

## Kubeczko, Dave

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**From:** Kubeczko, Dave  
**Sent:** Thursday, December 02, 2010 4:22 PM  
**To:** Kubeczko, Dave  
**Subject:** FW: Black Resources, Inc., State 12H-33-38-16, SESE Sec 33 T38N R16W, Montezuma County, Form 2A (#2584978) Review

Scan No 2033524      CORRESPONDENCE      2A#2584978

-----Original Message-----

From: blackmustang@charter.net [mailto:blackmustang@charter.net]  
Sent: Monday, November 15, 2010 8:44 AM  
To: Kubeczko, Dave  
Subject: RE: Black Resources, Inc., State 12H-33-38-16, SESE Sec 33 T38N R16W, Montezuma County, Form 2A (#2584978) Review

Dave,

Thanks for the correspondence. Black Resources respectfully requests in accordance with Rule 303.d.C that comments be added to Form 2A that the proposed pipeline location will follow the access road and also add comments to concur with your email for compliance with Water Resources (Section 14).

Thanks,

Bill Black  
Black Resources, Inc.

On Fri, Nov 12, 2010 at 4:31 PM, Kubeczko, Dave wrote:

> Bill,  
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>  
> I have been reviewing the State 12H-33-38-16 Form 2A (#2584978).  
> COGCC  
> requests the following clarifications regarding the data Black  
> Resources has submitted on or attached to the Form 2A. In addition,  
> COGCC would like to attach the following conditions of approval (COAs)  
> based on the information on the Form 2A prior to passing the Oil and  
> Gas Location Assessment (OGLA) review.  
>  
> 1. Rule 303.d.(3).C.: Neither the scaled Location drawing nor  
> the  
> Location Layout Drawing, show the location of the proposed gas  
> pipeline.  
> One of these drawings should show the anticipated location of this new  
> facility. Otherwise, a statement indicating that the proposed  
> pipeline location will follow the access road in the comments section  
> would be sufficient. I can make the change if you send an email with  
> this request.  
> 2. Water Resources (Section 14): Form 2A indicates the distance  
> to the nearest surface water is 1320 feet. COGCC's rules state that

> the distance to the nearest surface water should reflect intermittent  
> (this includes ephemeral streams, irrigation ditches, drainages, dry  
> washes, abandoned gravel pits), as well as, perennial streams.  
> COGCC's  
> review indicates there is an intermittent stream located approximately  
> 281 feet to the east of the well pad. I can make this change if you  
> send an email with this request. COGCC guidelines require designating  
> all locations within close proximity to surface water a sensitive  
> area.  
> The following conditions of approval (COAs) will apply:  
> COA 4 - Location is in a sensitive area because of its proximity to  
> surface water; therefore, operator must ensure 110 percent secondary  
> containment for any volume of fluids contained at well site during  
> drilling and completion operations; potential option include, but are  
> not limited to: construction of a berm or diversion dike (either  
> around the entire well pad, portions of the well pad, or around  
> specific vessels and/or structures); diversion/collection trenches  
> within and/or outside of berms/dikes; site grading; or other  
> comparable measures (i.e., BMPs associated with stormwater management)  
> sufficiently protective of nearby surface water.  
> COA 5 - Operator must implement best management practices to contain  
> any unintentional release of fluids; including any fluids conveyed by  
> temporary surface pipeline.  
>  
> 1. Water Resources (Section 14): Form 2A indicates the depth to  
> groundwater to be 20 feet bgs for a well located 8360 feet from the  
> proposed well pad. Based on the well pad's proximity to nearby  
> surface water, this water level (20 feet bgs) appears to be indicative  
> of groundwater conditions in this area. COGCC guidelines require  
> designating all locations with shallow groundwater a sensitive area.  
> The following conditions of approval (COA) will apply:  
> COA 7 - Location is in a sensitive area because of the potential for  
> shallow groundwater; therefore either a lined drilling pit or a closed  
> loop system must be implemented.  
> COA 8 - Location is in a sensitive area because of the potential for  
> shallow groundwater; therefore production pits (including frac water  
> flowback pits and produce water pits) must be lined.  
>  
> 2. General: The following conditions of approval (COAs) will  
> also  
> apply:  
>  
> COA 38 - The moisture content of any drill cuttings in a cuttings pit,  
> trench, or pile shall be as low as practicable to prevent accumulation  
> of liquids greater than de minimis amounts. At the time of closure,  
> the drill cuttings must also meet the applicable standards of Table  
> 910-1.  
>  
>  
> COA 39 - No portion of any pit that will be used to hold liquids shall  
> be constructed on fill material, unless the pit and fill slope are  
> designed and certified by a professional engineer, subject to review  
> and approval by the director prior to construction of the pit. The  
> construction and lining of the pit shall be supervised by a  
> professional engineer or their agent. The entire base of the pit must  
> be in cut.  
>

>  
> COGCC would appreciate your concurrence with attaching these COAs  
> (items 2, 3, and 4) to the Form 2A permit prior to passing the OGLA  
> review.  
> The  
> other issues (items 1 and 2) also needs to be addressed prior to  
> permit approval. If you have any questions, please do not hesitate to  
> call me  
> at (970) 309-2514 (cell), or email. Thanks.  
>  
>  
> Dave  
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>  
> David A. Kubeczko, PG  
>  
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>  
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> P Please consider the environment before printing this e-mail