

Dave Kubeczko - DNR

From: Dave Kubeczko - DNR
Sent: Wednesday, September 04, 2013 12:46 PM
To: dave.kubeczko@state.co.us
Subject: FW: Black Diamond Minerals LLC, TPR Well Pad 25A Pad, SWSE Sec 25 T7S R94W, Garfield County, Form 2A (#400451739)
Attachments: TPR Well Pad 25A - Revised 7-22-13.pdf; Well Pad 25A Multiwell Drilling plan.pdf

Scan No 2106733 CORRESPONDENCE 2A#400451739

From: Mary Griggs [mailto:mgriggs@badminerals.com]
Sent: Wednesday, September 04, 2013 11:45 AM
To: 'Dave Kubeczko - DNR'
Cc: 'Jamey Brumley'
Subject: RE: Black Diamond Minerals LLC, TPR Well Pad 25A Pad, SWSE Sec 25 T7S R94W, Garfield County, Form 2A (#400451739)

Dave,
The information is in the attached files. Let me know if you need anything else.
Thanks,
mary

Mary Griggs, P.E.
Regulatory/Environmental Compliance
Black Diamond Minerals, LLC

From: Dave Kubeczko - DNR [mailto:dave.kubeczko@state.co.us]
Sent: Wednesday, September 04, 2013 10:40 AM
To: mgriggs@badminerals.com
Subject: Black Diamond Minerals LLC, TPR Well Pad 25A Pad, SWSE Sec 25 T7S R94W, Garfield County, Form 2A (#400451739)
Importance: High

Mary,

I have been reviewing the TPR Well Pad 25A Pad **Form 2A** (#400451739). COGCC will require the following attachments and or information (items below highlighted black and/or yellow will be required for this Form 2A Permit) based on our Rules which are listed below for your use in completing the Form 2A application. A complete Form 2A Permit application (along with various attachments) is required when; 1) there is an additional well (or wells) proposed that was not part of the original set of Applications for Permit to Drill (APDs) for an oil and gas location, 2) there is an expansion of the existing oil and gas location beyond the original disturbance footprint for the well pad, or 3) there is addition of a pit.

303. REQUIREMENTS FOR FORM 2, APPLICATION FOR PERMIT-TO-DRILL, DEEPEN, RE-ENTER, OR RECOMPLETE, AND OPERATE; FORM 2A, OIL AND GAS LOCATION ASSESSMENT.
303.b. FORM 2A, OIL AND GAS LOCATION ASSESSMENT.

(1) Unless exempted under subsection 2, below, a completed Form 2A, Oil and Gas Location Assessment, approved by the Director or the Commission is required for:

- A. Any new Oil and Gas Location. For purposes of this section, "new Oil and Gas Location" shall mean surface disturbance at a previously undisturbed site;
- B. Surface disturbance for purposes of modifying or expanding an existing Oil and Gas Location; or
- C. The addition of a well or a pit, except an Emergency Pit or a Flare Pit where there is no risk of condensate accumulation, to any existing Oil and Gas Location.

(2) **Exemptions.** A new Form 2A shall not be required for the following:

- A. Surface disturbance, other than for purposes described in subsections 303.b.(1) B and C. above, at an existing Oil and Gas Location within the originally disturbed area, even if interim reclamation has been performed;
- B. For an Oil and Gas Location covered by an approved Comprehensive Drilling Plan and where such Comprehensive Drilling Plan contains information substantially equivalent to that which would be required for a Form 2A for the proposed Oil and Gas Location and the Comprehensive Drilling Plan has been subject to procedures substantially equivalent to those required for a Form 2A, including but not limited to consultation with Surface Owners, local governments, the Colorado Department of Public Health and Environment or Colorado Parks and Wildlife, where applicable, and public notice and opportunity to comment, and where the operator does not seek a variance from the Comprehensive Drilling Plan or a provision of these rules that is not addressed in the Plan;
- C. Gathering lines;
- D. Seismic operations;
- E. Pipelines for oil, gas, or water; or
- F. Roads.

(3) **Information Requirements.** The Form 2A requires the attachment of the following information. Where the information required under this section has been included in a federal Surface Use Plan of Operations meeting the requirements of Onshore Oil and Gas Order Number 1 (72 Fed. Reg. 10308 (March 7, 2007)), or for a federal Right of Way, Form 299, then the operator may attach the completed pertinent information and identify on the Form 2A where the information required under this section may be found therein.

A. A Form 2A shall specify the distance between the wall or corner of the nearest Building Unit and the center of the proposed or existing wellhead or Production Facility closest to said Building Unit.

B. A minimum of four (4) color photographs, one (1) of the staked location from each cardinal direction. Each photograph shall be identified by: date taken, well or location name, and direction of view.

C. A list of major equipment components to be used in conjunction with drilling and operating the well(s), including all tanks, pits, flares, combustion equipment, separators, and other ancillary equipment and a description of any pipelines for oil, gas, or water.

D. A scaled drawing, or scaled aerial photograph showing the approximate outline of the Oil and Gas Location and the Well or reference point use for measuring distances. The drawing shall include all visible improvements within five hundred (500) feet of the proposed Oil and Gas Location, with a horizontal distance and approximate bearing from Oil and Gas Location. Visible improvements shall include, but not be limited to, all Building Units, publicly maintained roads and trails, major above-ground utility lines, railroads, pipelines, mines, oil wells, gas wells, injection wells, water wells known to the operator and those registered with the Colorado State Engineer, known springs, plugged wells, known sewers with manholes, standing bodies of water, and natural channels including permanent canals and ditches through which water may flow. A description of surface uses within the five hundred (500) foot radius of a proposed Oil and Gas Location, if any, shall be attached to the scaled drawing. If there are no visible improvements within five hundred (500) feet of a proposed Oil and Gas Location, it shall be so noted on the Form 2A.

E. A topographic map showing all surface waters and riparian areas within one thousand (1,000) feet of the proposed Oil and Gas Location, with a horizontal distance and approximate bearing from the Oil and Gas Location.

F. An 8 1/2" by 11" vicinity map, U.S. Geological Survey topographic map, or scaled aerial photograph showing the access route from the highway or county road to the proposed Oil and Gas Location.

G. Designation of the current land use(s) and landowner's designated final land use(s) and basis for setting reclamation standards.

i. If the final land use includes residential, industrial/commercial, or cropland and does not include any other uses, the land use should be indicated and no further information is needed.

ii. If the final land use includes rangeland, forestry, recreation, or wildlife habitat, then a reference area shall be selected and the following information shall be submitted:

aa. A topographic map showing the location of the site, and the location of the reference area; and

bb. Four (4) color photographs of the reference area, taken during the growing season of vegetation and facing each cardinal direction. Each photograph shall be identified by date taken, well or Oil and Gas Location name, and direction of view. Provided that these photographs may be submitted at any time up to twelve (12) months after the Form 2A.

H. Natural Resources Conservation Service (NRCS) soil map unit description.

I. If the Oil and Gas Location disturbance is to occur on lands with a slope ten percent (10%) or greater, or one (1) foot of elevation gain or more in ten (10) foot distance, then the following shall be required:

i. Construction layout drawing (construction and operation); and

ii. Location cross-section plot (construction and operation).

J. If the proposed Oil and Gas Location is within one thousand (1,000) feet of a Building Unit:

i. A scaled facility layout drawing depicting the location of all existing and proposed new Oil and Gas Facilities listed on the Form 2A; and

ii. A Waste Management Plan describing how the Operator intends to satisfy the general requirements of Rule 907.a.; and

iii. Evidence that Building Unit owners within the Buffer Zone received the pre-application notice required by Rule 305.a.(2)

K. If the proposed Oil and Gas Location is within an Urban Mitigation Area, evidence that the local government received the pre-application notice required by Rule 305.a.(1).

L. Where the proposed Oil and Gas Location is for multiple wells on a single pad, a drawing showing proposed wellbore trajectory with bottom-hole locations. Indicate existing well(s) versus proposed well(s).

M. A description of any applicant-proposed Best Management Practices or, where a variance from a provision of these rules is sought, any applicant-proposed measures to meet the standards for such a variance. With the consent of the Surface Owner, this may include mitigation measures contained in a relevant Surface Use Agreement.

N. If the proposed Oil and Gas Location is covered by a Comprehensive Drilling Plan accepted pursuant to Rule 216, a list of any conditions of approval.

O. Contact information for the Surface Owner(s) and an indication as to whether there is a Surface Use Agreement(s) or any other agreement(s) between the applicant and the Surface Owner(s) for the proposed Oil and Gas Location.

P. Designation of whether the proposed Oil and Gas Location is within sensitive wildlife habitat or a restricted surface occupancy area.

Q. If the proposed Oil and Gas Location is within a zone defined in Rule 317B, Table 1, documentation that the applicant has provided notification of the application submittal to potentially impacted public water systems within fifteen (15) stream miles downstream.

R. Any additional data as reasonably required by the Commission as a result of consultation with the Colorado Department of Public Health and Environment or Colorado Parks and Wildlife.

S. Oil and Gas Locations in wetlands. In the event that an operator required to file a Form 2A acquires an Army Corps of Engineers permit pursuant to 33 U.S.C.A. §1342 and 1344 of the Water Pollution and Control Act (Section 404 of the federal "Clean Water Act") for construction of an Oil and Gas Location, the operator shall so indicate on the Oil and Gas Location Assessment, Form 2A.

T. The Operator shall indicate on the Form 2A whether it intends to seek a location exception under Rules 604.b.2 or b.3, and, if so, shall attach the relevant Surface Use Agreement(s).

In addition to the eight (8) standard attachments listed above (Location Pictures; [Rule 303.b.(3).B], Location Drawing; [Rule 303.b.(3).D], Hydrology Map; [Rule 303.b.(3).E], Access Road Map; [Rule 303.b.(3).F], Reference Area Map; [Rule 303.b.(3).G.ii.aa], Reference Area Pictures; [Rule 303.b.(3).[G.ii.bb](#)], Construction Layout Drawings; [Rule 303.b.(3).I.i. and ii.], and revised Multi-Well Plan; [Rule 303.b.(3).L]); COGCC would also like to attach the following conditions of approval (COAs) based on COGCC's review of the location through our online GIS mapping tool and the data Black Diamond Minerals LLC has submitted on the Form 2A prior to passing the Oil and Gas Location Assessment (OGLA) review.

General: The following conditions of approval (COAs) will apply:

COA 91 - Notify the COGCC 48 hours prior to start of rig mobilization, spud, and start of hydraulic stimulation operations using Form 42 (the appropriate COGCC individuals will automatically be email notified, including the LGD for hydraulic stimulation operations).

COA 9 - There is the potential for shallow groundwater; therefore reserve pit, or any other pit used to contain/hold fluids, if constructed, must be lined or a closed loop system (which operator has indicated on the form 2A) must be implemented during drilling.

COA 5 - Operator must implement best management practices to contain any unintentional release of fluids, including any fluids conveyed via temporary surface pipelines or buried permanent pipelines.

COA 23 - Operator must ensure secondary containment for any volume of fluids (excluding freshwater, unless stored in a large volume aboveground storage tank [LVT]), contained at well site during drilling and completion operations; including, but not limited to, construction of a berm or diversion dike, diversion/collection trenches within and/or outside of berms/dikes, site grading, or other comparable measures (i.e., best management practices (BMPs) associated with stormwater management) sufficiently protective of nearby surface water. Any berm constructed at the well pad location will be stabilized, inspected at regular intervals (at least every 14 days), and maintained in good condition.

COA 44 - The access road will be maintained as to not allow any sediment to migrate from the access road to nearby surface water or any drainages leading to surface water.

COA 76 - Strategically apply fugitive dust control measures, including enforcing established speed limits on private roads, to reduce fugitive dust and coating of vegetation and deposition in water sources.

COA 38 - The moisture content of any drill cuttings in a cuttings trench, area, or pile shall be as low as practicable to prevent accumulation of liquids greater than de minimis amounts.

COA 25 - If the wells are to be hydraulically stimulated, then flowback and stimulation fluids must be sent to tanks, separators, or other containment/filtering equipment before the fluids can be placed into any pipeline, storage vessel, or lined pit (only if an amended Form 2A has been submitted/approved and a Form 15 Earthen Pit Permitted has been submitted/approved) located on the well pad; or into tanker trucks for offsite disposal. The flowback and stimulation fluid tanks, separators, or other containment/filtering equipment must be placed on the well pad in an area with additional downgradient perimeter berming. The area where flowback fluids will be stored/reused must be constructed to be sufficiently impervious to contain any spilled or released material.

COA 58 - Berms or other containment devices shall be constructed to be sufficiently impervious (preferably corrugated steel with poly liner) to contain any spilled or released material around crude oil, condensate, and produced water storage tanks.

Groundwater Baseline Sampling:

COA 9 - Operator shall comply with Rule 609. STATEWIDE GROUNDWATER BASELINE SAMPLING AND MONITORING.

COGCC would appreciate your concurrence with attaching these COAs to the Form 2A permit prior to passing the OGLA review. If you have any questions, please do not hesitate to call me at (970) 309-2514 (cell), or email. Thanks.

Dave

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

Colorado Oil & Gas Conservation Commission
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