

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:

401389624

Date Received:

09/12/2017

Oil and Gas Location Assessment

New Location     Refile     Amend Existing Location    Location#: \_\_\_\_\_

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:

**453198**

Expiration Date:

**11/29/2020**

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: 10629

Name: FIFTH CREEK ENERGY OPERATING COMPANY LLC

Address: 5251 DTC PKWY STE 420

City: GREENWOOD VILLAGE    State: CO    Zip: 80111

Contact Information

Name: Sydney Smith

Phone: (303) 910-4511

Fax: ( )

email: ssmith@fifthcreekenergy.com

RECLAMATION FINANCIAL ASSURANCE

- Plugging and Abandonment Bond Surety ID: 20160087     Gas Facility Surety ID: \_\_\_\_\_
- Waste Management Surety ID: \_\_\_\_\_

LOCATION IDENTIFICATION

Name: Critter Creek    Number: 17-4

County: WELD

Quarter: SWSW    Section: 17    Township: 11N    Range: 63W    Meridian: 6    Ground Elevation: 5323

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: 240 feet FSL from North or South section line

748 feet FWL from East or West section line

Latitude: 40.915728    Longitude: -104.463700

PDOP Reading: 1.4    Date of Measurement: 08/08/2017

Instrument Operator's Name: Chad Meiers

## 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>6</u>	Oil Tanks*	<u>10</u>	Condensate Tanks*	<u>    </u>	Water Tanks*	<u>3</u>	Buried Produced Water Vaults*	<u>    </u>
Drilling Pits	<u>    </u>	Production Pits*	<u>    </u>	Special Purpose Pits	<u>    </u>	Multi-Well Pits*	<u>    </u>	Modular Large Volume Tanks	<u>    </u>
Pump Jacks	<u>    </u>	Separators*	<u>14</u>	Injection Pumps*	<u>    </u>	Cavity Pumps*	<u>    </u>	Gas Compressors*	<u>    </u>
Gas or Diesel Motors*	<u>    </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>4</u>	Flare*	<u>    </u>	Pigging Station*	<u>    </u>

## OTHER FACILITIES\*

Other Facility Type

Number

<u>Other Facility Type</u>	<u>Number</u>

\*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:

Fifth Creek Energy will install a 3" buried welded steel line from the wellhead to the treater. From the treater to the tanks Fifth Creek will install a 1-3" welded steel oil line, and a 1-3" welded water line. Additionally, Fifth Creek Energy will install 1-3" gas line moving the gas off the pad to sales.

## CONSTRUCTION

Date planned to commence construction: 01/01/2018 Size of disturbed area during construction in acres: 7.99  
Estimated date that interim reclamation will begin: 08/01/2018 Size of location after interim reclamation in acres: 3.53  
Estimated post-construction ground elevation: 5320

## DRILLING PROGRAM

Will a closed loop system be used for drilling fluids: Yes

Is H<sub>2</sub>S anticipated? No

Will salt sections be encountered during drilling: No

Will salt based mud (>15,000 ppm Cl) be used? No

Will oil based drilling fluids be used? Yes

## 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:

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: Jeff & Tanya Wahlert Phone: \_\_\_\_\_  
 Address: 31530 WCR 128 Fax: \_\_\_\_\_  
 Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 City: Grovere State: CO Zip: 80729  
 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.

	<b>From WELL</b>	<b>From PRODUCTION FACILITY</b>
Building:	3240 Feet	3242 Feet
Building Unit:	3248 Feet	3239 Feet
High Occupancy Building Unit:	5280 Feet	5280 Feet
Designated Outside Activity Area:	5280 Feet	5280 Feet
Public Road:	228 Feet	353 Feet
Above Ground Utility:	272 Feet	397 Feet
Railroad:	5280 Feet	5280 Feet
Property Line:	228 Feet	353 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

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: \_\_\_\_\_

- 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.

## 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 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: 4 - Ascalon fine sandy loam, 0 to 6 percent slopes \_\_\_\_\_

NRCS Map Unit Name: 5 - Ascalon sandy loam, 5 to 9 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: \_\_\_\_\_

**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: 4236 Feet

water well: 3532 Feet

Estimated depth to ground water at Oil and Gas Location 22 Feet

Basis for depth to groundwater and sensitive area determination:

COGCC GIS Online Tools; depth to ground water based on water well permit number 9063720, STATE BOARD OF LAND COMMISSIONERS. The nearest water well was determined using the COGCC maps and the CDWR permit database. The water well permit number is 9063720 with 22' to ground water.

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: \_\_\_\_\_

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

**WILDLIFE**

This location is included in a Wildlife Mitigation Plan

This location was subject to a pre-consultation meeting with CPW held on \_\_\_\_\_

**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: There are no surface water features within 1,000 feet of this location, therefore a Hydrology Map is not required.

The location identification footages were provided from the Critter Creek 243-1708H proposed well. The distances for the cultural setbacks were provided from the Critter Creek 541-1708H proposed well. All salable quality gas will be piped to a sales line. No unnecessary or excessive flaring will occur at the subject location. Per rule 316C.c a 48 hour notice will be filed prior to commencement of construction operations with the COGCC via a Form 42. The proposed setback locations for the producing intervals of each wellbore complies with order number 421-79 (Codell) and order number 421-85 (Niobrara). Surface Use Agreement attached for informational purposes.

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

Signed: \_\_\_\_\_ Date: 09/12/2017 Email: ssmith@fifthcreekenergy.com

Print Name: Sydney Smith Title: Regulatory Analyst

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: 11/30/2017

**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.

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

**Best Management Practices**

<u>No</u>	<u>BMP/COA Type</u>	<u>Description</u>

## Attachment Check List

<u>Att Doc Num</u>	<u>Name</u>
2478404	CORRESPONDENCE
401389624	FORM 2A SUBMITTED
401400880	ACCESS ROAD MAP
401400881	CONST. LAYOUT DRAWINGS
401400896	LOCATION DRAWING
401400897	LOCATION PICTURES
401400898	MULTI-WELL PLAN
401400902	NRCS MAP UNIT DESC
401400906	REFERENCE AREA MAP
401400909	REFERENCE AREA PICTURES
401400912	SURFACE AGRMT/SURETY

Total Attach: 11 Files

### General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
OGLA	Discussed with operator the need to submit Form 4 Sundry if no water wells are present within the distances listed in Rule 609 regarding baseline groundwater sampling.	11/30/2017
OGLA	Operator provided updated construction start date and interim reclamation start date.	11/29/2017
Permit	With operator's concurrence corrected the Right to construct to O&G lease and check the boxes. Final Review Completed.	11/28/2017
Permit	Permitting Review Complete.	11/03/2017
OGLA	IN PROCESS - Operator revised the distance to the nearest Property Line and concurred with adding an operator comment indicating there are no surface water features within 1,000 feet of this location.  OGLA review complete and task passed.	10/20/2017
LGD	This proposed oil and gas facility is located in the Agricultural Zoned District of unincorporated Weld County. A Weld Oil and Gas Location Assessment (WOGLA) is required prior to constructing any improvements related to oil and gas exploration and production and prior to the issuance of building permits. A building permit is required for the production facilities (tank battery, separators, pump jacks, compressors, generators, etc.) from the Department of Planning Services. Access points from County roads require an Access Permit from the Department of Public Works, which includes any necessary traffic control plans and Improvement Agreements. The use of County right-of-way requires a permit from the Department of Public Works. Troy Swain, Weld Oil/Gas Liaison and LGD (970) 400-3579.	10/17/2017
OGLA	ON HOLD - Requested operator revise the distance to the nearest Property Line and concur with adding an operator comment indicating there are no surface water features within 1,000 feet of this location. Due by 11/16/17.	10/16/2017
Permit	Edit: corrected with Operator concurrence, checked the box for "The Surface Owner: is mineral owner."	10/10/2017
Permit	Passed Completeness. Edit: - Water sampling Rule from "N/A" corrected to "609"	09/27/2017
Permit	Returned to draft for: - box on "Consultation & Contact Info" tab for "This location assessment is included as part of a permit application" is checked, but the "Related Forms" tab is blank. Either the box needs to be unchecked or the related forms need to be added.	09/26/2017

Total: 10 comment(s)