



380 Airport Road  
Durango, Colorado 81303

May 9, 2017

Department of Natural Resources  
Oil and Gas Conservation Commission  
1120 Lincoln St, Suite 801  
Denver, CO 80203

Re: Request for Variance – Rule 502.b  
Fischer Mark Federal B5 Well  
La Plata County, Colorado

To Whom It May Concern:

BP America Production Company is requesting a variance per Rule 502.b to accommodate the Fischer Mark Federal B5 well that is proposed on an existing pad and is planned to be less than the setback of 200 feet from the nearest public road as designated in COGCC Rule 603.a.(1).

The Fischer Mark Federal B5 wellhead is proposed to be 180 feet from the nearest public road which is Forest Service Road 755. The surface owner of the pad and the road has provided a waiver to the setback as documented in the correspondence attached to this letter.

Sincerely,

*Naomi Azulai*

Naomi Azulai  
Well Permitting Analyst  
BP America Production Co  
(970) 375-7511

## Feir, Kate

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**From:** Brown, Walter A -FS <[wabrown@fs.fed.us](mailto:wabrown@fs.fed.us)>  
**Sent:** Tuesday, May 09, 2017 10:11 AM  
**To:** Feir, Kate  
**Subject:** RE: Fischer-Mark Federal B5, request USFS acknowledgement of well head distance to Forest Service Road

**Categories:** CAUTION: External email - increased risk of phishing  
**external-email:** -1

The USFS acknowledges and agrees to waive the setback requirements for the subject wells.



**Walt Brown**  
**Geologist**

**Forest Service**  
**San Juan National Forest**

p: 970-385-1372  
[wabrown@fs.fed.us](mailto:wabrown@fs.fed.us)

15 Burnett Court  
Durango, CO 81301  
[www.fs.fed.us](http://www.fs.fed.us)



Caring for the land and serving people

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**From:** Feir, Kate [<mailto:Kate.Feir@bp.com>]  
**Sent:** Monday, May 08, 2017 2:59 PM  
**To:** Brown, Walter A -FS <[wabrown@fs.fed.us](mailto:wabrown@fs.fed.us)>  
**Subject:** Fischer-Mark Federal B5, request USFS acknowledgement of well head distance to Forest Service Road

Walt,

The Colorado Oil and Gas Conservation Commission ("COGCC") Rule 603a(1) requires a setback of 200 feet from the wellhead to the closest public road. The existing Fischer-Mark Federal B1 (API No. 05-067-07073) is approximately 190 ft. from Forest Service Road 755 and on the same pad, the Fischer-Mark Federal B5's proposed location is approximately 180 ft. from the same Forest Service Road 755. Thus, the wells require a COGCC variance due to the wellheads' proximity to a public road.

Would you provide an email response which will serve as the documented USFS acknowledgement and agreement to waive the setback requirements pursuant to the COGCC Rule 603a(1) for both these wells? The location of the proposed 'B#5' well was chosen to support development of the mineral resources and minimize new surface disturbance. This acknowledgement is required for the COGCC to proceed with processing the Form 2A for the proposed Fischer-Mark Federal B5 well.

Let me know if you have any questions or need additional information.

Thanks.

Kate

*Kate Feir*  
*Development Planning Engineer*  
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