



Caerus Piceance LLC  
143 Diamond Ave  
Parachute, CO 81635

October 25, 2018

Director Murphy  
Colorado Oil & Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, CO 80203

**RE: Rule 502.b. Variance**

Dear Director Murphy,

Caerus Piceance LLC (Caerus) is formally requesting a Rule 502.b. variance for the Thomas 18-1 Location (Location ID# 312401). A variance is being requested for the following Rules:

**Rule 1004.a** As applicable, compaction alleviation, restoration and revegetation of well sites, associated production facilities and access roads shall be performed to the same standards as established for interim reclamation under Rule 1003.

**Rule 1004.d** Final reclamation of all disturbed areas shall be considered complete when all activities disturbing the ground have been completed, and all disturbed areas have been either built upon, compacted, covered, paved or otherwise stabilized in such a way as to minimize erosion, or a uniform vegetative cover has been established that reflects pre-disturbance or reference area forbs, shrubs, and grasses with total percent plant cover of at least eighty percent (80%) of pre-disturbance or reference area levels, excluding noxious weeds, or equivalent permanent, physical erosion reduction methods have been employed. Re-seeding alone is not sufficient.

The request is being made to accommodate the wishes of the surface owners, Earl and Linda Hittle and Mike Currier, to utilize the well pad, access road, and turnaround area for their ranching and hunting activities.

A portion of the pad area has been re-contoured and relaxed to 3:1 slopes and seeded and mulched. Caerus will continue to monitor and maintain this area until Final Abandonment Notice. There is no active stormwater erosion on site and noxious weeds have been controlled. The access road has also been stabilized for continued use to support agricultural operations.

Caerus has completed an Operators Analysis and determined that public health, safety, welfare and the environment will not be harmed if the variance is approved.

All supporting documentation has been attached to the submitted Form 4 Sundry Notice (Doc# 401809327).

If you have any questions or need additional information, please contact me at 970-285-2656 or at [jeckman@caerusoilandgas.com](mailto:jeckman@caerusoilandgas.com).

Sincerely,

A handwritten signature in blue ink that reads "Jason Eckman".

Jason Eckman  
Sr. Regulatory Analyst

October 30, 2015

Earl H. Hittle and Linda D. Hittle  
P.O. Box 51  
Molina, CO 81646-0051

Re: Final Reclamation Agreement  
Thomas 18-1 and Associated Facilities  
T10S R95W, 6th P.M.  
Section 18: NWSW  
Mesa County, Colorado

Dear Mr. and Mrs. Hittle:

Encana Oil & Gas (USA) Inc. (Encana) has plugged and abandoned the above referenced well, and removed all associated production facilities, equipment, trash and debris from the well site. The subsequent Form 6 was approved on May 19, 2015. On May 14, 2015, Encana and Earl H. Hittle and Linda D. Hittle (Hittle) completed an on-site consultation for final reclamation in accordance with the requirements of Colorado Oil and Gas Conservation Commission (COGCC) Rules 306.a. and 306.f.

Per your request and according to COGCC rules and regulations, Encana performed the following reclamation activities. The fill slope was re-contoured and relaxed to a 3:1 slope then seeded and mulched to protect from erosion and stormwater concerns (depicted in orange and identified as 'Reclaimed Pad Area' on the attached Exhibit A). The remainder of the pad was drill seeded and mulched (depicted in green and identified as 'Released Pad Area' on the attached Exhibit A). The location is stable and compliant with state stormwater requirements (see attached photos). The BMPs put in place by Encana are adequate to prevent any sediment from leaving the location. A follow up on-site consultation was held October 28, 2015 confirming that all work as requested and described in the April 24, 2015 on-site consultation was performed to Hittle's satisfaction.

Noxious weeds are not present on the location. Annual weeds have been managed through Encana's weed management program. Hittle and other landowners requested that the access road (depicted in red and identified as 'Released Road' on the attached Exhibit A) be left in place because it provides access for multiple landowners. Attachment A provides additional details, including the locations of the road, BMPs and existing Hittle operations.

The former well site is currently being used by Hittle to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and used as a feeding area for livestock. To prevent interference with their ranching, farming and hunting operations, Hittle has requested a reclamation waiver for the following rules:

**1004.a: As applicable, compaction alleviation, restoration, and re-vegetation of well sites, associated production facilities, and access roads shall be performed to the same standards as established for interim reclamation under Rule 1003:** The Released Pad Area will not be re-contoured as described in rule 1003.e because a level surface is needed for the final land use. Hittle would like to utilize the flat surface for its ranching and hunting activities.

**1004.a: All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured:** The access road (Released Road) to the plugged and abandoned well was not closed, graded and re-contoured because the road provides access for multiple landowners.

**1004.d. Final reclamation of all disturbed areas shall be considered complete when all activities disturbing the ground have been completed, and all disturbed areas have been either built upon, compacted, covered, paved, or otherwise stabilized in such a way as to minimize erosion, or a uniform vegetative cover has been established that reflects pre-disturbance or reference area forbs, shrubs, and grasses with total percent plant cover of at least eighty percent (80%) of pre-disturbance or reference area levels, excluding noxious weeds, or equivalent permanent, physical erosion reduction methods have been employed. Re-seeding alone is not sufficient:** The site was partially re-contoured (Reclaimed Pad Area), seeded and mulched, however the Hittle wishes to waive the 80% establishment requirement on the Released Pad Area because it would like to utilize the site for its ranching and hunting activities. Hittle would like to use the Released Road and Released Pad Area to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and for use as a feeding area for livestock.

A portion of this location is not included in this waiver and is depicted in orange and identified as 'Reclaimed Pad Area' on the attached Exhibit A and shown as the fenced area in the attached images. The fill slope was re-contoured and relaxed to a 3:1 slope then seeded and mulched to protect from erosion and stormwater concerns. Encana will continue to monitor this Reclaimed Pad Area through Final Abandonment Notice per COGCC Reclamation Regulations.

Public health, safety, and welfare, including the environment and wildlife resources, will not be significantly adversely impacted by granting the requested variance.

You, the Surface Owner, agree that Encana has fulfilled the requirements set forth by the COGCC for the abandonment of the well and you waive the reclamation of the pad and the road. You agree that Encana shall have no further responsibility or liability for any reclamation, stormwater, or weed control and you acknowledge that you are accepting responsibility for any future reclamation of the site and, to the extent applicable, for protection of topsoil and stormwater management on the site. You acknowledge that Encana has complied with your direction regarding final reclamation of the well, associated well pad, and access road. You also acknowledge that Encana

has provided you with a copy of COGCC Rules 1001 through 1004.

If this letter correctly reflects your understanding, please confirm your acknowledgement, agreement, and acceptance of the terms of this letter by signing and returning the signed letter to Encana.

Thank you for your time and consideration in this matter. If you have any questions or comments, please call the undersigned at 970-285-2810.

Sincerely,

Encana Oil & Gas (USA) Inc.,  
by its authorized agent,  
Encana Services Company Ltd.

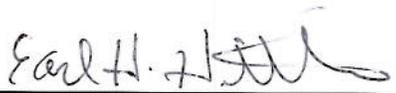


Roger C. Miller,  
Surface Land Negotiator

I ACKNOWLEDGE AND AGREE as set forth above

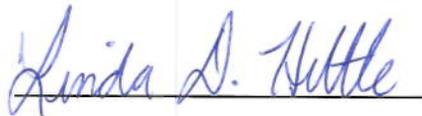
SURFACE OWNER

Signed:



Earl H. Hittle

Signed:



Linda D. Hittle

Date:

1 NOVEMBER, 2015

NICHOLS  
CHARLES  
W III

NICHOLS  
CHARLES  
N III



Thomas 18-1

HITTLE JON K

HITTLE EARL H

FRANKLIN  
FOREST K

HITTLE EARL H

18  
19

CURRIER MIKE

**Legend**  
**T10S R95W**

-  Thomas 18-1 Access Road
-  Unreclaimed Access Road (~0.11ac)
-  Reclaimed Disturbance (~0.95ac)
-  Unreclaimed Disturbance (~1.44ac)
-  Mesa County Parcel
-  Section



October 30, 2015

Jon K. Hittle and Gwyn M. Hittle  
P.O. Box 64  
Molina, CO 81646-0064

Re: Final Reclamation Agreement  
Thomas 18-1 and Associated Facilities  
T10S R95W, 6th P.M.  
Section 18: NWSW  
Mesa County, Colorado

Dear Mr. and Mrs. Hittle:

Encana Oil & Gas (USA) Inc. (Encana) has plugged and abandoned the above referenced well, and removed all associated production facilities, equipment, trash and debris from the well site. The subsequent Form 6 was approved on May 19, 2015. On October 29, 2015, Encana and Jon K. Hittle and Gwyn M. Hittle (Hittle) completed an on-site consultation for final reclamation in accordance with the requirements of Colorado Oil and Gas Conservation Commission (COGCC) Rules 306.a. and 306.f.

Per your request and according to COGCC rules and regulations, Encana performed the following reclamation activities. The access road was left in place (depicted in red and identified as 'Released Road' on the attached Exhibit A).

Noxious weeds are not present on the road. Annual weeds have been managed through Encana's weed management program. Hittle requested that the access road be left in place (Released Road) because it provides access for multiple landowners. Attachment A provides additional details, including the locations of the road, BMPs and existing Hittle operations.

The former well site is currently being used by Hittle and other landowners to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and used as a feeding area for livestock. To prevent interference with their ranching, farming and hunting operations, Hittle has requested a reclamation waiver for the following rules:

**1004.a: All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured:** The access road (Released Road) to the plugged and abandoned well was not closed, graded and re-contoured because the road provides access for multiple landowners.

A portion of this location is not included in this waiver and is depicted in orange and identified as 'Reclaimed Pad Area' on the attached Exhibit A and shown as the fenced area in the attached images. The fill slope was re-contoured and relaxed to a 3:1 slope then seeded and mulched to protect from erosion and stormwater concerns. Encana will continue to monitor this Reclaimed Pad Area through Final Abandonment Notice per COGCC Reclamation Regulations.

Public health, safety, and welfare, including the environment and wildlife resources, will not be significantly adversely impacted by granting the requested variance.

You, the Surface Owner, agree that Encana has fulfilled the requirements set forth by the COGCC for the abandonment of the well and you waive the reclamation of the pad and the road. You agree that Encana shall have no further responsibility or liability for any reclamation, stormwater, or weed control and you acknowledge that you are accepting responsibility for any future reclamation of the site and, to the extent applicable, for protection of topsoil and stormwater management on the site. You acknowledge that Encana has complied with your direction regarding final reclamation of the well, associated well pad, and access road. You also acknowledge that Encana has provided you with a copy of COGCC Rules 1001 through 1004.

If this letter correctly reflects your understanding, please confirm your acknowledgement, agreement, and acceptance of the terms of this letter by signing and returning the signed letter to Encana.

Thank you for your time and consideration in this matter. If you have any questions or comments, please call the undersigned at 970-285-2810.

Sincerely,

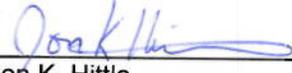
Encana Oil & Gas (USA) Inc.,  
by its authorized agent,  
Encana Services Company Ltd.



Roger C. Miller,  
Surface Land Negotiator

I ACKNOWLEDGE AND AGREE as set forth above

SURFACE OWNER

Signed:   
Jon K. Hittle

Signed:   
Gwyn M. Hittle

Date: 11/4/15, 2015

NICHOLS  
CHARLES  
W III

NICHOLS  
CHARLES  
N III



Thomas 18-1

HITTLE JON K

HITTLE EARL H

FRANKLIN  
FOREST K

HITTLE EARL H

18  
19

CURRIER MIKE

MIKE

**Legend**  
**T10S R95W**

-  Unreclaimed Access Road (~0.54ac)
-  Thomas 18-1 Access Road
-  Reclaimed Disturbance (~0.95ac)
-  Unreclaimed Disturbance (~1.44ac)
-  Mesa County Parcel
-  Section



October 29, 2015

Mike Currier  
P.O. Box 71  
Molina, CO 81646

Re: Final Reclamation Agreement  
Thomas 18-1 and Associated Facilities  
T10S R95W, 6th P.M.  
Section 18: NWSW  
Mesa County, Colorado

Dear Mr. Currier:

Encana Oil & Gas (USA) Inc. (Encana) has plugged and abandoned the above referenced well, and removed all associated production facilities, equipment, trash and debris from the well site. The subsequent Form 6 was approved on May 19, 2015. On October 30, 2015, Encana and Mike Currier (Currier) completed an on-site consultation for final reclamation in accordance with the requirements of Colorado Oil and Gas Conservation Commission (COGCC) Rules 306.a. and 306.f.

Per your request and according to COGCC rules and regulations, Encana performed the following reclamation activities. The access road was left in place (depicted in red and identified as 'Released Road' on the attached Exhibit A).

Noxious weeds are not present on the road. Annual weeds have been managed through Encana's weed management program. Currier requested that the access road (Released Road) be left in place because it provides access for multiple landowners. Attachment A provides additional details, including the locations of the road, BMPs and existing Currier operations.

The former well site is currently being used by Currier and other landowners to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and used as a feeding area for livestock. To prevent interference with their ranching, farming and hunting operations, Currier has requested a reclamation waiver for the following rules:

**1004.a: All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured:** The access road (Released Road) to the plugged and abandoned well was not closed, graded and re-contoured because the road provides access for multiple landowners.

Public health, safety, and welfare, including the environment and wildlife resources, will not be significantly adversely impacted by granting the requested variance.

You, the Surface Owner, agree that Encana has fulfilled the requirements set forth by the COGCC for the abandonment of the well and you waive the reclamation of the pad and the road. You agree that Encana shall have no further responsibility or liability for any reclamation, stormwater, or weed control and you acknowledge that you are accepting responsibility for any future reclamation of the site and, to the extent applicable, for protection of topsoil and stormwater management on the site. You acknowledge that Encana has complied with your direction regarding final reclamation of the well, associated well pad, and access road. You also acknowledge that Encana has provided you with a copy of COGCC Rules 1001 through 1004.

If this letter correctly reflects your understanding, please confirm your acknowledgement, agreement, and acceptance of the terms of this letter by signing and returning the signed letter to Encana.

Thank you for your time and consideration in this matter. If you have any questions or comments, please call the undersigned at 970-285-2810.

Sincerely,

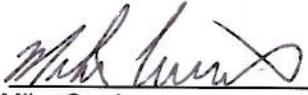
Encana Oil & Gas (USA) Inc.,  
by its authorized agent,  
Encana Services Company Ltd.



Roger C. Miller,  
Surface Land Negotiator

I ACKNOWLEDGE AND AGREE as set forth above

SURFACE OWNER

Signed:   
Mike Currier

Date: 11-1-, 2015

NICHOLS  
CHARLES  
W III

NICHOLS  
CHARLES  
N III

Thomas 18-1

HITTLE JON K

HITTLE EARL H

FRANKLIN  
FOREST K

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18  
19

CURRIER MIKE

MIKE

**Legend**  
**T10S R95W**

-  Unreclaimed Road (~0.08ac)
-  Thomas 18-1 Access Road
-  Reclaimed Disturbance (~0.95ac)
-  Unreclaimed Disturbance (~1.44ac)
-  Mesa County Parcel
-  Section



COGCC Landowner Reclamation Variances and Waivers Guidance Document - Operator Analysis

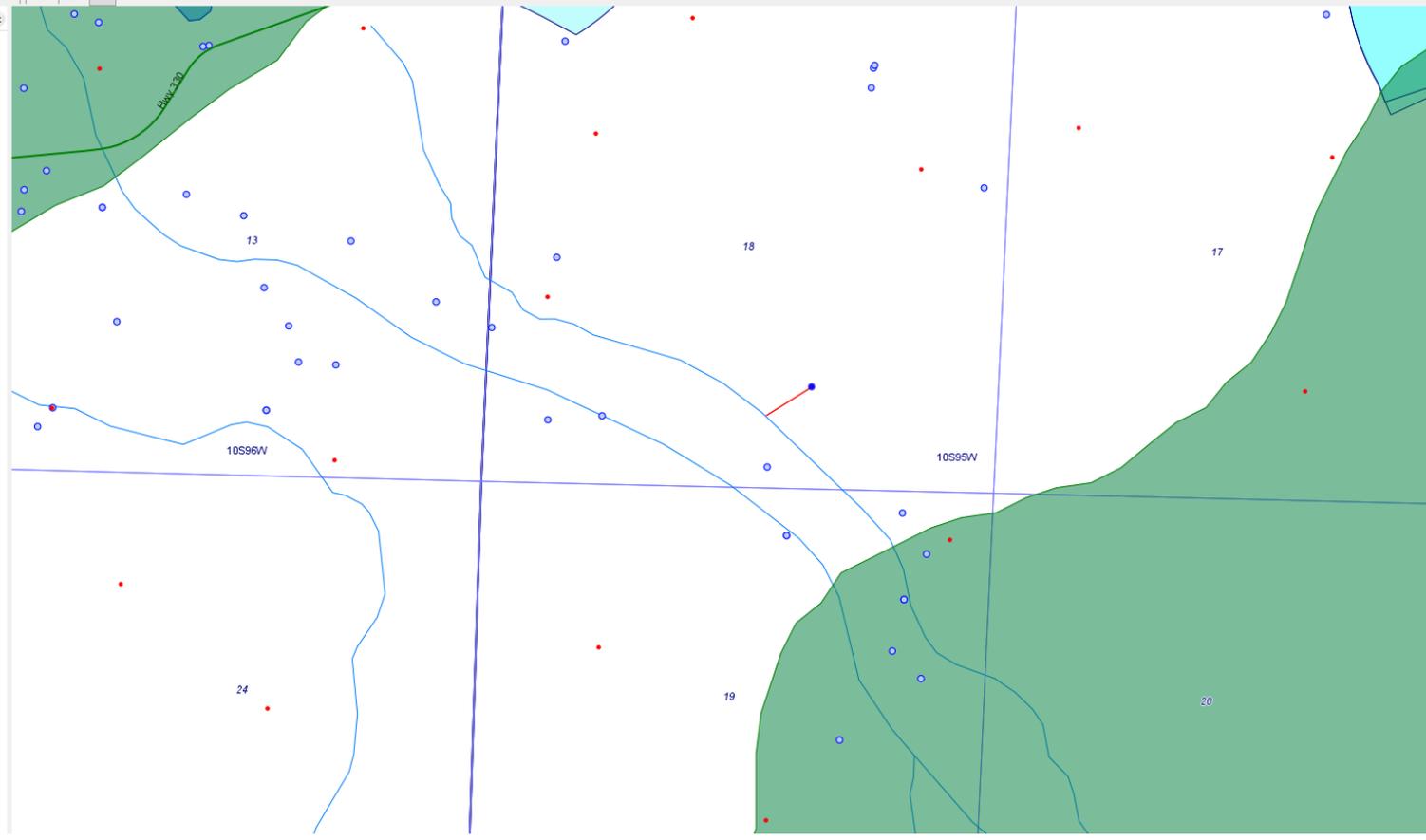
Location Data

Location Name:	18-1 THOMAS (O18 1095)
API:	05-077-08101
Legal:	T.10S. R.95W., 6th P.M. - Section 18: SWSE
Waiver/Variance Request:	Final Reclamation
Landowner:	Mike Currier

Guidance Document Criteria

All Wells on Location Plugged and Abandoned (Y/N)	Yes
Form 6 Subsequent Submitted (Y/N)	Yes
O&G Equipment Removed (Y/N)	Yes
Trash and Debris Removed (Y/N)	Yes
Noxious Weeds Controlled (Y/N)	Yes
Consultation with Landowner (Y/N)	Yes
Existing State of Reclamation:	The former well site and access road is currently being used by Currier and other landowners to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and used as a feeding area for livestock. The landowner would like the location to remain to support his ranching, farming and hunting operations. The location is stable.
Stormwater Management Controls/Stabilization:	There is no active stormwater erosion on the site. Slopes on the site have been stabilized and stormwater flows permanently managed to prevent erosion of the slopes and resulting soil loss.
Topsoil Conservation:	Topsoil present at the time of construction was redistributed around the location.
Nature of Location: Urban/Rural	Rural
Proximity to Surface Water:	There is an intermittent drainage approximately 560 feet south-west of the location. The location is graded and stabilized to prevent runoff from reaching surface water.
Wildlife Areas:	This location does not fall within a CPW RSO or SWH area.
317B Area (Y/N):	This location does not fall within a 317B Area
Sensitive Area Classification:	This location does not fall within a classified sensitive area.
Comparative benefits of re-contouring and reseeding vs. reseeding only	The former well site and access road is currently being used by Currier and other landowners to provide access to the ranch, maintain and facilitate irrigation, provide a truck and equipment turnaround, provide a staging area for hunters and used as a feeding area for livestock. The landowner would like the location to remain to support his ranching, farming and hunting operations.
Conclusion:	Encana's analysis, in accordance with COGCC guidance, would indicate that the granting of this variance request would not endanger public health, safety, and welfare, or significantly impact the environment or wildlife resources.

- Layers**
- Measure
  - O&G Facilities
    - Wells
      - Well Operator
      - Well Name
      - Well API#
    - Pits
      - Active
      - Closed
      - Unknown
    - Permits
      - Pending Permits
      - Pending2As (Diamond)
      - Well Status
  - COGCC Data
    - O&G Locations
    - Directionals
    - COGCC Rules
    - COGCC Oil & Gas Fields
    - Seismic Permits
  - Environmental
    - Sample Sites
    - Roads & RRs
    - Water Resources
    - Floodplains
    - SecTwpRng
    - Wildlife CPW
    - State Lands
    - Indian Lands
    - BLM Lands
    - Surface Lands
    - Places
      - Counties\_Zoom
      - CityPolygons
    - Surface Owner
  - Special Projects
  - Soil Surveys
  - Geology
  - Topos24K
  - 1990s Aerials
  - 2005 Aerials
  - 2011 Aerials
  - 2013 Aerials
  - 2015 (Sept) Aerials
  - Flood 2013



**Measure Distance**

Click a start and end point.

Segment	582.34 (Feet)
Segment	0.11 (Miles)
Total	582.34 (Feet)
Total	0.11 (Miles)

- To measure multiple distances, continue clicking new points.
- To finish, click "Stop".
- You can pan or zoom and continue measuring by clicking "Resume".
- To start over, click "Clear".