

FORM  
2A

Rev  
08/19

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:

401891544

Date Received:

01/10/2019

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:

**468847**

Expiration Date:

**10/27/2022**

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: 10656

Name: MORNING GUN EXPLORATION LLC

Address: 1601 ARAPAHOE ST

City: DENVER State: CO Zip: 80202

Contact Information

Name: Justin Dunn

Phone: (303) 8471110

Fax: ( )

email: jdunn@morninggun.com

FINANCIAL ASSURANCE

Plugging and Abandonment Bond Surety ID (Rule 706): 20170040

Gas Facility Surety ID (Rule 711): \_\_\_\_\_

Waste Management Surety ID (Rule 704): \_\_\_\_\_

LOCATION IDENTIFICATION

Name: Castor 7-59 Number: 11

County: WELD

Quarter: SWSW Section: 11 Township: 7N Range: 59W Meridian: 6 Ground Elevation: 4947

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: 610 feet FSL from North or South section line

704 feet FWL from East or West section line

Latitude: 40.583818 Longitude: -103.951667

PDOP Reading: 1.6 Date of Measurement: 12/04/2018

Instrument Operator's Name: JAMES FRESHWATER

LOCAL GOVERNMENT INFORMATION

County: WELD Municipality: N/A



## CONSTRUCTION

Date planned to commence construction: 07/01/2020 Size of disturbed area during construction in acres: 10.50  
Estimated date that interim reclamation will begin: 08/01/2020 Size of location after interim reclamation in acres: 6.50  
Estimated post-construction ground elevation: 4919

## 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? No

## 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: Wade Castor et al

Phone: \_\_\_\_\_

Address: 22791 Highway 39

Fax: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City: Weldona State: CO Zip: 80653

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: Surface Use Agreement

Surface damage assurance if no agreement is in place: \_\_\_\_\_ Surface Surety ID: \_\_\_\_\_

Date of Rule 306 surface owner consultation 09/26/2018

If this Form 2A is associated with Drilling and Spacing Unit applications, list docket number(s): \_\_\_\_\_

## 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:	5280 Feet	5280 Feet
Building Unit:	5280 Feet	5280 Feet
High Occupancy Building Unit:	5280 Feet	5280 Feet
Designated Outside Activity Area:	5280 Feet	5280 Feet
Public Road:	4547 Feet	4254 Feet
Above Ground Utility:	5280 Feet	5280 Feet
Railroad:	5280 Feet	5280 Feet
Property Line:	460 Feet	334 Feet
School Facility::	5280 Feet	5280 Feet
School Property Line:	5280 Feet	5280 Feet
Child Care Center:	5280 Feet	5280 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, Designated Outside Activity Area, School Facility, and Child Care Center – as defined in 100 Series Rules.
- For measurement purposes only, Production Facilities should only include those items with an asterisk(\*) on the Facilities Tab.

**SCHOOL SETBACK INFORMATION**

Was Notice required under Rule 305.a.(4)?  Yes  No

**DESIGNATED SETBACK LOCATION INFORMATION**

Check all that apply. This location is within a:

- Buffer Zone  
 Exception Zone  
 Urban Mitigation Area

- 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.

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: \_\_\_\_\_

**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 (onl 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 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: 44—Olney fine sandy loam, 0 to 6 percent slopes

NRCS Map Unit Name: 45—Olney fine sandy loam, 6 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: 08/23/2018

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: 3920 Feet

water well: 385 Feet

Estimated depth to ground water at Oil and Gas Location 147 Feet

Basis for depth to groundwater and sensitive area determination:

Closest downgradient surface water feature is a river/stream.

Basis for the depth to groundwater is the nearest water well is CDWR Permit #49905.

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 11/30/2018

## 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 The SHL of the Castor 7-59 11-2-6 was used as the lat/long for this pad.

There are no surface water features within 1000' of this Location, a Hydrology Map is not required.

There are no building units within 1000' of this location, a Facility Layout drawing and Waste Management Plan are not required.

Operator certifies that the MLVTs will be designed and implemented consistent with the COGCC Policy on the Use of Modular Large Volume Tanks in Colorado. MLVT Design Package, certified and sealed by a licensed professional engineer, is available upon request.

MLVT Information:  
Vendor - Complete Energy Services  
Manufacturer - MWS Tanks  
Number and Size - 2 160' diameter tank  
Timeframe on location - approximately 30 days

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

Signed: \_\_\_\_\_ Date: 01/10/2019 Email: awenk@bisonog.com

Print Name: Abigail Wenk Title: Consulting Regulatory Ana

Based on the information provided herein, this Oil and Gas Location Assessment complies with COGCC Rules, applicable orders, and SB 19-181 and is hereby approved.

COGCC Approved:  Director of COGCC Date: 10/28/2019

## 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.

### COA Type

### Description

Planning	Operator shall post a copy of the approved Form 2A on the location during all construction, drilling, and well completion activities.
Emissions mitigation	Green Completions -Test separators and associated flow lines, sand traps and emission control systems shall be installed on-site to accommodate green completions techniques. When commercial quantities of salable quality gas are achieved at each well, the gas shall be immediately directed to a sales line or shut in and conserved. If a sales line is unavailable or other conditions prevent placing the gas into a sales line, the operator shall not produce the wells without an approved variance per Rule 805.b.(3)C.

## Best Management Practices

### No BMP/COA Type

### Description

1	General Housekeeping	Visual Impacts: All long term facility structures will be painted a color that enables the facilities to blend in with the natural background color of the landscape, as seen from a viewing distance and location typically used by the public.  Maintain appearance with garbage clean-up; a trash bin will be located on site to accumulate waste by the personnel drilling the wells. Site will have unused equipment, trash and junk removed immediately.
2	Dust control	Operator shall employ practices for control of fugitive dust caused by their operations. Such practices shall include but are not limited to the use of speed restrictions, regular road maintenance, restriction of construction activity during high- wind days, and silica dust controls when handling sand used in hydraulic fracturing operations. Additional management practices such as road surfacing, wind breaks and barriers may be used.

3	Construction	Light sources during all phases of operations will be directed downwards and away from occupied structures and public roads. Permanent lighting shall be mounted at compressor stations on a pole or building and directed downward to illuminate key areas within the facility, while minimizing the amount of light projected outside the facility.
4	Drilling/Completion Operations	Operator certifies that the MLVTs will be designed and implemented consistent with the COGCC Policy on the Use of Modular Large Volume Tanks in Colorado. MLVT Design Package, certified and sealed by a licensed professional engineer, is available upon request.
5	Interim Reclamation	Operator shall be responsible for segregating the topsoil, backfilling, re-compacting, reseeding, and re-contouring the surface of any disturbed area so as not to interfere with Owner's operations and shall reclaim such area to be returned to pre-existing conditions as best as possible with control of all noxious weeds.
6	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to make use of tanks and other facilities designed such that they do not provide perches or nest substrates for raptors, crows and ravens
7	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	Operator shall limit new noise sources during the breeding season of the PSTG by measuring baseline and development noise levels and limiting the new noise sources to 9:00 a.m. to 4:00 p.m.
8	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	Operator will conduct a survey for Plains Sharp Tail Grouse presence and active leks in the area of the mapped SWH and RSO during the 2020 nesting season. Results of the survey shall be reported to the COGCC via a Form 4 Sundry and to the CPW prior to commencing any construction, drilling, and well completion activities in 2020. Operator shall have a third party conduct one PSTG survey in the spring of 2020.
9	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	Operator shall use a closed-loop system and have no open pits
10	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	While the pad is still within the SWH, operator will locate the pad and any ancillary features (e.g., access roads) as far as possible toward the edge or outside of the SWH.
11	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to preclude the use of aggressive non-native grasses in plains Sharp-tailed Grouse habitat reclamation
12	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to reclaim production area habitat with a CPW-identified seed mix containing substantially higher percentage of forbs. Desirable native and non-native forbs, and legumes are a vital component of brood-rearing habitat (including dryland adapted varieties of alfalfa and yellow sweet clover
13	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	Operator agrees to limit noise to 10dBA above pre-development background levels at the margin of leks (0.4-mile) during the lekking and nesting seasons (March 1-June 30).
14	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to locate compressor stations no closer than 0.4 mile from plains sharp-tailed grouse leks
15	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to use topographical features as recommended by CPW to provide visual concealment of facilities from lek locations and as a noise suppressant
16	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to install raptor perch deterrents on equipment, fences, cross arms and pole tops in plains sharp-tailed grouse habitat
17	CPW-Wildlife - Minimization-PLAINS SHARP-TAILED GROUSE	The operator agrees to reclaim/restore plains sharp-tailed grouse habitats with native grasses and forbs identified by CPW that contribute to optimal plains sharp-tailed grouse habitat and other wildlife appropriate to the ecological site

Total: 17 comment(s)

## Attachment Check List

<u>Att Doc Num</u>	<u>Name</u>
2479079	PLAINS SHARP TAIL GROUSE SURVEY REPORT
2479080	CORRESPONDENCE
2479153	ACCESS ROAD MAP
2479154	CORRESPONDENCE
2479155	LOCATION DRAWING
2479163	OBJECTIVE CRITERIA REVIEW MEMO
401891544	FORM 2A SUBMITTED
401893177	LOCATION PICTURES
401893181	MULTI-WELL PLAN
401893184	REFERENCE AREA MAP
401893187	REFERENCE AREA PICTURES
401893359	NRCS MAP UNIT DESC
401893360	NRCS MAP UNIT DESC
401895475	SURFACE AGRMT/SURETY

Total Attach: 14 Files

### General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
OGLA	The Objective Criteria Review Memo (Doc #2479163) is attached to this Form 2A. Following additional analysis arising out of the Objective Criteria, the Director determined that this application meets the standard for the protection of public health, safety, welfare, the environment and wildlife resources set by SB 19-181.	10/02/2019
OGLA	IN PROCESS: Operator provided the Local Government Information, updated the dates planned to commence construction and begin interim reclamation, provided the cultural distances to the nearest School Facility, School Property Line, and Child Care Center, revised the Access Road Map and Location Drawing to show the access road not crossing the RSO area, & concurred with adding Wildlife BMPs that were agreed upon by all parties during the CPW consultation process.  No Public Comments. OGLA review completed and task passed.	09/23/2019
OGLA	Requested operator provide the Local Government Information, update the dates planned to commence construction and begin interim reclamation, provide the cultural distances to the nearest School Facility, School Property Line, and Child Care Center, revise the Location Drawing and Access Road Map to show the access road not crossing the RSO area, & concur with adding Wildlife BMPs that were agreed upon by all parties during the CPW consultation process. Due by 9/16/19.	08/16/2019
OGLA	COGCC staff conducted its technical review of this Form 2A Oil and Gas Location Assessment within the context of SB 19-181 and the required Objective Criteria. This Form 2A met Objective Criteria # 6 & 8.	08/16/2019
Permit	Permitting Review Complete. w/o LocGovInfo	08/01/2019
OGLA	Spoke with operator. They expressed concerns with difficulties in moving this location (obtaining SUAs) & their plans to drill additional wells from this pad to the south and how moving the location would complicate that. COGCC indicated we wish to see the results of their active lek survey for PSTG before any approval of this location would happen.	03/07/2019
OGLA	ON HOLD - Following telephone conference between operator, CPW, & COGCC on 2/8/19, operator has agreed to conduct an active lek survey for PSTG before pursuing moving this location. Survey to be conducted in late March/early April.	02/11/2019
Permit	Passed completeness.	01/13/2019

Total: 8 comment(s)