

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

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Document Number: <u>403213423</u>			
Date Received: <u>10/31/2022</u>			

**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>Levi Montoya</u>
Name of Operator: <u>EVERGREEN NATURAL RESOURCES LLC</u>	Phone: <u>(719) 846-7898</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>levi.montoya@enrllc.com</u>

**FORM 4 SUBMITTED FOR:**

Facility Type: PIT

API Number : 05- 071 00 ID Number: 278704

Name: MALIBU 22-3 ONSITE Number:

Location QtrQtr: SEnw Section: 3 Township: 32S 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
308520	MALIBU-632S66W 3SEnw

**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>SEnw</u>	Sec <u>3</u>	Twp <u>32S</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>

\*\*

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

## OTHER

### ☐ RULE 502 VARIANCE

Order Number: \_\_\_\_\_

Description: \_\_\_\_\_

### ☐ 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 MALIBU 22-3 ONSITE Number \_\_\_\_\_ 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 (Form2) – 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: 909j Sampling Non-Applicable

☐ 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 \_\_\_\_\_

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:

#### 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. ☐

#### 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 \_\_\_\_\_ OGD 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 OGD UPDATES

#### PROPOSED CHANGES TO AN APPROVED OGD

☐ 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 OGD:

- |  |  |
|--|--|
| <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 OGD  |
| <input type="checkbox"/> Other   |  |

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

### **Best Management Practices**

#### **No BMP/COA Type**

#### **Description**

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#### Operator Comments:

The Malibu 22-3 well has an onsite pit that must comply with 909J sampling, effective on January 15th, 2021. The well has not produced water since 10/1/2011, making it incapable to grab a sample to represent the pit. Evergreen intends to complete the 909J sampling requirements when the well begins to produce water.

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

Signed: _____		Print Name: <u>Levi Montoya</u>	
Title: <u>Environmental Technician</u>	Email: <u>levi.montoya@enrllc.com</u>	Date: <u>10/31/2022</u>	

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

COGCC Approved: KOEPSSELL, ARTHUR Date: 11/15/2022

<b>CONDITIONS OF APPROVAL, IF ANY:</b>	
<b><u>COA Type</u></b>	<b><u>Description</u></b>
	Within 60 days of approval of this form the operator will provide a Form 15 pit report updating the latitude and longitude of the pit as specified in Rule 909.a.(2). In addition the operator will complete the Operation Information and Conditions/Design & Construction tabs of the Form 15.
	Once water production has resumed to the pit, the operator will collect samples for water quality analysis as specified in Rule 909.j. Sample collection will occur within 30 days of recommencement of water production and will be reported within 3 months of collection, as specified in Rule 909.j.(3).
2 COAs	

<b><u>General Comments</u></b>		
<b><u>User Group</u></b>	<b><u>Comment</u></b>	<b><u>Comment Date</u></b>
		Stamp Upon Approval
Total: 0 comment(s)		

<b><u>Attachment List</u></b>	
<b><u>Att Doc Num</u></b>	<b><u>Name</u></b>
403213423	SUNDRY NOTICE APPROVED-DOC
403213430	CORRESPONDENCE
403230101	FORM 4 SUBMITTED
Total Attach: 3 Files	