



COLORADO

Oil & Gas Conservation
Commission

Department of Natural Resources

DIRECTOR'S RECOMMENDATION:

Bayswater Exploration and Production LLC (Bayswater), Operator Number 10261. Ruby 7-J Pad OGD, OGD ID #481736. Form 2C #402590375, Form 2A #402590095, Form 2B #402649730, Docket #210700120.

Pursuant to Rule 306, the Director submits to the Commission this recommendation for the Bayswater Ruby 7-J Pad OGD located in Weld County, Colorado.

BACKGROUND

On July 30, 2021, Bayswater filed a Form 2C, Oil and Gas Development Plan Certification, and all required components for an Oil and Gas Development Plan (OGDP) application with the Colorado Oil and Gas Conservation Commission (COGCC). Staff returned the Form 2A to "DRAFT" status two times for the applicant to make corrections to plans and attachments prior to the Director determining the application was complete on March 10, 2022. The second time the Form 2A was returned to "DRAFT" also included revisions due to staff determining that the East Ault 18-C Pad needed to be included in the OGD due to wells producing from a shared Drilling and Spacing Unit. Additional revisions were coordinated between Staff and the applicant throughout the technical review process. This Recommendation is based on information finalized in the Form 2A, Form 2B, and Hearing Application as of May 31, 2022. No additional revisions will be made to the application prior to the Commission Hearing scheduled for June 8, 2022. The East Ault Pad was previously built and is operational, contains 16 wells and a production facility, and has no new permitted activity as a result of this OGD. As such, no new Form 2A for the East Ault Pad was required.

Bayswater Ruby 7-J Proposed Development:

The proposed OGD includes application lands in Township 7 North, Range 65 West, ALL of Section 7 and Section 8 and lands in Township 7 North, Range 66 West, ALL of Section 11 and Section 12. The setting is a rural area within Weld County, east of the Town of Ault.

The proposed Bayswater Ruby 7-J Pad will be a new Oil and Gas Location with 32 wells, 10 oil tanks, 2 water tanks, 35 separators, 4 vapor recovery units, 4 enclosed combustion devices, 2 LACT units, 4 gas compressors, and other miscellaneous equipment. The temporary equipment for this location will be 27 flowback tanks, 2 flowback combustors, and associated equipment.

Bayswater has committed to transporting oil and gas from the location via third-party pipelines. Bayswater has committed to bringing water to the location for completions by a temporary line.

Bayswater has provided the following estimated timeline for construction through production of the location:

Ruby 7-J Pad

- Commence construction: June 2022
- Commence drilling: August 2022
- Commence completions: March 2023
- Flowback: July 2023
- Full production phase: August 2023

Surface Lands:

The proposed Oil and Gas Location is on fee surface and within the mineral development area, and will require approximately 13.9 acres of total location disturbance as follows:

- Oil and Gas Location disturbance of 13.9 acres (approximately 10.1 acres for the Working Pad Surface (WPS); interim reclamation will reduce the operational pad down to 11.2 acres. A stormwater detention pond is included in the location boundary

Mineral Development:

Bayswater seeks to develop FEE and Federal minerals from the Niobrara, Fort Hays, Codell, and Carlile formations as follows:

- The use of multiple Drilling and Spacing Units (DSU) and Wellbore Spacing Units (WSU) covering approximately 2,560 acres;
- Minerals will be developed from 2 DSUs and 6 WSUs.

This spacing complies with applicable COGCC rules.

Financial Assurance:

Staff confirmed that Bayswater has a valid blanket plugging bond on record consistent with Rule 702.

LOCAL GOVERNMENT PERMITTING AND PRE-APPLICATION CONSULTATIONS

Relevant Local and Proximate Governments:

Weld County is the relevant local government for the proposed Location. There are no proximate local governments within 2,000 feet of the WPS.

Permitting with Weld County:

The 1041WOGLA 20-0073 was submitted on October 2, 2020, and approved on January 7, 2021. Bayswater met with Weld County on July 23, 2020 to discuss the site analysis and location.

VARIANCES AND ADMINISTRATIVE CONSIDERATIONS

Exception Request:

Bayswater is requesting an exception to Rule 604.a.(2) as part of this OGD. Rule 604.a.(2) states that a Well will be located not less than 150 feet from a surface property line. Both parcels are owned by the same surface owner. Bayswater has included a waiver from the surface owner of both parcels, agreeing to this exception. The Director granted the exception on 5/31/2022.

PUBLIC COMMENTS

Pursuant to Rule 303.d.(1).A.ii, the public comment period was open for 30 days from March 10, 2022 through April 10, 2022. Four comments were received on the Ruby 7-J Pad Form 2A. No public comments were received on Hearing Docket # 210700120, as of 5/24/2022. See the Public Comment Consideration Memo (included in the Director's Recommendation) for comment details, Bayswater's responses, and the Director's responses.

COGCC STAFF'S TECHNICAL REVIEW HIGHLIGHTS

This section addresses issues related to siting, and public health, safety, welfare, the environment and wildlife resources, within the context of SB 19-181 for Bayswater's Ruby 7-J Oil and Gas Development Plan.

Alternative Location Analysis (ALA)

The proposed location does meet any 304.b.(2).B. ALA criteria. Therefore, an ALA was not required and none was submitted.

Public Health and Welfare Considerations

Staff's technical review of the OGD identified no Residential Building Units (RBUs) within 2,000 feet of the Working Pad Surface (WPS). The nearest RBU is approximately 2,025 feet west of the WPS. There are an estimated 20 RBUs between 2,000 and 3,000 feet from the proposed Location. Further review determined there are no High Occupancy Building Units (HOBUs), Designated Outside Activity Area (DOAA), School Facility, or Child Care Center within a mile of the proposed WPS. Additionally, the proposed OGD is not within 2,000 feet of a Disproportionately Impacted Community.

Operator-proposed site specific measure to address public health and welfare considerations:

Bayswater provided Best Management Practices (BMPs) to address the potential impacts of the proposed OGD on public health and welfare. Staff reviewed these BMPs and included them on the Form 2A. Bayswater provided mitigation measures that include:

1. A 32 foot soundwall around all sides of the location;

2. Delivery of completions water to the location by pipeline;
3. Connection to both a gas gathering system and a crude oil gathering system;
4. The use of a Group II drilling fluid; and
5. A remote monitoring system and remote shut in capability.

COGCC Staff Analysis of Public Health and Welfare Considerations:

COGCC Staff conducted a technical review to evaluate the potential for impact to public health and welfare. Bayswater's location is more than 2,000 feet away from the nearest RBU, with the closest RBU located 2,025 feet from the Working Pad Surface. Noise Mitigation, Light Mitigation, and Dust Mitigation Plans were submitted as part of this application. While an Odor Plan was not required, staff requested and Bayswater provided BMPs that are equivalent to the BMPs that would be in an Odor Mitigation Plan. Based on this information, staff concludes that there are no significant potential direct adverse impacts to public health, safety, and welfare.

Water Resources:

The proposed Oil and Gas Location is sited in an area with an estimated depth to groundwater of 30 feet and with a downgradient ditch 420 feet to the east.

Operator-proposed site specific measures to address water resource considerations:

Bayswater provided groundwater and surface water protection BMPs that are included on the Form 2A. Bayswater's water resource protection BMPs include:

1. The proposed location will include a stormwater detention pond;
2. The proposed location will include a swale and two diversion berms;
3. Topsoil stockpiles will be stabilized by use of tracking, seeding, and crimping/mulching; and
4. A poly liner will be used under the drilling rig and some associated equipment and under the frac layout.

COGCC Staff Analysis of Water Resources Considerations:

COGCC Staff conducted a technical review to evaluate the potential for impact to water resources. Bayswater has provided BMPs that reduce, minimize, or mitigate impacts to water resources in the area. The BMPs include stormwater controls for surface runoff and lining to prevent contamination of groundwater. Bayswater has also committed to oil pipeline takeaway which will significantly reduce truck trips to and from the proposed location. Based on this information, Staff concludes that risk to water resources from this Oil and Gas Location will be minimized by the successful implementation of the proposed BMPs.

DIRECTOR'S RECOMMENDATION:

The Director has reviewed the Oil & Gas Development Plan and all supporting application materials and has obtained all information necessary to evaluate the proposed operation and its potential impacts to public health, safety, welfare, the environment, and wildlife resources. The Director has determined that the OGD application complies with all applicable requirements of the Commission's Rules. The Director recommends that the Commission approve the Bayswater Ruby 7-J OGD.

OGDP Public Comment Consideration Memo

Bayswater Exploration and Production LLC - Ruby 7-J (OGDP ID# 481736)

The Ruby 7-J Oil and Gas Development Plan (OGDP) received a total of four public comments during the public comment period, which was open from March 10 through April 10, 2022. All comments were received on the Form 2A for the Ruby 7-J location via the public comment portal on the COGCC website. No comments were received through the COGCC Hearings eFiling System as of 5/31/2022.

COGCC staff reviewed and considered the public comments received and have prepared this memo to address the public comments. Bayswater Exploration and Production LLC (Bayswater) has also provided responses to the comments; those responses are included in this document and have also been attached to each Form 2A. Commenter's names are shown here only if they were included in the comment itself; if a name was not included in the comment, the author's identity will be kept confidential.

FORM 2A PUBLIC COMMENTS

Public Comment #1: TOPIC: Public Health, Safety, Welfare, and the Environment

The town of Ault has experienced a significant drilling. The cumulative impacts of this drilling is causing residents to experience significant health concerns. Please consult the CDPHE and the complaints they have received. This is a disproportionately impacted community that is shouldering an oversized burden of ozone pollution, VOCs including benzene, and other air toxins. Meaningful and comprehensive cumulative impact study that accounts for all sources of air pollution needs to be done before any drilling can be approved in this area.

COGCC Response to Public Comments #1:

The sentiment expressed in public comment #1 is concerned with the cumulative impacts of air contaminants from Oil and Gas Operations in the area. There will be an air quality monitoring program at the location, as required by CDPHE.

As part of the OGDP, Bayswater was required to submit a Form 2B that summarized Cumulative Impacts. Bayswater was also required to submit a Cumulative Impacts Plan on the Form 2A.

While this location is located more than 2,000 feet outside of what COGCC Rules have defined as a Disproportionately Impacted Community, the other common interpretation is that the area around Ault is believed to be impacted by Oil and Gas activities at a higher rate than is normal. This second interpretation seems to track with the rest of this comment.

Bayswater Response to Comment #1:

Bayswater is committed to being a good neighbor and to building strong relationships with key stakeholders near our operations, including municipalities. Bayswater has met with the Town of Ault government on multiple occasions to discuss our proximity to the town, strong business

values, and commitment to stewardship while developing oil and natural gas. The Ruby 7-J proposed Location is not within a Disproportionately Impacted Community. Many Best Management Practices are included in the Ruby 7-J OGDp to address mitigation of air emissions, dust, light, noise, odor, and other cumulative impacts of the proposed Location. To facilitate a continued constructive dialogue, feel free to contact Bayswater directly by leaving a comment or message at <https://bayswater.us/contact-us/> .

Public Comment #2: TOPIC: Public Health, Safety, Welfare, and the Environment

1802 ft from building

2025 from residential building unit

0 ft from above-ground utility

Irrigated cropland

Noble Energy Inc (Comments close 4/7/22)

Wr Ogdp 1

A07-01 Pad

166 ft from the closest building

266 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

13 residential building units within 2000 feet

Non-irrigated cropland

77 feet from surface water of the state

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

Notes that Informed consent letters signed by 3 residential building unit owners within 500 ft of the working pad surface and 2 of them are from greater than 500 ft from the WPS. In the application there are only 2 RBU's within 500 feet (this makes no sense?)

From form 2A: "Informed Consent Letter attachment contains three (3) signed letters for

Residential Building Unit owners within 500' of the Oil and Gas Location Disturbance not subject to an SUA. 2 of these RBU are greater than 500' from the Working Pad Surface."

A07-08 Facility

851 ft from the closest building

860 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

6 residential building units within 2000 feet

Irrigated cropland

75 feet from surface water of the state

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A07-23 Pad

296 ft from the closest building

491 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

6 residential building units within 2000 feet

Irrigated cropland

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A18-09 Pad

168 ft from the closest building

360 ft from residential building unit

11 residential building units within 2000 feet

Irrigated cropland

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A07-04 Pad

297 ft from the closest building

297 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

7 residential building units within 2000 feet

Irrigated cropland

89 feet from surface water of the state

No emergency spill response program

No community outreach plan

Informed consent letters signed by 2 residential building unit owners within 500 feet of the working pad surface

COGCC Response to Public Comments #2:

The majority of this comment appears to be for an OGD of another operator. The first four lines appear to be relevant to this location. The remainder do not appear to be relevant to this OGD.

There are no Residential Building Units (RBU) within 2,000 feet of the Ruby 7-J location, with the closest RBU being 2,025 feet to the west. There are no High Occupancy Building Units, School Facilities, or Designated Outside Activity Areas within one mile of the WPS. The closest Disproportionately Impacted (DI) Community is 2,254 feet away, with the closest RBU within the DI Community being 2,254 feet away. By Rule, a Community Outreach Plan was not required. Bayswater provided Noise, Light, and Dust Mitigation Plans to reduce nuisance impacts to surrounding residences. This location meets COGCC's setback requirements from buildings.

Additionally, COGCC's rules do not prohibit Oil and Gas Locations from being sited on irrigated cropland.

As originally proposed, there was a utility line that ran through the proposed location. This utility line was to power irrigation equipment. It was acquired by Bayswater and buried a portion of the line under where the proposed pad will be. Bayswater will be using the utility line to power the facility during the production phase of operations. As such, Staff has no concerns about the utility line.

Bayswater Response to Comment #2:

The cited cultural distances and current land use in the first line of the comment, as follows, are correctly pulled from the Ruby 7-J submitted Form 2A, "1802 ft from building 2025 from residential building unit 0 ft from above-ground utility Irrigated cropland". However, the remainder of the comment appears to be submitted in error and intended for another operator's OGD application. To facilitate a continued constructive dialogue, feel free to contact Bayswater directly by leaving a comment or message at <https://bayswater.us/contact-us/>.

Public Comment #3: TOPIC: Public Health, Safety, Welfare, and the Environment

I'm a resident of Ault. This small town in Weld County is under assault by fracking from all sides. PDC energy to the south already has horizontal drilling going under our school and residential area. Drilling recently took place next to the school in two areas well within the 2000 foot setback because of some "grandfathered" permit. When I called Weld County Oil and Gas to inquire about any more drilling coming at the town from underground I was told no. Then months later I was told about Baywater and four wells to drill horizontally under the entire town. I have a home in this town and while I consider myself an informed citizen many if not most in Ault are not even aware of this new drilling operation with four pads to the east of town less than two miles away. Please stop this permit and give this small time time to become informed and to absorb the ongoing assault of already existing wells within the 2000 foot setbacks and the horizontal drilling already approved south of town. I find it very difficult to navigate the complicated Weld County System for information and when I call Weld County Oil and Gas I'm told no horizontal drilling is happening when in actuality Baywater is getting ready to drill 4 new wells, only to be told this later when first I was misinformed. People in town need to be advised about what's going on and information meetings need to take place. And no one has advised the citizens of Ault on any of this or our mineral rights. I object. Please, stop this drilling under out town.

COGCC Response to Public Comments #3:

The sentiment expressed in public comment #3 is concerned with the proximity of the proposed oil and gas location.

This comment appears to be referring to development from the PDC Market Federal 7N65W18 1-8 Location (Location ID 474266) and the Bayswater Topaz 6-I Pad. Both locations are more than 2,000 feet away from the Town of Ault and both are approximately 1.75 miles away from

the school. These locations produce minerals under Ault, with the Market Federal location producing minerals under the school. Both of these locations were permitted and approved prior to the Implementation of SB19-181 and the January 16, 2021 rule change and as such, under the Administrative Procedures Act, remain approved locations after the rule change. The only Oil and Gas location within 2,000 feet of the school is the Fred Hoffner #1 well, which appears to have originally been plugged and abandoned in 1963. In June 2021, the well was re-entered and re-plugged by PDC, with an approved Form 6.

Baywater Response to Comment #3:

Baywater sent Notice of Completeness Determination to all owners of minerals to be developed by the OGD, per COGCC regulations. Baywater is committed to being a good neighbor and to building strong relationships with key stakeholders near our operations, including municipalities. Baywater has met with the Town of Ault government on multiple occasions to discuss our proximity to the town, strong business values, and commitment to stewardship while developing oil and natural gas. Many Best Management Practices are included in the Ruby 7-J OGD to address mitigation of air emissions, dust, light, noise, odor, and other cumulative impacts of the proposed Location. To facilitate a continued constructive dialogue, feel free to contact Baywater directly by leaving a comment or message at <https://bayswater.us/contact-us/>.

Public Comment #4: TOPIC: Public Health, Safety, Welfare, and the Environment

These comments are a correction to similar comments sent earlier on this day that accidentally included comments about Noble that were not intended for this space.

Baywater drilling permits for this site are flawed for the following reasons:

1802 ft from building

2025 from residential building unit

0 ft from above-ground utility

Irrigated cropland

Narrative comments were also submitted by impacted citizen on this same date under separate cover.

COGCC Response to Public Comments #4:

This public comment appears to be a clarification of Public Comment #2 with the information from the other operator's OGD removed.

There are no Residential Building Units (RBU) within 2,000 feet of the Ruby 7-J location, with the closest RBU being 2,025 feet to the west. There are no High Occupancy Building Units, School

Facilities, or Designated Outside Activity Areas within one mile of the WPS. The closest Disproportionately Impacted (DI) Community is 2,254 feet away, with the closest RBU within the DI Community being 2,254 feet away. By Rule, a Community Outreach Plan was not required. Bayswater provided Noise, Light, and Dust Mitigation Plans to reduce nuisance impacts to surrounding residences. Staff requested Odor Mitigation BMPs for this location equivalent to those on an Odor Mitigation Plan. Bayswater provided those odor BMPs. This location meets COGCC's setback requirements from buildings. Additionally, COGCC's rules do not prohibit Oil and Gas Locations from being sited on irrigated cropland.

As originally proposed, there was a utility line that ran through the proposed location. This utility line was to power irrigation equipment. It was acquired by Bayswater and buried a portion of the line under where the proposed pad will be. Bayswater will be using the utility line to power the facility during the production phase of operations. As such, Staff was not concerned about the utility line.

Baywater Response to Comment #4:

The subject of this comment again appears to be submitted in error and intended for another operator's OGD application. The cited cultural distances and current land use, as follows, are correctly pulled from the Ruby 7-J submitted Form 2A, "1802 ft from building 2025 from residential building unit 0 ft from above-ground utility Irrigated cropland". To facilitate a continued constructive dialogue, feel free to contact Bayswater directly by leaving a comment or message at <https://bayswater.us/contact-us/>.

FORM
2A

Rev
01/21

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:

402590095

Date Received:

07/30/2021

Oil and Gas Location Assessment

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 <https://cogcc.state.co.us/> for all accompanying information pertinent this Oil and Gas Location Assessment.

Location ID:

OGDP ID:

Expiration Date:

New Location Refile Amend Existing Location # _____

If this Location assessment is a component of an Oil and Gas Development Plan (OGDP) application, enter the OGDP docket number(s).

Docket Number	OGDP ID	OGDP Name
210700120		

If this Location assessment is part of an approved Oil and Gas Development Plan, enter the OGDP ID number(s).

<No existing OGDP number provided>

CONSULTATION

- This location is included in a Comprehensive Area Plan (CAP). CAP ID # _____
- This Location or its associated new access road, utility, or Pipeline corridor meets Rule 309.e.(2).A, B, or C.
- This Location is within 2,640 feet of a GUDI or Type III Well per Rule 411.b.(4).
- This Location includes a Rule 309.e.(2).E variance request.
- This location includes a Rule 309.f.(1).A.ii. variance request.

Operator

Operator Number: 10261
 Name: BAYSWATER EXPLORATION & PRODUCTION LLC
 Address: 730 17TH ST STE 500
 City: DENVER State: CO Zip: 80202

Contact Information

Name: Lauren Walsh
 Phone: (720) 881 4502
 Fax: ()
 email: lwalsh@bayswater.us

FINANCIAL ASSURANCE

- Plugging and Abandonment Bond Surety ID (Rule 706): 20080034 Gas Facility Surety ID (Rule 711): _____
- Waste Management Surety ID (Rule 704): _____

LOCATION IDENTIFICATION

Name: Ruby Number: 7-J Pad

Provide the location description and the latitude and longitude of a single point near the center of the Working Pad Surface as a reference for this Location.

Quarter: NESW Section: 7 Township: 7N Range: 65W Meridian: 6 Ground Elevation: 4923

Latitude: 40.589694 Longitude: -104.707111

GPS Quality Value: 1.7 Type of GPS Quality Value: PDOP Date of Measurement: 04/27/2020

Date of local government consultation:

Did a pre-application Formal Consultation Process occur with the Federal land manager per Rule 301.f.(3)? No

Date of federal consultation: _____

Was an ALA that satisfies Rule 304.b.(2).C (or substantially equivalent information per Rule 304.e) developed during a federal or local government permit application process? If yes, attach the ALA to the Form 2A. No

ALA APPLICABILITY AND CRITERIA

Complete this section for any pre-application consultation related to this proposed Oil and Gas Location that occurred prior to the submission of this Form 2A. If a pre-application Formal Consultation Process occurred, attach a Consultation Summary.

Does the proposed Oil and Gas Location meet any of the criteria listed in Rule 304.b.(2)B? No

If YES, indicate by checking the box for every Rule 304.b.(2).B criterion met by this proposed Location, and attach an ALA. See Rule 304.b.(2).B.i-x for full text of criteria.

- i. WPS < 2,000 feet from RBU/HOBU
- ii. WPS < 2,000 feet from School/Child Care Center
- iii. WPS < 1,500 feet from DOAA
- iv. WPS < 2,000 feet from jurisdictional boundary and PLG objects/requests ALA
- v. WPS within a Floodplain
- vi.aa. WPS within a surface water supply area
- vi.bb. WPS < 2,640 feet from Type III or GUDI well
- vii. WPS within/immediately upgradient of wetland/riparian corridor
- viii. WPS within HPH and CPW did not waive
- ix. Operator using Surface bond
- x. WPS < 2,000 feet from RBU/HOBU/School within a DIC

Is the proposed Oil and Gas Location within the exterior boundaries of the Southern Ute Indian Reservation, and the Tribe objects to the Location or requests an ALA? If YES, attach an ALA to the Form 2A. No

Operator requests the Director waive the ALA requirement per Rule 304.b.(2).A.i:

Provide an explanation for the waiver request, and attach supporting information (if necessary).

ALTERNATIVE LOCATIONS DASHBOARD

List every alternative location reviewed and included in the ALA. Provide a latitude and longitude for the approximate center of the alternative location, all Rule 304.b.(2).B Criteria met, if a variance would be required to permit the location, and a brief comment on the key points of the alternative location.

304.b.(2).B.i-x Criteria Met:

< No row provided >

SURFACE & MINERAL OWNERSHIP

Surface Owner Info:

Name: City of Thornton

Phone: _____

Address: 9500 Civic Center Drive

Fax: _____

Address: c/o Scott Twombly

Email: scott.twombly@thorntonco.gov

City: Thornton State: CO Zip: 80229-4326

Surface Owner at this Oil and Gas Location: Fee State Federal Indian

- Check only one:
- The Operator/Applicant is the surface owner.
 - The Operator has a signed Surface Use Agreement for this Location – attach SUA.
 - All operations on this Oil & Gas Location will develop the minerals beneath the Location, and the surface owner owns the minerals beneath this Location and is committed to an oil and gas lease – attach lease map or provide lease description.
 - All operations on this Oil & Gas Location will develop the minerals beneath the Location, and the Operator intends to use a surface bond per Rule 703 to secure access to this Location – attach lease map or provide lease description.

Surface Owner protection Financial Assurance type: N/A Surety ID Number: _____

Mineral Owner beneath this Oil and Gas Location: Fee State Federal Indian

Minerals beneath this Oil and Gas Location will be developed from or produced to this Oil and Gas Location: Yes

Lease description if necessary: _____

SITE EQUIPMENT LIST

Indicate the number and type of major equipment components planned for use on this Oil and Gas Location:

Wells	<u>32</u>	Oil Tanks	<u>10</u>	Condensate Tanks	<u>0</u>	Water Tanks	<u>2</u>	Buried Produced Water Vaults	<u>0</u>
Drilling Pits	<u>0</u>	Production Pits	<u>0</u>	Special Purpose Pits	<u>0</u>	Multi-Well Pits	<u>0</u>	Modular Large Volume Tank	<u>0</u>
Pump Jacks	<u>0</u>	Separators	<u>35</u>	Injection Pumps	<u>0</u>	Heater-Treaters	<u>0</u>	Gas Compressors	<u>4</u>
Gas or Diesel Motors	<u>0</u>	Electric Motors	<u>0</u>	Electric Generators	<u>1</u>	Fuel Tanks	<u>0</u>	LACT Unit	<u>2</u>
Dehydrator Units	<u>0</u>	Vapor Recovery Unit	<u>4</u>	VOC Combustor	<u>0</u>	Flare	<u>0</u>	Enclosed Combustion Devices	<u>4</u>
Meter/Sales Building	<u>4</u>	Pigging Station	<u>0</u>	Vapor Recovery Towers	<u>0</u>				

OTHER PERMANENT EQUIPMENT

Permanent Equipment Type	Number
Scrubbers	7
Gas Lift Injection Manifold	1
Instrument Air Skid	1
Sump	3
Water Transfer Skid	1
Multi-Use Tanks	2

OTHER TEMPORARY EQUIPMENT

Temporary Equipment Type	Number
Flowback HP Vessel	6
Flowback Tanks	27
Flowback Choke Manifold	6
Flowback Combustor	2
Flowback LP Vessel	2

GAS GATHERING COMMITMENT

Operator commits to connecting to a gathering system by the Commencement of Production Operations? Yes

If the answer is NO, a Gas Capture Plan consistent with the requirements of Rule 903.e MUST be attached on the Plans tab.

FLOWLINE DESCRIPTION

Per Rule 304.b.(6), provide a description of all onsite and off-location oil, gas, and/or water flowlines.

2" welded steel Sch 160 flowlines from wellheads to separators carrying oil, gas and water, 2" welded steel Sch 80 intra-facility lines, 3", 6", and 8" welded steel Sch 40 dump lines from separators to oil and water tanks, 3" welded steel Sch 80 gas supply line from gas lift compressor to wellheads.
The sumps are used to collect rain and snow melt from compressor skids and any water condensate from low pressures vapor lines. No production water is collected in the sumps. The sumps are constructed of 30 bbl fiberglass.

CULTURAL DISTANCE AND DIRECTION

Provide the distance and direction to the nearest cultural feature as measured from the edge of the Working Pad Surface.

	Distance	Direction	Rule 604.b Conditions Satisfied (check all that apply):			Details of Condition(s)	604.b. (4)
			604.b. (1)	604.b. (2)	604.b. (3)		
Building:	1802 Feet	W					
Residential Building Unit (RBU):	2025 Feet	SW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
High Occupancy Building Unit(HOBU)	5280 Feet	SW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Designated Outside Activity Area:	5280 Feet	SW					
Public Road:	2185 Feet	W					
Above Ground Utility:	0 Feet	N					
Railroad:	5280 Feet	W					
Property Line:	0 Feet	S					
School Facility:	5280 Feet	SW					
Child Care Center:	5280 Feet	SW					
Disproportionately Impacted (DI) Community:	2254 Feet	W					
RBU, HOBU, or School Facility within a DI Community.	2517 Feet	W	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

RULE 604.a.(2). EXCEPTION LOCATION REQUEST

- Operator requests an Exception Location Request from Rule 604.a.(2) [well is less than 150 feet from a property line]. Exception Location Request Letter and Waiver signed by offset Surface Owner(s) must be attached.

CULTURAL FEATURE INFORMATION REQUIRED BY RULE 304.b.(3).B.

Provide the number of each Cultural feature identified within the following distances, as measured from the Working Pad Surface:

	0-500 feet	501-1,000 feet	1,001-2,000 feet
Building Units	0	0	0
Residential Building Units	0	0	0
High Occupancy Building Units	0	0	0
School Properties	0	0	0
School Facilities	0	0	0
Designated Outside Activity Areas	0	0	0

CONSTRUCTION

Size of disturbed area during construction in acres: 13.90

Size of location after interim reclamation in acres: 11.20

Estimated post-construction ground elevation: 4922

DRILLING PROGRAM

Will a closed-loop drilling system be used? Yes

Is H2S gas reasonably expected to be encountered during drilling operations at concentrations greater than or equal to 100 ppm? No If YES, attach H2S Drilling Operations Plan.

Will salt sections be encountered during drilling: No

Will salt based (>15,000 ppm Cl) drilling fluids 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? No

Reuse Facility ID: _____ or Document Number: _____

Centralized E&P Waste Management Facility ID, if applicable: _____

CURRENT LAND USE

Current Land Use: check all that apply per Rule 304.b.(9).

Crop Land: Irrigated Non-Irrigated Conservation Reserve Program (CRP)

Non-Crop Land: Rangeland Forestry Recreation Other

Subdivided: Industrial Commercial Residential

Describe the current land use:

irrigated crop

Describe the Relevant Local Government's land use or zoning designation:

Agricultural, Near-Urban Planning Area

Describe any applicable Federal land use designation:

N/A

FINAL LAND USE

Final Land Use: check all that apply per Rule 304.b.(9).

Crop Land: Irrigated Non-Irrigated Conservation Reserve Program (CRP)

Non-Crop Land: Rangeland Forestry Recreation Other

Subdivided: Industrial Commercial Residential

REFERENCE AREA INFORMATION

If Final Land Use includes Non-Crop Land (as checked above), the following information is required:

Describe landowner's designated final land use(s):

Reference Area Latitude: _____

Reference Area Latitude: _____

Provide a list of plant communities and dominant vegetation found in the Reference Area.

< No row provided >

Noxious weeds present: No

SOILS

List all soil map units that occur within the maximum extent of the proposed Oil and Gas Location. Attach the National Resource Conservation Service (NRCS) report showing the "Map Unit Description" listing the typical vertical soil profile(s). This data is to be used when segregating topsoil.

The required information can be obtained from the NRCS website at <https://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/> or from the COGCC website GIS Online map page. Instructions are provided within the COGCC website help section.

NRCS Map Unit Name: 32 - Kim_loam_1_to_3_percent_slopes

NRCS Map Unit Name: 53 - Otero sandy loam, 5 to 9 percent slopes

NRCS Map Unit Name: _____

GROUNDWATER AND WATER WELL INFORMATION

Provide the distance and direction, as measured from the Working Pad Surface, to the nearest:

water well: 1490 Feet SW

Spring or Seep: 5280 Feet S

Estimated depth to shallowest groundwater that can be encountered at this Oil and Gas Location: 30 Feet

Basis for estimated depth to and description of shallowest groundwater occurrence:

Location is sensitive due to proximity to surface water.
Ditch within location will be rerouted. Pond within location will be filled in.
Depth to groundwater taken from water well permit #15878-R.

SURFACE WATER AND WETLANDS

Provide the distance and direction to the nearest downgradient surface Waters of the State, as defined 420 Feet E

in the 100-Series Rules, measured from the Working Pad Surface:

If less than 2,640 feet, is the Waters of the State identified above within 15 stream miles upstream of a Public Water System intake? No

Provide the distance and direction to the nearest downgradient wetland, measured from the Working

Pad Surface: 1930 Feet NE

Provide a description of the nearest downgradient surface Waters of the State:

bank of ditch parallel to spring creek

If the proposed Oil and Gas Location is within a Rule 411.a Surface Water Supply Area buffer zone, select the buffer zone type: _____

Public Water System Administrator - Contact Name _____ Email _____

If the proposed Oil and Gas Location is within a Rule 411.b GUDI/Type III buffer zone, select the buffer

zone type: _____

Public Water System Administrator - Contact Name _____ Email _____

Is a U.S. Army Corps of Engineers Section 404 permit required for the proposed Oil and Gas Location, access road, or associated pipeline corridor? No

If a U.S. Army Corps of Engineers Section 404 permit is required, provide the permit status, and permit number if available:

Is the Location within a Floodplain? No Floodplain Data Sources Reviewed (check all that apply):

Federal (FEMA) State County Local

Other

Does this proposed Oil and Gas Location lie within a Sensitive Area for water resources, as defined in the 100-Series Rules? Yes

CONSULTATION, WAIVERS, AND EXCEPTIONS

When Rule 309.e.(2) Consultation must occur, check all that apply:

- This location is included in a Wildlife Mitigation Plan
- This Oil and Gas Location or associated new access road, utility, or pipeline corridor falls within federally designated critical habitat or an area with a known occurrence for a federal or Colorado threatened or endangered species. Provide description in Comments section of Submit tab.
- This Oil and Gas Location or associated new access road, utility, or pipeline corridor falls within an existing conservation easement established wholly or partly for wildlife habitat. Provide description in Comments section of Submit tab.

When Rule 309.e.(3) Consultation is not required, check all that apply:

- This Oil and Gas Location has been included in a previously approved, applicable Wildlife Protection Plan.
- This Oil and Gas Location has been included in a previously approved, applicable Wildlife Mitigation Plan.
- This Oil and Gas Location has been included in a previously approved, applicable conservation plan.

Pre-application Consultation:

- A pre-application consultation with CPW, regarding this Oil and Gas Location, occurred _____ on:

CPW Waivers and Exceptions (check all that apply and attach all CPW waivers to this Form 2A):

- The applicant has obtained a Rule 304.b.(2).B.viii CPW waiver for the requirement to complete an ALA.
- The applicant has obtained a Rule 309.e.(2).G CPW waiver and consultation is not required.
- The applicant has obtained a Rule 309.e.(5).D.i CPW waiver and is requesting an exception from Rule 1202.c.(1).R.
- The applicant has obtained a Rule 309.e.(5).D.ii CPW waiver and is requesting an exception from Rule 1202.c.(1).S.
- The applicant has obtained a Rule 309.e.(5).D.iii CPW waiver of Rule 1202.c.(1).T.
- The applicant has obtained a Rule 309.e.(5).D.iv CPW waiver and is requesting an exception from Rule 1202.c.(1) in accordance with an approved CAP.
- The applicant has obtained a Rule 1202.a CPW waiver.
- The applicant has obtained a Rule 1202.b CPW waiver.

In accordance with Rule 1203.a.(3), the applicant requests an exception from compensatory mitigation

Rule(s): _____

HIGH PRIORITY HABITAT AND COMPENSATORY MITIGATION

This Oil and Gas Location, associated access roads, utility, or Pipeline corridor falls wholly or partially within the following High Priority Habitats (Note: dropdown options are abbreviated - see Rule 1202 for full rule text):

< No row provided >

The following questions are for Oil and Gas Locations that cause the density to exceed one Oil and Gas Location per square mile in Rule 1202.d High Priority Habitat:

Direct Impacts:

Is Compensatory Mitigation required per Rule 1203.a for this Oil and Gas Location? No

Is a Compensatory Mitigation Plan proposed to address direct impacts for this Oil and Gas Location? No

Have all Compensatory Mitigation Plans been approved for this Location? No

If not, what is the current status of each Plan?

Plan is not required.

Is a Compensatory Mitigation Fee proposed for this Oil and Gas Location? No

Direct impact habitat mitigation fee amount: \$ _____

Indirect Impacts:

Is Compensatory Mitigation required per Rule 1203.d for this Oil and Gas Location? No

Is a Compensatory Mitigation Plan proposed to address indirect impacts for this Oil and Gas Location? No

Have all Compensatory Mitigation Plans been approved for this Location? No

If not, what is the current status of each Plan?

Plan is not required.

Is a Compensatory Mitigation Fee proposed for this Oil and Gas Location? No

Indirect impact habitat mitigation fee amount: \$ _____

Operator Proposed Wildlife BMPs

No BMP

CPW Proposed Wildlife BMPs

No BMP

AIR QUALITY MONITORING PROGRAM

Will the Operator install and administer an air quality monitoring program at this Location? Yes

Operator Proposed BMPs

No BMP

CDPHE Proposed COAs OR BMPs

No BMP

PLANS

Total Plans Uploaded: 14

- (1) Emergency Spill Response Program consistent with the requirements of Rules 411.a.(4).B, 411.b.(5).B, & 602.j
- (2) Noise Mitigation Plan consistent with the requirements of Rule 423.a
- (3) Light Mitigation Plan consistent with the requirements of Rule 424.a
- (4) Odor Mitigation Plan consistent with the requirements of Rule 426.a
- (5) Dust Mitigation Plan consistent with the requirements of Rule 427.a
- (6) Transportation Plan
- (7) Operations Safety Management Program consistent with the requirements of Rule 602.d
- (8) Emergency Response Plan consistent with the requirements of Rule 602.j
- (9) Flood Shut-In Plan consistent with the requirements of Rule 421.b.(1)
- (10) Hydrogen Sulfide Drilling Operations Plan consistent with the requirements of Rule 612.d
- (11) Waste Management Plan consistent with the requirements of Rule 905.a.(4)
- (12) Gas Capture Plan consistent with the requirements of Rule 903.e
- (13) Fluid Leak Detection Plan
- (14) Topsoil Protection Plan consistent with the requirements of Rule 1002.c
- (15) Stormwater Management Plan consistent with the requirements of Rule 1002.f
- (16) Interim Reclamation Plan consistent with the requirements of Rule 1003
- (17) Wildlife Plan consistent with the requirements of Rule 1201
- (18) Water Plan
- (19) Cumulative Impacts Plan
- (20) Community Outreach Plan
- (21) Geologic Hazard Plan

VARIANCE REQUESTS

Check all that apply:

- This proposed Oil and Gas Location requires the approval of a Rule 502.a variance from COGCC Rule or Commission
Order number: _____

ALL exceptions and variances require attached Request Letter(s). Refer to applicable rule for additional required attachments (e.g. waivers, certifications, SUAs).

RULE 304.d LESSER IMPACT AREA EXEMPTION REQUESTS

Check the boxes below for all Exemptions being requested. Lesser Impact Area Exemption Request must be attached, and will include all requested exemptions.

- | | |
|--|--|
| <input type="checkbox"/> 304.b.(1). Local Government Siting Information | <input type="checkbox"/> 304.c.(1). Emergency Spill Response Program |
| <input type="checkbox"/> 304.b.(2). Alternative Location Analysis | <input type="checkbox"/> 304.c.(2). Noise Mitigation Plan |
| <input type="checkbox"/> 304.b.(3). Cultural Distances | <input type="checkbox"/> 304.c.(3). Light Mitigation Plan |
| <input type="checkbox"/> 304.b.(4). Location Pictures | <input type="checkbox"/> 304.c.(4). Odor Mitigation Plan |
| <input type="checkbox"/> 304.b.(5). Site Equipment List | <input type="checkbox"/> 304.c.(5). Dust Mitigation Plan |
| <input type="checkbox"/> 304.b.(6). Flowline Descriptions | <input type="checkbox"/> 304.c.(6). Transportation Plan |
| <input type="checkbox"/> 304.b.(7). Drawings | <input type="checkbox"/> 304.c.(7). Operations Safety Management Program |
| <input type="checkbox"/> 304.b.(8). Geographic Information System (GIS) Data | <input type="checkbox"/> 304.c.(8). Emergency Response Plan |
| <input type="checkbox"/> 304.b.(9). Land Use Description | <input type="checkbox"/> 304.c.(9). Flood Shut-In Plan |
| <input type="checkbox"/> 304.b.(10). NRCS Map Unit Description | <input type="checkbox"/> 304.c.(10). Hydrogen Sulfide Drilling Operations Plan |
| <input type="checkbox"/> 304.b.(11). Best Management Practices | <input type="checkbox"/> 304.c.(11). Waste Management Plan |
| <input type="checkbox"/> 304.b.(12). Surface Owner Information | <input type="checkbox"/> 304.c.(12). Gas Capture Plan |
| <input type="checkbox"/> 304.b.(13). Proximate Local Government | <input type="checkbox"/> 304.c.(13). Fluid Leak Detection Plan |
| <input type="checkbox"/> 304.b.(14). Wetlands | <input type="checkbox"/> 304.c.(14). Topsoil Protection Plan |
| <input type="checkbox"/> 304.b.(15). Schools and Child Care Centers | <input type="checkbox"/> 304.c.(15). Stormwater Management Plan |
| | <input type="checkbox"/> 304.c.(16). Interim Reclamation Plan |
| | <input type="checkbox"/> 304.c.(17). Wildlife Plan |
| | <input type="checkbox"/> 304.c.(18). Water Plan |
| | <input type="checkbox"/> 304.c.(19). Cumulative Impacts Plan |
| | <input type="checkbox"/> 304.c.(20). Community Outreach Plan |
| | <input type="checkbox"/> 304.c.(21). Geologic Hazard Plan |

OPERATOR COMMENTS AND SUBMITTAL

Comments

A courtesy Notice to Relevant and Proximate Governments was sent to the Town of Ault via email on February 5, 2021.

Surface owner is the same party on both sides of property line and expressed consent to location of wells as indicated in both Waiver and SUA attachments.

Descriptive information about the pond on the eastern edge of the proposed WPS requested in COGCC review submitted as 'Other', even though title is ALA Narrative Summary. ALA is not required for this location. Pond is referenced as 'to be removed' on Hydrology map.

GIS kml submitted as 'Other'.

The following 304.c Plans are not required for this submittal:

- *Emergency Spill Response Program; not near Type III or GUDI well
- *Odor Mitigation Plan; No RBU or DOAA within 2000'.
- *Flood Shut-In Plan; not in floodplain
- *Hydrogen Sulfide Drilling Plan; no H2S in area
- *Gas Capture Plan; Operator is committed to connecting to a gathering system by the Commencement of Production Operations.
- *Community Outreach Plan; no DIC within 2,000'

Soil type(s):

Well Pad: 32 - Kim loam, 1 to 3 percent slopes, 53 - Otero sandy loam, 5 to 9 percent slopes
Access Road**: 21 - Dacono clay loam, 0 to 1 percent slopes, 24 - Fort Collins loam, 1 to 3 percent slopes

**NRCS Web Soil Survey is not accurate at scale to capture access road soil types. Data provided by COGCC staff.

The overhead utility that existed at the time of the cultural distance measurements was utilized for an irrigation pond which has since been moved to another location. Bayswater now owns the utility line and has buried a portion of it. The current distance from the edge of the WPS to overhead utility is 183' W and the distance from nearest proposed wellhead to overhead utility is 393' W. This line will be used to provide electrical power to the Ruby 7-J pad during the production phase of operations.

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

Signed: _____ Date: 07/30/2021 Email: regulatory@ascentgeomatics.com

Print Name: Justin Garrett Title: Regulatory Analyst

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: _____

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.

Condition of Approval

COA Type	Description
0 COA	

Best Management Practices

No	BMP/COA Type	Description
1	Planning	Bayswater shall connect the proposed facility to crude oil gathering systems and shall transport crude oil from this site via pipelines at first production which will significantly reduce the impacts associated with truck traffic. If a produced water pipeline becomes available to Bayswater during the production phase of the operation Bayswater will connect and transport that product through the produced water pipeline which will eliminate the need for trucking of produced water at this location, thus reducing impacts to traffic.

2	Planning	Per the Surface Use Agreement, Bayswater will install permanent gates at each point where the road intersects perimeter or cross fences, and will install screen and fencing around the well and its facilities.
3	Planning	Per the approved WOGLA, Bayswater shall have a company representative on location for all drilling and completion operations and will monitor every person entering the location for reason to be on the location. If it becomes necessary, Bayswater will install gates or gate guards to restrict traffic on to the location. The installed sound walls will limit access paths on to the location and will aid in identifying those personnel that need to be on location.
4	Storm Water/Erosion Control	<p>Operator shall install stormwater controls, constructed in a manner that is consistent with good engineering practices, that will prevent offsite migration of sediment/contaminant into the nearby bank of ditch parallel to Spring Creek. Stormwater controls shall be installed prior to construction activities. Gas, oil, and water gathering lines will be co-located to minimize potential of erosion associated with construction of any pipeline (s).</p> <p>Stormwater Management is being coordinated with Weld County via Preliminary Drainage Report submitted as part of the 1041 WOGLA Application, and a Grading Permit and Final Drainage Report will be approved by Weld County Public Works prior to site construction.</p> <p>Berm Construction: Tertiary containment will be installed at the Ruby 7-J Pad as required to protect the ditch parallel to Spring Creek which is less than 500' and down gradient of the Location.</p> <p>Per the approved WOGLA, Bayswater will comply with the Colorado Water Quality Control Commission regulations by following the active Stormwater Management Plan, which outlines the BMP's, inspection processes and spill prevention that will be implemented during facility construction and post- construction activities for this location. The location will be covered under Bayswater's fieldwide Stormwater permit, COR400369.</p>

5	Storm Water/Erosion Control	<ul style="list-style-type: none"> • All areas compacted by drilling and subsequent oil and gas operations which are no longer needed following completion of such operations will be cross-ripped during interim reclamation prior to seeding. Compaction alleviation operations will be undertaken when the soil moisture at the time of ripping is below thirty-five percent (35%) of field capacity. Ripping will be undertaken to a depth of eighteen (18) inches unless bed rock is encountered at a shallower depth. • All segregated soil horizons removed from crop lands will be replaced to their original relative positions and contour and will be tilled adequately to re-establish a proper seedbed and treated as needed for erosion control and invasive species prevention. Any perennial forage crops that were present before disturbance will be reestablished. • Any areas reclaimed that will not be returned to farming operations will be planted with the recommended Weld County seed mix. • Bayswater will install stormwater controls, constructed in a manner that is consistent with good engineering practices, that will prevent offsite migration of sediment/contaminant, into the nearby sensitive areas. • Gas, oil, and water gathering lines will be co-located to minimize potential of erosion associated with construction of any pipeline(s). • Operator shall install stormwater controls, constructed in a manner that is consistent with good engineering practices, that will prevent offsite migration of sediment/contaminant, into the nearby sensitive areas. Stormwater controls shall be installed prior to construction activities. • Operator will be responsible for segregating the topsoil, backfilling, re-compacting any backfill, reseeding, and re-contouring the surface of any disturbed area so as not to interfere with Owner's operations and will reclaim such area to be returned to preexisting conditions as best as possible with control of all weeds. • Operator will stabilize the topsoil stockpiles utilizing vehicle tracking perpendicular to slope angle for short term stabilization and drill seed/crimped straw mulch application for longer term stabilization measures to suppress fugitive dust caused solely by wind. • Stabilization and revegetation will be performed as part of interim reclamation. • Stormwater controls shall be installed prior to construction activities. • Stormwater inspection will be performed at least every 14 days from the start of construction through interim reclamation, every 30 days until interim reclamation has good growth, and then annually or semiannually through the producing life of the well. • The stormwater system for the Ruby 7-J Pad includes one onsite swale, two offsite diversion berms and one pond with an outlet structure. • Spill prevention and response are addressed in training of employees and contractor personnel on at least an annual basis. 	
6	Material Handling and Spill Prevention	As referenced in the approved WOGLA, the location will be automated to monitor all production operations remotely. In the event that the facility is not operating under normal conditions, the automation system will immediately notify the operator. The automation system also has the ability to remotely perform an emergency shut down if necessary.	

7	Material Handling and Spill Prevention	<p>Drilling Fluids Procedures and BMPs</p> <ul style="list-style-type: none"> • A closed-loop system will be used for drilling operations as required by Rule 408.a. • All drilling fluid tanks, both active and storage, are inspected prior to use and daily while in use and replaced or repaired if needed. • All drilling fluid transfers will be performed by two drilling crew members to assure transfer is completed, valves are closed following transfer and that no fluids are lost. • During initial rig up on site, all hoses, lines and valves will be assembled and checked for proper connection, alignment and for leaks, and then inspected daily during drilling operations. • All tanks will be properly labeled for contents of the tanks. • A 40 ml poly liner with foam type berms will be utilized under the drilling rig, mud tanks, shakers, and drill cuttings bins to contain any leaks if they were to occur. <p>Completion Fluid Procedures and BMPs</p> <ul style="list-style-type: none"> • All completion fluid tanks are inspected prior to use and daily while in use and replaces or repaired if needed. • All completion fluid transfers will be performed by two completion crew members to assure transfer is completed, valves are closed following transfer and that no fluids are lost. • During initial rig up rig up on site, all hoses, lines and valves will be assembled and checked for proper connection, alignment and for leaks, and then inspected daily during completion operations. • All tanks will be properly labeled for contents of the tanks. • A 40 ml poly liner with foam type berms will be utilized under the frac spread layout to contain any leaks if they were to occur. <p>Production Fluid Procedures and BMPs</p> <p>Monitoring & Detection</p> <ul style="list-style-type: none"> • Fluid Monitoring in tanks will be achieved through high level alarms installed in each tank with guided wave radar tank level gauges. These gauges report remotely tank volumes via telemetry. This telemetry allows pumpers to have real time access to information and review levels at any time. Pumpers also have the ability to Shut in the wells in the event of an emergency. <p>Inspection</p> <ul style="list-style-type: none"> • The tanks are visually inspected by the lease operators and weekly AVO inspections are performed and documented. • Audio, Visual and Olfactory (AVO) inspections or Infrared surveys will be performed to identify any leaks coming from the flowlines on a monthly basis. • Flowlines will be inspected per COGCC 1100 regulations. • Periodic site inspections will be conducted by Bayswater personnel or 3rd party environmental contractors to look for any signs of leaks and or potential leaks. • Tanks and tank berms will also be formally inspected quarterly under the Spill Prevention Control and Countermeasures (SPCC) plan unless specific COAs warrant more frequent inspections. Tanks are also inspected daily by the lease operator (pumper) and contract water haulers, who have been trained on identifying corrective actions on tanks/flowlines.
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8	Dust control	<p>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, automation of wells and production facilities, regular road maintenance, restriction of construction activity during high-wind days, and silica dust controls when handling sand used in hydraulic fracturing operations. Bayswater additionally has implemented the use of traffic signs when leaving the location to remind drivers of specific routes to utilize.</p> <p>Operator will stabilize the topsoil stockpiles utilizing vehicle tracking perpendicular to slope angle for short term stabilization and drill seed/crimped straw mulch application for longer term stabilization measures to suppress fugitive dust caused solely by wind.</p> <p>Operator will minimize the amount of fugitive dust through the use of speed restrictions. All vehicles will be subject to a speed limit of 15 MPH on all lease roads to minimize dust.</p> <p>Operator will mitigate the creation of fugitive dust through regular road maintenance as coordinated through agreements with Relevant Local Governments or Agencies with road jurisdiction. The access road will be covered with a minimum of 2" of road base material for stabilization and to mitigate dust. Per the approved 1041WOGLA, water or magnesium chloride will be used to mitigate dust impacts during initial construction of the drill site and may be restricted or limited during high-wind days.</p> <p>Operator will minimize fugitive dust caused by their operations, or dust originating from areas disturbed by their Oil and Gas Operations that becomes windborne.</p> <p>Operators will not use any of the following fluids for dust suppression:</p> <ul style="list-style-type: none"> • Produced water • E&P Waste or hazardous waste • Crude oil or any oil not specifically designed for road maintenance • Solvents • Any process Fluids <p>Operator will use only fresh water (potable or non-potable) to conduct dust suppression activities within 300 feet of the ordinary high-water mark of any water body.</p> <p>Access road will be watered or treated with a commercial dust suppressant if necessary.</p> <p>Silica dust from handling sand used in hydraulic fracturing operations will be mitigated by utilization of the enclosed Sand Box type sand delivery method.</p> <p>Operator will maintain safety data sheets ("SDS") for any chemical-based dust suppressant and make the SDS available immediately upon request to the Director and to the Local Government. Operators will maintain SDS for any chemical-based dust suppressant until the site passes final site Reclamation and transfer the records upon transfer of property ownership.</p>
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9	Noise mitigation	<ul style="list-style-type: none"> • Bayswater has conducted a Noise Impact Assessment for each phase of operations (drilling, completions, and production) to assess operational noise levels against the maximum allowable dBA and dBC noise levels stated in the Regulation. • Bayswater will utilize a Quiet Fleet for completions operations. • Prior to commencement of any drilling and completion activities, a full perimeter sound wall of 2,620 linear feet (approximate) of 32-foot-tall, engineered sound wall rated at STC32 will be installed around the location. • A pre-operational ambient sound level survey will be conducted at the two locations outlined in Figure 2 prior to the start of construction activities to quantify pre-existing A and C-weighted sound levels. • If the completions fleet or either the drilling rigs is changed prior to commencement of operations, the mitigation measures will be equally or more protective. A Form 4 will be submitted per Rule 404.d to outline any changes. • Bayswater will post contact information to receive and address noise complaints arising from pre-production operations around the clock, 24-hours, 7 days per week. Upon receipt of a complaint, either directly to Bayswater or from the COGCC, Bayswater will contact relative stakeholder within 48 hours of receipt. 	
10	Emissions mitigation	<p>By connecting to a gas gathering system, delivering fresh water to the location via pipelines for completions operations, prohibiting trucks idling when not in use, and using electrical power at the site, Bayswater will be reducing impacts from their oil and gas operations to air resources and will perform baseline as well as continuous air quality monitoring to gauge and ensure the effectiveness of their emissions reduction measures.</p>	
11	Emissions mitigation	<ul style="list-style-type: none"> • By conducting LDAR inspections and weekly AVO inspections in accordance with written plan/procedures and by taking proactive measures as requested by CDPHE during designated Ozone Action Days, emissions impacts will be monitored and reduced to pose minimal change to existing conditions. • Instrument air will be utilized to run pneumatic devices to reduce fugitive emissions. • Per Rule 608.a.(10)C, all sealed Tanks will be designed for a minimum of 4 ounces of backpressure. Vent/back pressure valves, the combustor, lines to the combustor, and knockouts will be sized and maintained to safely accommodate any surge the system may encounter. Bayswater will properly maintain, and periodically test, Tank seals to ensure that they provide the required back pressure and prevent emissions. • If a VOC action level is exceeded, an alert will be sent to the Bayswater operations team and a site investigation will be performed to assess the elevated readings as well as documenting the work activities that were being conducted on and around the site at the time the action level was detected. • Any malfunction of operations not indicative of normal operations identified during the site investigation will be corrected while on location or as soon as practicable. 	
12	Odor mitigation	<p>If an odor complaint is received, Operator will contact the affected building unit owner and investigate the odor levels within 24 hours, or less if possible, of the receipt of the complaint. Operator will begin investigation and, depending on the source of the odor, will determine the course of odor mitigation. The results of the investigation will determine how Operator proceeds with odor mitigation. Drilling operations will continue if odor can be mitigated concurrently. Operator will contact the affected building unit owner to address the complaint and discuss the investigative results and the additional mitigation efforts the Operator plans to put into place. Such mitigation measures may involve any of the following options as a result of the initial investigation but are not limited to these, depending on the source of the odor:</p> <ul style="list-style-type: none"> o Adding additional amounts of odor neutralizers to the mud system to reduce odors while still being used per the manufacturer's recommended levels; o Minimize the time of drill cuttings on location by hauling such cuttings to the commercial disposal facility on a more frequent basis while drilling with oil based mud; o Wiping any drilling fluids from the drill pipe as it is racked into the derrick 	
13	Odor mitigation	<ul style="list-style-type: none"> •Water based mud will be used while drilling the surface hole and then switched to oil-based mud starting below surface casing to TD. •Water-based mud is a gypsum/water clear fluid that typically carries the odor profile of fresh dirt and is not normally susceptible to odor-causing bacterial degradation. •All odor-emitting substances are hauled off location as quickly as possible. Cuttings are hauled off daily when facility is open. •Any stored mud additives are contained in sealed sacks or drums prior to removal or use. •Oil based mud specifics are- Name: D822, Type: distillate, Group: II. 	

14	Drilling/Completion Operations	Per the approved WOGLA and the submitted Form 2B, Bayswater will source and deliver fresh water to the location for the completion operations via temporary pipelines which will significantly reduce the impacts associated with truck traffic.
15	Drilling/Completion Operations	Operator will use full cut-off lighting; to minimize light pollution and obtrusive lighting. When operator has active operations involving personnel ongoing at an oil and gas location, Operator will provide sufficient on-site pre-production lighting to ensure the safety of all persons on or near the site. Operator will locate lighting inside and beneath the sound walls and take precaution to ensure that lights do not shine outside of openings in the sound wall.
16	Interim Reclamation	Bayswater consulted with the surface owner to minimize the impact on agricultural operations associated with the property. The facilities were located such that they are on the edge of the farming operations and the least disruptive to the irrigation system as possible. Upon completion of all drilling and completion operations and in accordance with Weld County and COGCC rules and regulations, the disturbed area not needed for production operations will be reclaimed and returned to farming operations.

Total: 16 comment(s)

Attachment List

<u>Att Doc Num</u>	<u>Name</u>
2369409	HYDROLOGY MAP
2369410	OPERATOR PUBLIC COMMENT RESPONSE
402590095	FORM 2A SUBMITTED
402829572	LOCAL/FED FINAL PERMIT DECISION
402829635	ACCESS ROAD MAP
402829636	CULTURAL FEATURES MAP
402829754	DIRECTIONAL WELL PLAT
402829758	LOCATION DRAWING
402829760	LOCATION PICTURES
402829764	WILDLIFE HABITAT DRAWING
402829771	EXCEPTION REQUEST LETTER
402829772	WAIVERS
402829774	PRELIMINARY PROCESS FLOW DIAGRAMS
402829776	NRCS MAP UNIT DESC
402829777	CONSULTATION SUMMARY
402829787	OTHER
402829794	SURFACE AGRMT/SURETY
402829796	OTHER
402829917	CONST. LAYOUT DRAWINGS
402874040	RELATED LOCATION AND FLOWLINE MAP
402933168	GEOLOGIC HAZARD MAP

Total Attach: 21 Files

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
OGLA	The Director has determined that the OGD application that this Form is a component of meets all requirements of Rule 306.a. The Director's Recommendation has been attached to the Form 2A.	05/31/2022
OGLA	Removed links to out of date Noise, Water, and Cumulative Impacts Plans.	05/31/2022
OGLA	Removed unenforceable Emergency Planning BMP, added Emissions BMPs from Cumulative Impacts Plan.	05/26/2022
OGLA	Per discussion with operator, updated Stormwater BMP to remove a conflict. Added operator response to public comment. Removed unused Lesser Impact Area Request as	05/20/2022

	the GeoHaz Plan no longer needed to be excluded due to information on an updated GeoHaz Map.	
OGLA	Per emails with operator: additional odor BMP added, GeoHaz Plan checkbox unchecked, comment added to submit comment about the overhead line on the location, updated Hydrology Map, updated Noise Plan, updated Cumulative Impacts Plan, Updated Water Plan. BMPs added to the Form 2A from the plans associated with the location.	05/18/2022
LGD	<p>The Weld County Oil and Gas Energy Department (OGED) submits the following comments:</p> <ol style="list-style-type: none"> 1.The Bayswater Exploration & Production, LLC (Bayswater) Ruby 7-J Pad location 1041 WOGLA Application was reviewed and processed under Weld County Code, ORD2020-12. 2.Case number 1041WOGLA20-0073 has been assigned to this location. All files associated with the processing and review of this permit are accessible through the Weld County E-Permit center. If there are questions relating to the ability to access these files, please call the OGED office at 970-400-3580. 3.Pursuant to Weld County Code, ORD2019-10, the applicant was not required to have a pre-application meeting with OGED at the time of 1041 WOGLA Pre-application Notice. However, on July 23, 2020, Bayswater engaged in a pre-application meeting discussion with OGED Staff to discuss Bayswater's site analysis and specifics on the proposed Location. 4.Bayswater submitted their 1041 WOGLA Application to OGED on November 12, 2020. 5.The application was found to be complete and compliant with Weld County Code, ORD2020-12. 6.The application included an analyses of four (4) alternative sites, which was reviewed and discussed in detail with OGED Staff and the Hearing Officer. 7.As part of the application review process, a referral was sent to the Colorado Oil and Gas Conservation Commission (COGCC) on November 13, 2020. COGCC did not participate in Weld County's referral process. 8.A 1041 WOGLA hearing was held on January 7, 2021. The COGCC did not participate in the 1041 WOGLA hearing. 9.The OGED Hearing Officer considered testimony at the 1041 WOGLA hearing, and subsequently approved 1041WOGLA20-0073. 10.The final order was recorded with the Weld County Clerk and Recorder (reception no. 4670629) on January 13, 2021. 11.The final order was noticed in the Greeley Tribune on January 15, 2021. Approval and publication of Bayswater's application creates a vested property right pursuant of Article 68 of Title 24, C.R.S. 12.Multiple requirements of Bayswater were stipulated in the final order, which can be found on Weld County's E-Permit Center at www.weldgov.com. 13.The approved Weld County 1041 WOGLA Permit, and Bayswater's commitment to best management practices outlined in the application, will protect the health, safety, security and general welfare of the present and future residents of Weld County, while also protecting both the environment and wildlife 14.1041WOGLA20-0073 Permit is valid for 3 years or can be extended upon request and review. 15.Due to the fact that Bayswater has completed the 1041 WOGLA Application process, and that a final order has been issued, recorded and legally published, Weld County has no additional concerns with the pending COGCC permit, and would recommend approval. 	04/06/2022
OGLA	The Director has determined this OGD application is complete. Form pushed to IN PROCESS.	03/10/2022
OGLA	<p>OGDP Returned to Draft for:</p> <ol style="list-style-type: none"> 1. Revisions to Stormwater, Interim Reclamation, and Wildlife Plans 2. Revisions to Geohazard Map, Hydrology Map, and the Lesser Impact Area Exclusion Request 3. Revisions to the Hearing Application 	12/23/2021
OGLA	<p>Form Returned to Draft For:</p> <ol style="list-style-type: none"> 1. Revisions to multiple plans. 2. Revisions to multiple attachments. 3. Revisions to Hearing Application. 	08/27/2021
Total: 9 comment(s)		

Public Comments

The following comments were provided by members of the public and were considered during the technical review of this application.

No.	Comment	Comment Date
1	The town of Ault has experienced a significant drilling. The cumulative impacts of this drilling is causing residents to experience significant health concerns. Please consult the CDPHE and the complaints they have received. This is a disproportionately impacted community that is shouldering an oversized burden of ozone pollution, VOCs including benzene, and other air toxins. Meaningful and comprehensive cumulative impact study that accounts for all sources of air pollution needs to be done before any drilling can be approved in this area.	04/07/2022
2	<p>1802 ft from building</p> <p>2025 from residential building unit</p> <p>0 ft from above-ground utility</p> <p>Irrigated cropland</p> <p>Noble Energy Inc (Comments close 4/7/22)</p> <p>Wr Ogdp 1</p> <p>A07-01 Pad</p> <p>166 ft from the closest building</p> <p>266 ft from residential building unit</p> <p>WPS is within/immediate upgradient of wetland/riparian corridor</p> <p>13 residential building units within 2000 feet</p> <p>Non-irrigated cropland</p> <p>77 feet from surface water of the state</p> <p>No emergency spill response program</p> <p>No community outreach plan</p> <p>Geologic hazard plan exemption</p> <p>Notes that Informed consent letters signed by 3 residential building unit owners within 500 ft of the working pad surface and 2 of them are from greater than 500 ft from the WPS. In the application there are only 2 RBU's within 500 feet (this makes no sense?)</p> <p>From form 2A: "Informed Consent Letter attachment contains three (3) signed letters for Residential Building Unit owners within 500' of the Oil and Gas Location Disturbance not subject to an SUA. 2 of these RBU are greater than 500' from the Working Pad Surface."</p> <p>A07-08 Facility</p> <p>851 ft from the closest building</p> <p>860 ft from residential building unit</p> <p>WPS is within/immediate upgradient of wetland/riparian corridor</p> <p>6 residential building units within 2000 feet</p> <p>Irrigated cropland</p>	04/07/2022

75 feet from surface water of the state

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A07-23 Pad

296 ft from the closest building

491 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

6 residential building units within 2000 feet

Irrigated cropland

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A18-09 Pad

168 ft from the closest building

360 ft from residential building unit

11 residential building units within 2000 feet

Irrigated cropland

No emergency spill response program

No community outreach plan

Geologic hazard plan exemption

A07-04 Pad

297 ft from the closest building

297 ft from residential building unit

WPS is within/immediate upgradient of wetland/riparian corridor

7 residential building units within 2000 feet

Irrigated cropland

89 feet from surface water of the state

No emergency spill response program

No community outreach plan

Informed consent letters signed by 2 residential building unit owners within 500 feet of the working pad surface

	<p>energy to the south already has horizontal drilling going under our school and residential area. Drilling recently took place next to the school in two areas well within the 2000 foot setback because of some "grandfathered" permit. When I called Weld County Oil and Gas to inquire about any more drilling coming at the town from underground I was told no. Then months later I was told about Baywater and four wells to drill horizontally under the entire town. I have a home in this town and while I consider myself an informed citizen many if not most in Ault are not even aware of this new drilling operation with four pads to the east of town less than two miles away. Please stop this permit and give this small time time to become informed and to absorb the ongoing assault of already existing wells within the 2000 foot setbacks and the horizontal drilling already approved south of town. I find it very difficult to navigate the complicated Weld County System for information and when I call Weld County Oil and Gas I'm told no horizontal drilling is happening when in actuality Baywater is getting ready to drill 4 new wells, only to be told this later when first I was misinformed. People in town need to be advised about what's going on and information meetings need to take place. And no one has advised the citizens of Ault on any of this or our mineral rights. I object. Please, stop this drilling under out town.</p>	
4	<p>These comments are a correction to similar comments sent earlier on this day that accidentally included comments about Noble that were not intended for this space.</p> <p>Baywater drilling permits for this site are flawed for the following reasons:</p> <ul style="list-style-type: none"> 1802 ft from building 2025 from residential building unit 0 ft from above-ground utility Irrigated cropland <p>Narrative comments were also submitted by impacted citizen on this same date under separate cover.</p>	04/07/2022

Total: 4 comment(s)