



June 22, 2018

Colorado Oil & Gas Conservation Commission  
ATTN: Director Julie Murphy  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203

RE: Kinder Morgan CO2 Company, L.P.  
Rule 523.e. Voluntary Self Disclosure – Ninth Quarterly Report

Dear Director Murphy:

Kinder Morgan CO2 Company, L.P. (“Kinder Morgan”) (Operator No. 46685) hereby provides the Colorado Oil and Gas Conservation Commission (“COGCC” or “Commission”) with this ninth quarterly status report to its Rule 523.e. voluntary self-disclosure made on February 17, 2016. This ninth quarterly status report follows the first quarterly status report of June 30, 2016, the second quarterly status report of September 30, 2016, the third quarterly status report of December 20, 2016, the fourth quarterly status report of March 23, 2017, the fifth quarterly report of June 23, 2017, the sixth quarterly report of September 28, 2017, the seventh quarterly report of December 20, 2017, and the eighth quarterly report of March 23, 2018. Further, this ninth report provides an update regarding the status of certain drilling pits located in Montezuma and Dolores Counties, Colorado, which either required soil sampling, were closed pursuant to BLM requirements, or were drilled without a pit and closed with a Form 27. The attached table labeled “[Exhibit A – June 2018 Status Table](#)” provides a summary of the status of the subject pits as of this ninth quarterly status report.

Following Kinder Morgan’s February 17, 2016 voluntary self-disclosure, Kinder Morgan representatives had multiple meetings with COGCC Staff, including former Director Lepore, regarding Kinder Morgan’s plan to conduct sampling, to obtain signed waiver agreements from landowners consenting to leave the subject pit liners in place or, in the alternative, to remove the pit liners, and to conduct remediation at each location. The COGCC has approved Form 27 remediation plans as indicated on [Exhibit A](#) that do not involve removing the pit liner with landowner consent. Furthermore, the COGCC supported Kinder Morgan submitting one final variance request for the subject pits. Kinder Morgan has provided quarterly reports at the request of the COGCC to provide a status update on each of the subject pits in advance of Kinder Morgan’s final variance request.

In Kinder Morgan’s December 20, 2017 quarterly report, Kinder Morgan reported that it had completed the soil samples at all 25 fee locations, it had removed the pit liner material at 1 of

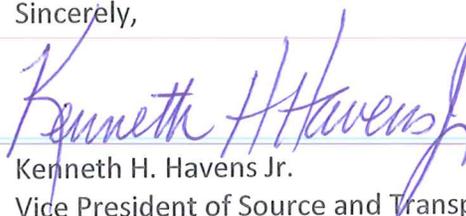
the 19 pit locations, the DC-5, and it had received signed waiver agreements from landowners consenting to leave the pit liner in place for 17 of the remaining 18 pit locations, with the remaining landowner considering Kinder Morgan's request for a waiver. With respect to the DC-5 location, Kinder Morgan is including herewith a summary of the DC-5 Groundwater Sampling Results as Exhibit B.

On February 15, 2018, Kinder Morgan submitted a final Rule 502.b. variance request for Rules 905.a., 905.b(3) and 1003.d. for 17 of the remaining 18 locations to allow Kinder Morgan to leave the pit liners in place with written consent from each landowner. As reported in the final variance request, Kinder Morgan plans to request a separate future variance at the 1 remaining pit location, the DC-2, at a later date. On June 18, 2018, Kinder Morgan received notice that the COGCC denied Kinder Morgan's Rule 502.b variance request. Kinder Morgan will be following up directly with the appropriate COGCC Staff to coordinate a meeting with you and Staff to discuss the COGCC's response to Kinder Morgan's final variance request as the denial of Kinder Morgan's variance request is contrary to the COGCC's prior discussions and position on this matter, and contrary to the approved remediation that Kinder Morgan is performing that contemplates leaving the pit liner in place with landowner consent.

As summarized on Exhibit A hereto, Kinder Morgan discussed the pits closed pursuant to BLM requirements with both the COGCC and the BLM, and Kinder Morgan has submitted fourteen (14) Form 4s to the COGCC attaching correspondence from the BLM in order to close out the audit with regard to the former pit sites on BLM land. The BLM represents that interim reclamation at these sites has occurred with satisfactory results, and the BLM has no intention of requiring Kinder Morgan to excavate and verify closing procedures. Pursuant to the BLM's statements on the BLM locations, Kinder Morgan considers these locations to be closed.

Kinder Morgan continues to work diligently to close all of the remaining pits subject to its voluntary self-disclosure in compliance with applicable Rules and Regulations. As Kinder Morgan addresses the COGCC's denial of its Rule 502.b variance request, and works with the COGCC Staff with respect to such variance request, Kinder Morgan will submit its tenth quarterly report on or before September 28, 2018, and will supplement this report with additional information if necessary. If at any time you or the COGCC Staff has questions or would like additional detail on any item, please let me know by contacting me at 713-369-9113 or ken\_havens@kindermorgan.com.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth H. Havens Jr." The signature is written in a cursive style and is positioned above the printed name and title.

Kenneth H. Havens Jr.  
Vice President of Source and Transportation

Enclosures

cc: Jessica Toll, KM  
Barry Swift, KM  
Jamie Jost, Jost Energy Law, P.C.  
Alex Fisher, COGCC  
Greg Deranleau, COGCC  
Jim Hughes, COGCC

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
<b>Locations requiring soil sampling and landowner approval</b>																		
YA-4	1	Fee/Fee	05-083-06586	257924	8/16/2000	4/30/2001	9/7/2009	Yes - 257924	-	8/25/2000	2002	crop land	No	Yes	Yes	Yes	No	Submitted Form 27A for No Further Action (Doc# 401238470), returned to Draft status by COGCC pending variance to leave pit liner in place; landowner has signed waiver to leave pit liner in place
HB-5	1	Fee/Fee	05-083-06596	264308	8/15/2002	8/3/2002		Yes - 264308	-	7/30/2002	2003	CRP	No	Yes	Yes	Yes	No	Submitted Form 27A for No Further Action (Doc #401411834), returned to Draft status by COGCC pending variance to leave pit liner in place, landowner has signed waiver to leave pit liner in place
YE6	1	Fee/Fee	05-083-06594	263405	4/17/2002	6/16/2002	9/14/2009	Yes - 263405	-	4/26/2002	2003	non-crop land	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411826) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
YF3	1	Fee/Fed	05-083-06593		4/9/2002	5/22/2002		Yes	-		2003	crop land	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411830) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
MC8*	1	Fee/Fee	05-083-06625	279715	9/2/2005	12/3/2005		Yes - 279715	-	9/1/2005	2006	non-crop land	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411820) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
YA-5*	1	Fee/Fee	05-083-06623	278718	7/12/2005	8/22/2005		Yes - 278718	-	7/8/2005	2006	crop land	No	Yes	Yes	Yes	No	Submitted Form 27A for No Further Action (Doc# 401239273), returned to Draft status by COGCC pending variance to leave pit liner in place; landowner has signed waiver to leave pit liner in place

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
DC2*	1	Fee/Fee	05-033-06135		8/28/2007	8/30/2007	7/21/2013	No	-	-	2008	rangleand	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc#401272702) and remediation activity has been completed
DC5*	1	Fee/Fee	08-033-06130	290061	5/7/2007	6/2/2007		Yes - 290061	-	4/24/2007	2008	non-crop land	Yes	Yes	Yes	Yes	Yes	Form 27A for removal of drilling waste and characterization of ground water impact submitted and approved (Doc#401341894), all drilling waste removed, site reclaimed and 6 (total) monitoring wells installed and sampled.
DC8*	1	Fee/Fed	05-033-06132		7/30/2007	8/30/2007		No	-	-	2008	crop land	Yes	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411783) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
GP11*	1	Fee/Fee	05-083-06635		11/2/2007	1/28/2008		No	-	-	2008	crop land	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411787) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
GP13*	1	Fee/Fee	05-083-06645		3/27/2008	5/19/2008		No	-	-	2008	crop land	Yes	Yes	Yes	Yes	Yes	Form 27A for remediation plan (oxidant injection & surface soil amendment) submitted and approved (Doc#401252406) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
GP9*	1	Fee/Fee	05-083-06633		10/12/2007	11/10/2007		No	-	-	2008	KM property	No	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411753) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
April 1, 2009 Significant Change to Table 910-1																		
GP12*	1	Fee/Fee	05-083-06634		11/2/2007	12/19/2007		No	-	-	2009	pasture	Yes	Yes	Yes	Yes	Yes	Submitted Form 27A for No Further Action (Doc# 401239939), returned to Draft status by COGCC pending variance to leave pit liner in place; landowner has signed waiver to leave pit liner in place
GP14*	1	Fee/Fee	05-083-06642		3/27/2008	9/20/2008		No	-		2009	pinyon juniper	No	Yes	Yes	Yes	No	Form 27A for remediation plan (oxidant injection) submitted and approved (Doc#401252181) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
GP15*	1	Fee/Fee	05-083-06641		2/14/2008	8/6/2008		No	-		2009	crop land	No	Yes	Yes	Yes	No	Submitted Form 27A for No Further Action (Doc# 401234505), returned to Draft status by COGCC pending variance to leave pit liner in place; landowner has signed waiver to leave pit liner in place
GP16*	1	Fee/Fee	05-083-06649		4/9/2008	7/1/2008	4/28/2014	No	-		2009	crop land	Yes	Yes	Yes	Yes	No	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401390701) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
GP17*	1	Fee/Fee	05-083-06640		3/6/2008	3/24/2008		No	-		2009	crop land	Yes	Yes	Yes	Yes	Yes	Submitted Form 27A for No Further Action (Doc# 401237716), returned to Draft status by COGCC pending variance to leave pit liner in place; landowner has signed waiver to leave pit liner in place
GP-19*	1	Fee/Fee	05-083-06655		9/25/2008	11/10/2008	2/27/2011	No	-		2009	crop land	Yes	Yes	Yes	Yes	Yes	Form 27A for remediation plan (surface soil amendment) submitted and approved (Doc #401411812) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
YE7*	1	Fee/Fed	05-083-06624	278776	9/2/2005	10/23/2005		Yes - 278776	-	7/12/2005	2010	non-crop land	No	Yes	Yes	Yes	No	Form 27A for remediation plan (oxidant injection) submitted and approved (Doc#401251915) and remediation activity has been completed; landowner has signed waiver to leave pit liner in place
DC11	1	Fee/Fee	05-033-06171	427014	1/15/2012	4/5/2012		Yes - 427014	-	12/30/2011	2012	crop land	Yes	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
YG1	1	Fee/Fee	05-083-06697	428410	3/30/2012	8/24/2012		Yes - 428410	400254733	3/30/2012	2012	cropland	No	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
HA-4	1	Fee/Fee	05-083-06693	429408	3/30/2012	8/8/2012		Yes - 428408	400254078	3/30/2012	2013	cropland	No	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
YA-6	1	Fee/Fee	05-083-06694	428413	3/30/2012	5/30/2012		Yes - 428413	400254392	3/30/2012	2013	crop land	No	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
YA-7	1	Fee/Fee	05-083-06701	430761	5/3/2012	7/7/2012		Yes - 430761	400268556	11/15/2012	2013	crop land	No	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
YG2	1	Fee/Fee	05-083-06695	428412	3/30/2012	10/25/2012		Yes - 428412	400254734	3/30/2012	2013	cropland	No	Yes	No	Yes	No	COGCC Approved Form 27 - No Further Action, Pit Permit Closed
<b>No Earthen Pit Constructed - Form 27 Submitted to Close</b>																		
DWD#1	3	Fee/Fee	05-033-06078		9/9/1983	11/1/1983	8/13/2012	N/A	-	N/A	N/A	rangeland	Yes	-	-	-	-	No pit constructed. Form 27 approved. No further action necessary.
DWD-1X	3	Fee/Fee	05-033-06129	289825	12/29/2006	not drilled		Yes - 289825		4/24/2007	N/A	crop land	NA	-	-	-	-	No pit constructed. Form 27 approved. No further action necessary.
HB-6	3	Fee/Fed	05-083-06699	429155	4/24/2012	3/2/2013		Yes - 429155	400254792	6/6/2012	N/A	crop land	No	-	-	-	-	No pit constructed. Form 27 approved. No further action necessary.
HE-6	3	Fee/Fed	05-083-06700	429156	4/26/2012	4/24/2013		Yes - 429156	400254793	6/6/2012	N/A	non-crop land	No	-	-	-	-	No pit constructed. Form 27 approved. No further action necessary.
YB-6	3	Fee/Fed	05-083-06696	428411	3/20/2012	1/3/2013		Yes - 428411	400254413	3/30/2012	N/A	crop land	Yes	-	-	-	-	No pit constructed. Form 27 approved. No further action necessary.

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
<b>Closed Per BLM Requirements</b>																		
YB-4	2	Fed/Fed	05-083-06587		6/21/1998	5/29/2001		No			2002	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
HE-5	2	Fed/Fed	05-083-06601		3/6/2003	9/10/2002		No			2003	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
SC10	2	Fed/Fed	05-083-06604		3/12/2003	10/6/2002		No			2003	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
HC-4*	2	Fed/Fed	05-083-06681		11/23/2009	10/4/2003		No			2004	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
DC3*	2	Fed/Fed	05-033-06133		8/28/2007	7/11/2007		No			2007	BLM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
DC4*	2	Fed/Fed	05-033-06137		8/28/2007	8/17/2007		No			2007	BLM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
HF-3*	2	Fed/Fed	05-083-06646		4/3/2008	4/15/2007	4/2/2009	No			2007	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
SC11*	2	Fed/Fed	05-083-06684		8/11/2010	2/20/2007		No			2007	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
DC6*	2	Fed/Fed	05-033-06134		8/28/2007	9/22/2007		No			2008	BLM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
GP20	2	Fed/Fed	05-083-06686	419732	10/7/2010	2/7/2012		Yes - 419732	2213436	3/17/2011	2013	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.

# EXHIBIT A

## JUNE 2018 STATUS TABLE

Well Information						Spud Dates		Pit Information				Landowner Information	Water Wells	Sampling				Status
Well Name	Category in KM letters	Surface/Mineral	API #	Facility ID No.	APD Approved	Spud Date	Re-entry Spud Date	Pit Permit	Document No.	Pit Permit Date	Physical Pit Closure	Land Use	Water Well Within 1/2 Mile of the Wellhead	Soil Sampling Complete	Evidence of Pit Liner	Groundwater Sampling Complete	Groundwater Encountered	
GP21	2	Fed/Fed	05-083-06687	419732	10/7/2010	4/17/2012		Yes - 419732	2213436	3/17/2011	2013	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
GP22	2	Fed/Fed	05-083-06689	393066	10/7/2010	7/24/2011		Yes - 393066	2213434	3/17/2011	2013	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
GP23	2	Fed/Fed	05-083-06688	393066	10/7/2010	11/15/2011		Yes - 393066	2213434	3/17/2011	2013	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.
GP24	2	Fed/Fed	05-083-06690	419721	10/7/2010	not drilled		Yes - 419721	2213435	3/17/2011	2013	CANM	No	-	-	-	-	This well was never drilled
GP25	2	Fed/Fed	05-083-06685	419724	10/7/2010	11/14/2012		Yes - 419721	2213435	3/17/2011	2013	CANM	No	-	-	-	-	KM received correspondence from BLM and submitted to COGCC via Form 4. No further action necessary.

**LEGEND**

- \* signifies wells that were part of the 2011 final settlement between KM and COGCC
- Category 1 signifies wells for which testing and landowner approval did not take place per the COAs or no pit permit obtained
- Category 2 signifies wells located on BLM land where KM completed remediation per BLM requirements
- Category 3 signifies wells drilled with closed loop
- Category 4 Kinder Morgan has reviewed all wells previously in category 4 and moved them to category 1 or 2 if appropriate

6/20/2018

**EXHIBIT B**  
**Kinder Morgan CO2 Company, LP**  
**Doe Canyon DC-5 Well Location**  
**Dolores County, Colorado**

**Summary of DC-5 Groundwater Sampling Results**

Well ID	Sample Date	Organic Compounds				Inorganic Compounds		
		Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	TDS (mg/L)	Chloride (mg/L)	Sulfate (mg/L)
<b>COGCC Table 910-1 maximum allowable limits (mg/L)</b>		<b>0.005</b>	<b>0.560 - 1.00</b>	<b>0.700</b>	<b>1.40 - 10.0</b>	<b>405<sup>1</sup></b>	<b>14.0<sup>2</sup></b>	<b>28.8<sup>2</sup></b>
<b>MW-1</b>	6/8/2017	<0.001	<0.001	<0.001	<0.001	334	10.0	20.8
	8/29/2017	<0.001	<0.001	<0.001	<0.001	324	11.2	23.0
	4/11/2018	NM	NM	NM	NM	300	11.3	22.8
<b>MW-2</b>	6/8/2017	<0.001	<0.001	<0.001	<0.001	15,300	8,500	405
	8/29/2017	<0.001	<0.001	<0.001	<0.001	12,700	5,310	267
	4/11/2018	NM	NM	NM	NM	9,930	4,900	271
<b>MW-3</b>	6/8/2017	<0.001	<0.001	<0.001	<0.001	5,690	2,390	57.0
	8/29/2017	<0.001	<0.001	<0.001	<0.001	4,900	1,850	57.7
	4/11/2018	NM	NM	NM	NM	3,570	1,840	52.6
<b>MW-4</b>	6/8/2017	<0.001	<0.001	<0.001	<0.001	366	29.0	27.8
	8/29/2017	<0.001	<0.001	<0.001	<0.001	354	20.4	26.5
	4/11/2018	NM	NM	NM	NM	330	19.8	26.8
<b>MW-5</b>	6/8/2017	<0.001	<0.001	<0.001	<0.001	626	150	31.8
	8/29/2017	<0.001	<0.001	<0.001	<0.001	408	60.7	28.7
	4/11/2018	NM	NM	NM	NM	380	47.8	28.9
<b>MW-6</b>	8/30/2017	<0.001	<0.001	<0.001	<0.001	1,560	33.9	25.3
	4/11/2018	NM	NM	NM	NM	460	11.1	17.3

**Notes:**

<sup>1</sup> Maximum allowable limit calculated at 1.25 times the background level. Background is the lowest upgradient concentration observed.

<sup>2</sup> Maximum allowable limit calculated at 1.25 times the background level. Background is from the sampling event with the lowest observed TDS concentration.

NM = Not Measured. Approved sampling plan does not require analysis of Benzene, Toluene, Ethylbenzene and total Xylenes (BTEX).