

State of Colorado
Energy & Carbon Management Commission

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Document Number:

403619906

Date Received:

12/08/2023

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

5 of 5 CAs from the FIR responded to on this Form

5 CA Completed
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 10701

Name of Operator: UPLAND EXPLORATION LLC

Address: 424 S MAIN ST

City: BOERNE State: TX Zip: 78006

Contact Name and Telephone:

Name: _____

Phone: () _____ Fax: () _____

Email: _____

Additional Operator Contact:

Contact Name

Phone

Email

Adamczyk, Megan

megan.adamczyk@state.co.us

Rollins, Dustin

dustin@uplandexploration.com

COGCC INSPECTION SUMMARY:

FIR Document Number: 697504987

Inspection Date: 12/01/2023

FIR Submit Date: 12/01/2023

FIR Status: _____

Inspected Operator Information:

Company Name: UPLAND EXPLORATION LLC

Company Number: 10701

Address: 424 S MAIN ST

City: BOERNE State: TX Zip: 78006

LOCATION - Location ID: 456651

Location Name: Salt Ranch Fee Number: 18 East County: _____

Qtrqtr: SESE Sec: 18 Twp: 11N Range: 64W Meridian: 6

Latitude: 40.914603 Longitude: -104.584484

FACILITY - API Number: 05-123- -00 Facility ID: 456651

Facility Name: Salt Ranch Fee Number: 18 East

Qtrqtr: SESE Sec: 18 Twp: 11N Range: 64W Meridian: 6

Latitude: 40.914603 Longitude: -104.584484

CORRECTIVE ACTIONS:

1 ☒ CA# 188773

Corrective Action: Comply with Rule 427.b.

Date: 02/28/2023

It is the responsibility of the Operator to manage all contractors.

Operator shall implement more robust BMPs to ensure speed restrictions are being followed.

Response: CA COMPLETED


Date of Completion: 03/03/2023

Upland had previously reduced the lease road speed from 20 mph to 15 mph. Upland is further reducing the

Operator Comment: lease road speed to 10 mph, and is posting new signs. Upland Gate Guard will continue to talk with contactors to ensure they maintain speed below posted speed limit.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC does not deny there has been a guard at the entrance but simply that it previously has not been working to resolve the dust/speeding issue. ECMC does not understand how reducing the speed limit any further will achieve compliance when contractors simply aren't following any of the speed limits. There is documentation that Upland contractors are going over 40 mph.

2  CA# 188774

Corrective Action: Comply with the Form 2A Access Road Map (Doc.# 401576196). Failure to comply would be considered a permit violation.

It is the responsibility of the Operator to manage all contractors.

The corrective action date is the date the inspection was submitted. Note- the most recent complaints regarding this issue were submitted on 11/15/2023 and 11/27/2023.

Date: 12/01/2023

Response: CA COMPLETED Date of Completion: 04/20/2023

Operator Comment: 24 hour Gate Security commenced on 4/24/2023. Upland has a controlled gate and gate security to manage unauthorized access on the lease road. Upland deployed a do not enter sign at the Surface Owner's private residence (photo attached herein) on 4/20/2023. Surface Owner removed the sign. Upland communicates access directions to all contractors.

COGCC Decision: **Not Approved**

COGCC Representative: Upland has no evidence the sign was removed by the Surface Owner. Sign or no sign, contractors should know what the proper access route is. This continues to be an on-going issues. Upland has not provided any supporting documentation suggesting Upland has communicated access directions to all contractors.

3  CA# 188775

Corrective Action: Comply with Rule 603.h.

It is the responsibility of the Operator to manage all contractors.

The corrective action date is the date the inspection was submitted. Note- the most recent complaint regarding this issue was submitted on 11/15/2023.

Note- this has been an issue in the past with the solar powered automatic gate not working during overcast weather conditions.


Date: 11/17/2023

Response: CA COMPLETED Date of Completion: 04/24/2023

Operator Comment: Gate is overseen by 24 hr gate security. The gate has never been unattended. Auto gate was first damaged on 7-2-23 repaired and put into full manual on 7-3-23. New automatic opener installed on 10-11-23 CCRP rock truck drove through gate in 10-12-23 and destroyed opener's. Temporarily repaired gate the evening of 10-12-23 and rebuilt on 10-13-23. Gate is manually operated by site security and no unauthorized personnel is allowed on access road. Statements regarding trespass are addressed above.

COGCC Decision: Approved via an AMI

COGCC Representative: Operator has provided evidence from October-December 3rd that there has been gate security; therefore, suggesting that gate security would restrict access by unauthorized persons.
Note- there was evidence the gate was left open and should be closed even if there is gate security 24/7.

4  CA# 188776

Corrective Action: Comply with Rule 1002.e.(4) so that all vehicles used by the operator, contractors, and other parties associated with the well shall not travel outside of the original access road boundary.

The corrective action date is the date the inspection was submitted. Note- the most recent complaint regarding this issue was submitted on 11/27/2023.

Date: 12/01/2023

Response: CA COMPLETED Date of Completion: 10/19/2023

Operator Comment: Upland has documentation from CCRP confirming that the truck seen trespassing was a CCRP contractor, not Upland. Surface Owner's picture represents Upland's security gate guard and CCRP Contractor's black truck. Date reflects the conversation Upland had with CCRP addressing the original complaint. Additionally, contractor

repairing the gate was parked safely off the access road, not to impede the flow of traffic.

COGCC Decision: Approved via an AMI

COGCC Representative: ECMC had discussions with CCRP regarding the attached picture. This CCRP contractor only went to the CCRP Salt Ranch Fee East location; therefore, there was no violation. ECMC has noted this complaint (Doc.#403608921) filed against Upland has no violations.

5  CA# 188777

Corrective Action: Comply with Notice to Operators: Interim Reclamation Procedures for Delayed Operations (dated January 5, 2017).

Date: 12/01/2023

The corrective action date is the date the inspection was submitted. Note- the complaint regarding this issue was submitted on 11/2/2023.

Response: CA COMPLETED

Date of Completion: 12/08/2023

Operator Comment: Upland Exploration, LLC, has submitted Form 2 renewals 4/27/2023 for additional wells on this location, with the intention of drilling these wells. The currently producing wells began producing in November 2022; the additional wells are proposed to be drilled within 12 months of the current wells being drilled and brought on to production. The original proposed timing for interim reclamation complies with ECMC Rule 1003.b., which allows disturbed areas reasonably needed for subsequent drilling operations to remain disturbed until subsequent drilling operations commence within 12 months. SRF interim reclamation was to commence in November 2023, Upland filed a Form 4 Sundry on May 22, 2023 (approved 8/21/2023) requesting extension of interim reclamation based on the refiling of the Form 2 APDs (which have yet to be approved). Given the delay of the approval of Upland's Form 2's, Upland will seek an Interim Reclamation Variance and will bond for the cost in lieu of conducting interim reclamation.

COGCC Decision: **Not Approved**

COGCC Representative: These FIRR's are intended to update ECMC when the corrective action has been complete, not provide a plan for compliance. ECMC appreciates the update regarding the plan to Comply with the NTO: Interim Reclamation Procedures for Delayed Operations but will not approve this FIRR or the corrective action until the variance hearing application has been submitted.

Upland shall provide monthly updates to ECMC staff, Chris Binschus, regarding the Interim Reclamation Variance progress. The first update shall be provided on January 2, 2024. Upland can provide the update via email to ECMC staff, Chris Binschus.

OPERATOR COMMENT AND SUBMITTAL

Comment:

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

Print Name: Dustin Rollins

Signed: _____

Title: Field Operations Manager

Date: 12/8/2023 5:51:24 PM

ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
403619906	FIR RESOLUTION SUBMITTED
403619950	24 hr Gate Guard Timesheets
403619951	Do not enter sign at Surface Owner Entrance
403619952	CCRP Contractor Confirmation

Total Attach: 4 Files