



COLORADO

**Oil & Gas Conservation
Commission**

Department of Natural Resources

1120 Lincoln Street, Suite 801
Denver, CO 80203

August 17, 2018

Denver Water
Ms. Amy Turney
Director Engineering-Property
1600 West 12th Avenue
Denver, Colorado 80204-3412

Regarding: Objection to Permit Applications for Two Injection Wells in Weld County
NGL Water Solutions DJ LLC
South Weld SWD #1
South Weld SWD #2

Dear Ms. Turney,

The Colorado Oil and Gas Conservation Commission ("COGCC") received the Denver Water letter dated July 26, 2018. The letter is in regard to Denver Water's opposition to granting of EPA Class II Injection Permits to the NGL Water Solutions DJ LLC ("NGL") South Weld SWD #1 and South Weld SWD #2 wells. Denver Water asked that the injection well permits for these two wells be denied.

The Colorado Oil and Gas Conservation Commission has determined that Denver Water has no standing with respect to the South Weld SWD #1 well because the Denver Water property, South Cell Lupton Lakes Reservoir (under construction), is more than one half (1/2) mile from the proposed bottomhole location. Therefore COGCC dismisses the Denver Water protest.

With respect to the South Weld SWD #2 well the Commission has to date not received any applications either to drill the well or permit it for injection. Because COGCC has no applications for drilling or injection Denver Water's objection is premature. Furthermore, on August 6, 2018 NGL Water Solutions DJ LLC stated verbally and in an email to COGCC through its consultants, IPT, that the South Weld SWD #2 well will not be drilled. This makes the Denver Water objection moot.

If Denver Water desires to state its position on construction and permitting of injection wells in the area of the South Cell Lupton Lakes Reservoir to the Commission in a hearing format they may apply to make a "510 Statement". To do so, please contact our Hearings & Regulatory Affairs Manager, Julie Prine, at Julie.prine@state.co.us. A copy of Rule 510 is enclosed.



Ms. Amy Turney

August 9, 2018

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Thank you and your staff for contacting COGCC on this matter and interacting with us to resolve it. COGCC is aware of the need to protect the public drinking water supplies whether in aquifers or reservoirs. We feel that with proper Conditions of Approval and monitoring during the life of the South Weld SWD #1 that danger from induced seismic activity is small. We thank Denver Water for it list of "Minimal Permit Conditions". COGCC will take them into consideration when COGCC imposes its own "Conditions of Approval" on the injection permit for the South Weld SWD #1.

Please feel free to contact me with any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Koehler", with a stylized flourish at the end.

Robert P. (Bob) Koehler, PhD.
UIC Lead, Geology Advisor

Telephone: 303-894-2100 x5147

Email: bob.koehler@state.co.us

Enclosure:
Copy of Rule 510

NGL Water Solutions DJ LLC
South Weld SWD #1
SWNE Section 30-Range 1 North-Township 66 West
Weld County
API: TBD

Colorado Oil and Gas Conservation Commission

RULE 510. STATEMENTS AT HEARING

a. Any person may make an oral statement at a hearing or submit a written statement, according to instructions available on the COGCC website (under “Forms”), prior to or at any hearing that relates to the proceeding before the Commission. The Commission, at its discretion, may limit the length of any oral statement or restrict repetitive statements. In an adjudicatory hearing, an oral statement shall not be accepted into the record unless:

(1) The statement is made under oath; and

(2) The parties to the hearing are allowed to cross-examine the maker of the statement.

b. The Commission, at its discretion, may accept a sworn written statement into the record with due regard to the fact the statement was not subject to cross-examination.

c. The parties to the hearing shall have the right to object to inclusion of any statement under this Rule 510 into the record. The Commission shall note the objection for the record. If the Commission accepts the basis for excluding the 510 statement from the record the substance of the statement shall not be considered by the Commission in making a decision on the matter at issue.

STATE OF COLORADO

DEPARTMENT OF NATURAL RESOURCES
Oil & Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203-2136

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Denver Water
Ms. Amy Turney
Director Engineering - Property
1600 West 12TH Avenue
Denver, CO. 80204-3412

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Denver Water

Ms. Amy Turney

Director Engineering - Property

1600 West 12TH Avenue

Denver, CO. 80204-3412



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