

FORM
2A

Rev
08/13

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:

2494198

0

Date Received:

01/07/2015

Oil and Gas Location Assessment

☒ New Location ☐ Refile ☐ Amend Existing Location Location#: _____

Submit signed original form. This Oil and Gas Location Assessment is to be submitted to the COGCC for approval prior to any ground disturbance activity associated with oil and gas operations. Approval of this Oil and Gas Location Assessment will allow for the construction of the below specified Location; however, it does not supersede any land use rules applied by the local land use authority. Please see the COGCC website at <http://cogcc.state.co.us/> for all accompanying information pertinent this Oil and Gas Location Assessment.

Location ID:

440889

Expiration Date:

02/16/2018

☒ This location assessment is included as part of a permit application.

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.

Operator

Operator Number: 10234

Name: BAYHORSE PETROLEUM LLC

Address: 2558 E PORTSMOUTH AVENUE

City: SALT LAKE CITY State: UT Zip: 84121

Contact Information

Name: LARRY F MANIKOWSKI

Phone: (801) 9131640

Fax: (888) 7593730

email: LFTMANSKI@AOL.COM

RECLAMATION FINANCIAL ASSURANCE

☒ Plugging and Abandonment Bond Surety ID: 20090091 ☐ Gas Facility Surety ID: _____

☐ Waste Management Surety ID: _____

LOCATION IDENTIFICATION

Name: TRES HOMBRES Number: 1-22

County: KIOWA

QuarterQuarter: SWNW Section: 22 Township: 18S Range: 47W Meridian: 6 Ground Elevation: 4129

Define a single point as a location reference for the facility location. When the location is to be used as a well site then the point shall be a well location.

Footage at surface: 1738 feet FNL from North or South section line

987 feet FWL from East or West section line

Latitude: 38.479180 Longitude: -102.671940

PDOP Reading: 3.1 Date of Measurement: 09/20/2014

Instrument Operator's Name: ELIJAH FRANE

RELATED REMOTE LOCATIONS

(Enter as many Related Locations as necessary. Enter the Form 2A document # only if there is no established COGCC Location ID#)

This proposed Oil and Gas Location is:

LOCATION ID # FORM 2A DOC #

FACILITIES

Indicate the number of each type of oil and gas facility planned on location

| | | | | | | | | | |
|-----------------------|---------------|----------------------|---------------|----------------------|---------------|------------------|---------------|-------------------------------|---------------|
| Wells | <u>1</u> | Oil Tanks* | <u>2</u> | Condensate Tanks* | <u> </u> | Water Tanks* | <u>1</u> | Buried Produced Water Vaults* | <u> </u> |
| Drilling Pits | <u>3</u> | Production Pits* | <u> </u> | Special Purpose Pits | <u> </u> | Multi-Well Pits* | <u> </u> | Modular Large Volume Tanks | <u> </u> |
| Pump Jacks | <u>1</u> | Separators* | <u>1</u> | Injection Pumps* | <u> </u> | Cavity Pumps* | <u> </u> | Gas Compressors* | <u> </u> |
| Gas or Diesel Motors* | <u>1</u> | Electric Motors | <u> </u> | Electric Generators* | <u> </u> | Fuel Tanks* | <u> </u> | LACT Unit* | <u> </u> |
| Dehydrator Units* | <u> </u> | Vapor Recovery Unit* | <u> </u> | VOC Combustor* | <u> </u> | Flare* | <u>1</u> | Pigging Station* | <u> </u> |

OTHER FACILITIES*

Other Facility Type

Number

Those facilities indicated by an asterisk () shall be used to determine the distance from the Production Facility to the nearest cultural feature on the Cultural Setbacks Tab.

Per Rule 303.b.(3)C, description of all oil, gas, and/or water pipelines:

CONSTRUCTION

Date planned to commence construction: 01/27/2015 Size of disturbed area during construction in acres: 3.60
Estimated date that interim reclamation will begin: 07/27/2015 Size of location after interim reclamation in acres: 0.90
Estimated post-construction ground elevation: 4129

DRILLING PROGRAM

Will a closed loop system be used for drilling fluids: No
Is H₂S anticipated? Yes
Will salt sections be encountered during drilling: Yes
Will salt based mud (>15,000 ppm Cl) be used? No
Will oil based drilling fluids be used? No

DRILLING WASTE MANAGEMENT PROGRAM

Drilling Fluids Disposal: ONSITE Drilling Fluids Disposal Method: Other
Cutting Disposal: ONSITE Cuttings Disposal Method: Other

Other Disposal Description:

DRY & BACKFILL

Beneficial reuse or land application plan submitted?

Reuse Facility ID: or Document Number:

Centralized E&P Waste Management Facility ID, if applicable:

SURFACE & MINERALS & RIGHT TO CONSTRUCT

Name: MARTY L BARNETT

Phone: 7199403030

Address: PO BOX 216

Fax: _____

Address: 1104 LUTHER

Email: _____

City: EADS State: CO Zip: 81036

Surface Owner: ☒ Fee ☐ State ☐ Federal ☐ Indian

Check all that apply. The Surface Owner: ☒ is the mineral owner

☒ is committed to an oil and Gas Lease

☒ has signed the Oil and Gas Lease

☐ is the applicant

The Mineral Owner beneath this Oil and Gas Location is: ☒ Fee ☐ State ☐ Federal ☐ Indian

The Minerals beneath this Oil and Gas Location will be developed from or produced to this Oil and Gas Location: Yes

The right to construct this Oil and Gas Location is granted by: oil and gas lease

Surface damage assurance if no agreement is in place: _____ Surface Surety ID: _____

Date of Rule 306 surface owner consultation _____

CURRENT AND FUTURE LAND USE

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

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

CULTURAL DISTANCE INFORMATION

Provide the distance to the nearest cultural feature as measured from Wells or Production Facilities onsite.

| | From WELL | From PRODUCTION FACILITY |
|-----------------------------------|-----------|--------------------------|
| Building: | 2755 Feet | 2755 Feet |
| Building Unit: | 5280 Feet | 5280 Feet |
| High Occupancy Building Unit: | 5280 Feet | 5280 Feet |
| Designated Outside Activity Area: | 5280 Feet | 5280 Feet |
| Public Road: | 4100 Feet | 4100 Feet |
| Above Ground Utility: | 4100 Feet | 4100 Feet |
| Railroad: | 4050 Feet | 4050 Feet |
| Property Line: | 987 Feet | 987 Feet |

INSTRUCTIONS:

- All measurements shall be provided from center of nearest Well or edge of nearest Production Facility to nearest of each cultural feature as described in Rule 303.b.(3)A.
- Enter 5280 for distance greater than 1 mile.
- Building - nearest building of any type. If nearest Building is a Building Unit, enter same distance for both.
- Building Unit, High Occupancy Building Unit, and Designated Outside Activity Area - as defined in 100-Series Rules.
- For measurement purposes only, Production Facilities should only include those items with an asterisk(*) on the Facilities Tab.

DESIGNATED SETBACK LOCATION INFORMATION

Check all that apply. This location is within a: ☐ Buffer Zone
☐ Exception Zone
☐ Urban Mitigation Area

- Buffer Zone - as described in Rule 604.a.(2), within 1,000' of a Building Unit.
- Exception Zone - as described in Rule 604.a.(1), within 500' of a Building Unit.
- Urban Mitigation Area - as defined in 100-Series Rules.

Pre-application Notifications (required if location is within 1,000 feet of a building unit):

Date of Rule 305.a.(1) Urban Mitigation Area Notification to Local Government: _____

Date of Rule 305.a.(2) Buffer Zone Notification to Building Unit Owners: _____

FOR MULTI-WELL PADS AND PRODUCTION FACILITIES WITHIN DESIGNATED SETBACK LOCATIONS ONLY:

- ☐ Check this box if this Oil and Gas Location has or will have Production Facilities that serve multiple wells (onll or offsite) and the Production Facilities are proposed to be located less than 1,000 feet from a Building Unit. *(Pursuant to Rule 604.c.(2)E.i., the operator must evaluate alternative locations for the Production Facilities that are farther from the Building Unit, and determine whether those alternative locations were technically feasible and economically practicable for the same proposed development.)*
- ☐ By checking this box, I certify that no alternative placements for the Production Facilities, farther from the nearest Building Unit, were available based on the analysis conducted pursuant to Rule 604.c.(2)E.i.

In the space below, explain rationale for siting the multi-well Production Facility(ies) that supports your Rule 604.c.(2)E.i determination. Attach documentation that supports your determination to this Form 2A.

SOIL

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.org/> 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: BIJOU-VALENT LOAMY SANDS

NRCS Map Unit Name: _____

NRCS Map Unit Name: _____

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: PRAIRIE DROPSEED, SAND BLUESTEM, SAND SAGEBRUSH, LITTLE BLUESTEM, NEEDLE SN THREAD, SIDEOATS GRAMMA, THICK SPIKE WHEATGRASS

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): _____

WATER RESOURCES

Is this a sensitive area: ☒ No ☐ Yes

Distance to nearest

downgradient surface water feature: 5280 Feet

water well: 908 Feet

Estimated depth to ground water at Oil and Gas Location 41 Feet

Basis for depth to groundwater and sensitive area determination:

SECTION 22 T18S R47W; WATER WELL PERMIT NO 88619; DEPTH 120'; STATIC WATER LEVEL 41'

Is the location in a riparian area: ☒ No ☐ Yes

Was an Army Corps of Engineers Section 404 permit filed ☒ No ☐ Yes If yes attach permit.

Is the location within a Rule 317B Surface Water Supply Area buffer _____ No _____
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: _____

GROUNDWATER BASELINE SAMPLING AND MONITORING AND WATER WELL SAMPLING

Water well sampling required per Rule 609 _____

DESIGNATED SETBACK LOCATION EXCEPTIONS

Check all that apply:

- ☐ Rule 604.a.(1)A. Exception Zone (within 500' of Building Unit)
☐ Rule 604.b.(1)A. Exception Location (existing or approved Oil & Gas Location now within a Designated Setback as a result of Rule 604.a.)
☐ Rule 604.b.(1)B. Exception Location (existing or approved Oil & Gas Location is within a Designated Setback due to Building Unit construction after Location approval)
☐ Rule 604.b.(2) Exception Location (SUA or site-specific development plan executed on or before August 1, 2013)
☐ Rule 604.b.(3) Exception Location (Building Units constructed after August 1, 2013 within setback per an SUA or site-specific development plan)

RULE 502.b VARIANCE REQUEST

☐ Rule 502.b. Variance Request from COGCC Rule or Spacing Order Number _____

ALL exceptions and variances require attached Request Letter(s). Refer to applicable rule for additional required attachments (e.g. waivers, certifications, SUAs).

OPERATOR COMMENTS AND SUBMITTAL

Comments

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

Signed: _____ Date: 01/06/2015 Email: LFTMANSKI@AOL.COM

Print Name: LARRY F MANIKOWSKI Title: PRESIDENT & CEO/CFO

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: 2/17/2015

Conditions Of Approval

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.

COA Type**Description****Best Management Practices****No BMP/COA Type****Description****Attachment Check List****Att Doc Num****Name**

| | |
|---------|-------------------------|
| 2092996 | REFERENCE AREA MAP |
| 2092997 | HYDROLOGY MAP |
| 2092998 | ACCESS ROAD MAP |
| 2494198 | FORM 2A SUBMITTED |
| 2494199 | LOCATION DRAWING |
| 2494200 | LOCATION PICTURES |
| 2494201 | LOCATION PICTURES |
| 2494202 | REFERENCE AREA PICTURES |
| 2494203 | NRCS MAP UNIT DESC |

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. Comment by the DOW. | 2/17/2015 6:02:06 AM |
| OGLA | COGCC has consulted with the CPW and reviewed the comment provided by the CPW. Based on this review, the COGCC defers to the recommendations as provided by the CPW in the comment dated 02/10/2015. | 2/12/2015 3:10:54 PM |
| DOW | Colorado Parks Wildlife (CPW) has received a request for a Form 2a wildlife consultation for COGCC documents #2494187 and #2494198, electronic notification received on February 3, 2015. CPW has examined the documents and finds that both of these proposed sites fall within mapped critical habitat for the lesser prairie chicken (<i>Tympanuchus pallidicinctus</i>). In May 2014, this species was listed by the U.S. Fish Wildlife Service (USFWS) as federally threatened under the Endangered Species Act. CPW held a phone consultation with the registered applicant, Larry Manikowski, on February 5, 2015, advising him of the lesser prairie chicken listing decision. In addition, CPW staff put him in contact with a Western Association of Fish and Wildlife Agencies (WAFWA) staff member familiar with operator restrictions associated with the species, and an expert on the (2013) Lesser Prairie Chicken Range-wide Conservation Plan. Due to the federal listing decision and the Range-wide Plan, DPW defers comment on this species to the USFWS and to the applicable operator restrictions and guidelines in the Range-wide Plan. CPW staff discussed the issue on February 5, 2015 with COGCC staffer, Melissa Housey, informing her of the listing decision, our conversation with the operator, and our deferral to the USFWS and the Range-wide Plan. CPW proposes no additional stipulations associated with any other species at the proposed sites. | 2/10/2015 4:02:03 PM |
| OGLA | Changed distance to nearest surface water feature to 5280 as the nearest surface water feature is over one mile away. | 2/4/2015 9:47:12 AM |
| OGLA | Changed Estimated Depth to Groundwater to 41 feet based on the Operator Basis Statement. Operator concurrence - 02/03/2015. | 2/3/2015 11:48:42 AM |
| OGLA | Changed distance to nearest public road to 2800 feet based on the presence of County Road 46 located to the northwest of the proposed Location. Operator concurrence - 02/03/2015. | 2/3/2015 11:27:16 AM |
| OGLA | Changed distance to nearest building to 2755 based on the presence of a barn structure located to the east of the proposed Location on the COGIS and Google Maps. Operator verified structure - 02/03/2015. | 2/3/2015 11:15:31 AM |
| OGLA | Date to commence construction will need to be changed. | 2/3/2015 9:56:05 AM |
| OGLA | Why 3 Drilling Pits? Per Operator, one Reserve Pit and one Water Pit - 02/03/2015. | 2/3/2015 9:54:43 AM |
| OGLA | Located in Lesser Prairie Chicken Sensitive Habitat. Awaiting CPW Consultation. Active until 02/21/2015. Tom Schreiner will be working on this - 02/03/2015. | 2/3/2015 9:44:09 AM |
| Permit | Missing date of surface owner consultation. | 1/12/2015 1:34:33 PM |

Total: 11 comment(s)