



**COLORADO**  
Oil & Gas Conservation  
Commission

Department of Natural Resources

1120 Lincoln Street, Suite 801  
Denver, CO 80203

[www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

## WARNING LETTER # 401948519

02/22/2019

EVERGREEN NATURAL RESOURCES LLC (# 10705)

CHERYLYN MORGAN

[cheri.morgan@enrllc.com](mailto:cheri.morgan@enrllc.com)

1801 BROADWAY SUITE 350

DENVER, CO 80202

Petrogulf 11-9V (API# 071-08031)

NENW, 9, 33S, 67W, LAS ANIMAS

**This Warning Letter is to inform you that EVERGREEN NATURAL RESOURCES LLC (“Operator”) may be in violation of the rules and regulations of the Colorado Oil and Gas Conservation Commission (“COGCC”) and corrective action is required.**

COGCC has reasonable cause to believe that Operator has committed one or more violations of the Oil and Gas Conservation Act, or of a rule, regulation, or order of the Commission, or of a permit issued by the Commission. Operator is required to comply with this Warning Letter by the **Corrective Action Deadline Date(s)** to resolve the alleged violation(s). Failure to do so will result in the issuance of a Notice of Alleged Violation and initiation of enforcement proceedings in which COGCC will seek monetary penalties for the alleged violations pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1.

### **Alleged Violation(s) and Required Corrective Action(s):**

608 Coalbed Methane Wells

Violation Date: 03/01/2018

Violation Discovery Date: 02/21/2019

Description of Alleged Violation: As you are aware, Evergreen Natural Resources (Operator # 10705) has taken over the operation of the Petrogulf 11-9V (API # 071-08031) (the “Well”) from Pioneer Natural Resources (Operator # 10084). Due to the Well being coal bed methane (CBM) well it is subject to Rule 608.b water well sampling. Under Rule 608.b.(4) operators of CBM wells are obligated to collect water well samples prior to drilling, then at one year, three years and six years after completion of the well. Rule 608.b.(5) directs operators to provide analytical results to both the water well owner and the COGCC within 90 days of the sampling event.

On February 21, 2019 the COGCC received a complaint (complaint # 200446989) from Mr. Gerald Law who granted access to a water well on his property in December 2017 for sampling related to the Well. Neither Mr. Law nor the COGCC received analytical results related to this sampling event. Based on previous samples collected from Mr Law’s water well the 2017 sampling event would have been the six year post sampling event required under Rule 608.b.

Required Corrective Action: Please provide the analytical results from the December 2017 sampling



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event to both Mr. Law and the COGCC by March 8th, 2019.

In addition, please review all of your records related to Rule 608.b sampling conducted in 2016 through 2018 to ensure that the analytical data has been provided to the COGCC and the water well owner as required under 608.b. Please provide the COGCC with any previously un-submitted analytical results via eForm 43 (Analytical Sample Data Submittal Form). If any other water well owners were not notified of the sample results collected at that time should be supplied with the analytical data as required under Rule 608.b.(5). The records review, additional sample submittals and landowner notifications are to be completed by May 23, 2019. Failure to complete the actions above by the required date may lead COGCC to take enforcement action against Evergreen Natural Resources

Corrective Action Deadline Date: 03/08/2019

**How to Comply with Warning Letter:**

Operator shall complete the Required Corrective Action(s) above within the deadline(s) provided. Upon completion of the Corrective Action(s), Operator shall provide notice and evidence of completion to the COGCC staff identified below by the Corrective Action Deadline Date(s):

COGCC Representative: Arthur Koepsell

Title: Environmental Data Analyst

Phone Num: (303) 894-2100x5148

Email: [arthur.koepsell@state.co.us](mailto:arthur.koepsell@state.co.us)

If you have any questions about this Warning Letter, please contact the COGCC Representative identified above.

**Failure to Comply with Warning Letter:**

If Operator fails to perform Required Corrective Action(s) on or before the Corrective Action Deadline Date(s) stated above COGCC will issue a Notice of Alleged Violation and seek penalties pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1.

**Disclaimers:**

If the alleged violation(s) in this Warning Letter are the subject of previously issued Notice(s) of Alleged Violation ("NOAV") or Enforcement Order(s) ("Order"), Operator's obligations and the corrective actions and deadlines in such NOAV or Order stand and are not affected by this Warning Letter.

If issued in error, the Enforcement Unit reserves the right to rescind this Warning Letter prior to the COGCC Representative's receipt of Operator's notice and evidence of completion of the Corrective Action.

All well data, rules and forms are available on our website at [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc).

Sincerely,

Arthur Koepsell  
Environmental Data Analyst



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**Attachments**

View Attachments in Imaged Documents on COGCC website <http://ogccweblink.state.co.us/> Search by Document Number.

<u>Document Number</u>	<u>Description</u>
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Total Attach: 0 Files