

February 12, 2018

Colorado Oil & Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 80203

Attn: John Noto

RE: Form 2A Public Comment Response

Noble Pad (Form 2A Doc #: 401441194)
Township 3 North, Range 68 West, 6th P.M.
NWSW of Section 5 (Surface Location)
Weld County, Colorado

Dear Mr. Noto,

Below, please find Nickel Road Operating LLC (NRO)'s response to Ms. Hards' public comment dated December 19, 2017 as provided for the Noble pad location on the above referenced Form 2A.

NRO attempted to contact Ms. Hards on two separate occasions on December 18th and followup on December 22nd to discuss her concerns as well as our proposed location and operations. Ms. Hards was not immediately available to take the calls nor were voicemails returned. As of the date of this letter, Ms. Hards has not responded to our communication attempts.

- **Item #1:**

My husband and I were not given 30 days notice prior to the submission of COGIS Form 2A 401441194 because supposedly our Building Unit does not fall within the COGCCs definition of buffer zone, although no data are provided on the COGCCs website to substantiate that conclusion. Nevertheless, this proposed fracking site is less than 1000 ft from our home and 4 of the proposed 8 well bores traverse directly under our property including one that appears to run approximately 5 ft outside our master bedroom window.

- **NRO Response:**

Please refer to attached Notification Zone drawing. The Building Unit located on the Hards' surface property does not fall within 1000' of the proposed surface well locations or associated facilities as proposed on the Noble location. The wellbores do cross under the Hards surface parcel and appear to cross directly beneath the Hards building unit in a plan (bird's eye) view. However, the wellbores are separated from the surface by approximately 7000' - 8000' of vertical depth.

- **Item #2:**

While not the COGCCs direct responsibility, Weld Count Charter Sec. 22-5-100 Oil and Gas Goals and Policies Section B Policy 2.2 is to Encourage the clustering of oil and gas drill and well sites(emphasis added) whenever possible and Policy 2.4 is to ...Discourage efforts to increase

the amount or size of drilling window(emphasis added). The proposed placement of the Nickel Road Operating proposed fracking site located at 3N68W5 (NW/4 SW/4) is not.

- **NRO Response:**

The Noble pad is planned to accommodate 12 horizontal wells which are planned to fully develop existing mineral rights in the entire south half of section 5. This does achieve the reduced surface disturbance goal as outlined in COGCC rules as well as Weld County's policies. There was not an existing well within the SW/4 to twin the proposed wells with. Additionally, NRO obtained a waiver to place this pad location outside of the established GWA window in accordance with the surface owner's preference. A pad location within the GWA drilling window would result in unnecessary disturbance to the surface owner's agricultural crop land.

- **Item #3:**

Thus, moving the proposed site further to the West is in actuality more consistent with the policy to encourage the clustering of drill and well sites and limit the disturbance of larger areas of property.

- **NRO Response:**

The proposed pad location is as far from all building units as possible on the surface parcel NRO has obtained an agreement upon. A move of the pad location to the west would result in the pad moving closer to multiple building units. The proposed pad was located in accordance with all applicable COGCC setback rules and as agreed to by the surface owner of the property in an effort to minimize disturbance to the agricultural crop land. A shift in the pad location to the west would also pose a down-hole issue with a potential mineral trespass. NRO requires this space to effectively "back-build" the wellbore within the section boundary and land the top of producing zone at the 460' unit setback to maximize resource recovery.

- **Item #4:**

- **Public Health:**

Regardless of the protection put in place, light, noise, smell, dirt, etc will be apparent from our property as the prevailing winds blow directly from the proposed site toward our home. These are all direct health hazards.

- **NRO Response:**

NRO proposes to employ sound walls around the entirety of the pad location during drilling and completion operations which will greatly minimize noise and light pollution. Additionally, NRO will orient the rig to point the engines away from building units and will utilize shrouded, directional lighting on the drilling rig mast. Odors will be minimized through the use of green completions techniques. Dust will be mitigated by the application of fresh water to dirt / gravel surfaces as needed. Please refer to the BMPs as provided with the subject Form 2A for additional information on nuisance mitigation. NRO always encourages surface owners to contact us regarding any concerns with operations and will strive to rectify any issues as soon as possible.

- **Safety:**

Regardless of the protections put in place, well bores from the site are running directly under our property and our neighbor's properties both to the North and South. Fracking

has been implicated in contribution to earth movement including earthquakes. Obviously shorter term there is the potential for earth movement around the foundations of both our home as well as barns. Regardless of the protections put in place, there is a source of live water running less than 500 ft from the site. Fracking has been implicated in water contamination.

▪ **NRO Response:**

Please refer to the documents and presentations available on the COGCC website regarding induced seismicity in the state of Colorado. The conditions being met to cause seismic events in Oklahoma are a very different circumstances than those met for the drilling and completion of a horizontal well in this area.

NRO will construct this pad location in accordance with all COGCC and CDPHE regulations to minimize any potential of impact to surface and groundwaters including remote shut-in capabilities, secondary containment and compliance with field-wide and site-specific stormwater management plans.

○ Welfare:

While the operator attempts to put protections in place for public health and safety, there is no pretense of attempting to protect the welfare of Building Unit owners in the vicinity of a fracking site. The presence of fracking sites reduces the desirability of the local area with no compensation to anybody other than the mineral rights owner and surface area owner on which the site is placed. Decreased property values will eventually affect the local tax base with negative trickle down affects to all associated institutions.

▪ **NRO Response:**

Numerous studies are available showing no material negative impact to home or property values associated with oil and gas development. Development of mineral rights have positive impacts on not just the mineral owner, but numerous individuals and government entities that rely on mineral revenue.

Thank you for your consideration. Should you have any questions, please contact me at 303-406-1117 or jen@jenlindllc.com

Sincerely,



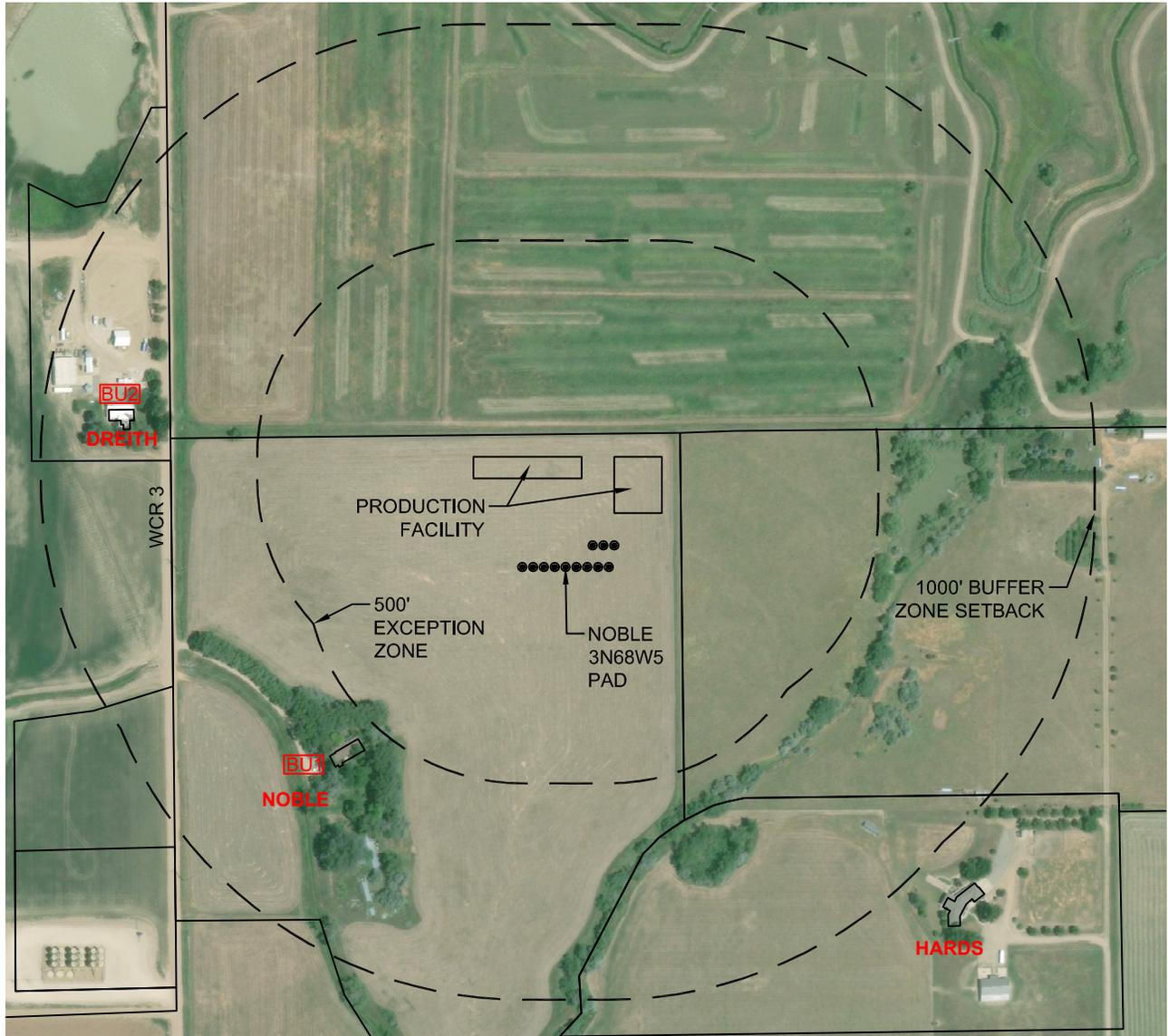
on behalf of Nickel Road Operating LLC

Jennifer Lind
Regulatory Specialist
Jennifer Lind LLC

Attachments: Noble Pad Notification Zone Drawing

NOTIFICATION ZONE NOBLE 3N68W5 PAD

SECTION: 5
 TOWNSHIP: 3N
 RANGE: 68W
 6TH P.M.
 WELD COUNTY, CO



EXCEPTION ZONE:

NO EXISTING BUILDING UNITS WITHIN THE 500' EXCEPTION ZONE

BUFFER ZONE:

- BU1 BUILDING UNIT: 549' SW
- BU2 BUILDING UNIT: 789' NW

LEGEND:

- BU BUILDING UNIT
- PROPERTY LINE

