



TEP Rocky Mountain LLC
1058 County Road 215
Parachute, CO 81635

May 26, 2021

Julie Murphy
Director
Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203

RE: COGCC Rule 304.d.(2) Lesser Impact Area Exemption
TEP Rocky Mountain LLC, Federal WMC 24-17 Pad: SESW, Section 17, Township 7 South, Range 93
West
OGDP Docket #210500082, Form 2A Doc #402578943
Garfield County, Colorado

Dear Director Murphy,

TEP Rocky Mountain LLC (TEP) has filed a Form 2A, Oil and Gas Location Assessment with the Colorado Oil and Gas Conservation Commission (COGCC) for the above referenced location. COGCC Rule 304.d. stipulates that the Director may exempt an Operator from submitting any of the information required by Rule 304.b. or any plan required by Rule 304.c. TEP requests an exemption from the Director based on evidence showing the information or plan is unnecessary because the impacted resource or resource concern is not present in the area; or impacts to the resource will be so minimal as to pose no concern. Please see the attached Table for details.

Pursuant to COGCC Rule 304.d.(2), Operators may request an exemption from the Director in writing, without proceeding through the ordinary Rule 502 variance process. A request for an exemption will be provided with the Form 2A at the time the Form is submitted. This letter serves as the required exemption request.

If you have any questions or require additional information, please do not hesitate to contact me at 970-263-2736 or via email at jkirtland@terraep.com. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey D. Kirtland", written over a white background.

Jeffrey D. Kirtland
Regulatory Manager

Attachment

Federal WMC 24-17 Wellpad Lesser Impact Exemption Request Table

Exemption Requested From	Resource Concern Exemption	Circumstance	Description
Rule 304.C.(2) Noise Mitigation Plan	Noise impacts to the public and wildlife	The impact to resources will be so minimal as to pose no concern.	<p>During planning of the Federal WMC 24-17 pad, TEP determined through on-site surveys and reviewing available aerial imagery that there are no residential building units within one mile of the proposed working pad surface. Since no residential building units are present within one mile it is unlikely for noise generated during pre-production or production operations to adversely impact members of the public. Please refer to the Cultural Distance Map included in the Form 2A showing that there are no residential building units within one mile of the pad location.</p> <p>TEP also reviewed High Priority Habitat within one mile of the Federal WMC 24-17 pad. The Federal WMC 24-17 pad is located outside of all High Priority Habitat boundaries. High Priority Habitat identified within one mile of the working pad surface includes Elk Production Area, Elk Winter Concentration Area, and Cutthroat Trout Designated Critical Habitat. After review of the High Priority Habitat layers and review of the topography within one mile of the pad location, TEP determined that the majority of the HPH is located below the ridge line south of the pad within the West Mamm Creek drainage basin. Based on this evaluation it is unlikely that noise generated during pre-production and production operations would adversely affect wildlife resources. Please see the Wildlife Habitat Drawing included in the Form 2A for this location showing all High Priority Habitat boundaries within one mile of the working pad surface.</p>

Federal WMC 24-17 Wellpad Lesser Impact Exemption Request Table

<p>Rule 304.C.(3) Light Mitigation Plan</p>	<p>Lighting impacts to the public and wildlife</p>	<p>The impacted resource is not present.</p>	<p>During planning of the Federal WMC 24-17 pad, TEP determined through on-site surveys and reviewing available aerial imagery that there are no residential building units within a one-mile radius of the proposed working pad surface. Since no residential building units are present it is unlikely for on-site lighting during pre-production operations to have adverse impacts on members of the public. TEP does not plan to install any on-site lighting during production operations. Please refer to the Cultural Distance Map included in the Form 2A showing that there are no residential building units within one mile of the pad location.</p> <p>TEP also reviewed High Priority Habitat within one mile of the Federal WMC 24-17 pad. The Federal WMC 24-17 pad is located outside of all High Priority Habitat boundaries. High Priority Habitat within one mile of the working pad surface includes Elk Production Area, Elk Winter Concentration Area, and Cutthroat Trout Designated Critical Habitat. After review of the High Priority Habitat layers and review of the topography within one mile of the pad location, TEP determined that the majority of the High Priority Habitat is located below the ridge line south of the pad within the West Mamm Creek drainage basin. Based on this evaluation it is unlikely on-site lighting would adversely affect wildlife resources. Please see the Wildlife Habitat Drawing included in the Form 2A for this location showing all High Priority Habitat boundaries within one mile of the working pad surface.</p>
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