

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:

401069927

(SUBMITTED)

Date Received:

06/30/2016

Oil and Gas Location Assessment

New Location Refile Amend Existing Location Location#: 437664

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:

437664

Expiration Date:

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: 10492
 Name: AGAVE OIL & GAS LLC
 Address: 512 MAIN STREET #600
 City: FORT WORTH State: TX Zip: 76102

Contact Information

Name: Andrea Gross
 Phone: (303) 942-0506
 Fax: ()
 email: agross@upstreampm.com

RECLAMATION FINANCIAL ASSURANCE

- Plugging and Abandonment Bond Surety ID: 20140025 Gas Facility Surety ID: _____
- Waste Management Surety ID: _____

LOCATION IDENTIFICATION

Name: Herrick Number: 1-8
 County: ELBERT
 Quarter: SESE Section: 8 Township: 9S Range: 62W Meridian: 6 Ground Elevation: 6100

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: 871 feet FSL from North or South section line
833 feet FEL from East or West section line

Latitude: 39.276260 Longitude: -104.350010

PDOP Reading: 1.1 Date of Measurement: 02/04/2014

Instrument Operator's Name: Scott Estabrooks

DRILLING WASTE MANAGEMENT PROGRAM

Drilling Fluids Disposal: OFFSITE Drilling Fluids Disposal Method: Commercial Disposal

Cutting Disposal: OFFSITE Cuttings Disposal Method: Commercial Disposal

Other Disposal Description:

Drilling fluids will be disposed of at a commercial landfarming facility.

Beneficial reuse or land application plan submitted? No

Reuse Facility ID: _____ or Document Number: _____

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

SURFACE & MINERALS & RIGHT TO CONSTRUCT

Name: Steve Herrick Phone: 303-621-2191

Address: 28425 Freese Road Fax: _____

Address: _____ Email: _____

City: Calhan State: CO Zip: 80808

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 01/14/2014

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:	<u>1250</u> Feet	<u>1008</u> Feet
Building Unit:	<u>1245</u> Feet	<u>1004</u> 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

High Occupancy Building Unit:	<u>5280</u> Feet	<u>5280</u> Feet
Designated Outside Activity Area:	<u>5280</u> Feet	<u>5280</u> Feet
Public Road:	<u>268</u> Feet	<u>94</u> Feet
Above Ground Utility:	<u>658</u> Feet	<u>485</u> Feet
Railroad:	<u>5280</u> Feet	<u>5280</u> Feet
Property Line:	<u>833</u> Feet	<u>909</u> Feet

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.
 - Large UMA Facility – 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 (on 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 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: 5-Bresser sandy loam, 0 to 4 percent slopes
 NRCS Map Unit Name: 30-Kutch clay loam, 4 to 8 percent slopes
 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 sandreed, Blue grama, Sideoats grama, Little bluestem, Needleandthread, Prairie junegrass, Western wheatgrass, Sand dropseed, Sand bluestem, Prairie sagewort, Fendler threawn, Sedge, Green needlegrass, Rubber rabbitbrush, Fourwing saltbrush

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: 830 Feet

water well: 1450 Feet

Estimated depth to ground water at Oil and Gas Location 560 Feet

Basis for depth to groundwater and sensitive area determination:

Nearest water well is water well permit 170832. Depth to groundwater was determined from water well permit 57981-F which is located in Sec. 6 T9S R62W. The location was marked sensitive due to proximity of surface water and the location lies in the Kiowa Bijou designated water basin.

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 zone: No

If the location is within a Rule 317B Surface Water Supply Area buffer have all public water supply systems within 15 miles been notified: _____

Is the Location within a Floodplain? No Yes Floodplain Data Sources Reviewed (check all that apply)

Federal (FEMA)

State

County

Local

Other _____

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 a Building Unit) and is in an Urban Mitigation Area
- 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: This location has not been built. No information has changed since the original submission. BMPs have been added due to new Elbert County regulations since the original submission. The BMPs had been added to the original OGLA via Sundry Noticed and were approved on 08/29/2014. A revised location drawing has been attached with cultural distances from the production facilities due to new COGCC regulations. Reference Area Photos and Map have been attached as they were not attached in the original submission as it was not the growing season.

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

Signed: _____ Date: 06/30/2016 Email: agross@upstreampm.com

Print Name: Andrea Gross Title: Permit Agent

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: _____

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

<u>COA Type</u>	<u>Description</u>

Best Management Practices

<u>No</u>	<u>BMP/COA Type</u>	<u>Description</u>
1	Planning	Baseline Water Quality Testing: Agave will comply with COGCC Rule 609 and Elbert County MOU Requirements.
2	Planning	Lighting: All permanent lighting of oil and gas well sites shall be directed downward and internally.
3	Planning	Agave will paint all new production facilities with uniform, non-contrasting, nonreflective color tones and with colors match to, but slightly darker, than surrounding landscapes.
4	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.
5	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.
6	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.
7	General Housekeeping	Weed Control and Maintenance: Agave will be responsible for noxious weed control on any disturbed area for the life of the well.
8	Storm Water/Erosion Control	Agave will implement a stormwater and erosion plan to prevent sedimentation and erosion.
9	Material Handling and Spill Prevention	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.
10	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.
11	Dust control	Agave will only use fresh water on roads or land surfaces for dust mitigation.
12	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.

Total: 12 comment(s)

Attachment Check List

<u>Att Doc Num</u>	<u>Name</u>
401069927	FORM 2A SUBMITTED
401069965	LOCATION DRAWING
401084762	REFERENCE AREA MAP
401084764	REFERENCE AREA PICTURES

Total Attach: 4 Files

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>

Total: 0 comment(s)