

Mike Gardner

From: Mike Gardner
Sent: Friday, August 30, 2024 8:43 AM
To: wayne.smelser@state.co.us
Cc: Lindsey Ellsworth; Shawn Brennan
Subject: Field Inspection Report Doc. #708904337 (Location ID 311677)

Hi Wayne,

On August 8, 2024, you conducted a site inspection of TEP's Harris RWF 31-5 well pad (Location ID 311677), wherein you identified two corrective actions (CAs) related to housekeeping at the subject well pad. Both CAs are related to the landowner storing personal property and miscellaneous equipment on the edge of this location. Subsequently, you have requested that these items be removed from the well pad and have established two completion dates for each of the respective CAs of 8/17/24 and 9/09/24, respectively.

The purpose of this email is to provide you with an update regarding TEP's attempts to communicate ECMCs concerns with the landowner and to coordinate / facilitate the removal of items that have been placed upon this pad by the landowner. TEP has met with the landowner, and the owner has agreed to remove items stored on the south end of the pad closest to the production equipment. It is anticipated that the landowner will remove the items from this area by September 30, 2024. However, the landowner has expressed a desire to continue using the area on the far north end of the pad for the continued storage of personal property. This is consistent with early agreements made between the landowner and the operator who originally constructed the location. As allowed per ECMC Rule 606.a.2 and Rule 502.b, TEP will seek a Surface Owner Variance request on behalf of the landowner to allow for their continued use of this portion of the pad.

It should be noted that the owner's use of these areas does not interfere with safe operations at the location, inhibit access to any of our equipment, or compromise emergency response capabilities. TEP (and prior operators) has safely conducted operations at this location without interference or any incidents since the wells went into production in 2008 (for over 16 years). TEP intends to honor the agreements made between the landowner and prior operators and supports the landowner's desire to make beneficial use of this area upon completion of production activities at this pad.

This correspondence will be included as an attachment to a FIRR that will be submitted in response to these corrective actions. TEP understands that these CAs will not be considered "complete" by their respective due dates. However, due to the limitations of the FIRR document / process, this is the only means available for TEP to document / respond directly to the to the corrective actions as identified in FIR doc #708904337.

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