

FORM  
INSPRev  
X/20State of Colorado  
Oil and Gas Conservation Commission1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109

Inspection Date:

10/04/2023

Submitted Date:

10/13/2023

Document Number:

697504884

## FIELD INSPECTION FORM

 Loc ID 456651 Inspector Name: Binschus, Chris On-Site Inspection  2A Doc Num:
**Status Summary:**

- THIS IS A FOLLOW UP INSPECTION  
 FOLLOW UP INSPECTION REQUIRED  
 NO FOLLOW UP INSPECTION REQUIRED

**Operator Information:**
 OGCC Operator Number: 10701  
 Name of Operator: UPLAND EXPLORATION LLC  
 Address: 424 S MAIN ST  
 City: BOERNE State: TX Zip: 78006
**Findings:**

- 12 Number of Comments  
 8 Number of Corrective Actions  
 Corrective Action Response Requested

**ANY CORRECTIVE ACTION(S) FROM  
 PREVIOUS INSPECTIONS THAT HAVE NOT  
 BEEN ADDRESSED ARE STILL APPLICABLE**

**Contact Information:**

Contact Name	Phone	Email	Comment
		dustin@uplandexploration.com	

**Inspected Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
456651	LOCATION	AC			-	Salt Ranch Fee 18 East	RI

**General Comment:**

On 10/4/2023, Reclamation Specialist Chris Binschus and Denise Arthur performed a follow up inspection at the request of an Operator representative, Dustin Rollins.

On 10/11/2023, Reclamation Specialist Chris Binschus performed a follow up inspection at the MLVT area.

This inspection also addresses complaints submitted on 8/21/2023, 8/22/2023 and 10/11/2023.

ECMC issued a NOAV on 3/16/2023 (Doc.# 403347572). Note- this inspection does not address all of the violations issued in the NOAV, which still remain out of compliance.

Refer to the Lease Road, Good Housekeeping, Location Construction/Stormwater, Complaint, Reclamation, Stormwater and COGCC Comments sections of this inspection report for additional details.

<b>Location</b>			
<b>Lease Road:</b>			
Type	Main		
comment:	<p>Operator has completed the import of new road base to help dust mitigation and Staff acknowledges the significant effort performed to accomplish this and has considered this dust issue resolved. However, dust complaints have been submitted and the most recent being on 10/11/2023 due to contractors not following posted vehicle speed restrictions. The Operator has a guard at the entrance of CR57 who instructs vehicles to obey speed restrictions, yet there are continued issues with contractors not following the speed restriction to minimize dust.</p> <p>Since there continues to be dust issues due to contractors not obeying speed restrictions, this corrective action remains out of compliance.</p>		
Corrective Action:	<p><b>Comply with Rule 427.b.</b></p> <p>It is the responsibility of the Operator to manage all contractors.</p> <p>Operator shall implement more robust BMPs to ensure speed restrictions are being followed.</p>		Date: <u>02/28/2023</u>
Overall Good: <input type="checkbox"/>			
Emergency Contact Number:			
Comment:			Date: _____
Corrective Action:			Date: _____
<b>Good Housekeeping:</b>			
Type	WEEDS		
Comment:	<p>Note for Enforcement purposes, Rule 606.c still remains out of compliance since 2/10/2023 and has not been resolved. The Weed Management Plan corrective action date of 8/25/2023 has not cleared out the original rule violation from 2/10/2023.</p>		
Corrective Action:			Date:
Type	WEEDS		
Comment:	<p>On 10/4/2023, Staff and the Operator stopped along a portion of the road where the Operator has failed to prevent the continued growth of Russian thistle, inconsistent herbicide applications and has not reseeded. Staff had a discussion about weed management and helped educate the Operator regarding proper weed management. Staff also explained why the resubmitted Weed Management Plan was denied.</p> <p>Weed management remains out of compliance.</p>		
Corrective Action:	<p>Operator shall resubmit the Weed management plan and address the following COAs:</p> <p>1) For any day "Weed Spraying" was conducted as documented in Exhibit 1, Operator shall include what herbicide was applied, application rates, and application method(s). Note application method(s) and rates were previously requested.</p> <p>2) Provide the mixing order conducted for each herbicide.</p> <p>3) Provide the surfactant type used with fluroxypyr and the surfactant rate.</p> <p>4) Provide justification for using fluroxypyr to control Russian thistle.</p>		Date: <u>08/25/2023</u>
Type	TRASH		
Comment:	<p>There was a complaint submitted back on 8/22/2023 regarding trash. On 10/4/2023, trash from plastic bags used for erosion control blankets were observed on the ground, along with other items. Trash was picked up along the way and put into a proper disposal bin on location.</p> <p>Operator claims to walk the location every day and pick up trash but it does not appear to be sufficient and continues to be an on-going issue.</p>		
Corrective Action:			Date:
Overall Good: <input type="checkbox"/>			
<b>Spills:</b>			
Type	Area	Volume	

In Containment: No

Comment:

Multiple Spills and Releases?

**Venting:**

Yes/No			
Comment:			
Corrective Action:		Date:	

**Flaring:**

Type		
Comment:		
Corrective Action:		Date:

**Location Construction**

Location ID: 456651 CDP: \_\_\_\_\_

Comment:

Corrective Action:

Date: \_\_\_\_\_

**Form 2A COAs:**

**Comment:**

Corrective Action:

Date: \_\_\_\_\_

**Wildlife BMPs:**

**Comment:**

Corrective Action:

Date: \_\_\_\_\_

**Stormwater:**

Erosion BMPs	Present	Other BMPs	Present

Comments: Erosion BMPs: Operator has made significant efforts to install stormwater BMPs and conduct stormwater repairs along the access road; however, BMP's have not been installed per good engineering practices. To date, the Operator has not submitted the required plan.

The intent was for the Operator to submit the required plan so the Operator would know how to properly install the BMPs.

Other BMPs:

Corrective Action: Operator shall submit an engineered stamped Permanent Stormwater Management Plan. The Plan shall address the access road and location. Date: 07/05/2023

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**Comment:**

**Corrective Action:**

Date: \_\_\_\_\_

**On Site Inspection (305):**

Surface Owner Contact Information:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Operator Rep. Contact Information:

Landman Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Date Onsite Request Received: \_\_\_\_\_ Date of Rule 306 Consultation: \_\_\_\_\_

Request LGD Attendance: \_\_\_\_\_

LGD Contact Information:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Agreed to Attend: \_\_\_\_\_

Summary of Landowner Issues:

Summary of Operator Response to Landowner Issues:

Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:

**Inspected Facilities**

Facility ID: 456651 Type: LOCATION API Number: - Status: AC Insp. Status: RI

**Complaint**

Comment: Operator submitted the Topsoil Importation Plan and Topsoil Protection Plan via FIRR; however, Staff did not approve the Plan via FIRR because it did not address the entire disturbance area along the access road. On 10/4/2023, Staff highlighted some of the areas beyond 1.9 miles but did not show every issue, which is what the Operator wanted. Staff encouraged the Operator to coordinate with the Surface Owner to ensure all issues were addressed.

The previous inspection required the Operator to submit the Plan via Form 4 Sundry Notice. Staff has requested the Operator to submit the Plan via Form 4 so that Staff could put comments and apply Conditions of Approval. To date, the Operator has failed to submit the Plan via Form 4 Sundry Notice.

Corrective Action: Operator shall submit the original Plan via Form 4 Sundry Notice and resubmit the required Plan to address the entire disturbance area along the access road, which goes beyond the first 1.9 miles.

Date: 08/25/2023

**Reclamation - Storm Water - Pit**

**Interim Reclamation:**

Date Interim Reclamation Started: \_\_\_\_\_ Date Interim Reclamation Completed: \_\_\_\_\_

Land Use: RANGELAND

Comment: \_\_\_\_\_

**1002 SITE PREPARATION AND STABILIZATION**

1002a. FENCING \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002b. SOIL REMOVAL AND \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002c. PROTECTION OF SOILS \_\_\_\_\_ Fail \_\_\_\_\_

Comment **Operator has reseeded the topsoil stockpile and there was some desirable germination; therefore, Staff is putting this corrective action In-Process for the topsoil stockpile on location.**  
  
**Operator has not attempted to reseed the windrowed topsoil along an approximate 1.5 mile section of the access road. This 1.5 mile section predominately remains established with Russian thistle. Operator has failed to prevent the continued growth of Russian thistle along these areas and inconsistent herbicide applications.**

Corrective Action **Comply with Rule 1002.c.**  
  
**Note- Operator did get an approved seed mix from the Surface Owner.**

Date **02/10/2023**

1002E. SURFACE DISTURBANCE MINIMIZATION \_\_\_\_\_ Fail \_\_\_\_\_

Comment **Operator has not conducted reclamation on areas disturbed due to access road expansion, and other adjacent areas disturbed due to improper road maintenance and vehicle traffic off the original access road boundary, and is still working to put together an approved Plan. See the Complaint section for more details.**  
  
**Complaints have been submitted and the most recent being on 10/11/2023 due to contractors not staying on the lease road.**  
  
**Surface disturbance minimization remains out of compliance, which includes vehicle traffic off the lease road.**

Corrective Action **Comply with Rule 1002.e.**  
  
**It is the responsibility of the Operator to manage all contractors.**  
  
**Operator shall implement more robust BMPs to ensure contractors stay on the lease roads.**

Date **02/10/2023**

1003a. Waste and Debris removed? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

Unused or unneeded equipment onsite? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

Pit, cellars, rat holes and other bores closed? \_\_\_\_\_

Comment

Corrective Action

Date \_\_\_\_\_

Guy line anchors marked? \_\_\_\_\_

Comment

Corrective Action

Date \_\_\_\_\_

1003b. Area no longer in use? \_\_\_\_\_

Production areas stabilized ? \_\_\_\_\_

1003c. Compacted areas have been cross ripped? \_\_\_\_\_

1003d. Drilling pit closed? \_\_\_\_\_ Subsidence over on drill pit? \_\_\_\_\_

Cuttings management: \_\_\_\_\_

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? \_\_\_\_\_

Production areas have been stabilized? \_\_\_\_\_

Segregated soils have been replaced? \_\_\_\_\_

RESTORATION AND REVEGETATION

Cropland

Top soil replaced \_\_\_\_\_

Recontoured \_\_\_\_\_

Perennial forage re-established \_\_\_\_\_

Non-Cropland

Top soil replaced \_\_\_\_\_

Recontoured \_\_\_\_\_

80% Revegetation \_\_\_\_\_

1003e. INTERIM VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% \_\_\_\_\_

TRANSECT RESULTS OF REFERENCE AREA% \_\_\_\_\_

TOTAL % OF DESIRABLE VEGETATION COVER \_\_\_\_\_

VEGETATIVE COVER \_\_\_\_\_

1003 f. Weeds Noxious weeds? \_\_\_\_\_

Comment **Staff, Chris Binschus, and an Operator representative, Dustin Rollins, have had previous discussions about the MLVT area adjacent to the CCRP Salt Ranch location that was used during completion operations. Staff and Operator were not in agreement at the time regarding who was responsible for reclaiming the MLVT area.**  
**Staff has conducted further investigation into the MLVT area and has confirmed the MLVT area is the responsibility of Upland. Upland's contractor, Standard Resources, reseeded the MLVT area last Fall and billed Upland for the work.**  
**Some germination of desirable plant species was observed but much of the MLVT area consists of Russian thistle. Additional weed management and reseeded are required.**

Corrective Action **Perform reclamation in accordance to Rule 1003. Establish vegetation with total perennial, non-invasive uniform plant cover of at least eighty (80) percent of reference area levels. Use a seed mixture requested by the surface owner. Continue to monitor and manage this site until the location meets Rule 1003 standards, including stormwater and weed management.**  
**The corrective action date is the date the location was observed out of compliance.**

Date **10/11/2023**

Overall Interim Reclamation **Fail**

**Final Reclamation/ Abandoned Location:**

Date Final Reclamation Started: \_\_\_\_\_

Date Final Reclamation Completed: \_\_\_\_\_

Final Land Use: RANGELAND

Reminder: \_\_\_\_\_

Comment:

Well plugged \_\_\_\_\_

Pit mouse/rat holes, cellars backfilled \_\_\_\_\_

Debris removed \_\_\_\_\_ No disturbance /Location never built \_\_\_\_\_  
 Access Roads Regraded \_\_\_\_\_ Contoured \_\_\_\_\_ Culverts removed \_\_\_\_\_  
 Gravel removed \_\_\_\_\_  
 Location and associated production facilities reclaimed \_\_\_\_\_ Locations, facilities, roads, recontoured \_\_\_\_\_  
 Compaction alleviation \_\_\_\_\_ Dust and erosion control \_\_\_\_\_  
 Non cropland: Revegetated 80% \_\_\_\_\_ Cropland: perennial forage \_\_\_\_\_  
 Weeds present \_\_\_\_\_ Subsidence \_\_\_\_\_  
 1004.d. FINAL VEGETATION TRANSECT  
 TRANSECT RESULTS OF DISTURBED AREA% \_\_\_\_\_  
 TRANSECT RESULTS OF REFERENCE AREA% \_\_\_\_\_  
 TOTAL % OF DESIRABLE VEGETATION COVER \_\_\_\_\_  
 VEGETATIVE COVER \_\_\_\_\_  
 Comment: \_\_\_\_\_  
 Corrective Action: \_\_\_\_\_ Date \_\_\_\_\_  
 Overall Final Reclamation Well Release on Active Location  Multi-Well Location

**Storm Water:**

Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment
<p>Comment: Operator has made significant efforts to install stormwater BMPs and conduct stormwater repairs along the access road and location since the previous inspection; however, BMP's have not been installed per good engineering practices.</p> <p>There is a portion along the access road at ~2.4 miles where a BMP has not been properly installed and is not sufficient to control stormwater erosion off the lease road. Both Upland and CCRP will have to coordinate on the corrective action.</p> <p>Corrective Action: <b>Comply with Rule 1002.f.</b> Date: 05/11/2023</p>						
<p><b>Pits:</b> <input type="checkbox"/> NO SURFACE INDICATION OF PIT</p>						

**COGCC Comments**

Comment	User	Date
Staff, Chris Binschus, conducted inspections on 8/28/2023 (portion of Salt Ranch Fee access road and both Little Lady locations) and 8/29/2023 (Salt Ranch Fee) with an Operator representative, Dustin Rollins. Staff did not submit inspections from these days but did spend a significant amount of time helping the Operator with on-going compliance issues.	binschusc	10/13/2023

**Attached Documents**

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
403561002	INSPECTION SUBMITTED	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284521">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284521</a>
697504885	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284503">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284503</a>