

Dave Kubeczko - DNR

From: Dave Kubeczko - DNR
Sent: Wednesday, April 26, 2017 9:54 AM
To: Dave Kubeczko - DNR
Subject: FW: New 2A Received for Review #401169458
Attachments: Buffalo Horn Ranch Waiver 3-8-17.pdf; AEP II Response to CPW BMP 3-8-17.pdf

Categories: CPW Wildlife Information, Operator Correspondence

Scan No. 2108083

**CPW Correspondence and Operator Response to Wildlife BMPs
2A #401169458**

From: Duane Zimmerman [mailto:dzimmerman@augustusenergy.com]
Sent: Wednesday, March 08, 2017 3:17 PM
To: Smithers - DNR, Brett
Cc: Dave Kubeczko; Pascual Laborda
Subject: RE: New 2A Received for Review #401169458

Brett and Dave,

Please note our attached response to the Recommended BMP's and a copy of the Buffalo Horn Ranch waiver supporting our response.

Regards,

Duane Zimmerman
Vice President of Operations
Augustus Energy Partners II, LLC
(406) 294-5990, ext 104
(406) 860-1432 Cell
dzimmerman@augustusenergy.com

From: Smithers - DNR, Brett [mailto:brett.smithers@state.co.us]
Sent: Wednesday, February 01, 2017 10:33 AM
To: Dave Kubeczko; Duane Zimmerman
Cc: Warren, Michael; Taylor Elm - DNR; Bill deVergie - DNR; Brian Holmes
Subject: Fwd: New 2A Received for Review #401169458

Dave and Duane:

Regarding the CPW-recommended BMPs for the Wiley 22-3-97 well pad (Doc. No. 401169458, fee surface) that we discussed this morning, below is a brief summary of the changes CPW would be willing to make.

Regarding item 1, we would prefer to leave this BMP as is. Because it is likely Greater sage-grouse use this area as winter habitat, it is our opinion that avoiding construction and drilling activities during the December 1 to March 15 period and December 1 to April 15 period (for mule deer) is justified.

Regarding item 2, because this BMP pertains more to Greater sage-grouse production area habitat, and because the proposed Wiley 22-3-97 location (and associated road infrastructure) falls outside of production area habitat for sage grouse, CPW would be willing to remove this BMP from the list.

Regarding item 3, similar to our response for item 1, because it is likely Greater sage-grouse use this area as winter habitat, it is our opinion that reducing noise on the location by installing hospital-grade mufflers on diesel and gas powered motors on production equipment on the well pad is justified.

Regarding item 4, CPW prefers to leave this BMP as is.

Regarding item 5, this BMP pertains to closing and reclaiming redundant road segments associated with the Wiley 22-3-97 location. Per our discussion, this BMP is not applicable for the Buffalo Horn Properties parcel, and CPW would be willing to remove this BMP from the list.

Regarding item 6, CPW prefers to leave this BMP as is.

Regarding item 7, CPW prefers to leave this BMP as is.

Duane: Sorry, I don't have Pas' email address. Please forward this message to him. Thanks!

Brett

----- Forwarded message -----

From: **COGCC Form 02A** <COGCC.Form02A@gov.state.co.us>

Date: Fri, Jan 13, 2017 at 1:42 PM

Subject: New 2A Received for Review #401169458

To: michael.warren@state.co.us

Cc: brett.smithers@state.co.us, teri.polley@state.co.us, taylor.elm@state.co.us

Colorado Oil and Gas Conservation Commission eForms Alerts for 1/13/2017

Message

A new Oil and Gas Location Assessment form has been received that requires CPW attention.

Doc Num	Operator Name - Number	Received	Operator Contact
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401169458[02A] AUGUSTUS ENERGY PARTNERS II LLC-10591 01/05/2017 Duane Zimmerman - [\(406\) 294-5990](tel:(406)294-5990)

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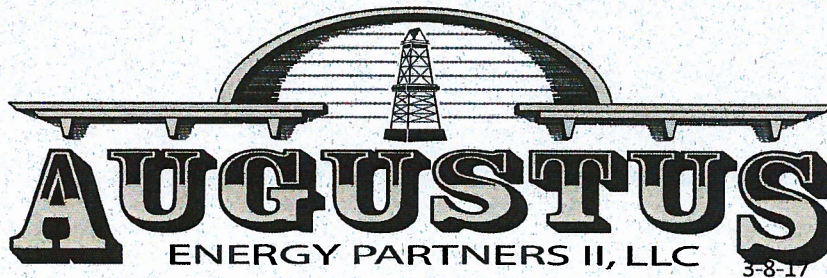
Brett Smithers

Land Use Specialist, Northwest Region

73485 Hwy 64, Meeker, CO 81641

P 970.878.6069 | F 970.878.6077 | M 970.942.3295

brett.smithers@state.co.us | www.cpw.state.co.us



Brett Smithers
Colorado Parks & Wildlife
P.O. Box 1181
73485 Hwy 64
Meeker, CO 81641

Dear Brett:

Augustus Energy Partners II, LLC (Augustus) has completed its review of the revised Colorado Parks and Wildlife (CPW) recommended Best Management Practices (BMPs) for the Wiley 22-3-97 well pad (aka J-Pad), Doc No. 401169458, Location ID No. 430927 as discussed during our conference call on Wednesday, February 1, 2016 and provided in your e-mail.

You identified seven (7) BMPs you wanted us to consider, and of those, the DPW was willing to remove two (2) of them after the discussions had during the conference call. Those being BMP recommendations 2 and 5 as specified in your e-mail.

As a reminder, this proposed well pad and associated well is located on private surface owned by the Buffalo Horn Ranch (BHR). The BHR is a working cattle ranch and professional outfitter and is very aware of and responsive to the needs of the wildlife in its purview and the lands under its management. The BHR is also a responsible manager of wildlife and has a BMPs approach to all wildlife on its surface, from sage grouse, mule deer, and elk.

While we appreciate your time and the discussions we had on these BMPs, after consultation with the BHR who is the surface owner on the affected private lands, both Augustus and the BHR have agreed that the proposed wildlife BMPs may adversely affect future operations. Therefore, we respectfully must decline any timing and visitation restrictions on the Wiley 22-3-97 well pad. Attached please find a copy of a letter signed by both Augustus and the BHR opting out on such restrictions.

Augustus and the BHR are aware of the CPW's concerns for mule deer and greater sage-grouse winter habitat and will be considerate to mule deer and greater sage-grouse, if present, in this area during its normal operations.

Augustus and the BHR wants to assure the DPW that the protection of wildlife habitat is a concern when planning operations, and hope to maintain a continued successful relationship with the CPW and the other agencies in the area.

If you have any questions, please do not hesitate to contact me.

Duane Zimmerman
Augustus Energy Partners II, LLC



February 28, 2017

Buffalo Horn Properties, LLC
13825 County Road 7
Meeker, Colorado 81641

Re: Permanent Waiver
COGCC Consultations

To Whom It May Concern:

Augustus Energy Partners II, LLC ("AEP") and Buffalo Horn Properties, LLC ("BHR") are parties to that certain Master Surface Use Agreement dated effective March 15, 2013 covering specific surface lands that BHR owns in Township 3 North, Ranges 96 and 97 West, Moffat and Rio Blanco Counties, Colorado ("MSUA"). The MSUA covers management of the BHR surface, including payment of fees and damages to BHR, among other things, in connection with AEP's operations on the MSUA lands. A map of the MSUA lands is attached as Exhibit A and is made a part of hereof and is incorporated herewith by reference.

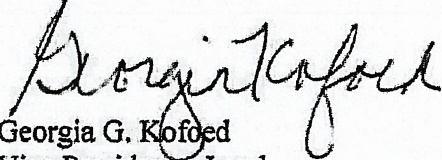
BHR is a working cattle ranch and professional outfitter and is very aware of and responsive to the needs of the wildlife in its purview and the lands under its management. BHR is a responsible manager of wildlife and has a Best Management Practices approach to all wildlife on its surface, from sage grouse to elk.

Without waiving any of its rights under the MSUA, BHR elects to opt out of and waive the following insofar as MSUA lands are concerned:

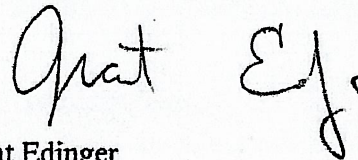
- Wildlife timing limitations or wildlife stipulations,
- Botanical, biological, weed, cultural, paleontological, and archeological studies or surveys,
- National Historic Preservation Act surveys

Please feel free to contact the undersigned with any questions. BHR's signature below indicates agreement with this Permanent Waiver.

Sincerely,
AUGUSTUS ENERGY PARTNERS II, LLC


Georgia G. Klofod
Vice President - Land

BUFFALO HORN PROPERTIES, LLC


Grant Edinger
Manager