

**State of Colorado**  
**Oil and Gas Conservation Commission**

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DE	ET	OE	ES
Document Number: <b>403362918</b>			
Date Received: <b>05/31/2023</b>			

**SUNDRY NOTICE**

This form is required for reports, updates, and requests as specified in the COGCC rules. It is also used to request changes to some aspects of approved permits for Wells and Oil and Gas Locations.

OGCC Operator Number: <u>10705</u>	Contact Name <u>Mackenzie Smith</u>
Name of Operator: <u>EVERGREEN NATURAL RESOURCES LLC</u>	Phone: <u>(303) 2848820</u>
Address: <u>1875 LAWRENCE ST STE 1150</u>	Fax: <u>( )</u>
City: <u>DENVER</u> State: <u>CO</u> Zip: <u>80202</u>	Email: <u>mackenzie.smith@enrllc.com</u>

**FORM 4 SUBMITTED FOR:**

Facility Type: WELL

API Number : 05- 071 09244 00 ID Number: 290174

Name: BLACKBERRY Number: 24-29

Location QtrQtr: SESW Section: 29 Township: 31S Range: 66W Meridian: 6

County: LAS ANIMAS Field Name: PURGATOIRE RIVER

**Oil & Gas Location(s) and Oil & Gas Development Plan (OGDP) Information**

**Location(s)**

Location ID	Location Name and Number
309208	BLACKBERRY-631S66W 29SESW

**OGDP(s)**

No OGDP

**WELL LOCATION CHANGE OR AS-BUILT GPS REPORT**

☐ Change of Location for Well \* ☐ As-Built GPS Location Report ☐ As-Built GPS Location Report with Survey

\* Well Location Change requires a new Plat.

**SURFACE LOCATION GPS DATA** Data must be provided for Change of Surface Location and As Built Reports.

Latitude                      Longitude                     

GPS Quality Value:            Type of GPS Quality Value:                      Measurement Date:                     

Well Ground Elevation:            feet (Required for change of Surface Location.)

**WELL LOCATION CHANGE**

Well plan is:                      (Vertical, Directional, Horizontal)

Change of **Surface** Footage **From:**

Change of **Surface** Footage **To:**

Current <b>Surface</b> Location <b>From</b>	QtrQtr	<u>SESW</u>	Sec	<u>29</u>	Twp	<u>31S</u>	Range	<u>66W</u>	Meridian	<u>6</u>
New <b>Surface</b> Location <b>To</b>	QtrQtr	<u>          </u>	Sec	<u>          </u>	Twp	<u>          </u>	Range	<u>          </u>	Meridian	<u>          </u>

Change of **Top of Productive Zone** Footage **From:**

Change of **Top of Productive Zone** Footage **To:**

Current <b>Top of Productive Zone</b> Location	Sec	<u>          </u>	Twp	<u>          </u>	Range	<u>          </u>
New <b>Top of Productive Zone</b> Location	Sec	<u>          </u>	Twp	<u>          </u>	Range	<u>          </u>

FNL/FSL		FEL/FWL	
<u>761</u>	<u>FSL</u>	<u>1724</u>	<u>FWL</u>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

\*\*

Change of **Base of Productive Zone** Footage **From:**

Change of **Base of Productive Zone** Footage **To:**

\*\*

Current **Base of Productive Zone** Location

Sec

Twp

Range

New **Base of Productive Zone** Location

Sec

Twp

Range

Change of **Bottomhole** Footage **From:**

Change of **Bottomhole** Footage **To:**

\*\*

Current **Bottomhole** Location

Sec

Twp

Range

\*\* attach deviated drilling plan

New **Bottomhole** Location

Sec

Twp

Range

## SAFETY SETBACK INFORMATION

Required for change of Surface Location.

Distance from Well to nearest:

Building:  Feet  
Building Unit:  Feet  
Public Road:  Feet  
Above Ground Utility:  Feet  
Railroad:  Feet  
Property Line:  Feet

### INSTRUCTIONS:

- Specify all distances per Rule 308.b.(1).
- 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 – as defined in 100 Series Rules.

## SUBSURFACE MINERAL SETBACKS

Required for change of Top and/or Base of Productive Zone. Enter 5280 for distance greater than 1 mile.

Is this Well within a unit?

If YES:

Enter the minimum distance from the Completed Zone of this Well to the Unit Boundary:  Feet

Enter the minimum distance from the Completed Zone of this Well to the Completed Zone of an offset Well within the same unit permitted or completed in the same formation:  Feet

If NO:

Enter the minimum distance from the Completed Zone of this Well to the Lease Line of the described lease:  Feet

Enter the minimum distance from the Completed Zone of this Well to the Completed Zone of an offset Well producing from the same lease and permitted or completed in the same formation:  Feet

## Exception Location

☐ If this Well requires the approval of a Rule 401.c Exception Location, enter the Rule or spacing order number and attach the Exception Location Request and Waivers.

## LOCATION CHANGE COMMENTS

## CHANGE OR ADD OBJECTIVE FORMATION AND/OR SPACING UNIT

<u>Objective Formation</u>	<u>Formation Code</u>	<u>Spacing Order Number</u>	<u>Unit Acreage</u>	<u>Unit Configuration</u>	<u>Add</u>	<u>Modify</u>	<u>No Change</u>	<u>Delete</u>
RATON-VERMEJO COALS	RT-VJ						X	

## OTHER

### ☒ RULE 502 VARIANCE

Order Number: 210400064

Description:

Based on the facts stated in the verified Application, Surface Owner Waivers, and other materials submitted by ENR, and no petitions having been received, the Commission finds that ENR has satisfied Rule 502.c and that the requested variance to Rule 1004 is warranted for the Subject Well site.

### ☐ REMOVE FROM SURFACE BOND      Signed surface use agreement is a required attachment

### ☐ CHANGE NAME OR NUMBER OF WELL, FACILITY, OIL & GAS LOCATION, OR OGD

From: Name BLACKBERRY Number 24-29 Effective Date: \_\_\_\_\_

To: Name \_\_\_\_\_ Number \_\_\_\_\_

### ☐ ABANDON PERMIT: Permit can only be abandoned if the permitted operation has NOT been conducted. Field inspection will be conducted to verify site status.

☐ WELL: Abandon Application for Permit-to-Drill (Form 2) – Well API Number \_\_\_\_\_ has not been drilled.

☐ PIT: Abandon Earthen Pit Permit (Form 15) – COGCC Pit Facility ID Number \_\_\_\_\_ has not been constructed (Permitted and constructed pit requires closure per Rule 911)

☐ CENTRALIZED E&P WASTE MANAGEMENT FACILITY: Abandon Centralized E&P Waste Management Facility Permit (Form 28) – Facility ID Number \_\_\_\_\_ has not been constructed (Constructed facility requires closure per Rule 907)

OIL & GAS LOCATION ID Number: \_\_\_\_\_

☐ Abandon Oil & Gas Location Assessment (Form 2A) – Location has not been constructed and site will not be used in the future.

☐ Keep Oil & Gas Location Assessment (Form 2A) active until expiration date. This site will be used in the future.

**Surface disturbance from Oil and Gas Operations must be reclaimed per Rule 1003 and Rule 1004.**

### ☐ REQUEST FOR WELL RECORDS CONFIDENTIALITY (Rule 206.c.(1))

### ☐ DIGITAL WELL LOG UPLOAD

☐ DOCUMENTS SUBMITTED Purpose of Submission: \_\_\_\_\_

☐ COMPLIANCE with CONDITION OF APPROVAL (COA) on Form NO: \_\_\_\_\_ Document Number: \_\_\_\_\_

## RECLAMATION

### INTERIM RECLAMATION

☐ Interim Reclamation will commence approximately \_\_\_\_\_

Per Rule 1003.e.(3) operator shall submit Sundry Notice reporting interim reclamation is complete and site is ready for inspection when vegetation reaches 80% coverage.

☐ Interim reclamation complete, site ready for inspection.

Per Rule 1003.e(3) describe interim reclamation procedure in Comments below or provide as an attachment and attach required location photographs.

**Field inspection will be conducted to document Rule 1003.e. compliance**

### FINAL RECLAMATION

☒ Final Reclamation will commence approximately 04/03/2023

Per Rule 1004.c.(4) operator shall submit Sundry Notice reporting final reclamation is complete and site is ready for inspection when vegetation reaches 80% coverage.

☐ Final reclamation complete, site ready for inspection. Per Rule 1004.c(4) describe final reclamation procedure in Comments below or provide as an attachment.

**Field inspection will be conducted to document Rule 1004.c. compliance**

Comments:

The Subject Well Site is plugged and abandoned, and ENR has completed a majority of the reclamation requirements to restore the land to its pre-development condition consistent with landowner consent, including removing all associated production facilities and equipment and revegetating disturbed areas. The access road leading to the Subject Well Area predates development of the field in the area. ENR and the surface owner entered into Surface Owner Waivers for the access points, roads, and small improvements the surface owner wants to retain. Upon 2022 inspections, it has been determined that the following work is still necessary on the Subject Well Site in order to complete all of the reclamation requirements:

- Reseeding of the cut slope, approximately 0.1 acres, and of the pad, approximately 0.7 acres to reach 80% vegetation requirements
- Fixing rill erosion on the cut slope, and at the entrance to the pad
- Removal of sediment from culverts
- Treatment and removal of identified noxious weeds onsite

The Application for Rule 502 variance from the final reclamation requirements of Rule 1004.a for access points and roads, including roads that predate oil and gas development, and other small discrete improvements that the surface owner wants to retain at the Blackberry 24-29 Well Site in Las Animas County, Colorado is GRANTED. Landowner also requested an offsite pit remain for future use as a stock pond and for stormwater runoff.

**ENGINEERING AND ENVIRONMENTAL WORK**

☐ **REPORT OF TEMPORARY ABANDONMENT**

Describe the method used to ensure that the Well is closed to the atmosphere and the Operator's plans for future operation of the Well in the COMMENTS box below as required by Rule 434.b.(1).

☐ **REQUEST FOR TEMPORARY ABANDONMENT EXCEEDING 6 MONTHS**

State the reason for the extension request and explain the Operator's plans for future operation of the Well in the COMMENTS box below as required by Rule 434.b.(3).

Date well temporarily abandoned \_\_\_\_\_

Has Production Equipment been removed from site? \_\_\_\_\_

Mechanical Integrity Test (MIT) required. Date of last MIT \_\_\_\_\_

**TECHNICAL ENGINEERING AND ENVIRONMENTAL WORK**

Details of work must be described in full in the COMMENTS below or provided as an attachment.

☐ **NOTICE OF INTENT/REQUEST FOR APPROVAL**      Approximate Start Date \_\_\_\_\_

☐ **SUBSEQUENT REPORT**      Date of Activity \_\_\_\_\_

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Bradenhead Plan  | <input type="checkbox"/> Venting or Flaring (Rule 903) | <input type="checkbox"/> E&P Waste Mangement           |
| <input type="checkbox"/> Change Drilling Plan   | <input type="checkbox"/> Repair Well                   | <input type="checkbox"/> Beneficial Reuse of E&P Waste |
| <input type="checkbox"/> Gross Interval Change  |  |  |
| <input type="checkbox"/> Underground Injection Control  |  |  |
| <input type="checkbox"/> Request approval of Reuse and Recycling Plan per Rule 905.a.(3). (Reuse and Recycling Plan must be attached.)                    |  |  |
| <input type="checkbox"/> Request approval of Alternative Sampling Plan per Rule 909.j.(6). for this Pit. (Alternative Sampling Program must be attached.) |  |  |
| <input type="checkbox"/> Other  |  |  |

- ☐ Request that an existing produced water sample from the same formation be used per Rule 909.j.(6) to meet the requirements of Rule 909.j.(1)-(5) for this Well.

Pit ID \_\_\_\_\_ Pit Name \_\_\_\_\_

(No Sample Provided)

- ☐ Subsequent well operations with heavy equipment (Rule 312)

(No Well Provided)

**COMMENTS:**

**GAS CAPTURE**

**VENTING AND FLARING:**

Operation type: \_\_\_\_\_ Operational phase requiring venting/flaring: \_\_\_\_\_

Reason for venting/flaring: \_\_\_\_\_

Describe Other reason for venting/flaring:

Describe why venting or flaring is necessary. If reporting per Rule 903.b.(2), 903.c.(3).C, or 903.d.(2), include the explanation, rationale, and cause of the event:

Describe how the operation will protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources. If reporting per Rule 903.d.(2), include BMPs used to minimize venting on the BMP Tab:

Total volume of gas vented or flared: \_\_\_\_\_ mcf ☐ estimated ☐ measured

Total duration of emission event: \_\_\_\_\_ hours ☐ consecutive ☐ cumulative

Submit a single representative gas analysis via Form 43 to create a Sample Site Facility ID# for this Location. Reference the Form 43 document number on the Related Forms tab.

Sample Site Facility ID#: \_\_\_\_\_

#### GAS CAPTURE PLAN

Describe the plan to connect to a gathering line or beneficially use the gas; include anticipated timeline:

A Gas Capture Plan that meets the requirements of Rule 903.e is attached. ☐

#### CASING PROGRAM

(No Casing Provided)

#### POTENTIAL FLOW AND CONFINING FORMATIONS

#### H2S REPORTING

☐ Intentional release of H2S gas due to Upset Condition or malfunction.

☐ Intent to temporarily abandon well with potential H2S concentration >100 ppm.

Data Fields in this section are intended to document Sample and Location Data associated with the collection of a Gas Sample that is submitted for Laboratory Analysis.

Gas Analysis Report must be attached.

H2S Concentration: \_\_\_\_\_ in ppm (parts per million)

Date of Measurement or Sample Collection \_\_\_\_\_

Description of Sample Point:

Absolute Open Flow Potential \_\_\_\_\_ in CFPD (cubic feet per day)

Description of Release Potential and Duration (If flow is not open to the atmosphere, identify the duration in which the container or pipeline would likely be opened for servicing operations.):

Distance to nearest occupied residence, school, church, park, school bus stop, place of business, or other areas where the public could reasonably be expected to frequent: \_\_\_\_\_

Distance to nearest Federal, State, County, or municipal road or highway owned and principally maintained for public

use: \_\_\_\_\_

COMMENTS:

OIL & GAS LOCATION UPDATES

OGDP ID \_\_\_\_\_ OGDG Name \_\_\_\_\_

SITE EQUIPMENT LIST UPDATES

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

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

OTHER PERMANENT EQUIPMENT UPDATES

OTHER TEMPORARY EQUIPMENT UPDATES

CULTURAL AND SAFETY SETBACK UPDATES

OTHER LOCATION CHANGES AND UPDATES

Provide a description of other changes or updates to technical information for this Location:

POTENTIAL OGDG UPDATES

PROPOSED CHANGES TO AN APPROVED OGDG

☐ This Sundry Form 4 is being submitted pursuant to Rule 301.c to propose changes to an approved Oil and Gas Development Plan.

Check all boxes that pertain to the type(s) of changes being proposed for this OGDG:

<input type="checkbox"/> Add Oil and Gas Location(s)	<input type="checkbox"/> Add Drilling and Spacing Unit(s)
<input type="checkbox"/> Amend Oil and Gas Location(s)	<input type="checkbox"/> Amend Drilling and Spacing Unit(s)
<input type="checkbox"/> Remove Oil and Gas Location(s)	<input type="checkbox"/> Remove Drilling and Spacing Unit(s)
<input type="checkbox"/> Oil and Gas Location attachment or plan updates	<input type="checkbox"/> Amend the lands subject to the OGDG
<input type="checkbox"/> Other	

Provide a detailed description of the changes being proposed for this OGDG. Attach supporting documentation such as maps if necessary.

Best Management Practices		
No	BMP/COA Type	Description

**Operator Comments:**

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

Signed: \_\_\_\_\_ Print Name: Mackenzie Smith  
Title: Production Engineer Email: mackenzie.smith@enrllc.com Date: 5/31/2023

Based on the information provided herein, this Sundry Notice (Form 4) complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved:  Date: 6/27/2023

**CONDITIONS OF APPROVAL, IF ANY:**

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

**General Comments**

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Reclamation Specialist	Approval of the form 4 acknowledges that the COGCC has received this Notice. A field inspection will be performed to evaluate compliance with all other applicable Rules that apply.	06/27/2023
Agency	6/27/2023 - A more detailed description was provided but the following inconsistencies were found. - There is no offsite pit associated with this wellsite. - The entire length of the access road was not pre-existing.	06/27/2023
Reclamation Specialist	5/2/2023 - Emailed Evergreen to provide a description of the approved variance. Form returned to draft.	05/02/2023

Total: 3 comment(s)

**Attachment List**

<u>Att Doc Num</u>	<u>Name</u>
403362918	SUNDRY NOTICE APPROVED-OBJ-502-VAR-RECL
403362922	VARIANCE REQUEST
403447004	FORM 4 SUBMITTED

Total Attach: 3 Files