

☐ Close the access road and reclaim and recontour. Grade and remove all culverts and any other road improvements and obstructions (fences, gates, cattle guards) that were a part of the access road,  
Comments: \_\_\_\_\_

☒ Leave access road, culverts, and other stormwater controls in place for Landowner's use.

Comments: leave Road, gravel & culverts in place.

Reclamation or other work to be completed on access road(s) if Landowner requests that the road be left in place for the Landowner's use;

Landowner's reason for keeping the access road and intended land

use: Road is old Ranch Road to Access this Section of property.

**Access Road**

- ☒ Re-grade road  
☒ Fix or add erosion and stormwater controls  
☐ Rip and seed Road

**Gravel on access road(s) if seeding:**

- ☐ Remove prior to seeding/ Seed  
☒ Leave in place

**Gate to Access Road**

- ☐ Remove  
☐ Leave in place

Access road to be left in place (show on photo or map): \_\_\_\_\_

Access road to be closed (if any, as shown on photo or map): \_\_\_\_\_

**Reclamation of Well Pad**

☐ Reclaim well pad to, remove gravel, recontour and reseed

Comments: \_\_\_\_\_

☒ Leave well pad in place with location of plugged well appropriately marked

Comments: \_\_\_\_\_

Reclamation work to be completed on well pad if Landowner requests that well pad be left in place for future use

Landowner's reason for keeping the well pad and intended final designated land

use: well pad will be Utilized As a livestock feeding Area.

Size of well pad to be left in place (indicate on map, drawing, or photo): \_\_\_\_\_

Portions of well pad to be reclaimed (indicate on map, drawing or photo): \_\_\_\_\_

**Gravel on well pad**

- ☐ Remove/ Reseed  
☒ Leave Gravel/ Reseed  
☐ Leave Gravel/ NO Reseed

☐ Show location of additional stormwater, erosion control structures to be added on photo, map or drawing

Comments:

pond South of well pad was an existing Ranch pond prior to drilling operations. landowner wants pond left in place. Remove piping to pond & open diversion ditch on west side of pond to allow water flow into pond.

The COGCC rules require certain actions on the part of Pioneer which cannot be waived by a landowner. Here are some examples of activities Pioneer must perform until COGCC approves final reclamation upon inspection and releases well site from bond:

- Remove all Pioneer oil and gas production equipment from location
- Remove all Pioneer waste material and debris onsite
- Reclaim all pits, cellars, rat holes and other bores
- Remove guy line anchors
- Perform noxious weed control
- Stabilize areas disturbed during operations and reclaim location for erosion control
- Install stormwater management controls on affected location
- Ensure that leaving a road or well pad in place will not result in significant environmental impact

Comments/Other:

Pioneer represented by: Chris Sanf (Sign) Chris Sanchez (Print)

Discussed this 9th day of September, 20 15.

**NOTE: THIS FORM IS FOR THE PURPOSE OF OBTAINING SURFACE OWNER REQUESTS REGARDING THE MATTERS SET FORTH ABOVE AND EXECUTION OF THIS FORM IS NOT INTENDED TO CREATE A BINDING AGREEMENT. ALL REQUESTS ARE SUBJECT TO OPERATOR & COGCC APPROVAL AND IN ACCORDANCE WITH ALL GOVERNMENTAL REGULATIONS IN EFFECT.**

*Once final reclamation has been performed by Pioneer and approved by the COGCC, Pioneer (the OPERATOR) IS NOT RESPONSIBLE FOR future MAINTENANCE OF WELL PADS OR RIGHTS OF WAY or access roads on your property.*

Surface Owner Signature: X Douglas Taylor (Sign) X DOUGLAS TAYLOR (Print)

Owner's Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Requests made on this form shall be formalized in a letter agreement prepared by a Pioneer Landman. The letter agreement will be sent to you for signature and once the plan set forth in such letter agreement is approved by the COGCC the letter agreement shall be a binding agreement between Pioneer and you as the landowner for the subject well.

# PIONEER

## NATURAL RESOURCES

Pioneer Natural Resources USA, Inc.  
1401 17th Street, Suite 1200  
Denver, Colorado 80202  
Tel: (303) 298-8100 Fax: (303) 298-7800

June 18, 2015

**CERTIFIED MAIL # 91 7108 2133 3936 4650 8751**  
**Return Receipt Requested**

Burro Canyon Ranch Limited Liability Co.  
13283 County Road 53.5  
Trinidad, CO 81082

RE: Final Reclamation Notice  
per Section 305.f.(6) of the COGCC Rules and Regulations  
Cora #21-19 Well  
T33S-R65W Section 19: NE/4NW/4  
Las Animas County, Colorado

Gentlemen:

In accordance with Section 305.f.(6) of the Rules and Regulations of the Colorado Oil and Gas Conservation Commission ("COGCC"), Pioneer Natural Resources USA, Inc. is notifying you that, pursuant to Rule 1004, we intend to conduct final reclamation operations on the above described location. These operations will occur no less than thirty (30) days from the date of this letter, unless we request and obtain your approval to begin operations prior to thirty (30) days from the date of this letter.

If you have any questions or comments regarding the proposed operations, please contact me directly at 303-675-2618 or toll free at 1-800-553-1645.

Sincerely,

PIONEER NATURAL RESOURCES USA, INC.

  
Chris Hollmann  
Senior Landman

CH/bjw

June 20 15

I would like to leave pond or pit  
& open the berm on west (upper) side  
I want to leave road also. Just  
reclaim & seed the pad. You can  
take out tank also & reseed also.  
Please leave level Douglas Taylor  
(the pad) and don't reshape  
the pad to slope of area. manager of Ranch

# Site-Specific Final Reclamation Plan

## 502.b Formal Director Variance Approval

Pioneer Natural Resources USA, Inc.

### I. General Location Description:

API Number (of associated well): 05-071-06983 OGCC Facility ID (of other associated facility): Cora 21-19 Pit

Pit Location (Qtr/Sec, Twp, Rng, Meridian): NE/NW, SEC.19, T33S, R65W, 6<sup>th</sup> p.m.

Latitude: N/A Longitude: N/A County: LAS ANIMAS

Pit Use: ☒ Production ☐ Drilling (Attach mud program) ☐ Special Purpose (Describe use): \_\_\_\_\_

Pit Type: ☐ Lined ☒ Unlined Surface Discharge Permit: ☒ Yes ☐ No

Offsite disposal of pit contents: ☐ Injection ☐ Commercial ☐ Pit/Facility Name: \_\_\_\_\_ Pit/Facility No: \_\_\_\_\_

Attach Form 26 to identify Source Wells and Form 25 to provide Produced Water Analysis results. See COA

### Related Facilities

Search Results - 3 record(s) returned.						
Facility Type	Facility ID/ API	Facility Name/ Number	Operator Name/ Number	Status	Field Name/ Number	Location
<a href="#">WELL</a>	05-071-06983	CORA 21-19	PIONEER NATURAL RESOURCES USA INC 10084	PA 7/30/2015	PURGATOIRE RIVER 70830	LAS ANIMAS 071/36 NENW 19 33S 65W
<a href="#">PIT</a>	258353	CORA 21-19 PIT	PIONEER NATURAL RESOURCES USA INC 10084	AC 10/31/2000	PURGATOIRE RIVER 70830	LAS ANIMAS 071/36 NENW 19 33S 65W
<a href="#">LOCATION</a>	307809	CORA-633S65W 19NENW	PIONEER NATURAL RESOURCES USA INC 10084	AC 7/30/2015	PURGATOIRE RIVER 70830	LAS ANIMAS 071/36 NENW 19 33S 65W

### II. Overview:

This "Site-Specific Final Reclamation Plan" document attempts to both provide a detailed description of the reclamation plan for this location and to follow the "Rule 1001.c Reclamation Variances and Waivers" guidance document dated December 17, 2015. The information in this document aligns with the requirements in the guidance document.

### III. Reclamation Plan Details

#### Offsite Pit Location

The annotated polygon on the aerial **Image A** below is the approximate, total disturbed surface area before reclamation work was completed. The total disturbed surface area of the Cora 12-19 Offsite Pit for Pioneer operations was approximately 0.5 acres (less than 1 acre)





The surface owner requested during the final reclamation consultation, and has entered into an agreement with Pioneer concerning these specified reclamation plans: that the offsite pit should not be backfilled so that it can be used to provide water to cattle and wildlife; that banks will be sloped to prevent entrapment and allow for egress by cattle, wildlife, and the landowner; and that the area be seeded with the landowners specified seed mixture

**In order to fulfill the surface owner's requests concerning final reclamation Pioneer is seeking a variance for the below specified portions of the offsite pit from select requirements in Rule 1004:**

**Rule 1004.a;**

**Sentence 3 – "All access roads to...associated production facilities shall be closed, graded and re-contoured."**

**Sentence 5 – "...access roads and associated facilities shall be reclaimed."**

**Sentence 6 – "As applicable, compaction alleviation, restoration, and re-vegetation of ...associated production facilities, and access roads shall be performed to the same standards as established for interim reclamation under Rule 1003."**

**and Rule 1004.b;**

**Sentence 2 – "After any remaining E&P waste is removed or treated, all such pits must be back-filled to return the soils to their original relative positions."**

**and Rule 1004.c.(2);**

**Sentence 1 – On non-crop land, reclamation has been performed as per Rules 1003 and 1004, and disturbed areas have been either built on, compacted, covered, paved, or otherwise stabilized in such a way as to minimize erosion to the extent practicable, or a uniform vegetative cover has been established that reflects pre-disturbance or reference area forbs, shrubs, and grasses with total percent plant cover of at least eighty percent (80%) of pre-disturbance or reference area levels, excluding noxious weeds, as determined by the Director through a visual appraisal.**

Since the surface owner has requested that the offsite pit should not be backfilled to return the soils to their original relative positions, the vegetative growth will not likely reach a total percent plant cover of eighty percent (80%) of pre-disturbance or reference area levels; therefore, a variance from rule 1004.c.(2) has been requested as a requirement for achieving successful final reclamation thresholds for release of financial assurance.

Pioneer has performed all other specified requirements in Rule 1004 on the Cora 12-19 Offsite Pit location including;

Rule 1004.a;

Sentence 2 – “All debris, abandoned gathering line risers and flowline risers [if existed] have been removed.”

Sentence 7 – “All other equipment, supplies, weeds, rubbish, and other waste materials that existed on location have been removed.”

Rule 1004.b;

Sentence 1 – “The operator shall comply with the 900 series rules for the removal or treatment of E&P waste remaining in a production or special purpose pit before the pit may be closed for final reclamation”

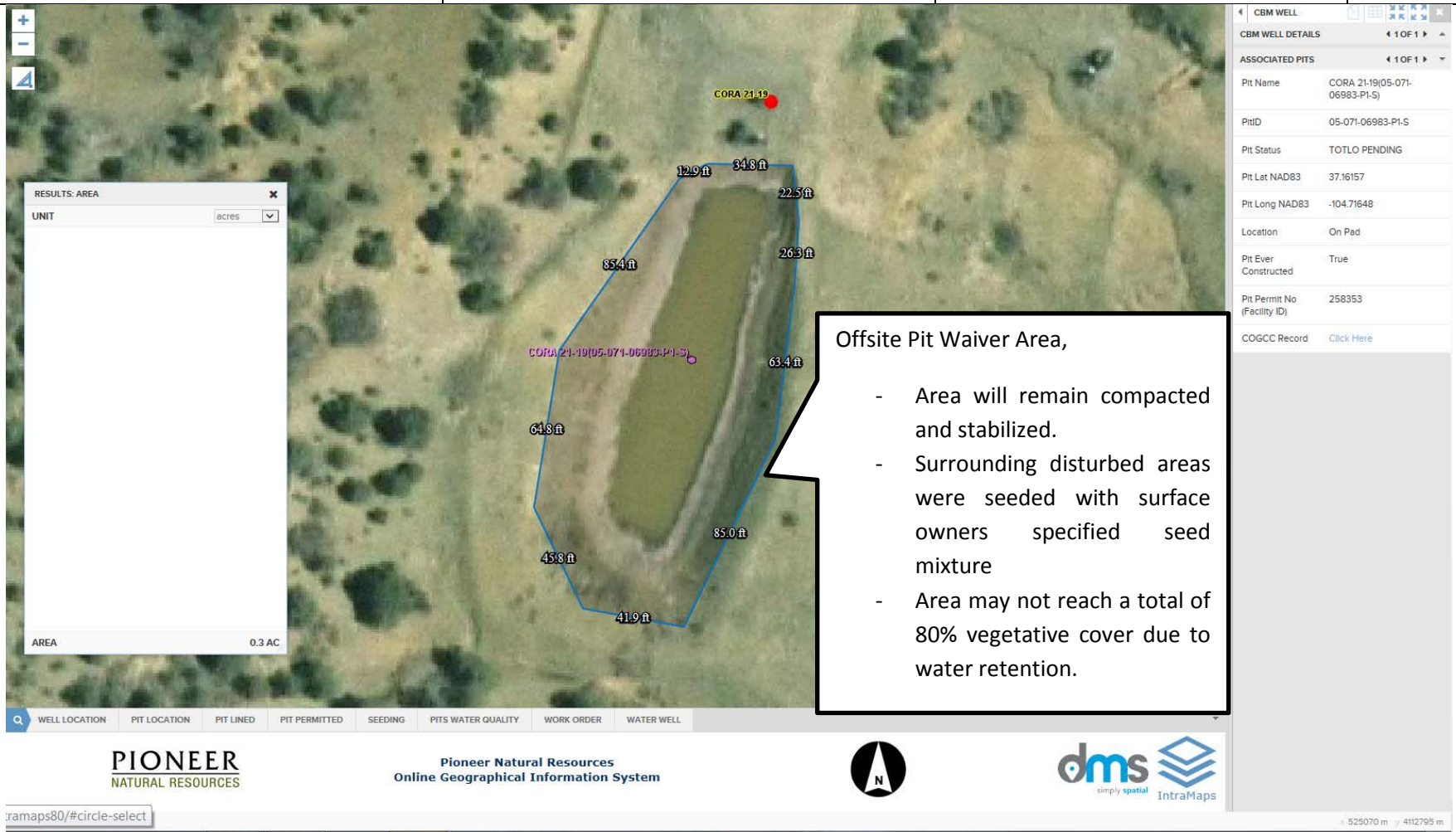
Additionally, Pioneer has performed the following reclamation work to achieve successful reclamation on the location and to a condition satisfactory to the surface owner.

- The cut slope where the offsite pit was constructed was graded to achieve slope stabilization.
- The slope was seeded to establish slope stabilization.
- The surface owner requested a specific seed mix that was used to seed the well pad.
- Stormwater BMPs were constructed and maintained to achieve site stabilization.
- Drainage features were constructed along the sides of the location.
- The perimeter of the location was contoured to divert runoff from the face of the sloped areas to prevent and reduce erosion.
- Pioneer has performed additional seeding on the location as needed.

After all reclamation has been completed, disturbed surface of the “Waiver Area” for the offsite pit is approximately 0.3 acres (down from 0.5 acres) (see **Image B** below). Pioneer left some disturbed areas compacted and stabilized to minimize new soil disturbance and minimize soil erosion.

As a reminder, this waiver has been requested by the private surface owner to facilitate future beneficial use of the offsite pit, to provide water to cattle and wildlife. As a safety measure, the banks of the pit have been sloped to prevent entrapment and allow for egress by cattle, wildlife and the landowner. The surrounding area was seeded with the surface owners specified seed mixture. The area for which the variance is being requested is designated by the polygon on **Image B** below





**Access Road ROW**

A Variance Request had been submitted regarding the Right-of-Way (Access Road) along with a variance for the Cora 12-19 well location, Document number 401213183.

## Photographs of Location

Photographs of location fulfillment of the **Section II.B.2- Section II.B.4 and Section II.B.6 and 7** of the COGCC Rule 1001.c Reclamation Variances and Waivers” guidance document dated December 17, 2015.

(Attachment)











## **COGCC FORM 27- REMEDIATION WORK PLAN**

Facility Closure for Production Pit

“Approved Remediation Work Plan Form 27” in fulfillment of the **Section II.B.8** of the COGCC Rule 1001.c Reclamation Variances and Waivers” guidance document dated December 17, 2015.

(Attachment)

[IF PIT WAS PERMITTED TO LOCATION]

State of Colorado  
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 (303)894-2100 Fax:(303)894-2109



FOR OGCC USE ONLY  
Doc #200439540  
Rem #9655  
Rec 5/5/16

**SITE INVESTIGATION AND REMEDIATION WORKPLAN**

This form shall be submitted to the Director for approval prior to the initiation of site investigation and remediation activities. Form 27 is intended to be used whenever possible. Additional documentation will be required when large volumes of soil and groundwater have been impacted or involve large facilities with multiple source areas. See Rule 910. Attach as many pages as needed to fully describe the proposed work.

**CAUSE OF CONDITION BEING INVESTIGATED AND REMEDIATED**

☐ Spill or Release ☐ Plug & Abandon ☐ Central Facility Closure ☒ Site/Facility Closure ☐ Other (describe): \_\_\_\_\_

OGCC Employee

☐ Spill ☐ Complaint  
☐ Inspection ☐ NOAV

Tracking No: \_\_\_\_\_

OGCC Operator Number: 10084

Name of Operator: Pioneer Natural Resources USA, Inc.

Address: 5205 N. O'Connor Blvd., Ste 200

City: Irving State: TX Zip: 75039

Contact Name and Telephone

LaCrelia White

No: 972-969-3738

Fax: 972-969-3559

API Number: 05-071-06983

County: Las Animas

Facility Name: Cora 21-19 onsite pit

Facility Number: 258353

Well Name: Cora

Well Number: 21-19

Location: (CtrQtr, Sec, Twp, Rng, Meridian): NENW 19 33S 65W

Latitude: 37.161544° Longitude: -104.717033°

**TECHNICAL CONDITIONS**

Type of Waste Causing Impact (crude oil, condensate, produced water, etc): produced water

Site Conditions: Is location within a sensitive area (according to Rule 901e)? ☐ Y ☒ N If yes, attach evaluation.

Adjacent land use (cultivated, irrigated, dry land farming, industrial, residential, etc.): forested range land

Soil type, if not previously identified on Form 2A or Federal Surface Use Plan: Lorencito-Rombo-Sarcillo complex

Potential receptors (water wells within 1/4 mi, surface waters, etc.): nearest water well - 5150' (if DWR point is accurate)

nearest surface water - 720' (if live water present)

Description of Impact (if previously provided, refer to that form or document):

Impacted Media (check):

☒ Soils

☐ Vegetation

☐ Groundwater

☐ Surface Water

Extent of Impact:

soil within pit

How Determined:

soil sampling

**REMEDIALTION WORKPLAN**

Describe initial action taken (if previously provided, refer to that form or document):

Produced water from this well was being stored in this onsite pit. The well is no longer going to the pit.

Describe how source is to be removed:

Produced water is not being sent to this pit and it is no longer needed.

Describe how remediation of existing impacts is to be accomplished, including removal and disposal at an injection well or licensed facility, land treatment on site, removal of impacted groundwater, insitu bioremediation, burning of oily vegetation, etc.:

Produced water may be surface discharged under a CDPS permit, disposed of in a Class II UIC injection well, or utilized for dust suppression.

Submit Page 2 with Page 1



FORM  
27  
Rev 6/99

State of Colorado  
Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
(303)894-2100 Fax: (303)894-2109



Page 2  
REMEDATION WORKPLAN (Cont.)

Tracking Number: \_\_\_\_\_  
Name of Operator: \_\_\_\_\_  
OGCC Operator No: \_\_\_\_\_  
Received Date: \_\_\_\_\_  
Well Name & No: \_\_\_\_\_  
Facility Name & No: \_\_\_\_\_

OGCC Employee: \_\_\_\_\_

If groundwater has been impacted, describe proposed monitoring plan (# of wells or sample points, sampling schedule, analytical methods, etc.):

It is not expected that produced water stored in this pit communicated with nor affected groundwater.

Describe reclamation plan. Discuss existing and new grade recontouring, method and testing of compaction alleviation; and reseeding program, including location of new seed, seed mix and noxious weed prevention. Attach diagram or drawing. Use additional sheet for description if required.

The landowner has requested that the existing pond to the south of this well be left for rain water and snowmelt to collect for livestock and/or wildlife watering. Pioneer has also submitted a Form 4 variance request (DOC # 401026402), along with a letter signed by the landowner. Pioneer would like to terminate the permit for this facility.

Attach samples and analytical results taken to verify remediation of impacts. Show locations of samples on an onsite schematic or drawing.

Is further site investigation required? ☐ Y ☒ N If yes, describe:

No impact to the surrounding environment occurred from the use of this pit.

Final disposition of E&P waste (landtreated and disposed onsite, name of licensed disposal facility, recycling, reuse, etc.):

Produced water may be surface discharged under a CDPS permit, disposed of in a Class II UIC injection well, or utilized for dust suppression.

### IMPLEMENTATION SCHEDULE

Date Site Investigation Began: 3/17/16 Date Site Investigation Completed: 3/17/16 Date Remediation Plan Submitted: 5/5/16  
Remediation Start Date: n/a Anticipated Completion Date: n/a Actual Completion Date: \_\_\_\_\_

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: LaCretia White

Signed: LaCretia White

Title: Staff Environmental Specialist

Date: 5/5/16

OGCC Approved:

Jason Kosola

Digitally signed by Jason Kosola  
DN: cn=Jason Kosola, o=Colorado Oil  
and Gas Conservation Commission,  
ou=Environmental Department,  
email=jason.kosola@state.co.us, c=US  
Date: 2016.05.13 08:45:38 -0600

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approval of this Form 27 is conditional based on approval of pending Form 4 variance request (Doc 401026402).

Analytical results demonstrate that background concentrations of arsenic (As) exceed Table 910-1 concentration levels. Analytical results demonstrate that concentrations of As in soils in the pit also exceed Table 910-1 concentration levels and the pit concentrations are less than or within analytical uncertainty of being equal to the background concentrations. COGCC and CDPHE have consulted and agree that operators do not need to request variances from CDPHE for instances where the concentrations of metals in impacted soils are equal to or less than background concentrations, but do not meet Table 910-1 concentration values.

Electrical Conductivity (EC) and Sodium Adsorption Ratio (SAR) are above Table 910-1 standards. These 910-1 values are reclamation standards and do not apply when the pit is to be left at the request of the landowner.

Notify area Environmental Protection Specialist when variance request is approved.

**CHECKLIST OF INFORMATION and DOCUMENTATION PROVIDED FOR  
DIRECTORS' REVIEW & APPROVAL OF 1001.c: RECLAMATION VARIANCE  
REQUEST**

In fulfillment of COGCC Rule 1001.c Reclamation Variances and Waivers guidance document dated  
December 17, 2015.

## IV -- Guidance Document Section I Requirements

Section I of the “Rule 1001.c Reclamation Variances and Waivers” guidance document dated December 17, 2015 requires a signed agreement between the operator and the surface owner. Specifically, there are five bullet points that highlight these requirements. Many of these requirements have been addressed with a signed agreement with the surface owner that is attached to this variance request.

### Completeness Checklist

Rule 1001.c Reclamation Variances and Waivers” guidance document dated December 17, 2015. Below is a checklist and summary of where the requirements have been fulfilled in the attachments contained in this variance request:

#### **Rule 1001.c Reclamation Variances and Waivers” guidance document Section I.1 through I 1.5**

**I.1** A clear description of the specific portions of an access road or oil and gas location for which the surface owner is waiving the operator’s obligation to perform interim or final reclamation.

##### **Requirements fulfilled in attached Documents:**

- ✓ **Listed in Exhibit A of the “Final Reclamation Letter & Pit Closure Agreement”**
- ✓ **Maps contained in Site Specific Final Reclamation Plan**

**I.2** A brief explanation of the surface owner’s reasons for waiving the operator’s obligation to perform interim or final reclamation for the specified portions of an access road or oil and gas location.

##### **Requirements fulfilled in attached Documents:**

- ✓ **Final Reclamation Letter & Pit Closure Agreement**

**I.3** The surface owner’s acknowledgement that the current condition of the portions of the access road or offsite pit oil and gas location subject to the waiver is satisfactory to the surface owner or will be satisfactory once the operator performs the agreed upon plan.

##### **Requirements fulfilled in attached Documents:**

- ✓ **Final Reclamation Letter & Pit Closure Agreement**

**I.4.** For interim reclamation waiver requests, the surface owner’s acknowledgement.

➤ ***DOES NOT APPLY TO THIS LOCATION SINCE IT IS 1004. FINAL RECLAMATION***

**I.5** In addition to items 1 through 4, above, if an operator intends to seek a variance under Rule 502.b. to be relieved from its obligation to comply with specified provisions of Rule 1004 – Final Reclamation Well Sites and Associated Production Facilities – the following information should be included in a written agreement:

**a.** The surface owner’s acknowledgement that once the variance is approved and all agreed upon actions have been conducted the surface owner knowingly, and forever, waives all reclamation protections otherwise afforded by the specified provisions of Rule 1004; and

**b.** A brief description of the operator’s plans for compliance with the specified provisions of Rule 1004 on areas of the oil and gas locations or access roads that are not subject to the variance.

##### **Requirements fulfilled in attached documents:**

- ✓ **Listed in Exhibit A of the “Final Reclamation Letter & Pit Closure Agreement”**
- ✓ **305.f.(6) Final Reclamation Consultation Form**
- ✓ **Maps and description contained in Site Specific Final Reclamation Plan**

## **V -- Guidance Document Section II.B Requirements**

Section II.B of the “Rule 1001.c Reclamation Variances and Waivers” guidance document dated December 17, 2015 describes the baseline information necessary for COGCC to evaluate whether public health, safety and welfare will be protected and significant adverse environmental impacts prevented if compliance with specified provisions of Rule 1004 is not required. There are eight bullet points that highlight the baseline evidence and information for COGCC evaluation.

**Completeness Checklist:** Rule 1001.c Reclamation Variances and Waivers guidance document dated December 17, 2015. Below is a checklist and summary of where the requirements have been fulfilled in the attachments contained in this variance request:

### **Rule 1001.c Reclamation Variances and Waivers guidance document Section II.B.1 through II.B.8**

**II.B.1** Evidence that all wells on the location are plugged and abandoned, and that a Form 6 subsequent was submitted for each well.

➤ **DOES NOT APPLY**

**II.B.2** Evidence that all oil and gas equipment has been removed from the location, including flowline risers and gathering line risers.

**Requirements fulfilled in attached documents:**

✓ **Attached photos of the location**

**II.B.3** Evidence that trash and debris belonging to the operator or its agents has been removed from the location.

**Requirements fulfilled in attached documents:**

✓ **Attached photos of the location**

**II.B.4** Evidence that noxious weeds have been controlled as required by Rule 1004.

**Requirements fulfilled in attached documents:**

✓ **Attached photos of the location**

✓ **Reference Pioneer’s Field-Wide Reclamation and Best Management Practices**

**II.B.5** Documentation showing the operator consulted in good faith with the surface owner regarding final reclamation pursuant to Rule 305.f.(6) Information describing the consultation (who, what, where, when) should be provided.

**Requirements fulfilled in attached documents:**

✓ **305.f.(6) Final Reclamation Consultation Form**

**II.B.6** Documentation of the existing state/condition of reclamation for the entire location.

**Requirements fulfilled in attached documents:**

✓ **Photos of the location taken in June of 2016**

**II.B.7** Documentation detailing how the oil and gas location will be stabilized and details about what required stormwater management controls will be in place prior to COGCC’s final signoff reclamation inspection.

**Requirements fulfilled in attached documents:**

- ✓ **Photos of the location taken in June of 2016**
- ✓ **Site-Specific Final Reclamation Section III Plan Reclamation Plan Details**

**II.B.8** The operator's analysis of how public health, safety, and welfare will be protected and significant adverse environmental impacts prevented if compliance with the specified provisions of Rule 1004 receive a variance.

**Requirements fulfilled in attached documents:**

- ✓ **Site-Specific Reclamation Plan**
- ✓ **Attached Approved Form 27**
- ✓ **The Form 2A was reviewed to identify specific information relevant to the evaluation of potential impacts and standards for final reclamation**

**Analysis of Public Health, Welfare, Safety and Adverse Environmental Impact**

Pioneer has evaluated if variance from compliance with the specific sections of the 1004 rule requested for this location prevent the protection of public health, public welfare, and public safety and if compliance with the specified sections of rule 1004 are necessary to prevent significant adverse environmental impacts. The depth of Pioneer's analysis was conducted in accordance with the scope of the variance requested. The surface owner's request to retain the offsite pit does not present any significant adverse impact to the environment. Pioneer has performed reclamation on disturbed areas in order to achieve overall soil stability. The analysis expected by COGCC as stated in the final paragraph of Section II.B. 8 in the Rule 1001.c Reclamation Variances and Waivers" guidance document include: "1) the specific nature of the location, including urban vs. rural, proximity to surface water, wildlife areas, 317B area, or sensitive area classification have been completed and verified using information about the location in official records provided to COGCC. (e.g. Form 2A, Form 27, COGCC Map GIS Layers for Wildlife, Sensitive Area, 608.b Water Wells, 317B Areas etc.); and "2) comparative benefits of re-contouring and reseeding vs. just reseeding" is discussed in detail in our *Raton Basin Field-Wide Final Reclamation Plan and Best Practices*, which has been provided to COGCC Reclamation Staff for review.

**Public Health**

The specified variances requested from the specific sections of the 1004 rule for the Cora 12-19 Offsite Pit are minor requests which have minimal potential for negative impact on public health. Pioneer is not requesting any variance from the reclamation requirements of the COGCC 1000 or 900 series rules for any aspect of reclamation of the gas operations at the location that would adversely affect public health. The offsite pit was only used to hold produced water from dry gas wells that produced no crude oil, condensate, or other liquid hydrocarbons. The water was of a quality suitable for, and was used for, landowner cattle and/or wildlife watering. It was considered usable water, as defined by USEPA, in that it had a TDS of less than 10,000 mg/L.

- ✓ The fulfillment of waste remediation under the COGCC 900 series rules was successfully completed for the site/facility remediation and closure of the production pit associated with the Cora 12-19 Offsite Pit. Soil samples were collected for the pit, and it was closed with a conditionally approved Form 27. \* Verified in Form 27, COGIS Database-Pit Layer
  - SAR concentration in the bottom of the pit exceeded 910 standards. However, these standards are reclamation standards, and this sample was collected below the root zone in a non-cropland area, so it is of low relevance.
- ✓ The Reclamation Rule variance requests as specified in "Exhibit A" and the "Site-Specific Plan" do not trigger under COGCC 1000 Reclamation Rules the requirement to consult with Colorado Department of Public Health and Environment or Division of Water Resources. \*Verified in Form 2A, COGIS Database-Water Resources, Colorado Parks and Wildlife, Surface Ownership Layers

- ✓ Variance from compliance with the specific sections of the 1004 rule which have been requested for this location are remotely or unrelated to public health as the location has been remediated of all oil and gas waste and there are no potential receptors in close proximity; therefore it will have minimal potential to negatively impact public health.

### **Public Welfare**

The specified variances requested from specific sections of the 1004 for the Cora 12-19 Offsite Pit are minor requests which will not prevent the protection of public welfare, and has the potential to enhance public welfare and safety. The enhanced construction of the offsite pit directly benefits the surface owner adding economic value and utility to their property. Pioneer is not requesting any variance from the reclamation requirements of the 1000-series rules for any aspect of reclamation of the gas operations at the location that is likely to adversely affect public welfare.

- ✓ The Cora 12-19 Offsite Pit is on private property with restricted access to the public. The offsite pit has the capability of retaining some water for livestock and wildlife watering, and for dispersing populations and allowing watering away from riparian areas.
- ✓ The Cora 12-19 Offsite Pit is not on cropland and the adjacent land use is non-cropland.
- ✓ The county zoning for the Cora 12-19 Offsite Pit is classified as “rural.” The reclamation requests by the surface owner for the Cora 12-19 Offsite Pit are consistent with the local county land use zoning standards.  
\*Verified in Las Animas, County Zoning Maps
- ✓ Variance from compliance with the specific sections of the 1004 rule which have been requested for this location have minimal potential to negatively impact public welfare rather, the variance allows for the surface owner to retain features of the location which add value to the property. Variance from the reclamation rules requested for this location will have minimal potential to negatively impact public welfare.

### **Public Safety**

The road is consistent with current land uses and will facilitate wildlife (anti-poaching) and law enforcement access, facilitate hauling of water, and facilitate wildfire control. No equipment that could present a threat to public safety has been left on location. Pit liner (if any) has been removed, and the pit walls have been sloped as needed to prevent entrapment and allow for egress by wildlife, cattle and people. The specified variances requested from specific sections of the 1004 rule for the Cora 12-19 Offsite Pit are minor requests which will not prevent the protection of public safety. Pioneer is not requesting any variance from the reclamation requirements of the 1000-series rules for any aspect of reclamation of the gas operations at the location that would endanger public safety.

- ✓ Variance from compliance with the specific sections of the 1004 rule which have been requested for this location are unrelated to public safety as the location is under private property ownership with restricted access to the public; and no feature(s) of the oil, and gas operations have been left un-reclaimed that could be a public safety hazard; therefore, it will have minimal potential to endanger public safety.

### **Environmental Impacts**

The specified variances requested from the specific sections of the 1004 rule for the Cora 12-19 Offsite Pit and are minor requests which are unlikely to result in any significant adverse environmental impact. The location has been remediated of all oil and gas equipment and waste that could potentially impact the environment in accordance with COGCC rules. The location has been reclaimed to meet the conditions for final land use as set

by the surface owner. Pioneer is not requesting any variance from the reclamation requirements of the 1000-series rules for any aspect of reclamation of the gas operations at the location that could potentially result in a significant adverse environmental impact.

- ✓ The Cora 12-19 Offsite Pit is not within an “Urban Mitigation Area” as defined in the COGCC definitions. \*Verified in Form 2A, COGIS Database
  - No Urban Mitigation Areas within ½ mile
  - Nearest Urban Mitigation Area Over 1 Mile
- ✓ The Cora 12-19 Offsite Pit is not within a Sensitive Wildlife Habitat or a Restricted Surface Occupancy Area. \*Verified in Form 2A, COGIS Database
  - No Sensitive wildlife habitats within ½ mile
  - Nearest Sensitive Wildlife Habitat is over 1 Mile
  - No Restricted Surface Occupancy Areas within ½ mile
  - Nearest Restricted Surface Occupancy Area Over 1 Mile
- ✓ The Cora 12-19 Offsite Pit is not within a zone defined in COGCC Rule 317B.\*Verified in Form 2A, COGIS Database
  - Nearest Rule 317B area Over 1 Mile
- ✓ The Cora 12-19 Offsite Pit is not in a designated wetlands area and did not require any Army Corp of Engineers Section 404 Permit. \*Verified in Form 2A, COGIS Database
  - No designated wetlands areas within ½ mile
  - Nearest designated wetlands area Over 1 Mile
- ✓ The Cora 12-19 Offsite Pit has three possible receptors i.e., water wells within or surface waters within a ½ mile radius, there are no Public Water Supply Systems within a ½ mile radius. \*Verified in Form 2A, COGIS Database-Water Resources Layer
  - Nearest permitted Water Well-7407’ (based on SEO database)
  - No permitted water wells within ½ mile
  - Nearest live surface water-615’ (USGS 24K series topo map waterway )
  - 3 live surface water bodies within ½ mile
- ✓ Variance from compliance with the specific sections of the 1004 rule which have been requested for this location have minimal potential result in any significant adverse environmental impact as the location has achieved soil stabilization and contains no environmentally hazardous materials or features. The Cora 12-19 Offsite Pit is not on Colorado Parks and Wildlife land or within RSO or SWH area, there are three perennial, surface water body within a ½ mile radius of the location; however, the features of the location for which a variance has been requested, pose no substantial risk of impacting the surface water bodies in any way; therefore, the variances requested for this location will have minimal potential to result in any significant adverse environmental impact.

#### **Field-Wide Reclamation and Best Management Practices**

Pioneer has created a Field-Wide Final Reclamation Plan which documents the process for evaluating the potential impacts of the variance requests. This document also provides important information concerning the reclamation objectives for every Pioneer location subject to the COGCC 1003 and 1004 rules. Pioneer uses this plan to meet the reclamation performance standards described in COGCC Rule 1003 and 1004. Pioneer’s reclamation practices are adapted to the site specific conditions, environmental constraints, and the landowner



preferences. Included in the Field-Wide Reclamation Plan are the procedures and practices Pioneer employs for all areas of the location for which Pioneer is not seeking variance from the reclamation requirements under COGCC 1004. Pioneer has provided our *Raton Basin Field-Wide Reclamation and Best Management Practices* to COGCC Reclamation Staff. This document was provided to COGCC Reclamation Staff to accompany Pioneer's Reclamation variance requests under Rule 1001.c.