



STATE OF  
COLORADO

Andrews - DNR, Doug <doug.andrews@state.co.us>

## COGCC Form 2A review of Morning Gun Exploration's Castor 7-59 10 location - Doc #401906116

2 messages

Andrews - DNR, Doug <doug.andrews@state.co.us>

Wed, Oct 2, 2019 at 11:09 AM

To: Justin Dunn <jdunn@morninggun.com>, Stephen Smeltz <:ssmeltz@morninggun.com>

Justin & Stephen,

I have reviewed the referenced Form 2A Oil & Gas Location Assessment and have the following comments.

- 1) The Local Government Information is still required to be included on this Form 2A. Please let me know if Morning Gun has submitted a WOGLA to Weld County for this location. If a WOGLA has been submitted, please provide me with the date it was submitted. If the WOGLA has been approved, please provide me with the date it was approved.
- 2) Please provide updated dates for when construction is planned to commence and interim reclamation will begin.
- 3) The Cultural Distances for the nearest School Facility, School Property Line, and Child Care Center from both the nearest well and nearest production facility is required to be included on this Form 2A. Please provide me with these cultural feature distances.
- 4) The Location Drawing depicts the Access Road proceeding east from the southern edge of the pad towards the mapped Restricted Surface Occupancy (RSO) area for Plains Sharp Tail Grouse and towards Weld County Road 119. I recall in our discussions with Morning Gun and Colorado Parks & Wildlife that Morning Gun agreed to alter the Access Road such that it would proceed west towards Weld County Road 115 so as to avoid the RSO area. I have the revised Access Road Map for this location, but I need a revised Location Drawing that also correctly depicts this change.
- 5) This Form 2A does not have all of the agreed upon Wildlife BMPs that appear on the Castor 7-59 11 Form 2A. Those Wildlife BMPs are also pertinent to this location in Section 10 as it is just inside the same mapped PSTG Sensitive Wildlife Habitat. Below is a screenshot of these missing Wildlife BMPs that I would like to add to this Form 2A highlighted in yellow. Please let me know if it is acceptable to add these BMPs.

		trash and junk removed immediately.
2	Wildlife	<p>MGE is willing to move its Castor 7-59 11 pad location from the RSO in Section 11 to the far SWSW 1/4 of Section 11. While the pad is still within the SWH, we aim to locate the pad and any ancillary features (e.g., access roads) it as far as technically and economically feasible from the RSO and as much as possible outside the SWH. MGE is willing to have a third party conduct one PSTG survey in the spring of 2019. MGE is willing to use a closed-loop system and to have no open pits. MGE is willing to limit new noise sources during the breeding season of the PSTG by measuring baseline and development noise levels and save the new noise sources for 9:00 a.m. to 4:00 p.m. MGE agrees to locate compressor stations no closer than 0.4-mile from plains sharp-tailed grouse leks. MGE agrees to use topographical features as recommended by CPW to provide visual concealment of facilities from lek locations and as a noise suppressant. MGE agrees to limit noise to 10dBA above pre-development background levels at the margin of leks (0.4-mile) during the lekking and nesting seasons (March 1-June 30). MGE agrees to make use of tanks and other facilities designed such that they do not provide perches or nest substrates for raptors, crows, and ravens. MGE agrees to install raptor perch deterrents on equipment, fences, cross arms and pole tops in plains sharp-tailed grouse habitat. MGE agrees to reclaim/restor plains sharp-tailed grouse habitats with native grasses and forbs identified by CPW that contribute to optimal plains sharp-tailed grouse habitat and other wildlife appropriate to the ecological site. MGE agrees to preclude the use of aggressive non-native grasses in Plains Sharp-tailed Grouse habitat reclamation. MGE agrees to reclaim production area habitat with a CPW identified seed mix containing a substantially higher percentage of forbs. Desirable native and non-native forbs, and legumes are a vital component of brood-rearing habitat (including dryland adapted varieties of alfalfa and yellow sweet clover).</p>
3	Wildlife	<p>MGE will conduct a survey for Plains Sharp Tail Grouse presence and active leks in the area of the mapped SWH and RSO during the 2020 nesting season. Results of the survey shall be reported to the COGCC via a Form 4 Sundry and to the CPW prior to commencing any construction, drilling, and well completion activities in 2020.</p>

Please respond to this correspondence by November 1, 2019. If you have any questions, please contact me. Thank you.

## *Doug Andrews*

Oil & Gas Location Assessment Specialist - Northeast Colorado



**COLORADO**  
Oil & Gas Conservation  
Commission  
Department of Natural Resources

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**Stephen Smeltz** <[ssmeltz@morninggun.com](mailto:ssmeltz@morninggun.com)>  
To: "Andrews - DNR, Doug" <[doug.andrews@state.co.us](mailto:doug.andrews@state.co.us)>

Tue, Oct 15, 2019 at 11:09 AM

Doug please find MGE's answers below:

1) The Local Government Information is still required to be included on this Form 2A. Please let me know if Morning Gun has submitted a WOGLA to Weld County for this location. If a WOGLA has been submitted, please provide me with the date it was submitted. If the WOGLA has been approved, please provide me with the date it was approved.

**This WOGLA has not been submitted at this time.**

2) Please provide updated dates for when construction is planned to commence and interim reclamation will begin.

**Planned construction would be for August 2020 with an interim reclamation to begin in September 2020.**

3) The Cultural Distances for the nearest School Facility, School Property Line, and Child Care Center from both the nearest well and nearest production facility is required to be included on this Form 2A. Please provide me with these cultural feature distances.

- a. **School Facility – over 1 mile from nearest well and nearest production facility**
- b. **School Property line – over 1 mile from nearest well and nearest production facility**
- c. **Child Care Center – over 1 mile from nearest well and nearest production facility**

4) The Location Drawing depicts the Access Road proceeding east from the southern edge of the pad towards the mapped Restricted Surface Occupancy (RSO) area for Plains Sharp Tail Grouse and towards Weld County Road 119. I recall in our discussions with Morning Gun and Colorado Parks & Wildlife that Morning Gun agreed

to alter the Access Road such that it would proceed west towards Weld County Road 115 so as to avoid the RSO area. I have the revised Access Road Map for this location, but I need a revised Location Drawing that also correctly depicts this change.

We did agree to change the access roads in order to avoid the grouse habitat, please see the attached maps that reflect new routes that access the pad from the west via section 10.

5) This Form 2A does not have all of the agreed upon Wildlife BMPs that appear on the Castor 7-59 11 Form 2A. Those Wildlife BMPs are also pertinent to this location in Section 10 as it is just inside the same mapped PSTG Sensitive Wildlife Habitat. Below is a screenshot of these missing Wildlife BMPs that I would like to add to this Form 2A highlighted in yellow. Please let me know if it is acceptable to add these BMPs.

Yes these are acceptable.

**Stephen J. Smeltz**

*Land and Legal*

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 **Locations Drawings.pdf**  
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