

**FORM INSP**  
Rev 05/11

**State of Colorado**  
**Oil and Gas Conservation Commission**

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



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Inspection Date:  
12/02/2015

Document Number:  
682500195

Overall Inspection:

**ACTION REQUIRED**

**FIELD INSPECTION FORM**

Location Identifier	Facility ID	Loc ID	Inspector Name:	On-Site Inspection	2A Doc Num:
	<u>437636</u>	<u>437633</u>	<u>Trujillo, Aaron</u>	<input type="checkbox"/>	

**Operator Information:**

OGCC Operator Number:	<u>10492</u>
Name of Operator:	<u>AGAVE OIL &amp; GAS LLC</u>
Address:	<u>512 MAIN STREET #600</u>
City:	<u>FORT WORTH</u> State: <u>TX</u> Zip: <u>76102</u>

- THIS IS A FOLLOW UP INSPECTION
- FOLLOW UP INSPECTION REQUIRED
- NO FOLLOW UP INSPECTION REQUIRED
- INSPECTOR REQUESTS FORM 42 WHEN CORRECTIVE ACTIONS ARE COMPLETED

**Contact Information:**

Contact Name	Phone	Email	Comment
Rick Henninger	903-271-0656	rick@agaveoilandgas.com	

**Compliance Summary:**

QtrQtr: NWSE Sec: 29 Twp: 7S Range: 62W

**Inspector Comment:**

*This is a construction, pre-drill, inspection.*

**Related Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
437636	WELL	XX	06/18/2014		039-06677	Haas 1-29	XX <input checked="" type="checkbox"/>

**Equipment:**

Location Inventory

Special Purpose Pits: _____	Drilling Pits: _____	Wells: <u>1</u>	Production Pits: _____
Condensate Tanks: _____	Water Tanks: <u>2</u>	Separators: <u>1</u>	Electric Motors: _____
Gas or Diesel Mortors: _____	Cavity Pumps: _____	LACT Unit: _____	Pump Jacks: _____
Electric Generators: <u>1</u>	Gas Pipeline: _____	Oil Pipeline: _____	Water Pipeline: _____
Gas Compressors: _____	VOC Combustor: _____	Oil Tanks: <u>4</u>	Dehydrator Units: _____
Multi-Well Pits: _____	Pigging Station: _____	Flare: <u>1</u>	Fuel Tanks: <u>2</u>

**Location**

**Lease Road:**

Type	Satisfactory/Action Required	comment	Corrective Action	Date
Access	<b>ACTION REQUIRED</b>	Location appears to be being accessed from multiple points. See "COGCC Comments"	Instal Access road.	12/04/2015

Emergency Contact Number (S/A/V): \_\_\_\_\_

Corrective Date: \_\_\_\_\_

Comment: \_\_\_\_\_

Corrective Action: \_\_\_\_\_

<b>Spills:</b>				
Type	Area	Volume	Corrective action	CA Date
<input type="checkbox"/> Multiple Spills and Releases?				

<b>Venting:</b>	
Yes/No	Comment

<b>Flaring:</b>				
Type	Satisfactory/Action Required	Comment	Corrective Action	CA Date

**Predrill**

Location ID: 437636

**Site Preparation:**  
 Lease Road Adeq.: ACTION REQUIRED      Pads: \_\_\_\_\_      Soil Stockpile: \_\_\_\_\_

**S/A/V:** \_\_\_\_\_

Corrective Action: Access road needs to be installed. See "COGCC Comments"      Date: 12/04/2015      CDP Num.: \_\_\_\_\_

**Form 2A COAs:**

Group	User	Comment	Date
OGLA	HouseyM	The proposed location lies in a sensitive area in proximity of surface water and within the area of a designated water basin. Containment areas shall be lined with an impervious liner and berms shall be impervious and constructed with structurally stable materials.	06/18/2014

**S/A/V:** \_\_\_\_\_      **Comment:** \_\_\_\_\_

**CA:** \_\_\_\_\_      **Date:** \_\_\_\_\_

**Wildlife BMPs:**

BMP Type	Comment
General Housekeeping	Weed Control and Maintenance: Agave will be responsible for noxious weed control on any disturbed area for the life of the well.
Planning	Baseline Water Quality Testing: Agave will comply with COGCC Rule 609 and Elbert County MOU Requirements.
Community Outreach and Notification	Agave has submitted an Elbert County Permit. Agave agrees to meet quarterly or as necessary, to monitor and discuss any pertinent issues associated with the location.
Noise mitigation	Agave will provide the Elbert County LDG a 24 hour/7 days a week contact information to respond to all noise complaints arising from the oil and gas location. Agave will post this information on a sign at the entrance to the access road.
Planning	Lighting: All permanent lighting of oil and gas well sites shall be directed downward and internally.
Traffic control	Private Roads: Agave will construct and maintain an access road designed to accommodate emergency response vehicles. All newly constructed roads will be built to Elbert County Driveway Standards.
Planning	Agave will paint all new production facilities with uniform, non-contrasting, non-reflective color tones and with colors match to, but slightly darker, than surrounding landscapes.
Storm Water/Erosion Control	Agave will implement a storm water and erosion plan to prevent sedimentation and erosion.
Traffic control	Water Supply and Quality: To reduce truck traffic, where feasible, temporary surface water lines are encouraged and will be utilized. If necessary, Agave will bury temporary water lines at existing driveway and gravel road crossing, or utilize existing culverts, if available.
Dust control	Agave will only use fresh water on roads or land surfaces for dust mitigation.

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Storm Water/Erosion Control	Berms: Agave will inspect berms on a weekly basis for evidence of discharge and within 48 hours of a precipitation event. Inspection and maintenance records will be provided to Elbert County upon request. Agave will implement storm water and erosion control plan to prevent sedimentation and erosion.
Material Handling and Spill Prevention	Spill and Release Maintenance: Agave will submit copies of any Form 19 filed with COGCC to the Elbert County LGD.

**S/AV:** \_\_\_\_\_ **Comment:** \_\_\_\_\_

**CA:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Stormwater:**

**Comment:** \_\_\_\_\_

**Staking:**

**On Site Inspection (305):**

Surface Owner Contact Information:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Operator Rep. Contact Information:

Landman Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Date Onsite Request Received: \_\_\_\_\_ Date of Rule 306 Consultation: \_\_\_\_\_

Request LGD Attendance: \_\_\_\_\_

LGD Contact Information:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Agreed to Attend: \_\_\_\_\_

Summary of Landowner Issues:

\_\_\_\_\_

Summary of Operator Response to Landowner Issues:

\_\_\_\_\_

Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:

\_\_\_\_\_

**Facility**

Facility ID: 437636 Type: WELL API Number: 039-06677 Status: XX Insp. Status: XX

**Environmental**

**Spills/Releases:**

Type of Spill: \_\_\_\_\_ Description: \_\_\_\_\_ Estimated Spill Volume: \_\_\_\_\_

Comment: \_\_\_\_\_

Corrective Action: \_\_\_\_\_ Date: \_\_\_\_\_

Reportable: \_\_\_\_\_ GPS: Lat \_\_\_\_\_ Long \_\_\_\_\_

Proximity to Surface Water: \_\_\_\_\_ Depth to Ground Water: \_\_\_\_\_

**Water Well:**

Lat \_\_\_\_\_ Long \_\_\_\_\_

DWR Receipt Num: \_\_\_\_\_ Owner Name: \_\_\_\_\_ GPS : \_\_\_\_\_

**Field Parameters:**

\_\_\_\_\_

Sample Location: \_\_\_\_\_

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Emission Control Burner (ECB): \_\_\_\_\_

Comment: \_\_\_\_\_

Pilot: \_\_\_\_\_ Wildlife Protection Devices (fired vessels): \_\_\_\_\_

**Reclamation - Storm Water - Pit**

**Interim Reclamation:**

Date Interim Reclamation Started: \_\_\_\_\_ Date Interim Reclamation Completed: \_\_\_\_\_

Land Use: RANGELAND

Comment: \_\_\_\_\_

1003a. Debris removed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Waste Material Onsite? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Unused or unneeded equipment onsite? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Pit, cellars, rat holes and other bores closed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Guy line anchors removed? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

Guy line anchors marked? \_\_\_\_\_ CM \_\_\_\_\_

CA \_\_\_\_\_ CA Date \_\_\_\_\_

1003b. Area no longer in use? \_\_\_\_\_ Production areas stabilized ? \_\_\_\_\_

1003c. Compacted areas have been cross ripped? \_\_\_\_\_

1003d. Drilling pit closed? \_\_\_\_\_ Subsidence over on drill pit? \_\_\_\_\_

Cuttings management: \_\_\_\_\_

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? \_\_\_\_\_

Production areas have been stabilized? \_\_\_\_\_ Segregated soils have been replaced? \_\_\_\_\_

**RESTORATION AND REVEGETATION**

Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ Perennial forage re-established \_\_\_\_\_

Non-Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ 80% Revegetation \_\_\_\_\_

1003 f. Weeds Noxious weeds? \_\_\_\_\_

Comment: \_\_\_\_\_

Overall Interim Reclamation \_\_\_\_\_

**Final Reclamation/ Abandoned Location:**

Date Final Reclamation Started: \_\_\_\_\_ Date Final Reclamation Completed: \_\_\_\_\_

Final Land Use: RANGELAND

Reminder: \_\_\_\_\_

Comment: \_\_\_\_\_

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Well plugged _____	Pit mouse/rat holes, cellars backfilled _____
Debris removed _____	No disturbance /Location never built _____
Access Roads Regraded _____	Contoured _____ Culverts removed _____
Gravel removed _____	
Location and associated production facilities reclaimed _____	Locations, facilities, roads, recontoured _____
Compaction alleviation _____	Dust and erosion control _____
Non cropland: Revegetated 80% _____	Cropland: perennial forage _____
Weeds present _____	Subsidence _____
Comment: _____	
Corrective Action: _____ Date _____	
Overall Final Reclamation _____	Well Release on Active Location <input type="checkbox"/>
	Multi-Well Location <input type="checkbox"/>

<b>Storm Water:</b>						
Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment
Ditches						

S/A/V: **ACTION REQUIRED** Corrective Date: **12/07/2015**

Comment: **Insufficient stormwater BMPs on southeast corner of location. See "COGCC Comments".**

CA: **Instal and maintain stormwater BMP on sotheast corner of location by CA date of 12/7/2015.**

**Pits:**  NO SURFACE INDICATION OF PIT

<b>COGCC Comments</b>		
Comment	User	Date
<b>Insuficient stormwater BMPs in southeast portion of location. Please refer to photos 10 and 11 in attached documents.</b>	trujilloam	12/03/2015
<b>Install sufficient stormwater BMP in southeast portion of location by CA 12/7/2015. BMP may include a stormwater ditch such as the one existing on most of the locations current perimeter.</b>		
<b>It appears vehicles are utilizing multiple paths to access location. A single access road needs to be in place and used to minimize surface disturbances on the property.</b>	trujilloam	12/03/2015
<b>Install and maintain an access road by CA date of 12/4/2015.</b>		
<b>Ensure site sufficient stormwater, and vehicle tracking BMPs are in place on access road to manage stormwater and control sediment displacement by vehicles and/or equipment.</b>		

**Attached Documents**

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
682500197	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3732879">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=3732879</a>

## **ACTION REQUIRED**

**ANY ACTION REQUIRED** items listed on this report indicate that the oil and gas facility or the oil and gas operations listed on the report may be in violation of the rules and regulations of the Colorado Oil and Conservation Commission (“COGCC”) and corrective action is required.

There is reasonable cause to believe that a violation of the Oil and Gas Conservation Act, or of any rule, regulation, or order of the Commission, or of any permit issued by the Commission, has occurred. The Operator’s compliance with this Inspection Report is required to resolve these alleged violations. This document requires the Operator to timely respond to the COGCC and to comply with directives as listed by the **Corrective Action Deadline Date**. Failure to do so will result in the issuance of a Notice of Alleged Violation and initiation of enforcement proceedings in which COGCC will seek monetary penalties for the alleged violations pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1. (Please note that the COGCC's penalty authority was recently increased to a maximum of \$15,000 per day and penalties are no longer capped at a maximum of \$10,000 per violation.)