

FORM 2A

Rev 04/01

State of Colorado Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80205 Phone: (303) 894-2100 Fax: (303) 894-2109



Table with columns DE, ET, OE, ES

Document Number: 400221034

Oil and Gas Location Assessment

[X] New Location [ ] Amend Existing Location Location#: \_\_\_\_\_

Submit original plus one copy. This form is to be submitted to the COGCC prior to any ground disturbance activity associated with oil and gas development operations...

Location ID: 426721 Expiration Date: 11/29/2014

[X] This location assessment is included as part of a permit application.

1. CONSULTATION

- This location is included in a Comprehensive Drilling Plan. CDP # \_\_\_\_\_
This location is in a sensitive wildlife habitat area.
This location is in a wildlife restricted surface occupancy area.
This location includes a Rule 306.d.(1)A.ii. variance request.

2. Operator

Operator Number: 10261
Name: BAYSWATER EXPLORATION AND PRODUCTION LLC
Address: 730 17TH ST STE 610
City: DENVER State: CO Zip: 80202

3. Contact Information

Name: Kallasandra Moran
Phone: (303) 928-7128
Fax: (303) 962-6237
email: kmoran@petro-fs.com

4. Location Identification:

Name: Hergert Number: 17-35
County: WELD
Quarter: NENE Section: 35 Township: 7N Range: 67W Meridian: 6 Ground Elevation: 4897
Footage at surface: 1297 feet FNL, from North or South section line, and 1141 feet FEL, from East or West section line.
Latitude: 40.534340 Longitude: -104.855112 PDOP Reading: 1.5 Date of Measurement: 09/27/2011
Instrument Operator's Name: LK Stevenson / PFS

5. Facilities (Indicate the number of each type of oil and gas facility planned on location):

Special Purpose Pits: [ ] Drilling Pits: [ ] Wells: [ 1 ] Production Pits: [ ] Dehydrator Units: [ ]
Condensate Tanks: [ ] Water Tanks: [ ] Separators: [ ] Electric Motors: [ ] Multi-Well Pits: [ ]
Gas or Diesel Motors: [ ] Cavity Pumps: [ ] LACT Unit: [ ] Pump Jacks: [ ] Pigging Station: [ ]
Electric Generators: [ ] Gas Pipeline: [ ] Oil Pipeline: [ ] Water Pipeline: [ ] Flare: [ ]
Gas Compressors: [ ] VOC Combustor: [ ] Oil Tanks: [ ] Fuel Tanks: [ ]
Other: \_\_\_\_\_

6. Construction:

Date planned to commence construction: 12/01/2011 Size of disturbed area during construction in acres: 1.38  
Estimated date that interim reclamation will begin: 04/16/2012 Size of location after interim reclamation in acres: 0.69  
Estimated post-construction ground elevation: 4897 Will a closed loop system be used for drilling fluids: Yes   
Will salt sections be encountered during drilling: Yes  No  Is H2S anticipated? Yes  No   
Will salt (>15,000 ppm TDS Cl) or oil based muds be used: Yes  No   
Mud disposal: Offsite  Onsite  Method: Land Farming  Land Spreading  Disposal Facility   
Other: \_\_\_\_\_

### 7. Surface Owner:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Date of Rule 306 surface owner consultation: 10/21/2011  
Surface Owner:  Fee  State  Federal  Indian  
Mineral Owner:  Fee  State  Federal  Indian  
The surface owner is:  the mineral owner  committed to an oil and gas lease  
 is the executer of the oil and gas lease  the applicant  
The right to construct the location is granted by:  oil and gas lease  Surface Use Agreement  Right of Way  
 applicant is owner  
Surface damage assurance if no agreement is in place:  \$2000  \$5000  Blanket Surety ID 20100112

### 8. Reclamation Financial Assurance:

Well Surety ID: 20080034  Gas Facility Surety ID: \_\_\_\_\_  Waste Mgnt. Surety ID: \_\_\_\_\_

### 9. Cultural:

Is the location in a high density area (Rule 603.b.): Yes  No   
Distance, in feet, to nearest building: 1316, public road: 1141, above ground utilit: 1154  
, railroad: 2409, property line: 251

### 10. Current Land Use (Check all that apply):

Crop Land:  Irrigated  Dry land  Improved Pasture  Hay Meadow  CRP  
Non-Crop Land:  Rangeland  Timber  Recreational  Other (describe): \_\_\_\_\_  
Subdivided:  Industrial  Commercial  Residential

### 11. Future Land Use (Check all that apply):

Crop Land:  Irrigated  Dry land  Improved Pasture  Hay Meadow  CRP  
Non-Crop Land:  Rangeland  Timber  Recreational  Other (describe): \_\_\_\_\_  
Subdivided:  Industrial  Commercial  Residential

### 12. Soils:

List all soil map units that occur within the proposed location. Attach the National Resource Conservation Service (NRCS) report showing the "Map Unit Description" report listing the soil typical vertical profile. This data is to be used when segregating topsoil.

The required information can be obtained from the NRCS web site at <http://soildatamart.nrcs.usda.gov/> or from the COGCC web site GIS Online map page found at <http://colorado.gov/cogcc>. Instructions are provided within the COGCC web site help section.

NRCS Map Unit Name: 52 - Otero Sandy Loam - 3 to 5% slopes

NRCS Map Unit Name: \_\_\_\_\_  
NRCS Map Unit Name: \_\_\_\_\_

**13. Plant Community:**

Complete this section only if any portion of the disturbed area of the location's current land use is on non-crop land.

Are noxious weeds present: Yes  No   
Plant species from:  NRCS or,  field observation Date of observation: \_\_\_\_\_  
List individual species: \_\_\_\_\_

Check all plant communities that exist in the disturbed area.

- Disturbed Grassland (Cactus, Yucca, Cheatgrass, Rye)
- Native Grassland (Bluestem, Grama, Wheatgrass, Buffalograss, Fescue, Oatgrass, Brome)
- Shrub Land (Mahogany, Oak, Sage, Serviceberry, Chokecherry)
- Plains Riparian (Cottonwood, Willow, Aspen, Maple, Poplar, Russian Olive, Tamarisk)
- Mountain Riparian (Cottonwood, Willow, Blue Spruce)
- Forest Land (Spruce, Fir, Ponderosa Pine, Lodgepole Pine, Juniper, Pinyon, Aspen)
- Wetlands Aquatic (Bullrush, Sedge, Cattail, Arrowhead)
- Alpine (above timberline)
- Other (describe): \_\_\_\_\_

**14. Water Resources:**

Rule 901.e. may require a sensitive area determination be performed. If this determination is performed the data is to be submitted with the Form 2A.

Is this a sensitive area:  No  Yes Was a Rule 901.e. Sensitive Areas Determination performed:  No  Yes  
Distance (in feet) to nearest surface water: 243, water well: 857, depth to ground water: 6  
Is the location in a riparian area:  No  Yes Was an Army Corps of Engineers Section 404 permit filed  No  Yes  
Is the location within a Rule 317B Surface Water Suppl Area buffer zone:  
 No  0-300 ft. zone  301-500 ft. zone  501-2640 ft. zone  
If the location is within a Rule 317B Surface Water Supply Area buffer have all public water supply systems within 15 miles been notified:  No  Yes

**15. Comments:**

Please reference Bayswaters E&P Waste Management Plan for COGCC Facility #425196 / COGCC Document #1814870. The location does not require a variance from any of the rules listed in Rule 306.d. (1). (A). (ii). The location is not in a restricted surface occupancy area. The location is not in a sensitive wildlife habitat area.

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct and complete.

Signed: \_\_\_\_\_ Date: 11/04/2011 Email: kmoran@petro-fs.com  
Print Name: Kallasandra M. Moran Title: Regulatory Analyst

Based on the information provided herein, this Application for Permit-to-Drill complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved: David S. Nashin Director of COGCC Date: 11/30/2011

**CONDITIONS OF APPROVAL, IF ANY:**  
\_\_\_\_\_

All representations, stipulations and conditions of approval stated in this Form 2A for this location shall constitute representations, stipulations and conditions of approval for any and all subsequent operations on the location unless this Form 2A is modified by Sundry Notice, Form 4 or an Amended Form 2A.

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**Attachment Check List**

Att Doc Num	Name
2613862	WASTE MANAGEMENT PLAN
2613876	CORRESPONDENCE
400221034	FORM 2A SUBMITTED
400221038	WASTE MANAGEMENT PLAN
400221039	NRCS MAP UNIT DESC
400221040	ACCESS ROAD MAP
400221041	HYDROLOGY MAP
400221043	LOCATION DRAWING
400221044	LOCATION PICTURES

Total Attach: 9 Files

**General Comments**

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Permit	Final Review Completed. No LGD or public comment received.	11/29/2011 1:59:06 PM
Permit	Okay to pass pending public comment 11/28/11.	11/15/2011 11:52:48 AM
OGLA	Attached a revised Waste Management Plan; Ready to Pass 11/28/2011.	11/10/2011 8:51:39 AM
Permit	ON HOLD: w/o WMP. Okay to pass pending public comment 11/27/11.	11/7/2011 2:39:12 PM
OGLA	requested a revised Waste Management Plan from operator	11/7/2011 1:22:16 PM
OGLA	Changed the Sensitive Area Designation to Yes because shallow ground water is present; notified the operator; the operator has stated that closed loop drilling will be used and no pits are requested on the location; therefore no additional conditions are attached relative to shallow ground water protection.	11/7/2011 1:20:22 PM

Total: 6 comment(s)

## BMP

<u>Type</u>	<u>Comment</u>
Site Specific	Fence the well site after drilling to restrict public and wildlife access. Keep well site location, the road, and the pipeline easement free of noxious weeds, litter and debris. Spray for noxious weeds, and implement dust control, as needed. Operator will not permit the release or discharge of any toxic or hazardous chemicals or wastes on Owner's Land. Construct and maintain gates where any roads used by operator cross through fences on the leased premises.
Interim Reclamation	Utilize only such area around each producing well as is reasonably necessary. Restore the remainder of the well site location to its original condition within a reasonable time after the completion of operations. All reseeding shall be done with grasses consistent with the Rocky Mountain native mix or other grasses reasonably requested by surface owner and during planting period suggested by Owner.
Planning	When feasible develop multiple well sites by using directional drilling to reduce cumulative impacts and adverse impacts on wildlife resources.
Storm Water/Erosion Control	Use water bars, and other measures to prevent erosion and non-source pollution. Implement and maintain BMPs to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation. Co-locate gas and water gathering lines whenever feasible, and mitigate any erosion problems that arise due to the construction of any pipeline(s).
Construction	Remove only the minimum amount of vegetation necessary for the construction of roads and facilities. Conserve topsoil during excavation and reuse as cover on disturbed areas to facilitate regrowth of vegetation. No construction or routine maintenance activities will be performed during periods when the soil is too wet to adequately support construction equipment.
Final Reclamation	All surface restoration shall be accomplished to the satisfaction of Owner. All reseeding shall be done with grasses consistent with the Rocky Mountain native mix or other grasses reasonably requested by surface owner and during planting period suggested by Owner. Final reclamation shall be completed to the reasonable satisfaction of the Owner as soon as practical after installation (weather permitting) and in accordance with regulatory agency standards (BLM/COGCC).
Drilling/Completion Operations	Use a closed-loop drilling mud system to preclude the use of an earthen reserve pits when available.

Total: 7 comment(s)