

FORM  
2

Rev  
12/05

State of Colorado  
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

400386711

Date Received:

03/28/2013

PluggingBond SuretyID

20110188

APPLICATION FOR PERMIT TO:

1. ☒ Drill, ☐ Deepen, ☐ Re-enter, ☐ Recomplete and Operate

2. TYPE OF WELL

OIL ☒ GAS ☐ COALBED ☐ OTHER \_\_\_\_\_  
SINGLE ZONE ☒ MULTIPLE ☐ COMMINGLE ☐

Refiling ☐

Sidetrack ☐

3. Name of Operator: TEKTON WINDSOR LLC

4. COGCC Operator Number: 10392

5. Address: 640 PLAZA DRIVE #290

City: HIGHLANDS State: CO Zip: 80129  
RANCH

6. Contact Name: CLAYTON DOKE Phone: (303)216-0703 Fax: (303)216-2139

Email: cdoke@iptengineers.com

7. Well Name: KODAK 10 Well Number: 7-3-28-270-4-NH

8. Unit Name (if appl): \_\_\_\_\_ Unit Number: \_\_\_\_\_

9. Proposed Total Measured Depth: 11718

WELL LOCATION INFORMATION

10. QtrQtr: SWNW Sec: 27 Twp: 6N Rng: 67W Meridian: 6

Latitude: 40.461490 Longitude: -104.885380

Footage at Surface: 1341 feet FNL/FSL 1042 feet FEL/FWL  
FNL FWL

11. Field Name: WATTENBERG Field Number: 90750

12. Ground Elevation: 4769 13. County: WELD

14. GPS Data:

Date of Measurement: 12/04/2012 PDOP Reading: 1.8 Instrument Operator's Name: ADAM KELLY

15. If well is ☐ Directional ☒ Horizontal (highly deviated) **submit deviated drilling plan.**

Footage at Top of Prod Zone: FNL/FSL FEL/FWL Bottom Hole: FNL/FSL FEL/FWL  
1815 FNL 460 FEL 1815 FNL 460 FWL  
Sec: 28 Twp: 6N Rng: 67W Sec: 28 Twp: 6N Rng: 67W

16. Is location in a high density area? (Rule 603b)? ☐ Yes ☒ No

17. Distance to the nearest building, public road, above ground utility or railroad: 997 ft

18. Distance to nearest property line: 1 ft 19. Distance to nearest well permitted/completed in the same formation(BHL): 330 ft

20. LEASE, SPACING AND POOLING INFORMATION

| Objective Formation(s) | Formation Code | Spacing Order Number(s) | Unit Acreage Assigned to Well | Unit Configuration (N/2, SE/4, etc.) |
|------------------------|----------------|-------------------------|-------------------------------|--------------------------------------|
| NIOBRARA               | NBRR           |                         | 320                           | GWA                                  |

21. Mineral Ownership: ☒ Fee ☐ State ☐ Federal ☐ Indian Lease #: \_\_\_\_\_

22. Surface Ownership: ☒ Fee ☐ State ☐ Federal ☐ Indian

23. Is the Surface Owner also the Mineral Owner? ☐ Yes ☒ No Surface Surety ID#: \_\_\_\_\_

23a. If 23 is Yes: Is the Surface Owner(s) signature on the lease? ☐ Yes ☐ No

23b. If 23 is No: ☒ Surface Owners Agreement Attached or ☐ \$25,000 Blanket Surface Bond ☐ \$2,000 Surface Bond ☐ \$5,000 Surface Bond

24. Using standard QtrQtr, Sec, Twp, Rng format enter entire mineral lease description upon which this proposed wellsite is located (attach separate sheet/map if you prefer):

TOWNSHIP 6 NORTH, RANGE 67 WEST, SECTION 28; N/2

25. Distance to Nearest Mineral Lease Line: 460 ft

26. Total Acres in Lease: 320

### DRILLING PLANS AND PROCEDURES

27. Is H2S anticipated? ☐ Yes ☒ No If Yes, attach contingency plan.

28. Will salt sections be encountered during drilling? ☐ Yes ☒ No

29. Will salt (>15,000 ppm TDS CL) or oil based muds be used during drilling? ☐ Yes ☒ No

30. If questions 28 or 29 are yes, is this location in a sensitive area (Rule 901.e)? ☐ Yes ☒ No

31. Mud disposal: ☒ Offsite ☐ Onsite

If 28, 29, or 30 are "Yes" a pit permit may be required.

Method: ☐ Land Farming ☒ Land Spreading ☐ Disposal Facility Other: \_\_\_\_\_

Note: The use of an earthen pit for Recompletion fluids requires a pit permit (Rule 905b). If air/gas drilling, notify local fire officials.

| Casing Type | Size of Hole | Size of Casing | Wt/Ft | Csg/Liner Top | Setting Depth | Sacks Cmt | Cmt Btm | Cmt Top |
|-------------|--------------|----------------|-------|---------------|---------------|-----------|---------|---------|
| SURF        | 12+1/4       | 9+5/8          | 36    | 0             | 500           | 265       | 500     | 0       |
| 1ST         | 8+3/4        | 7              | 23    | 0             | 7,461         | 164       | 7,461   | 6,386   |
| 1ST LINER   | 6+1/8        | 4+1/2          | 11.6  | 6436          | 11,718        |           |         |         |

32. BOP Equipment Type: ☒ Annular Preventer ☒ Double Ram ☐ Rotating Head ☐ None

33. Comments No conductor casing will be run. Pad slot #10. This well is a Rule 318A(a).4.(D) Horizontal GWA Well; Proposed Spacing Unit: N/2 Sec. 28 T6N-R67W. Well distance to nearest spacing unit boundary = 460'. Operator requests a rule 318A(a) and 318A(c) exception location; this well surface location is outside the GWA drilling windows and is greater than 50' from an existing well. Operator also requests a Rule 603.a.(2) exception location; this well is located less than 150' from the property line. The offsetting affected surface owner is the same as the surface owner for this location. Surface Owner has waived the applicable setback provisions [603.a.(2), 318A(a) and 318A(c)] in §2 ¶1 of the attached SUA, which states, "...OWNER hereby waives its right to object to the location of any of the OPERATOR'S facilities on the basis of setback requirements in the rules and regulations of the COGCC." The SUA continues, "OPERATOR or its successors and assigns may cite the waiver in this paragraph in order to obtain a location exception or variance under COGCC rules or from any other state or local governmental body having jurisdiction." All emphasis is in the original. Exception location requests are attached. The distance cited in question #17 is to an above ground utility to the West, the distance to the nearest building (dwelling) is 1360' to the Northwest. Operator is the only owner as defined in C.R.S. §34-60-103(7) within the proposed spacing unit and waives notification and 30-day Rule 318A(e).6. Tekton respectfully requests that the Rule 318A(a).4.(D) Horizontal well and proposed spacing unit be approved.

34. Location ID: \_\_\_\_\_

35. Is this application in a Comprehensive Drilling Plan ? ☐ Yes ☐ No

36. Is this application part of submitted Oil and Gas Location Assessment ? ☒ Yes ☐ No

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

Signed: \_\_\_\_\_

Print Name: CLAYTON DOKE

Title: SENIOR ENGINEER

Date: 3/28/2013

Email: cdoke@iptengineers.com

Operator must have a valid water right or permit allowing for industrial use or purchased water from a seller that has a valid water right or permit allowing for industrial use, otherwise an application for a change in type of use is required under Colorado law. Operator must also use the water in the location set forth in the water right decree or well permit, otherwise an application for a change in place of use is required under Colorado law. Section 37-92-103(5), C.R.S. (2011).

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: \_\_\_\_\_

Director of COGCC

Date: 4/29/2013

API NUMBER

05 123 37257 00

Permit Number: \_\_\_\_\_

Expiration Date: 4/28/2015

**CONDITIONS OF APPROVAL, IF ANY:**

All representations, stipulations and conditions of approval stated in the Form 2A for this location shall constitute representations, stipulations and conditions of approval for this Form 2 Permit-to-Drill and are enforceable to the same extent as all other representations, stipulations and conditions of approval stated in this Permit-to-Drill.

- 1) Provide notice of MIRU via an electronic Form 42.
- 2) Comply with Rule 317.i and provide cement coverage a minimum of 200' above the Niobrara. Verify cement coverage with a cement bond log per Rule 317.o.

**Applicable Policies and Notices to Operators**

Notice Concerning Operating Requirements for Wildlife Protection.

**Attachment Check List**

| Att Doc Num | Name                   |
|-------------|------------------------|
| 400386711   | FORM 2 SUBMITTED       |
| 400386917   | SURFACE AGRMT/SURETY   |
| 400388143   | WELL LOCATION PLAT     |
| 400388145   | PROPOSED SPACING UNIT  |
| 400388311   | EXCEPTION LOC REQUEST  |
| 400388312   | EXCEPTION LOC REQUEST  |
| 400388346   | PROPOSED SPACING UNIT  |
| 400395961   | DEVIATED DRILLING PLAN |
| 400395962   | DIRECTIONAL DATA       |
| 400397510   | OFFSET WELL EVALUATION |

Total Attach: 10 Files

**General Comments**

| <b><u>User Group</u></b> | <b><u>Comment</u></b>   | <b><u>Comment Date</u></b> |
|--------------------------|---|----------------------------|
| Permit                   | Received missing information/attachments for the 2A. Final review complete.   | 4/26/2013<br>9:23:31 AM    |
| Engineer                 | Evaluated offset wells for adequate coverage.   | 4/16/2013<br>5:19:30 PM    |
| Permit                   | Operator requests approval of a Rule 603.a.(2) exception location: Wellhead is to be located less than 150' from a property line. Request letter and waivers attached.<br>Operator requests approval of a Rule 318Aa and Rule 318Ac exception location: Wellhead is to be located outside of a GWA drilling window and will be located more than 50' from an existing well location. Request and waivers attached.<br>Form 2A on hold for production facility 2A and multi-well plan. | 4/3/2013 1:21:35<br>PM     |
| Permit                   | Operator must meet Water Well Testing requirements as per amended Rule 318Ae (4)  | 4/3/2013 1:21:24<br>PM     |
| LGD                      | If access to the site is proposed from a Town of Windsor street, such access point (s) shall require approval of an access permit from the Town of Windsor Engineering Department and any required access improvements, street clean-up, tracking pads, etc., shall be addressed per said access permit.  | 3/29/2013<br>3:02:30 PM    |
| LGD                      | The applicant shall submit for Conditional Use Grant approval from the Windsor Town Board for this and any other wells drilled within the Town of Windsor prior to initiating any drilling or other related activities. The Town requires the following conditions on the subject oil and gas facilities:   | 3/29/2013<br>3:01:50 PM    |

CONDITIONS:

1. Prior to the commencement of drilling, the applicant shall submit comprehensive "Drilling and Site Improvement Plans" for review and approval by the Town. Such plans shall address initial drilling activities, initial installation of site improvements and details, and on-going perpetual maintenance of the subject site including, but not limited to, the following:

a. Site access plan. The Drilling and Site Improvement Plans and supplemental information shall address site access points and haul routes for review and approval.

b. Public street clean-up and tracking prevention. The Drilling and Site Improvement Plans and supplemental information shall include a tracking pad for review and approval.

c. Site grading. The Drilling and Site Improvement Plans and supplemental information shall address site grading, including any earth berms for emergency containment.

d. Site lighting. The Drilling and Site Improvement Plans and supplemental information shall include details regarding site lighting fixtures and locations. Security and other site lighting shall utilize full cutoff light fixtures to mitigate light pollution.

e. Temporary screening. The applicant shall install a buffer to screen the initial drilling activities and installation of site improvements from surrounding neighborhoods and streets. The temporary buffer shall include hay bales to enclose the drilling operations to provide noise mitigation.

f. Permanent screening. Given the close proximity to residential neighbors, the Drilling and Site Improvement Plans shall depict proposed long-term screening materials including landscaping, earth berms and any other screening methods to mitigate visual impacts.

g. Fencing. The Drilling and Site Improvement Plans shall depict fencing of the perimeter of the site. Fencing materials shall be reviewed for approval by the Town based upon the character of the surrounding neighborhood.

h. Oil and gas equipment.

(1) The applicant shall utilize electric motors in order to mitigate the noise impacts to the neighboring properties.

(2) The applicant shall ensure that the wells and tanks are of the minimum size required to satisfy present and future functional requirements to mitigate visual impacts.

(3) Low profile tanks shall be utilized and shall be installed in the least visible manner possible.

(4) All tanks and equipment shall be painted to blend-in with the surrounding landscape.

i. Air quality.

(1) The applicant shall participate in any required Environmental Protection Agency (EPA) air quality monitoring and/or testing by allowing EPA to install equipment on site for said monitoring and testing.

(2) The applicant shall install and operate an emissions control device (ECD) capable of reducing Volatile Organic Compound (VOC) emissions on the subject oil and gas equipment in accordance with Colorado Oil and Gas Conservation Commission (COGCC) and/or the Colorado Department of Public Health and Environment (CDPHE) rules and regulations.

|        |   |                          |  |
|--------|---|--------------------------|--|
|        | <p>(3)The applicant shall submit to the Town copies of all air emissions reporting as required by the COGCC and/or the CDPHE's Air Pollution Control Division.</p> <p>j.Water quality.</p> <p>(1)The applicant shall ensure that any hydrocarbon discharges from the site comply with all state and federal water quality requirements.</p> <p>(2)The applicant shall participate in the Colorado Oil and Gas Association (COGA) Baseline Groundwater Quality Sampling Program utilizing independent third party sampling and laboratories and shall provide to the Town test results obtained before and after drilling operations.</p> <p>k.Emergency containment.The secondary containment berm surrounding all storage vessels shall be designed and constructed to contain a minimum of 110% of the volume of the largest vessel located within the containment area or to State of Colorado standards, whichever requirements are more stringent.</p> <p>l.Waste disposal.The applicant shall submit to the Town copies of all waste management reports as required by the COGCC and/or the CDPHE rules and regulations.</p> <p>m.The following certification blocks shall be included on the Drilling and Site Improvement Plans:</p> <p>(1)A signed owner's acknowledgement certification block.</p> <p>(2)A signed drilling operator's acknowledgement certification block.</p> <p>n.The following notes shall be included on the Drilling and Site Improvement Plans:</p> <p>(1)The applicant shall comply with all rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC).</p> <p>(2)The applicant shall comply with all rules and regulations of the Colorado Department of Public Health and Environment (CDPHE).</p> <p>(3)The applicant shall maintain on-going compliance with all conditions of the Town and Windsor-Severance Fire Rescue.</p> <p>(4)The facilities shall be kept clean and otherwise properly maintained at all times.</p> <p>(5)The existing access may be utilized for oil and gas well activities.This access point is temporary and will be required to be removed at such time that permanent access is available in the future.</p> <p>2.The applicant shall address and comply with the conditions of Windsor-Severance Fire Rescue.</p> |                          |  |
| Permit | Passes completeness.  | 3/29/2013<br>11:58:35 AM |  |

Total: 7 comment(s)

## **BMP**

| <b><u>Type</u></b>             | <b><u>Comment</u></b>  |
|--------------------------------|--|
| Drilling/Completion Operations | Bradenhead Monitoring BMP: Operator will comply with COGCC Policy for Bradenhead Monitoring During Hydraulic Fracturing Treatments in the Greater Wattenberg Area dated May 29, 2012.  |
| Drilling/Completion Operations | Anti-Collision BMP: Prior to drilling operations, Operator will perform an anti-collision scan of existing offset wells that have the potential of being within close proximity of the proposed wells. This anti-collision scan will include definitive MWD or gyro surveys of the offset wells with included error of uncertainty per survey instrument, and compared against the proposed wellpath with its respective error of uncertainty. If current surveys do not exist for the offset wells, Operator may have gyro surveys conducted to verify bottomhole location. The proposed well will only be drilled if the anti-collision scan results indicate that there is not a risk for collision, or harm to people or the environment. For the proposed well, upon conclusion of drilling operations, an as-constructed gyro survey will be submitted to COGCC with the Form 5. |

Total: 2 comment(s)