

**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 FORMLoc ID 312143 Inspector Name: Edwardson, Dylan On-Site Inspection ☐ 2A Doc Num: _____**Operator Information:**

OGCC Operator Number: 52530

Name of Operator: MAGPIE OPERATING INC

Address: 2707 SOUTH COUNTY RD 11

City: LOVELAND State: CO Zip: 80537

Status Summary:

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

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

LocationOverall 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		
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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 REVEGETATIONCropland

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	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340056
708200717	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6340034