

**FORM  
INSP**

Rev  
X/20

**State of Colorado  
Oil and Gas Conservation Commission**

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



Inspection Date:

11/27/2023

Submitted Date:

11/30/2023

Document Number:

708200711

**FIELD INSPECTION FORM**

Loc ID 312143 Inspector Name: Edwardson, Dylan 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: 52530  
Name of Operator: MAGPIE OPERATING INC  
Address: 2707 SOUTH COUNTY RD 11  
City: LOVELAND State: CO Zip: 80537

**Findings:**

- 10 Number of Comments
- 6 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
Lindley, Trent		trent.lindley@state.co.us	
Waggoner, Kyle		kyle.waggoner@state.co.us	
Ferrin, Jeremy		jeremy.ferrin@state.co.us	
Trujillo, Aaron		aaron.trujillo@state.co.us	
WARNER, JAMES	970-669-6308	jwarner105@gmail.com	Principal Agent
Warner, Ryan	720-233-0875	magpieoil@yahoo.com	All Inspections
Heibel, Krystal		krystal.heibel@state.co.us	

**Inspected Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
111979	PIT	CL			-	WARNECKE LEASE	RI
111980	PIT	AC			-	WARNECKE LEASE	RI
111981	PIT	AC			-	WARNECKE LEASE	RI
218853	WELL	PA	04/22/2019	OW	075-05621	WARNECKE 1	RI
312143	LOCATION	AC			-	WARNECKE-68N53W 30SESE	RI

**General Comment:**

This is a follow-up Final Reclamation and Stormwater Inspection to Field Inspection Report (Doc #708200559 dated 09/18/2023; Doc #708200446 dated 08/03/2023; Doc #708200216 dated 05/03/2023; Doc #696105620 dated 11/22/2022; and Doc #696105548 dated 10/24/2022).

This inspection is in response to Operator submitted FIRR (Doc #403587302) stating that corrective actions from the previous field inspection (Doc #708200559) have been completed.

This inspection is also in response to a Reclamation Complaint (Doc #403201074) received on 10/18/2022.

The following compliance issues were observed during this inspection and it is clear that corrective actions were not completed since the previous inspections:

-Reclamation

**Location**

Overall Good:

Emergency Contact Number:

Comment:

Corrective Action:

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

**Good Housekeeping:**

Type	OTHER		
Comment:	Open and unattended excavation associated with Remediation Project #13484 is not properly fenced off to prevent entry and provide adequate protection of public safety or wildlife. Refer to attached inspection photos.		
Corrective Action:	Fence or cover open excavations to prevent access when sites are not attended per Rule 913.b.(5)B.i. The locaiton will remain out of compliance until the corrective action has been resolved.	Date:	11/27/2023
Type	OTHER		
Comment:	During this inspection, Staff observed several open holes/borings around the perimeter of the excavated pit; these holes were approximately 12" wide x 6' deep. These openings present a safety hazard for wildlife and public. Refer to attached inspection photos.		
Corrective Action:	Operator shall immediately ensure operations are safe and will properly install safety controls for the observed hole/subsidence pursuant to Rule 602.c. Corrective action date is the date the location was observed out of compliance.	Date:	11/27/2023
Type	DEBRIS		
Comment:	The Operator appears to have removed debris and trash from around the wellhead location.		
Corrective Action:		Date:	
Type	OTHER		
Comment:	Operator submitted FIRR (doc #403557302) stating that the stained soil was field tested and did not contain any hydrocarbons; there was no attached documentation to support this finding. During this inspection, Staff observed that impacted material/stained soil remains on location since the previous inspection (Doc #708200559 conducted on 09/18/2023). Based on field observations, the corrective action does not appear to have been completed. Refer to attached inspection photos.		
Corrective Action:	Properly dispose of oily waste in accordance with 905.e. Corrective action date is being backdated to when the location was originally observed to be out of compliance.	Date:	08/03/2023

Overall Good:

**Spills:**

Type	Area	Volume		

In Containment: No

Comment:

Multiple Spills and Releases?

**Venting:**

Yes/No			
Comment:			
Corrective Action:		Date:	

**Flaring:**

Type			
Comment:			
Corrective Action:		Date:	



**Inspected Facilities**

Facility ID: 111979 Type: PIT API Number: - Status: CL Insp. Status: RI

Facility ID: 111980 Type: PIT API Number: - Status: AC Insp. Status: RI

Facility ID: 111981 Type: PIT API Number: - Status: AC Insp. Status: RI

Facility ID: 218853 Type: WELL API Number: 075-05621 Status: PA Insp. Status: RI

Facility ID: 312143 Type: LOCATION API Number: - Status: AC Insp. Status: RI

**Environmental**

**Spills/Releases:**

Type of Spill: \_\_\_\_\_ Estimated Spill Volume: \_\_\_\_\_

Comment: Previous Comment: At the time of this inspection, Staff observed the excavation and loading of E&P waste from the former pit area for offsite disposal. Through conversations with the onsite Operator representative (Dick Noltube), Staff was informed that the E&P waste was being transported to the Washington County Landfill. Operator representative Jody Kost informed EPS Staff that the Operator had received prior approval to accept their E&P waste at the Washington County Landfill. As of 11/30/2023, ECMC has not received a Form 27(S) to document the approval from Washington County Landfill for the acceptance of E&P waste, or the associated waste manifests.

Corrective Action: Operator shall provide documentation of approval from Washington County Landfill and associated waste manifests (w/ total cubic yard count of impacted material) via Form 27 Supplemental, route to area EPS (krystal.heibel@state.co.us).

Date: 09/28/2023

Reportable: \_\_\_\_\_ GPS: Lat \_\_\_\_\_ Long \_\_\_\_\_

Proximity to Surface Water: \_\_\_\_\_ Depth to Ground Water: \_\_\_\_\_

**Water Well Complaint:**

Lat \_\_\_\_\_ Long \_\_\_\_\_

DWR Receipt Num: \_\_\_\_\_ Owner Name: \_\_\_\_\_ GPS : \_\_\_\_\_

**Field Parameters:**

Sample Location: \_\_\_\_\_ Comment: \_\_\_\_\_

**Reclamation - Storm Water - Pit**

**Interim Reclamation:**

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

Land Use: \_\_\_\_\_

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

**1002 SITE PREPARATION AND STABILIZATION**

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

Comment \_\_\_\_\_

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

Date \_\_\_\_\_

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

Comment \_\_\_\_\_

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

Date \_\_\_\_\_

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

Comment Stockpiled soils and portions of exposed soils within the open excavation, associated with Remediation Project #13484, are not protected from wind and water erosion as they are unconsolidated and not properly stabilized in their current state.

Corrective Action Comply with Rule 1002.c. The location will remain out of compliance until the corrective action has been resolved.

Date **11/27/2023**

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

Comment \_\_\_\_\_

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

Date \_\_\_\_\_

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 \_\_\_\_\_

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

Date \_\_\_\_\_

Overall Interim Reclamation

**Final Reclamation/ Abandoned Location:**

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

Final Land Use: \_\_\_\_\_

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

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

Well plugged \_\_\_\_\_ Pit mouse/rat holes, cellars backfilled **Fail**

Debris removed \_\_\_\_\_ No disturbance /Location never built \_\_\_\_\_

Access Roads Regraded **Fail** Contoured **Fail** Culverts removed \_\_\_\_\_

Gravel removed **Fail**

Location and associated production facilities reclaimed **Fail** Locations, facilities, roads, recontoured **Fail**

Compaction alleviation **Fail** 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:

This location does not comply with Rule 1004. It does not appear any reclamation work has been performed at the location since the previous inspection (Doc #708200559) conducted on 09/18/2023. The Operator indicated on FIRR (doc #403587302) that the corrective action for Rule 1004 had been completed and the location was previously decompacted. During this inspection, Staff observed that gravel and road base remains on the access road and former production areas which have not been decompacted, contoured, or graded to reflect reference areas. Areas not impacted by active remediation will need to be reclaimed ASAP, in accordance with 1004 Rules. Refer to attached inspection photos for documentation.

Corrective Action:

Comply with 1004 Rules immediately. Active remediation should not preclude the commencement of final reclamation activities on portions of the location that are not affected by active remediation.

Corrective action date is being back dated to when final reclamation activities should have been completed.

Date **07/22/2019**

Overall Final Reclamation **Fail**

Well Release on Active Location

Multi-Well Location

**Attached Documents**

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

Document Num	Description	URL
403611819	INSPECTION SUBMITTED	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340056">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340056</a>
708200717	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340034">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340034</a>