

## Kubeczko, Dave

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**From:** Kubeczko, Dave  
**Sent:** Thursday, April 08, 2010 12:51 PM  
**To:** Kubeczko, Dave  
**Subject:** FW: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Scan No 2033037      CORRESPONDENCE      2A#2095498

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**From:** Croteau, Jevin [mailto:Jevin.Croteau@encana.com]  
**Sent:** Monday, March 08, 2010 4:33 PM  
**To:** Kubeczko, Dave  
**Subject:** RE: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Dave,

Thank you for your clarification.

Regarding water resources, I am ok with the COA's but I just want to let you know that I believe there is a huge difference between a perennial or intermittent stream and an ephemeral stream and which one falls under the definition of a surface water. No where in the rules does it mention that an ephemeral streams or draw is a surface water or needs to be listed as one.

Thank you for all your time on this.

Jevin

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**From:** Kubeczko, Dave [mailto:Dave.Kubeczko@state.co.us]  
**Sent:** Monday, March 08, 2010 2:23 PM  
**To:** Croteau, Jevin  
**Subject:** RE: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Jevin,

My answers are listed below. Thanks.

Dave

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**From:** Croteau, Jevin [mailto:Jevin.Croteau@encana.com]  
**Sent:** Monday, March 08, 2010 11:54 AM  
**To:** Kubeczko, Dave  
**Subject:** RE: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Dave,

For the first one it states a Form 15 shall be submitted within 30 calendar days after construction. And why are flare pits considered Special purpose pits? Please see definitions (100 Series rules) "Special Purpose Pits"; flare pits are listed under special purpose pits.

Is there a limit to the potential you have to look at? You mentioned intermittent and perennial. I said they are ephemeral. I looked at it. if the state wants me to change them I need a good reason for making the change on each one. Please remember this area is very dry and sees very little precipitation. In the definition for sensitive area (100 Series), surface waters are listed as lakes, rivers, perennial or intermittent streams, creeks, irrigation canals, and wetlands. At any given time, an intermittent or ephemeral drainage could carry surface water (either precipitation or snow melt); and therefore, spills, which are accidental and unintentional, may be carried offsite. We place COAs such as the ones I have listed on two of your Form 2As to ensure that any unintentional releases remain on the pad. When I list distances for nearest surface water, I am being painstakingly consistent from area to area (and subsequently operator to operator). You may wish to discuss this with other permit specialists within EnCana, as I have reviewed their permits also, and placed similar COAs on their Form 2As. In general, the requirements for BLM and CDPHE stormwater controls are usually sufficient to contain most unintentional releases. It is during fracing operations when larger volumes of E&P materials are present and may become an issue if there was a release.

Jevin

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**From:** Kubeczko, Dave [mailto:Dave.Kubeczko@state.co.us]  
**Sent:** Monday, March 08, 2010 11:40 AM  
**To:** Croteau, Jevin  
**Subject:** RE: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Jevin,

My answers are listed below.

Dave

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**From:** Croteau, Jevin [mailto:Jevin.Croteau@encana.com]  
**Sent:** Monday, March 08, 2010 10:55 AM  
**To:** Kubeczko, Dave  
**Subject:** RE: EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Dave,

I need some help with why a flare or flare pit needs to be changed or marked as a special purpose pit and why a flare pit and in what circumstances do we need a Form 15 for a flare pit? A Form 15 is needed as stated in Rule 903.b.(2).; the Form 15 also requires that a Form 27 be submitted when closing the flare pit, whether it was used or not (if the flare pit was not used, it can be stated in the Form 27 and no investigation will be necessary).

As for the water resources I chose for all of these Andy's Mesa Re-files I picked the nearest intermittent surface water. I did not pick every ephemeral stream according to the topographic map. If you need intermittent and perennial you don't have much in this area? if you want or need to include ephemeral streams than please feel free to change them all? In determination of whether an oil and gas location may be in a sensitive area, any potential surface water needs to be looked at. This is how **all oil and gas location Form 2A permits are reviewed.**

Please let me know if you have any other questions.

Thanks,

Jevin

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**From:** Kubeczko, Dave [mailto:Dave.Kubeczko@state.co.us]

**Sent:** Thursday, March 04, 2010 4:52 PM

**To:** Croteau, Jevin

**Subject:** EnCana Oil & Gas (USA), Andy's Mesa Federal 82, NESW Sec 28 T44N R16W, San Miguel County, Form 2A (#2095498) Review

Jevin,

I have been reviewing the Andy's Mesa Federal 82 **Form 2A** (#2095498). COGCC requests the following clarifications regarding the data EnCana Oil & Gas has submitted on or attached to the Form 2A prior to passing the Oil and Gas Location Assessment.

1. **Facilities (Section 5):** Form 2A indicates there will be a flare at this location. Construction layout drawings (Exhibit 2) indicate that there will be a separate flare pit located north of the reserve pit. This flare pit needs to be marked as a special purpose pit on the Form 2A and a Form 15 (Earthen Pit Report/Permit) must be submitted. I can make the change if you send an email with this request.
2. **Water Resources (Section 14):** Form 2A indicates that the distance to the nearest surface water is 5702 feet. COGCC's rules state that the distance to the nearest surface water should reflect intermittent, as well as, perennial streams. COGCC's review indicates there is an intermittent stream located approximately 871 feet to the east-southeast. I can make the change if you send me an email with this request.

COGCC would appreciate your review of these issues, which need to be addressed prior to passing the OGLA review. If you have any questions, please do not hesitate to call me at (970) 625-2497 x5 (office) or (970) 309-2514 (cell), or email. Thanks.

Dave

**David A. Kubeczko, PG**  
**Oil and Gas Location Assessment Specialist**

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