



State  
of  
Colorado

Kubeczko, Dave <dave.kubeczko@state.co.us>

## Recommended BMPs for Wiley 22-3-97-2 and Wiley 23-3-97-1

Kubeczko, Dave <dave.kubeczko@state.co.us>

Wed, Nov 21, 2012 at 10:25 AM

To: Dave Kubeczko <dave.kubeczko@state.co.us>

Scan No 2106477

CPW CORRESPONDENCE and PROPOSED BMPs

2A#400332278

----- Forwarded message -----

From: [kaulin@rockymountainpermitting.com](mailto:kaulin@rockymountainpermitting.com) <[kaulin@rockymountainpermitting.com](mailto:kaulin@rockymountainpermitting.com)>

Date: Fri, Nov 9, 2012 at 4:00 PM

Subject: RE: Recommended BMPs for Wiley 22-3-97-2 and Wiley 23-3-97-1

To: "Jacob Davidson ([jacob.davidson@state.co.us](mailto:jacob.davidson@state.co.us))" <[jacob.davidson@state.co.us](mailto:jacob.davidson@state.co.us)>, "David A. Kubeczko ([dave.kubeczko@state.co.us](mailto:dave.kubeczko@state.co.us))" <[dave.kubeczko@state.co.us](mailto:dave.kubeczko@state.co.us)>

Cc: John Barber <[john.barber@endeavourcorp.com](mailto:john.barber@endeavourcorp.com)>, Terry Hoffman <[terry@rockymountainpermitting.com](mailto:terry@rockymountainpermitting.com)>

Good afternoon Jacob,

On behalf of Endeavour Operating Corporation (Endeavour) and Buffalo Horn Ranch, I would like to thank you for providing a detailed and informative letter regarding the Colorado Parks and Wildlife concerns for mule deer and greater sage-grouse habitat. The recommended BMPs for the Wiley 23-3-97-1 and Wiley 22-3-97-2 locations were presented to Endeavour and Buffalo Horn Ranch for review. Taking into consideration all aspects of drilling and ranch operations, Endeavour and Buffalo Horn Ranch have agreed the proposed wildlife BMPs may adversely affect future operations; and therefore, respectfully deny any timing or visitation restrictions for the Wiley 23-3-97-1 and Wiley 22-3-97-2 locations. Endeavour and Buffalo Horn Ranch are aware of the CPW's concerns for mule deer and greater sage-grouse wintering range. Justifiably, Endeavour will discuss wildlife impacts and concerns with Buffalo Horn Ranch before proceeding with operations if occurring within the time period from December 1 through April 15. Endeavour will be considerate to mule deer and greater sage-grouse present in the area during operations.

Endeavour Operating Corporation and Buffalo Horn Ranch assure that the protection of wildlife habitat is a concern when planning operations, and hope to maintain a continued successful relationship with Colorado Parks and Wildlife in the future.

Respectfully,

Kaulin Waldner



**From:** Davidson, Jacob [mailto:[jacob.davidson@state.co.us](mailto:jacob.davidson@state.co.us)]  
**Sent:** Monday, November 05, 2012 10:35 AM  
**To:** [kaulin@rockymountainpermitting.com](mailto:kaulin@rockymountainpermitting.com)  
**Cc:** Warren, Michael; Dave Kubeczko; deVergie, Bill  
**Subject:** Recommended BMPs for Wiley 22-3-97-2 and Wiley 23-3-97-1

Kaulin,

Please see the attachment for our recommended BMPs, and letter detailing the thought process behind the recommendations.

Thank you,

**Jacob Davidson**

Land Use Specialist

Colorado Parks and Wildlife  
[jacob.davidson@state.co.us](mailto:jacob.davidson@state.co.us)  
 Office: (970) 878-6069  
 Cell: (970) 756-5226



**Kaulin Waldner.vcf**  
 2K



## COLORADO PARKS & WILDLIFE

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PO Box 1181 • Meeker, Colorado 81641  
Phone (970) 878-6090 • FAX (970) 878-6077  
wildlife.state.co.us • parks.state.co.us

November 5, 2012

Kaulin Waldner  
Rocky Mountain Permitting  
10835 Dover St., Suite 1400  
Westminster, CO 80021

Dear Kaulin Waldner,

I am writing you to communicate the specific details of the Colorado Parks and Wildlife (CPW) recommended winter timing stipulations for the Endeavour Operating Company Wiley 22-3-97-2 and Wiley 23-3-97-1 locations. Please share these recommendations with both Endeavour Operating Company, and Buffalo Horn Ranch.

CPW appreciates being able to seek agreement to stipulations specifically designed to protect and preserve local wildlife populations in the state of Colorado, and sincerely hopes that such an agreement can be reached with the operator (Endeavour Operating Company) and the property owner (Buffalo Horn Ranch). CPW respects the property owner's rights to develop their mineral estate, and hopes to work collaboratively with them to minimize potentially negative wildlife interactions of those activities.

The habitats potentially impacted by the Wiley well pads mentioned above include mule deer critical winter range, and greater sage-grouse winter range. For the past 6 years CPW has been closely monitoring the declining mule deer population in Northwest Colorado and the Piceance Basin, and has determined that one of the primary components to this decline is habitat degradation, including impacted critical winter ranges. Additional human activity and disturbances can greatly influence mule deer behavior, causing avoidance and displacement on a localized scale. Sufficient protection of mule deer at this vulnerable season is important to maximize survival of the adult population, including gestating females. To minimize impacts to mule deer within critical winter ranges, CPW recommends that drilling activities take place outside the period from December 1 to April 15. However, depending on current weather conditions CPW may agree to waive these stipulations in unusually warm spring or winter scenarios, if requested by the operator.

The location of the Wiley wells may also impact wintering greater sage-grouse, a federally listed species that is receiving much attention lately. Reports indicate that this

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John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources  
Rick D. Cables, Director, Colorado Parks and Wildlife  
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian • Jeanne Home  
Bill Kane, Vice-Chair • Gaspar Pericone • James Pribyl • John Singletary, Chair  
Mark Smith, Secretary • James Vigil • Dean Wingfield • Michelle Zimmerman  
Ex Officio Members: Mike King and John Salazar

area often holds many wintering greater sage-grouse, and the mule deer critical winter range stipulations would also serve to minimize impacts to this focal species as well, without additional timing restrictions.

CPW understands the challenges associated with extracting hydrocarbon resources in the most cost effective and environmentally responsible manner. It is our understanding that Endeavour is not currently anticipating drilling these locations during the winter of 2012-2013, based on drilling rig availability. Given that these locations are planning an initial pilot well followed by 2 or more months of testing before a horizontal well may be drilled, developing this location around a winter timing stipulation may be possible. If equipment, permits, and regulation allow, CPW suggests drilling the pilot holes in spring to give the best chance of being able to complete additional wells before the winter sets in.

Thank you for your consideration in this matter. Please let me know if I can be of any assistance. You can reach me directly at 970-878-6069.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Davidson', with a stylized, looping flourish at the end.

Jacob Davidson  
Land Use Specialist  
Colorado Parks and Wildlife

Enclosure

Cc: Bill de Vergie, Area Wildlife Manager  
Dean Riggs, Northwest Deputy Regional Manger  
Tom Knowles, District Wildlife Officer  
Darby Finley, Terrestrial Biologist  
Brian Holmes, Conservation Biologist  
Michael Warren, Energy Liaison

Listed below are CPWs recommended BMPs for the proposed Endeavour Operating Company's Wiley 22-3-97-2 and 23-3-97-1 locations.

Pad location: **Wiley 22-3-97-2, T3N, R97W, section 22 at 40.212075 , -108.259826**  
Document #: 400332378

Pad location: **Wiley 23-3-97-1, T3N, R97W, section 23 at 40.208891 , -108.239501**  
Document #: 400332278

Wildlife concerns: The proposed pad locations are within greater sage-grouse Preliminary Priority Habitat, 1.57 and 2.47 miles from an active greater sage-grouse lek (known as "Indian Valley"), and Mule Deer Critical Winter Range. Based on the above wildlife concerns, CPW recommends the following BMPs:

1. Where oil and gas activities must occur in mule deer critical winter range, conduct these activities outside the time period from December 1 through April 15. Where oil and gas activities must occur within greater sage-grouse winter habitat, conduct these activities outside the period between December 1 and March 15.
2. Restrict post-development well site visitations to between the hours of 10:00 a.m. and 3:00 p.m. from December 1 to April 15, to accommodate Mule Deer Critical Winter Range, and wintering Greater Sage-Grouse.
3. Use hospital grade mufflers for compressors, pump jacks, or other motors necessary to run operations at the site. Point mufflers upward to dissipate potential vibration.
4. Establish company guidelines to minimize wildlife mortality from vehicle collisions on roads.
5. Close and immediately reclaim all roads that are redundant, not used regularly, or have been abandoned to the maximum extent possible to minimize disturbance and habitat fragmentation.
6. Include a weed management plan and implement the plan as part of reclamation.
7. Install and utilize bear-proof dumpsters and trash receptacles for all food-related trash on location, following COGCC Rule 1204 a-1.

CPW would appreciate your concurrence with the proposed BMP's. Form 2A comments for this location are due on November 19, 2012. Please let me know if you have questions.

Thank you,

Jacob Davidson, Land Use Specialist, 970-878-6069