DOCUMENT #2232825

FORM 4 Rev 12/05

Page 1

State of Colorado
Oil and Gas Conservation Commission

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

DE | ET | DR | ES

SUNDRY NOTICE

Submit original plus one copy. This form is to be used for general, technical and environmental sundry information. For proposed or completed operations, describe in full on Technical Information Page (Page 2 of this form.) Identify well or other facility by API Number or by OGCC Facility ID. Operator shall send an informational copy of all sundry notices for wells located in High Density Areas to the Local Government Designee (Rule 603b)

1. OGCC Operator Number: 100264
2. Name of Operator: XTO Energy Inc.
3. Address: PO Box 6501
   City: Englewood State: CO Zip: 80155
4. Contact Name: Jessica Dooling
   Phone: 970-675-4122
   Fax: 970-675-4150
5. API Number 05-103-11248
6. Well/Facility Name: Piceance Creek Unit 7. Well/Facility Number 296-5A
8. Location (Qtr/Qtr, Sec, Twp, Rng, Meridian): NWNW, Sec 5, T2S, R96W, 6th PM
9. County: Rio Blanco
10. Field Name: Piceance Creek
11. Federal, Indian or State Lease Number:

OGCC Facility ID Number 335896

Complete the Attachment Checklist

	OP	OGCC
Survey Plat		
Directional Survey		
Surface Eqpmt Diagram		
Technical Info Page		
Other		

General Notice

☐ **CHANGE OF LOCATION:** Attach New Survey Plat (a change of surface qtr/qtr is substantive and requires a new permit)

	FNL/FSL		FEL/FWL	
Change of Surface Footage from Exterior Section Lines:				
Change of Surface Footage to Exterior Section Lines:				
Change of Bottomhole Footage from Exterior Section Lines:				
Change of Bottomhole Footage to Exterior Section Lines:				

attach directional survey

Bottomhole location Qtr/Qtr, Sec, Twp, Rng, Mer

Latitude | Distance to nearest property line | Distance to nearest bldg, public rd, utility or RR

Longitude | Distance to nearest lease line | Is location in a High Density Area (rule 603b)? Yes/No

Ground Elevation | Distance to nearest well same formation | Surface owner consultation date:

GPS DATA:

Date of Measurement | PDOP Reading | Instrument Operator's Name

☐ **CHANGE SPACING UNIT**

Formation	Formation Code	Spacing order number	Unit Acreage	Unit configuration

☐ **Remove from surface bond** Signed surface use agreement attached

☐ **CHANGE OF OPERATOR (prior to drilling):**
Effective Date:
Plugging Bond: ☐ Blanket ☐ Individual

☐ **CHANGE WELL NAME** NUMBER
From:
To:
Effective Date:

☐ **ABANDONED LOCATION:**
Was location ever built? ☐ Yes ☐ No
Is site ready for inspection? ☐ Yes ☐ No
Date Ready for Inspection:

☐ **NOTICE OF CONTINUED SHUT IN STATUS**
Date well shut in or temporarily abandoned:
Has Production Equipment been removed from site? ☐ Yes ☐ No
MIT required if shut in longer than two years. Date of last MIT

☐ **SPUD DATE:**

☐ **REQUEST FOR CONFIDENTIAL STATUS** (6 mos from date casing set)

☐ **SUBSEQUENT REPORT OF STAGE, SQUEEZE OR REMEDIAL CEMENT WORK** *submit cbl and cement job summaries

Method used	Cementing tool setting/perf depth	Cement volume	Cement top	Cement bottom	Date

☐ **RECLAMATION:** Attach technical page describing final reclamation procedures per Rule 1004.
Final reclamation will commence on approximately ☐ Final reclamation is completed and site is ready for inspection.

Technical Engineering/Environmental Notice

☐ Notice of Intent
Approximate Start Date:

☐ Report of Work Done
Date Work Completed:

Details of work must be described in full on Technical Information Page (Page 2 must be submitted.)

☐ Intent to Recomplete (submit form 2)
☐ Change Drilling Plans
☐ Gross Interval Changed?
☐ Casing/Cementing Program Change
☐ Request to Vent or Flare
☐ Repair Well
☐ Rule 502 variance requested
☒ Other: See Page 2
☐ E&P Waste Disposal
☐ Beneficial Reuse of E&P Waste
☐ Status Update/Change of Remediation Plans for Spills and Releases

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

Signed: Date: 4/23/2013 Email: jessica_dooling@xtoenergy.com

Print Name: Jessica Dooling Title Picenace EH&S Supervisor

COGCC Approved: Title EPS III Date: 04/29/2013

CONDITIONS OF APPROVAL, IF ANY:

NW Region

FORM 4 Rev 12/05

TECHNICAL INFORMATION PAGE

FOR OGCC USE ONLY

1. OGCC Operator Number: 100264 API Number: 05-103-11248
2. Name of Operator: XTO Energy Inc. OGCC Facility ID #
3. Well/Facility Name: Piceance Creek Unit Well/Facility Number: 296-5A
4. Location (QtrQtr, Sec, Twp, Rng, Meridian): NWNW, Sec 5, T2S, R96W, 6th PM

This form is to be completed whenever a Sundry Notice is submitted requiring detailed report of work to be performed or completed. This form shall be transmitted within 30 days of work completed as a "subsequent" report and must accompany Form 4, page 1.

DESCRIBE PROPOSED OR COMPLETED OPERATIONS

XTO Energy herin requests consideration of site-specific background Arsenic levels as an alternative to the Table 910-1 value for the PCU 296-5A location. COGCC Table 910-1 Concentration Levels list the allowable concentration level for Arsenic in soil at 0.39 mg/kg. Footnote 1 of Table 910-1 states "Consideration shall be given to background levels in native soils and ground water." At other locations COGCC has allowed the determination of allowable levels based upon a 10 % variability factor applied to background soil concentration values where the maximum allowable level is computed by multiplying the highest detected background concentration by 1.1.

Eight representative background samples were collected from undisturbed areas adjacent to the subject location. Arsenic concentrations in those samples ranged from 3.6 mg/kg to 11.9 mg/kg. Applying the 10% variability factor to the highest concentration detected results in an allowable Arsenic concentration level of 13.1 mg/kg.

Subliner Arsenic samples were collected from the Freshwater (4.1 mg/kg), Reserve (5.0 mg/kg), Cuttings Pit #1 (8.1 mg/kg) and Cuttings Pit #2 (13.0 mg/kg). The subliner Arsenic concentrations are within the allowable background Arsenic concentration of 13.1 mg/kg.

Initial Reserve, Cuttings Pit #1 and #2 and Cuttings Spoil Pile contents Arsenic concentrations of 9.9 mg/kg, 10.2 mg/kg, 8.3 mg/kg and 4.4 mg/kg, respectively are within the allowable background Arsenic concentration of 13.1 mg/kg (see Table 1).

Please find the Lab Data Summary Tables and the Site Map indicating Arsenic sampling locations attached.

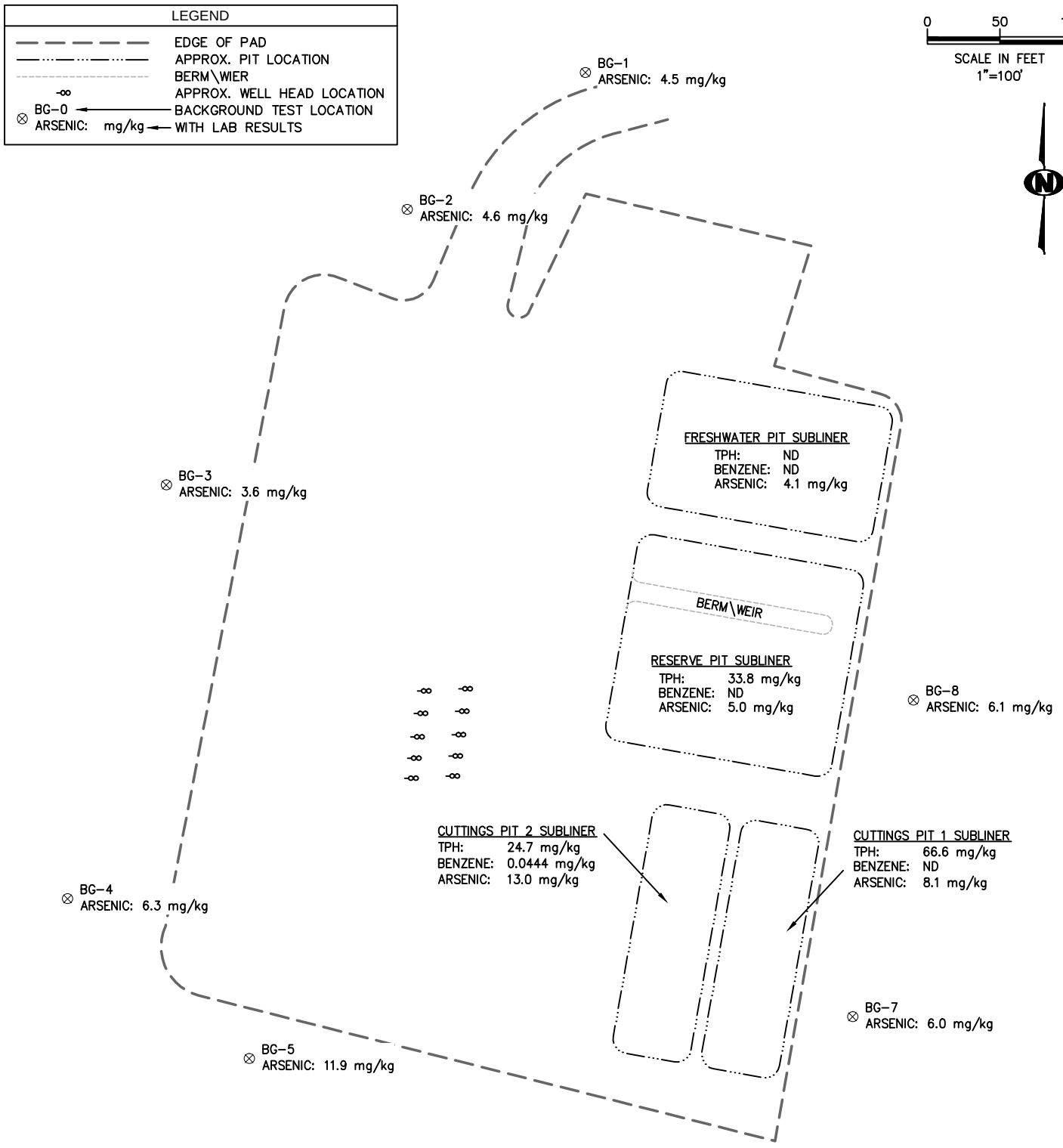
Table 1
Location: PCU 296-5A
Lab Summary

Last update 4/12/2013

Analytical Parameter	Fresh Water Pit		Reserve Pit		Cuttings #1			Cuttings #2		Background								COGCC	Maximum based on Background
(with units)	*FW Pit Contents*	*FW Pit Subliner 10/25/12*	*RP Post Solid. 11/30/12*	*RP Subliner 12/3/12*	*Cut #1 Post Solid. 1/8/13*	*Cut #1 Subliner 1/7/13*	*Cut #1 Overburden 1/8/13*	*Cut 2 Post Solid. 11/27/12*	*Cut #2 Subliner 11/14/12*	*#1*	*#2*	*#3*	*#4*	*#5*	*#6*	*#7*	*#8*	*Table 910-1 Concentration Levels*	
Accutest Job #		**D40328**	**D41448**	**D41506**	**D42556**	**D42511**	**D42556**	**D41305**	**D41014**	**D40539 (11/1/12)**								**-**	**-**
Sample type (**C**omposite/**D**iscrete)		**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**D**	**D**	**D**	**D**	**D**	**D**	**D**	**D**	-	-
TPH (GRO) (mg/Kg)		ND	12.3	ND	24.9	ND	ND	7.36	ND	-	-	-	-	-	-	-	-	-	-
TPH (DRO) (mg/Kg)		ND	159	33.8	604	66.6	45.6	240	24.7	-	-	-	-	-	-	-	-	-	-
TPH (GRO + DRO) (mg/Kg)		ND	171	33.8	629	66.6	45.6	247	24.7	-	-	-	-	-	-	-	-	500	-
Benzene (mg/Kg)		ND	0.128	ND	ND	ND	ND	0.811	0.0444	-	-	-	-	-	-	-	-	0.170	-
Toluene (mg/Kg)		ND	0.327	ND	0.396	ND	ND	1.91	0.158	-	-	-	-	-	-	-	-	85	-
Ethylbenzene (mg/Kg)		ND	0.0466	ND	0.179	0.0319	ND	0.221	0.0330	-	-	-	-	-	-	-	-	100	-
Xylenes (total) (mg/Kg)		ND	0.399	ND	0.854	ND	ND	1.79	0.161	-	-	-	-	-	-	-	-	175	-
Acenaphthene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	1000	-
Anthracene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	1000	-
Benzo(A)anthracene (mg/Kg)		ND	ND	ND	ND	ND	ND	0.0234	ND	-	-	-	-	-	-	-	-	0.22	-
Benzo(A)pyrene (mg/Kg)		ND	ND	ND	ND	ND	ND	0.0338	ND	-	-	-	-	-	-	-	-	0.022	-
Benzo(B)fluoranthene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	0.22	-
Benzo(K)fluoranthene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	2.2	-
Chrysene (mg/Kg)		ND	0.0107	ND	ND	ND	ND	0.0819	ND	-	-	-	-	-	-	-	-	22	-
Dibenzo(A,H)anthracene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	0.022	-
Fluoranthene (mg/Kg)		ND	ND	ND	ND	ND	ND	0.0304	ND	-	-	-	-	-	-	-	-	1000	-
Fluorene (mg/Kg)		ND	0.0149	ND	ND	ND	ND	0.131	ND	-	-	-	-	-	-	-	-	1000	-
Indeno(1,2,3,C,D)pyrene (mg/Kg)		ND	ND	ND	ND	ND	ND	ND	ND	-	-	-	-	-	-	-	-	0.22	-
Naphthalene (mg/Kg)		ND	0.0576	ND	0.185	0.0222	ND	0.662	0.0348	-	-	-	-	-	-	-	-	23	-
Pyrene (mg/Kg)		ND	0.0080	ND	0.0270	ND	ND	0.0512	ND	-	-	-	-	-	-	-	-	1000	-
Electrical Conductivity (mmhos/cm)		0.228	8.770	0.406	8.300	1.560	1.050	5.380	0.353	-	-	-	-	-	-	-	-	4	-
Sodium Adsorption Ratio (SAR)		1.90	13.6	4.84	59.2	14.2	2.53	30.5	3.67	-	-	-	-	-	-	-	-	12	-
pH		9.50	12.32	9.93	10.66	11.08	9.54	12.18	9.90	-	-	-	-	-	-	-	-	6-9	-
Arsenic (mg/kg)		4.1	9.9	5.0	10.2	8.1	4.4	8.3	13.0	4.5	4.6	3.6	6.3	11.9	6.5	6.0	6.1	0.39	13.1
Barium (mg/kg)		488	11400	2270	1640	358	679	8740	1710	-	-	-	-	-	-	-	-	15000	-
Cadmium (mg/kg)		<1.3	<1.6	<1.1	<1.2	<1.2	<1.1	<1.2	<1.1	-	-	-	-	-	-	-	-	70	-
Chromium (III) (mg/Kg)		20.3	14.1	23.4	24.1	56.8	32.7	13.5	65.4	-	-	-	-	-	-	-	-	120000	-
Chromium (VI) (mg/Kg)		<1.0	<5.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	-	-	-	-	-	-	-	-	23	-
Copper (mg/kg)		12.0	28.4	9.5	24.8	10.4	11.8	28.9	8.1	-	-	-	-	-	-	-	-	3100	-
Lead (inorganic) (mg/kg)		10.9	15.5	19.9	39.4	9.6	10.1	29.4	9.1	-	-	-	-	-	-	-	-	400	-
Mercury (mg/kg)		<0.098	<0.13	<0.092	<0.10	<0.10	<0.094	<0.10	<0.090	-	-	-	-	-	-	-	-	23	-
Nickel (mg/kg)		15.2	112	11.9	15.4	19.7	17.0	12.7	20.5	-	-	-	-	-	-	-	-	1600	-
Selenium (mg/kg)		<6.6	<8.1	<5.5	<6.1	<6.2	<5.7	<5.9	<5.7	-	-	-	-	-	-	-	-	390	-
Silver (mg/kg)		<4.0	<4.9	<3.3	<3.7	<3.7	<3.4	<3.6	<3.4	-	-	-	-	-	-	-	-	390	-
Zinc (mg/kg)		33.7	33.8	27.7	51.3	40.0	36.1	35.3	38.2	-	-	-	-	-	-	-	-	23000	-
% Solids		78.8	61.7	90.2	81.8	81.0	88.2	81.9	86.4	90.5	86.2	86.3	86.5	87.3	85.2	86.9	86.8	-	-

Pit Contents De Minimis

Notes:
1) ND = not detectible to the laboratory detection limit.
2) Results highlighted in yellow exceed Table 910-1 concentration levels. Results highlighted in Gray exceed Table 910-1, but are below background levels.
3) "-" indicates no analysis.
4) See site map for sample locations.



NOTES:
1. BACKGROUND ARSENIC RESULTS ARE DISCRETE SAMPLES.
2. ND INDICATES NOT DETECTED WITHIN LABORATORY DETECTION LIMITS.

GPS: TRIMBLE	CHECKED: DK	FIGURE 1	
DATE: 4/23/13	DRAWN: DRF		
FILE NAME: samples		SHEET NO. 1 of 1	
PROJECT NO. 1210-04		SCALE: 1" = 100'	

DATE	REVISIONS

KRW CONSULTING, INC.
8000 W. 14TH AVENUE, SUITE 200
LAKEWOOD, COLORADO
(303) 239-9011

FIGURE 1
PICEANCE CREEK
PCU 296-5A
SAMPLE LOCATIONS WITH ARSENIC LEVELS
PREPARED FOR XTO ENERGY

\\hyper-v03\lkwd-co\sdsk\proj\xto environmental\1210-04-pcu 296-5a\samples.dwg,4/23/13