

State of Colorado Oil and Gas Conservation Commission

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Phone: (303) 894-2100 Fax: (303) 894-2109



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|--------------------------------------|----|----|----|
| DE | ET | OE | ES |
| Document Number: 401460729 | | | |
| Date Received: 11/27/2017 | | | |

SUNDRY NOTICE

Submit a signed original. This form is to be used for general, technical and environmental sundry information. For proposed or completed operations, describe in full in Comments or provide as an attachment. Identify Well by API Number; identify Oil and Gas Location by Location ID Number; identify other Facility by Facility ID Number.

OGCC Operator Number: 10112 Contact Name ALYSSA BEARD
 Name of Operator: FOUNDATION ENERGY MANAGEMENT LLC Phone: (303) 244-8114
 Address: 5057 KELLER SPRINGS RD STE 650 Fax: (303) 861-0604
 City: ADDISON State: TX Zip: 75001 Email: abeard@foundationenergy.com

Complete the Attachment
Checklist

OP OGCC

API Number : 05- 045 00 OGCC Facility ID Number: 119490
 Well/Facility Name: Federal #1-35 Well/Facility Number: 119490
 Location QtrQtr: NWSW Section: 35 Township: 7S Range: 104W Meridian: 6
 County: GARFIELD Field Name: SOUTH CANYON
 Federal, Indian or State Lease Number: _____

| | | |
|---------------------|--|--|
| Survey Plat | | |
| Directional Survey | | |
| Srvc Eqpmt Diagram | | |
| Technical Info Page | | |
| Other | | |

CHANGE OF LOCATION OR AS BUILT GPS REPORT

☐ Change of Location * ☐ As-Built GPS Location Report ☐ As-Built GPS Location Report with Survey

* Well location change requires new plat. A substantive surface location change may require new Form 2A.

SURFACE LOCATION GPS DATA Data must be provided for Change of Surface Location and As Built Reports.

Latitude _____ PDOP Reading _____ Date of Measurement _____
 Longitude _____ GPS Instrument Operator's Name _____

LOCATION CHANGE (all measurements in Feet)

Well will be: _____ (Vertical, Directional, Horizontal)

Change of **Surface** Footage **From** Exterior Section Lines:

Change of **Surface** Footage **To** Exterior Section Lines:

Current **Surface** Location **From** QtrQtr NWSW Sec 35

New **Surface** Location **To** QtrQtr _____ Sec _____

Change of **Top of Productive Zone** Footage **From** Exterior Section Lines:

Change of **Top of Productive Zone** Footage **To** Exterior Section Lines:

Current **Top of Productive Zone** Location **From** Sec _____

New **Top of Productive Zone** Location **To** Sec _____

Change of **Bottomhole** Footage **From** Exterior Section Lines:

Change of **Bottomhole** Footage **To** Exterior Section Lines:

Current **Bottomhole** Location Sec _____ Twp _____

New **Bottomhole** Location Sec _____ Twp _____

Is location in High Density Area? _____

Distance, in feet, to nearest building _____, public road: _____, above ground utility: _____, railroad: _____,

property line: _____, lease line: _____, well in same formation: _____

Ground Elevation _____ feet Surface owner consultation date _____

| FNL/FSL | | FEL/FWL | |
|--------------------------|----------------------------|-------------------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Twp <u>7S</u> | Range <u>104W</u> | Meridian <u>6</u> | |
| Twp <input type="text"/> | Range <input type="text"/> | Meridian <input type="text"/> | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Twp <input type="text"/> | Range <input type="text"/> | | |
| Twp <input type="text"/> | Range <input type="text"/> | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

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**

** attach deviated drilling plan

OTHER CHANGES

☐ **REMOVE FROM SURFACE BOND** Signed surface use agreement is a required attachment

☐ **CHANGE OF WELL, FACILITY OR OIL & GAS LOCATION NAME OR NUMBER**

From: Name FEDERAL #1-35 Number 119490 Effective Date: _____

To: Name _____ Number _____

☐ **ABANDON PERMIT: Permit can only be abandoned if the permitted operation has NOT been conducted. Field inspection will be conducted to verify site status.**

☐ WELL: Abandon Application for Permit-to-Drill (Form2) – Well API Number _____ has not been drilled.

☐ PIT: Abandon Earthen Pit Permit (Form 15) – COGCC Pit Facility ID Number _____ has not been constructed (Permitted and constructed pit requires closure per Rule 905)

☐ CENTRALIZED E&P WASTE MANAGEMENT FACILITY: Abandon Centralized E&P Waste Management Facility Permit (Form 28) – Facility ID Number _____ has not been constructed (Constructed facility requires closure per Rule 908)

OIL & GAS LOCATION ID Number: _____

☐ Abandon Oil & Gas Location Assessment (Form 2A) – Location has not been constructed and site will not be used in the future.

☐ Keep Oil & Gas Location Assessment (Form 2A) active until expiration date. This site will be used in the future.

Surface disturbance from Oil and Gas Operations must be reclaimed per Rule 1003 and Rule 1004.

☐ **REQUEST FOR CONFIDENTIAL STATUS**

☐ **DIGITAL WELL LOG UPLOAD**

☐ **DOCUMENTS SUBMITTED** Purpose of Submission: _____

RECLAMATION

INTERIM RECLAMATION

☐ Interim Reclamation will commence approximately _____

Per Rule 1003.e.(3) operator shall submit Sundry Notice reporting interim reclamation is complete and site is ready for inspection when vegetation reaches 80% coverage.

☐ Interim reclamation complete, site ready for inspection.

Per Rule 1003.e(3) describe interim reclamation procedure in Comments below or provide as an attachment and attach required location photographs.

Field inspection will be conducted to document Rule 1003.e. compliance

FINAL RECLAMATION

☐ Final Reclamation will commence approximately _____

Per Rule 1004.c.(4) operator shall submit Sundry Notice reporting final reclamation is complete and site is ready for inspection when vegetation reaches 80% coverage.

☐ Final reclamation complete, site ready for inspection. Per Rule 1004.c(4) describe final reclamation procedure in Comments below or provide as an attachment.

Field inspection will be conducted to document Rule 1004.c. compliance

Comments:

ENGINEERING AND ENVIRONMENTAL WORK

☐ NOTICE OF CONTINUED TEMPORARILY ABANDONED STATUS

Indicate why the well is temporarily abandoned and describe future plans for utilization in the COMMENTS box below or provide as an attachment, as required by Rule 319.b.(3).

Date well temporarily abandoned _____ Has Production Equipment been removed from site? _____

Mechanical Integrity Test (MIT) required if shut in longer than 2 years. Date of last MIT _____

☐ SPUD DATE: _____

TECHNICAL ENGINEERING AND ENVIRONMENTAL WORK

Details of work must be described in full in the COMMENTS below or provided as an attachment.

☐ NOTICE OF INTENT Approximate Start Date _____

☒ REPORT OF WORK DONE Date Work Completed 07/19/2017

- | | | |
|--|---|--|
| <input type="checkbox"/> Intent to Recomplete (Form 2 also required) | <input type="checkbox"/> Request to Vent or Flare | <input type="checkbox"/> E&P Waste Management Plan |
| <input type="checkbox"/> Change Drilling Plan | <input type="checkbox"/> Repair Well | <input type="checkbox"/> Beneficial Reuse of E&P Waste |
| <input type="checkbox"/> Gross Interval Change | <input type="checkbox"/> Rule 502 variance requested. Must provide detailed info regarding request. | |
| <input type="checkbox"/> Other _____ | <input checked="" type="checkbox"/> Status Update/Change of Remediation Plans for Spills and Releases | |

COMMENTS:

In September 2016, Foundation Energy Management, LLC (Foundation) completed the transfer of multiple assets from National Fuel Corporation to Foundation. This asset transfer included ten locations with inactive pits, which were determined to serve no current or future purpose related to the operation of the associated wells. The subject pit Facility IDs, associated wells and associated well API numbers were provided in Exhibit E of the Form 10.

Site inspections were conducted by the COGCC in June 2016. Foundation conducted pit assessment activities at the ten locations in December 2016 and selected six of the pits for remediation and closure (Figure 1). Remediation activities conducted at the Federal 1-35 pit location (Facility ID 119490) have been completed under Remediation No. 9864 and are described below.

Soil identified in December 2016 as having electrical conductivity (EC) above Table 910-1 standards (adjacent to sample E@2') was excavated from the pit and temporarily stockpiled. Subsequent to excavation and sample collection activities, the stockpiled soil was backfilled within the center of the pit at depths greater than 3' bgs; this material will be covered with clean fill as part of future final pit closure and reclamation activities.

Post-excavation soil samples were collected from the final extent of the excavation base and sidewalls at ~5' and ~4' bgs, respectively. The samples were submitted to Summit Scientific for analysis of BTEX and TPH-GRO by USEPA Method 8260C, TPH-DRO by USEPA Method 8015, EC, and pH. Laboratory results indicated that constituent concentrations in the soil samples collected from the final extent of the excavation were below the COGCC Table 910-1 standards. Groundwater was not encountered in the excavation area.

Assessment and remediation soil sample analytical data is presented in Table 1, and the remediation soil sample locations are illustrated on Figure 2. Laboratory analytical reports are included as Attachment A. Future post-remediation pit closure and reclamation activities will be compliant with applicable COGCC regulations.

Based on the remediation activities conducted and the soil sample analytical data presented herein, Foundation Energy Management is requesting a No Further Action (NFA) determination for this release.

H2S REPORTING

Data Fields in this section are intended to document Sample and Location Data associated with the collection of a Gas Sample that is submitted for Laboratory Analysis.

Gas Analysis Report must be attached.

H2S Concentration: _____ in ppm (parts per million) Date of Measurement or Sample Collection _____

Description of Sample Point:

Absolute Open Flow Potential _____ in CFPD (cubic feet per day)

Description of Release Potential and Duration (If flow is not open to the atmosphere, identify the duration in which the container or pipeline would likely be opened for servicing operations.):

Distance to nearest occupied residence, school, church, park, school bus stop, place of business, or other areas where the public could reasonably be expected to frequent: _____

Distance to nearest Federal, State, County, or municipal road or highway owned and principally maintained for public use: _____

COMMENTS:

| Best Management Practices | | |
|---------------------------|--------------|-------------|
| No | BMP/COA Type | Description |
| | | |

Operator Comments:

Based on the remediation activities conducted at the site and the analytical results presented herein, Foundation Energy Management is requesting a NFA determination for this release.

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

Signed: _____ Print Name: ALYSSA BEARD
Title: EHS & REGULATORY Email: abeard@foundationenergy.com Date: 11/27/2017

Based on the information provided herein, this Sundry Notice (Form 4) complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved: Spencer, Stan Date: 11/27/2017

CONDITIONS OF APPROVAL, IF ANY:**COA Type****Description**

| | |
|--|--|
| | |
|--|--|

General Comments**User Group****Comment****Comment Date**

| | | |
|--------|---|------------|
| Agency | <p>This NFA is for pit# 119490 only. REM 9846 will remain open until all the pits included have been remediated and closed in compliance with COGCC rules.</p> <p>Based on the information presented, it appears that no further action is necessary at this time and the COGCC approves the closure request. However, should future conditions at the site indicate contaminant concentrations in soils exceeding COGCC standards or if ground water is found to be impacted, then further investigation and/or remediation activities may be required. In addition, the surface area disturbed by the remediation activity shall be reclaimed in accordance with the 1000 Series Reclamation Rules plus all BLM requirements for Federal surface lands.</p> | 11/27/2017 |
|--------|---|------------|

Total: 1 comment(s)

Attachment Check List**Att Doc Num****Name**

| | |
|-----------|------------------------------|
| 401460729 | SUNDRY NOTICE APPROVED-REMED |
| 401467172 | ANALYTICAL RESULTS |
| 401468489 | FORM 4 SUBMITTED |

Total Attach: 3 Files