



Anderson - DNR, Laurel <laurel.anderson@state.co.us>

Fwd: 24-hr Notification of Spill - Dechant State # 3 Flowline

Freese - DNR, Steve <steve.freese@state.co.us>

Fri, Sep 27, 2024 at 12:46 PM

To: John Peterson <JPeterson@kpk.com>

Cc: "Grabber - DNR, Nikki" <nikki.graber@state.co.us>, "Anderson - DNR, Laurel" <laurel.anderson@state.co.us>, Juan Reyes <JReyes@kpk.com>, Cullen Chew <cchew@kpk.com>, Avi Mehler <AMehler@kpk.com>, Ross Watzman <rwatzman@kpk.com>, Jeffrey Kauffman <jkauffman@kpk.com>, Kevin Kauffman <kpkauffman@kpk.com>, Jeremy Ferrin - DNR <jeremy.ferrin@state.co.us>

Good Afternoon,

The Land Board would like to again request that the spill/remediation be fenced in a manner sufficient to protect livestock. The agricultural lessee has the right to graze the entire W2 of 16 2N 67W at anytime and without any notice to the State Land Board or any other lessee on the property. The Land Board previously requested that all of KPK's oil and gas equipment be fenced (email attached) and so to the extent that any O&G equipment is not fenced off to protect livestock I am again requesting that it be done as soon as possible.

Thank you,

Steve Freese
Minerals Field Specialist
Colorado State Board of Land Commissioners
C 303.905.2808
1127 Sherman Street, Suite 300, Denver, CO 80203
Steve.Freese@state.co.us

On Fri, Sep 27, 2024 at 11:11 AM John Peterson <JPeterson@kpk.com> wrote:

That timeframe seems highly unlikely given there is currently no way to contain them in that pasture. Our crews will keep an eye out for fence work on the parcel and make sure we get a barbed wire or hot wire fence at that time. We are committed to not interrupting the lessees plan to graze in that area.

Please provide me with the contact information for the lessee so I can introduce myself and we can coordinate our efforts with theirs.

JP



John D. Peterson, P.G.

Executive VP - EHS & Compliance

1700 Lincoln Street, Suite 4550

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C: 303-550-8872

From: Graber - DNR, Nikki <nikki.graber@state.co.us>

Sent: Friday, September 27, 2024 9:42 AM

To: John Peterson <JPeterson@kpk.com>

Cc: Anderson - DNR, Laurel <laurel.anderson@state.co.us>; Juan Reyes <JReyes@kpk.com>; Cullen Chew <cchew@kpk.com>; Avi Mehler <AMehler@kpk.com>; Ross Watzman <rwatzman@kpk.com>; Jeffrey Kauffman <jkauffman@kpk.com>; Freese - DNR, Steve <steve.freese@state.co.us>; Kevin Kauffman <kpkkauffman@kpk.com>; Jeremy Ferrin - DNR <jeremy.ferrin@state.co.us>

Subject: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Re: 24-hr Notification of Spill - Dechant State # 3 Flowline

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Mr. Peterson,

Please reread Mr. Freese's email, emphasis added:

" The Land Board has a grazing lease on this parcel and cattle are currently on the Northern part of this section. **The agricultural lessee intends to move the herd to the Southern pastures (which include the spill area) in the next day or two.**"

Please reply all with photos once the fence is up.

Nikki Graber, PG

DJ Basin Region Environmental Supervisor



COLORADO
Energy & Carbon Management
Commission
Department of Natural Resources

C 970.250.0543 | P 970.663.5719

Nikki.Graber@state.co.us | www.colorado.gov/ecmc

On Thu, Sep 26, 2024 at 4:54 PM John Peterson <JPeterson@kpk.com> wrote:

Ms. Graber/Mr. Freese:

Im not quite sure about the supposed cattle use specified by Mr. Freese. Perhaps we should meet on site to discuss the cattle use on the parcel where our spill is located so I can better understand.

Based on information I'm getting from the field, there is no fence around the pasture in which our spill is located. In other words, if cattle were grazing around the spill area (which they aren't), they would have access to the county roads, cause a hazard to vehicle traffic and themselves, and be able to walk all over the Town of Firestone. Furthermore, all of KPK's and Oxy's production equipment would have already been outfitted to be protective of cattle to accommodate said grazing activities. None of these facilities have any such fencing and KPK has not had fencing at these locations in many years, if ever.

During my field inspection on 9/25/24, I did not observe any cattle grazing in the area. The prairie grass present is long and intact and has not experienced any recent grazing. There were also no fences, gates, or cattle guards to cross as I entered the property. There are cattle actively grazing further to the north close to C.R. 22 more than 0.5 miles away but those cattle are already contained within a fence and they cannot access the parcel south nor the spill area at this time.

There is currently no risk of cattle encountering the spill area unless significant improvements to livestock security are made across the parcel to accommodate grazing. The current excavation is protected by orange fencing, which is sufficient to protect human health, livestock, and wildlife at this time. KPK does not plan to modify this fence type unless surface use conditions change.

If the State decides to change the current cattle grazing configuration and use of the land, fences to the east, west, and south will be needed and are not the responsibility of KPK. In addition, all production equipment for KPK and other operators in the parcel will also likely require protection for livestock. Please let us know if this land use is planned for change in the near future (and the timing of such change) and we will be sure to install 3-strand barb wire or hot wire fence around the spill area before the parcel is used for grazing livestock. Im sure Oxy would also appreciate a notification of any change in land use.

Below is a street view image from Google Earth at the entrance to the Dechant 3 lease from C.R. 20 looking north northwest. Please note no fencing or cattle guards at the entrance or around the Dechant 3 production well in the background to provide adequate protection for potential grazing livestock. There are no other physical boundaries between this point and the spill location except for KPK's orange fencing.



Oxy's facility just north of C.R. 20 also shows no fencing to protect livestock.



We appreciate your concern for the livestock and in reaching out to us. We share in the need to protect livestock from adverse impacts as a result of oil and gas operations in the State of Colorado. We are committed to addressing concerns to human health and welfare, the environment, wildlife, and livestock that have the potential to be threatened by KPK's operations.

Best,

JP



John D. Peterson, P.G.

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From: Graber - DNR, Nikki <nikki.graber@state.co.us>

Sent: Thursday, September 26, 2024 3:53 PM

To: John Peterson <JPeterson@kpk.com>

Cc: Anderson - DNR, Laurel <laurel.anderson@state.co.us>; Juan Reyes <JReyes@kpk.com>; Cullen Chew <cchew@kpk.com>; Avi Mehler <AMehler@kpk.com>; Ross Watzman <rwatzman@kpk.com>; Jeffrey Kauffman <jkauffman@kpk.com>; Freese - DNR, Steve <steve.freese@state.co.us>

Subject: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Re: 24-hr Notification of Spill - Dechant State # 3 Flowline

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Mr. Peterson,

Please reply all to this email with photos once the fencing has been installed to the landowner specifications and in accordance with 913.b.(5)B i.

Nikki Graber, PG

DJ Basin Region Environmental Supervisor



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Nikki.Graber@state.co.us | www.colorado.gov/ecmc

On Thu, Sep 26, 2024 at 1:44 PM Freese - DNR, Steve <steve.freese@state.co.us> wrote:

Laurel,

Can you please confirm that the excavation will be fenced sufficiently to keep livestock out of the contaminated area and away from the stockpile of contaminated soil? The Land Board has a grazing lease on this parcel and cattle are currently on the Northern part of this section. The agricultural lessee intends to move the herd to the Southern pastures (which include the spill area)

in the next day or two.

The Land Board as surface owner requests either a three strand barbed wire fence or a hot wire fence that will completely exclude the livestock from any of the contaminated soils. Plastic "snow" fencing will not be sufficient to keep livestock away from the contaminated area.

Thank you,

Steve Freese

Minerals Field Specialist

Colorado State Board of Land Commissioners

C 303.905.2808

1127 Sherman Street, Suite 300, Denver, CO 80203

Steve.Freese@state.co.us

On Tue, Sep 24, 2024 at 4:13 PM Anderson - DNR, Laurel <laurel.anderson@state.co.us> wrote:

Good afternoon, Steve,

The Form 19i has been conditionally approved and Spill ID 487984 assigned. Documents pertaining to the spill will be available here once approved: [Dechant State 3 Flowline](#). I will include you on my inspection from yesterday, you should receive an email once it is submitted.

All the best,

Laurel Anderson

Environmental Protection Specialist

My pronouns: she/her/hers



COLORADO

**Energy & Carbon Management
Commission**

Department of Natural Resources

P 303.894.2100 | C 970-404-9911 | F 303.894.2109

1120 Lincoln Street, Suite 801, Denver, CO 80203

Laurel.Anderson@state.co.us | www.colorado.gov/ecmc

Upcoming days out of office:

September 26th through October 2nd

On Tue, Sep 24, 2024 at 3:21 PM Freese - DNR, Steve <steve.freese@state.co.us> wrote:

Laurel,

Thank you for sending a copy of the form 19. This is very helpful.

Steve Freese

Minerals Field Specialist

Colorado State Board of Land Commissioners

C 303.905.2808

1127 Sherman Street, Suite 300, Denver, CO 80203

Steve.Freese@state.co.us

On Tue, Sep 24, 2024 at 2:44 PM Anderson - DNR, Laurel <laurel.anderson@state.co.us> wrote:

Good afternoon, Steve,

I believe I can help you out. Attached is the Form 19i KPK originally submitted yesterday. KPK requested the form be returned to draft for corrections this morning and subsequently resubmitted the revised Form 19i at 10:13 this morning. We will review the revised form shortly and send you a note when it and our Field Inspection Report are processed.

All the best,

Laurel Anderson

Environmental Protection Specialist

My pronouns: she/her/hers



COLORADO

**Energy & Carbon Management
Commission**

Department of Natural Resources

P 303.894.2100 | C 970-404-9911 | F 303.894.2109

1120 Lincoln Street, Suite 801, Denver, CO 80203

Laurel.Anderson@state.co.us | www.colorado.gov/ecmc

Upcoming days out of office:

September 13th and September 26th through October 2nd

On Tue, Sep 24, 2024 at 2:08 PM John Peterson <JPeterson@kpk.com> wrote:

Not unwilling. We just don't have the approved form yet. The Facility ID is 475722.



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From: Freese - DNR, Steve <steve.freese@state.co.us>

Sent: Tuesday, September 24, 2024 1:17 PM

To: John Peterson <JPeterson@kpk.com>

Cc: Juan Reyes <JReyes@kpk.com>; Graber - DNR, Nikki <nikki.graber@state.co.us>; Cullen Chew <cchew@kpk.com>; Avi Mehler <AMehler@kpk.com>; Ross Watzman <rwatzman@kpk.com>; Jeffrey Kauffman <jkauffman@kpk.com>; laurel.anderson@state.co.us

Subject: [EXTERNAL]Re: [EXTERNAL]Re: 24-hr Notification of Spill - Dechant State # 3 Flowline

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John,

If KPK is unwilling to directly send the form 19 and other relevant documents to the State Land Board (surface and minerals owner) please provide the location number, well API, or flowline number where the initial spill report and all supplemental documents will be filed since this did not occur over a mapped location/flowline.

Thank you,

Steve Freese

Minerals Field Specialist

Colorado State Board of Land Commissioners

C [303.905.2808](tel:303.905.2808)

[1127 Sherman Street, Suite 300, Denver, CO 80203](https://www.state.co.us/dnr/1127%20Sherman%20Street%2C%20Suite%20300%2C%20Denver%2C%20CO%2080203)

Steve.Freese@state.co.us

On Tue, Sep 24, 2024 at 10:35 AM John Peterson <JPeterson@kpk.com> wrote:

Steve,

Form 19s are publicly available on ECMC's website as soon as they are approved. You can easily search and download this form when it is approved, likely within the next few days.

The original flowline registration information provided to ECMC was based on all available information in KPK's files and field locate attempts short of using intrusive methods to locate and identify the flowlines. At this site, the flowline is constructed of fiberglass (Not locatable using utility equipment). It is not uncommon that the actual location of the flowline discovered during a spill does not match the initial registration information. KPK plans to file an updated Form 44 for the Dechant State 3 Flowline spill but we are still in the process of emergency response and remediation.

JP



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From: Freese - DNR, Steve <steve.freese@state.co.us>

Sent: Monday, September 23, 2024 7:10 AM

To: Juan Reyes <JReyes@kpk.com>

Subject: [EXTERNAL]Re: 24-hr Notification of Spill - Dechant State # 3 Flowline

Juan,

An aerial photograph of a golf course with a black and purple line tracing a path through the fairways and greens. The path starts at a yellow circle, goes through several red and blue markers, and ends at a red 'X'. The map includes a scale bar and a north arrow.

Thank you,

Steve Freese

Minerals Field Specialist

Colorado State Board of Land Commissioners

C 303.905.2808

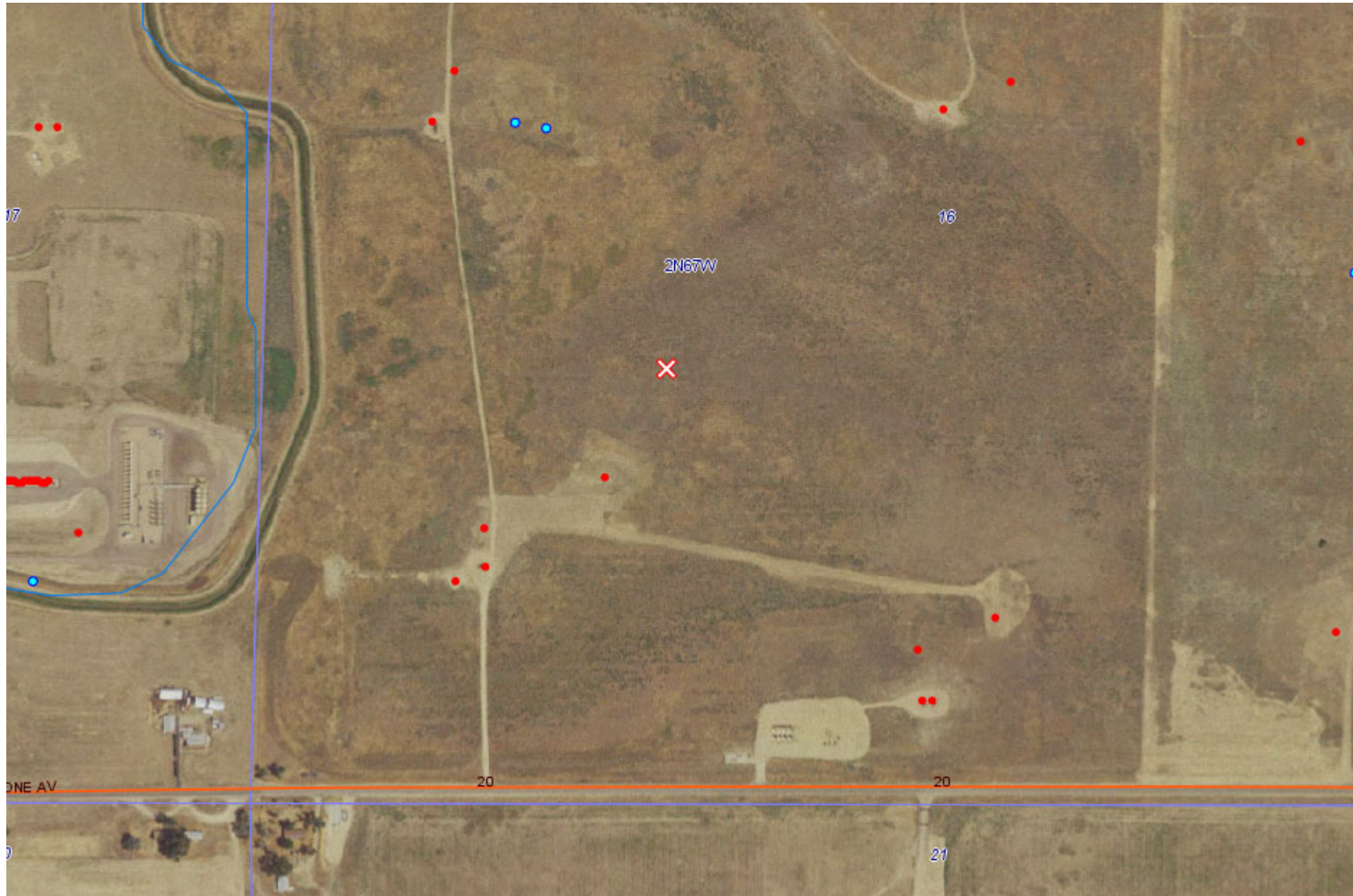
[1127 Sherman Street, Suite 300, Denver, CO 80203](#)

Steve.Freese@state.co.us

On Fri, Sep 20, 2024 at 5:01 PM Juan Reyes <JReyes@kpk.com> wrote:

All,

KPK is providing the 24 hr. notification of a spill from what is expected to be the Dechant State # 3 Flowline County Rd 20, ½ mile east of Del Camino Ln. The location of the spill is Lat/Long: 40.1345814, -104.9009553. The site is located about 1,000 ft east of the Coal Ridge Ditch.



Stained soil was observed on the ground surface by a pumper visiting a site nearby. KPK immediately isolated the suspected line, and shut-in the well feeding the line. KPK has initiated excavation activities and will submit a Form 19 for the spill. We will notify LGDs and the landowner.

Additional investigation is necessary to determine the root cause.

Please let me know if you have any questions,

Juan Reyes

