

**1041 WOGLA  
PRE-APPLICATION MEETING**



Meeting Date: **May 3, 2023**

Staff Specialist: **Stephanie Frederick**

Location Name: **Cypress, Mesquite, Acacia, and Alder**

Parcel Number(s): **147514200042, 130331200008, 13031730002, and 130316000001**

Operator/Applicant: **Kerr-McGee Oil & Gas Onshore, LP (KMG)**

Legal Description: **Section of 14, Township 1 North, Range 64 West, and Sections 31, 16, and 17, Township 2 North, Range 63 West, and West of the 6th P.M., Weld County, Colorado**

Invitees: **Rachel Friedman (KMG), Tracy Colling (KMG), Andy Lytle (KMG), John Noto (COGCC), Sabrina Trask (COGCC), Brandon Marette (CPW), Chris Mettenbrink (CPW), Richard Coffin (CDPHE), Ray Ogle (BLM), Chris Fernandez (Town of Keenesburg), Stephanie Frederick (OGED), Kelly Holliday (OGED), Elisa Kunkel (OGED), Shanee Turner (OGED), Jennifer Teeters (OGED), Jason Maxey (OGED), Ryan Fernandez (EH), Lauren Light (EH), Max Nadar (Planning), Kim Ogle (Planning), Natalie DeLaCroix (Development Review), Laura Gomez Hernandez (Development Review), Jazmyn Trujillo Martinez (Development Review) .**

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**NOTES**

This Pre-App meeting was held on, May 3, 2023, at 1:00 PM. In attendance were Andy Lytle (KMG), Rachel Friedman (KMG), Chad Brebis (KMG), Tracy Colling (KMG), Tom Crouch (KMG), Vince Gerrish (KMG), Alex Cheney (KMG), Ryan Seastrom (KMG), Matt Wells (KMG), Don Jobe (KMG), Ben Frissell (COGCC), Amanda Petzold (COGCC), Kevin Fletcher (COGCC), Derek Timmerman (COGCC), Brandon Marette (CPW), Chris Mettenbrink (CPW), Jason Maxey (OGED), Stephanie Frederick (OGED), Elisa Kunkel (OGED), Shanee Turner (OGED), Jennifer Teeters (OGED), Ryan Fernandez (WC Environmental Health), Laura Gomez Hernandez (WC Public Works Department - Development Review), Jazmyn Trujillo Martinez (WC Public Works Department – Development Review) and Natalie DeLaCroix (WC Planning Department – Development Review), Ray Ogle (BLM), Samantha Slagle (Town of Keenesburg), Roger Tinkleberg (Town of Keenesburg), Todd Hodges (Town of Keenesburg), and Mark Gary (Town of Keenesburg).

Kerr McGee Oil and Gas Onshore, LP (KMG) submitted a pre-application meeting request to the Weld County Oil and Gas Energy Department (OGED) for the Cypress, Mesquite, Acacia, and Alder Oil and Gas Locations. The Cypress Pad is proposed to be located in T1N-R64W Sec. 14 with minerals being developed in T1N-R64W Secs. 23, 14, 11, and 2: All. The Mesquite Pad is located in Section 31, T2N-R63W, with minerals being developed in T1N-R64W Sec 13: W1/2 and Secs. 12 and 1: All, T1N-R63W, Secs. 7 and 6: All, T2N-R63W, Sec. 31. The Acacia Pad is proposed to be located in T2N-R63W Sec. 17, with minerals being developed in T2N-R63W Sec. 32: N1/2, and Secs. 20, 17, and 29: All and Sec. 8: SE1/4NE1/4&S1/2. The Acacia Pad is located within the Town of Keenesburg jurisdictional boundary. The Alder Pad is proposed to be located in T2N-R63W Sec. 16 with minerals being developed in T2N-R63W Secs. 33, 28, 21, 16, and 9: All. The Cypress, Mesquite, and Acacia locations will include 20 horizontal wells, the Alder location will include 19. The anticipated start date of operations for the Cypress,



Alder is State Trust Lands and is leased for small game and limited big game hunting from the 1st of September through the end of February. KMG will need to work with CPW and OGED on an avoidance condition of approval.

#### **ALTERNATE LOCATION DISCUSSION:**

Even though KMG used thoughtful consideration when choosing their preferred locations, OGED inquired about other alternate locations that KMG may or may not have considered, identified on the map above as letters A, B, C also identified on the map are alternates that were discussed labeled as letters D, E, F, G and H.

- Alternate A - KMG advised that even though alternate A located in Section 9, of T2N-R63W north of the proposed Alder pad, is outside of the HPH and not within 2,000' of homes. The step-outs are so far it would not be technically feasible to capture all the minerals.
- Alternate B - KMG advised that alternative B located in Section 35, 36 T2N-64W outside of 2,000' of homes, is owned by the same surface owner as the Mesquite and prefers KMG site the location in Section 31.
- Alternate C - KMG advised that this area is outside HPH and outside 2,000' of homes but would require larger step-outs plus 4-mile laterals making this alternative not technically feasible.
- Alternate D - moved to section 28 it would be disruptive to agriculture operations; it would move them within 2,000' of homes and the surface owner was not approached.
- Alternate E – The location in Section 15 would move KMG closer to the Dairy and into the 100-year floodplain and drilling would be challenging.
- Alternate F - KMG advised they didn't consider co-locating with KPK in Section 20. They would have over a mile step-outs and didn't approach the surface owners, Kauffman Brothers about this parcel.
- Alternate G – KMG suggested moving the location to the north part of Section 35, would put it closer to a school facility and a hospital.
- Alternate H – KMG suggested moving the Mesquite pad in Section 36 would move the pad closer to a stream.

#### **LOCATION DETAILS**

- KMG is evaluating the opportunity for piping produced water off location and to utilize their water on demand system for completions. KMG's goal is to reduce the amount of truck traffic.
- Weld County Code
  - All four proposed locations fall in the designated lighting zone as LZ-1, recommended default zone for rural and low-density residential areas. A Lighting Plan is required for the Construction Phase providing confirmation of the ability to comply within 12 lumens, per sq ft of hardscape. A Lighting Plan for the Production Phase shall be required if permanent lighting is planned.
  - Mesquite, Acacia, and Alder are located in the Near Urban Planning Area, so the following noise levels will apply Construction Phase NL-3 and Production Phase NL-1. The Cypress Pad falls within the Ag-Rural planning area and will be required to adhere to NL-4 noise standard for the construction phase and NL-1 noise standards for the production phase. Ryan Fernandez with Environmental Health stated all four of the locations will require an odor mitigation plan as well as a noise mitigation plan. The Alder and Acacia locations will require a Baseline Ambient Noise Study due to the proximity of the commercial activity with an associated USR (MUSR14-0033) for a transload facility.
  - KMG will use a 3rd party mid-stream company to pipe oil and gas thus reducing truck traffic. They will temporarily use trucks for produced water.
  - 1041WOGLA Notice shall be provided to all property owners within 2,000' of the Oil & Gas Location.

- KMG is aware of all setback requirements identified in Sec. 21-5-490 and has no concerns meeting setback requirements.
- Cypress Location
  - Jazmyn Trujillo Martinez with Development Review expressed concerns with KMG's proposed haul route for the Cypress Pad utilizing CR 53. Weld County Public Works is researching the pavement conditions along CR 53, but improvements may be necessary.
  - Access: Natalie informed KMG that the access road for the Cypress will need to be aligned within County Right-of-way and built to the minimum County's standards and will require a right-a-way permit.
  - Drainage and Grading: The Cypress pad will require retention, unless KMG receives authorization from the ditch owner to discharge into the ditch.
  - Planning: A request to vacate a Recorded Exemption was received by Weld County Planning, from the Surface Owner. KMG will need to confirm there won't be conflicting land uses.
- Mesquite Location
  - Jazmyn with Development Review has no concerns with the proposed Mesquite haul route and approved the Cash-in-Lieu for \$57,000.
  - Access: The road for the proposed access for the Mesquite will need to be aligned within the County right-of-way and built to minimum standards.
  - Drainage and Grading: KMG will need to obtain authorization to discharge to the ditch or retention.
- Acacia Location
  - The Acacia Pad is within the Town of Keenesburg jurisdiction and KMG will work with the Town concerning the haul route and applying for a road maintenance agreement and an access permit.
- Alder Location
  - Access: Alder will need to have the access road aligned within the County right-of-way and built to the County's standards. KMG will need to obtain a floodplain permit for access road.
  - Jazmyn confirmed the approved Cash-in-Lieu for \$54,150 for the Alder haul route.
    - KMG mentioned that the Colorado State Land Board requires the access road to be built north of existing pipelines.

### **CONCLUSION**

After discussing all alternatives listed above, OGED Staff recommends that KMG follow up with CPW and COGCC, regarding the State lease lands. KMG will need to apply for a floodplain permit and continue discussions with Weld County regarding the access for the Alder pad.

KMG expressed no concerns with the direction given from Staff and presented no follow-up questions. Staff then inquired with the COGCC Staff if there were any additional topics, questions, or concerns needing to be addressed. In conclusion, there were no concerns expressed at this time for the Applications to not move forward.

At the time of this meeting Weld County and the Town of Keenesburg are negotiating an Intergovernmental Agreement (IGA), to allow Weld County Oil & Gas Energy Department to process the 1041 WOGLA permit application (s) for the Acacia location, as it falls within the Town of Keenesburg jurisdictional boundary.

KMG is welcome to submit 1041WOGLA Notice at any time.