



DEPARTMENT OF NATURAL RESOURCES

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General Assembly  
State Capital  
Denver, CO 80203

In compliance with Colorado Revised Statutes, Section 34-60-104 (III) (A), the Colorado Oil and Gas Conservation Commission is submitting its quarterly report to the General Assembly concerning the number of complaints received by the Commission. During this period, the Commission received a total of 32 complaints involving 32 issues.

The report is sorted by the type of complaint and provides information on the complainant's identity and the commission's response.



# COGCC Complaint Report

## October 1, 2008 - December 31, 2008

### BASELINE WATER REQUEST

**Type:** BASELINE WATER REQUEST

**Date:** 10/12/2008

**Complainant:** Ken Valentine

23085 County Road 43.7

Aguilar

CO

810209704

**Description of Complaint:**

Mr. Valentine is concerned that proposed drilling and CBM operations in the vicinity of a stock water well may adversely impact water quality.

**COGCC Response:**

Letter summarizing the results of the investigation sent to the Valentines. No impacts to groundwater quality in their stock well observed at this time from nearby CBM operations.

**Type:** BASELINE WATER REQUEST

**Date:** 11/07/2008

**Complainant:** Marcia Skowron

14123 CR 31.9

Weston

CO

81091

**Description of Complaint:**

One approved permit and two permits pending within an approximate half mile radius of the Skowron's water well. They would like a baseline sample and analysis before any further drilling in the vicinity of their domestic well.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### COGCC Response:

Compared current results to groundwater standards. Only TDS exceeds groundwater standard. All other analytes tested within groundwater standards. Well had been sampled as part of the Raton Basin Phase 1 baseline in 2002 and also sampled by LTE as part of the Raton Basin Phase 2 baseline. Compared results from most recent sampling to those of previous sampling and analysis events. TDS concentration has doubled. Concentration of sodium in water from the relatively shallow domestic well has increased by factor of three. Bicarbonate increased and chloride increased as well. Located three outfalls for disposal of CBM produced water upstream of the Skowron water well along San Pablo and Wet Canyons. Skowron domestic well is located near the channel of Wet Canyon a short distance downstream of the confluence of Wet Canyon drainage and San Pablo Canyon drainage. No flow in either drainage channel upstream of permitted discharge points.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### DUST

**Type:** DUST

**Date:** 10/29/2008

**Complainant:** Tommy Thompson

Garfield County Rd 325

Rifle

CO

**Description of Complaint:**

Dust described as "giant plumes of dust" coming from the south end of Garfield county Rd 325. Also Dust coming from the East on the Beaver Creek Ridge area.

**COGCC Response:**

COGCC staff inspected the road and pad that the construction equipment was using and found no violations. Staff left their contact information with Mr. Thompson and asked that he notify the COGCC with any further dust complaints. Staff also spoke with the construction foreman at EnCana, Scott Parker, and described the complaint. Staff asked that continued efforts at dust control be ongoing during this project.



# COGCC Complaint Report October 1, 2008 - December 31, 2008

## GROUND WATER

**Type:** GROUND WATER **Date:** 12/02/2008  
**Complainant:** Melanie Bounds PO Box 1129 La Veta CO 810551129

**Description of Complaint:** Continued monitoring of ground water quality as MIMMP injection well activities commence.

**COGCC Response:** Summary letter sent to the complainant. No changes or further impacts to groundwater at their domestic well observed in most recent testing.

**Type:** GROUND WATER **Date:** 12/03/2008  
**Complainant:** Ken Burge La Veta Pine Ranch Lot 16 La Veta CO 81055

**Description of Complaint:** Baseline groundwater sampling and analysis at onset of Petroglyph MIMMP injection well operations

**COGCC Response:** Summary letter sent to complainant. Concentrations of methane in groundwater drawn to the well are at levels that may pose a risk of explosion if brought into a confined space. No changes observed as a result of start-up of the removal and injection wells.

**Type:** GROUND WATER **Date:** 12/03/2008  
**Complainant:** Tammie Derowitsch River Ridge Ranch Lot 60 Walsenburg CO 81089

**Description of Complaint:** Continued monitoring due to methane in Poison Canyon Formation.

**COGCC Response:** Discussed sampling and analysis of water wells in MIMMP area with Craig Saldin of Petroglyph.

**Type:** GROUND WATER **Date:** 12/05/2008



## COGCC Complaint Report October 1, 2008 - December 31, 2008

**Complainant:** Jerry Angely PO Box 1080 Walsenburg CO 81089

**Description of Complaint:**

Continued monitoring due to methane in Poison Canyon Formation aquifers.

**COGCC Response:**

Discussed sampling and analysis plans with Craig Saldin of Petroglyph via e-mail.

**Type:** GROUND WATER

**Date:** 12/18/2008

**Complainant:** Bruce Hopke 99 Hawk Ridge Trail Walsenburg CO 810899633

**Description of Complaint:**

Continued monitoring of groundwater quality as MIMMP injection well activities commence

**COGCC Response:**

Water samples from the Hopke domestic well collected with assistance from Whetstone Associates. Water samples submitted to laboratory for analysis of general inorganic water quality parameters, dissolved methane and VOC's. Discussed sampling and analysis plan with Tom Melland and Craig Saldin of Petroglyph via e-mail.

**Type:** GROUND WATER

**Date:** 12/22/2008

**Complainant:** Vince Coleman Lot 70, River Ridge Ranch Walsenburg CO

**Description of Complaint:**

Continued monitoring during start-up of MIMMP pump, treat and inject Phase 1.

**COGCC Response:**

Letter summarizing results of most recent sampling and analysis sent to Mr. Coleman. Concentration of toluene in groundwater in the domestic well has continued to decrease. General inorganic chemistry of groundwater at the well has remained constant since first sampled in June 2007. No impacts from startup of MIMMP pump, treat and re-inject operations were observed.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### LAND USE CONFLICT

**Type:** LAND USE CONFLICT **Date:** 12/23/2008  
**Complainant:** Brad Windell 9999 WCR 25 Fort Lupton CO 80621

**Description of Complaint:**  
The Windells lease land for duck hunting. The operator refuses to cooperate and coordinate with owner's duck hunting and repeatedly interrupts hunting.

**COGCC Response:**  
COGCC contacted operator. Operator will notify landowner of future operations during hunting season.

**Type:** LAND USE CONFLICT **Date:** 12/23/2008  
**Complainant:** Brad Windell 9999 WCR 25 Fort Lupton CO 80621

**Description of Complaint:**  
The Windells lease land for duck hunting. The operator refuses to cooperate and coordinate with owner's duck hunting and repeatedly interrupts hunting.

**COGCC Response:**  
COGCC contacted operator. Operator will notify landowner of future operations during hunting season.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### LEAKING WELL

**Type:** LEAKING WELL

**Date:** 11/07/2008

**Complainant:** Lu Boren

2687 CR 214

Durango

CO 81303

**Description of Complaint:**

Concerned there is a gas leak that is killing vegetation on their property. Dead vegetation spots are present where a gas tap exits the well. Will be fencing in this area and have safety concerns.

**COGCC Response:**

No methane gas detected. No further action at this time. Forwarded a copy of the report to Ms. Boren for her records.





## COGCC Complaint Report October 1, 2008 - December 31, 2008

### NOISE

**Type:** NOISE

**Date:** 10/02/2008

**Complainant:** Brenda Wilson

1235 Thoroughbred Lane

Durango

CO 81303

**Description of Complaint:**

Email was received from Complainant indicating that noise levels coming from compressors associated with this facility have increased since Friday (9/26/08) and are disturbing them. Complainant indicates that noise levels are high at night, even when all windows and doors are shut.

**COGCC Response:**

Noise measurements were taken both with compressors on and off. Noise levels while on slightly exceeded COGCC prescribed limits. Noise levels with compressor off were all within COGCC prescribed limits. Permit is in process with county to install building to enclose compressor. Measurements will be taken again after installation. NOAV being issued based on formal complaint.

Inspection in response to NOAV: Sound walls have been installed s-e-w sides of compressor to reduce noise levels. Sound walls also installed on s-e-w sides of pumping unit. Inspector unable to take sound measurements to windy conditions.

**Type:** NOISE

**Date:** 11/03/2008

**Complainant:** James Watt

15018 County Road "M"

Dolores County

CO

**Description of Complaint:**

Adjacent landowner states that ongoing noise from this facility is disturbing them, especially at night when prevailing winds shift from the SW to the North. Complainant also indicates that they have previously contacted Kinder Morgan to discuss, but have had no satisfactory resolve.



## **COGCC Complaint Report October 1, 2008 - December 31, 2008**

### **COGCC Response:**

SW Field Inspector made field visit on 11/1/2008 at 10:15 AM. No wind. Approx. 50 degrees. Noise measurements recorded at 350 feet were as follows: Due West=47.4-49.8 dbA. Due North=41.9-45.3 dbA. South between power pole and substation fence=48.3-49.6 dbA. Noise measurements fall within COGCC prescribed limits under Rule 802.c.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### ODOR

**Type:** ODOR **Date:** 11/17/2008  
**Complainant:** Mike and Pat Smith 795 Cty Rd 326 Silt CO 81652

**Description of Complaint:**  
Odor associated with a nearby oil & gas operation

**COGCC Response:**  
At time of inspection Basic Services was rigging up to the last well head. Barrett is drilling out plugs on the Circle B #1.

**Type:** ODOR **Date:** 11/18/2008  
**Complainant:** Toby Gucinni Chipper Field Lane Silt CO

**Description of Complaint:**  
Odor associated with oil and gas activity at a nearby pad.

**COGCC Response:**  
Conducting flow back operations on the Circle B #1 pad. Using one tank to flow into and a separator to remove gas and oil. Oil is stored in a tank, a small amount on the surface of the pit

**Type:** ODOR **Date:** 12/02/2008  
**Complainant:** Nate Dutton 4000 County Road 306 Parachute CO 816359435

**Description of Complaint:**  
Complainant reports strong odor from an unattended production pad adjacent to his property. Complainant states that his 13-year old son's asthma was made worse by vapors/mist blowing into his residence from the subject pad. Complainant states that he has contacted the operator, but that there was no response.



## **COGCC Complaint Report October 1, 2008 - December 31, 2008**

### **COGCC Response:**

COGCC has met with the complaintant and inspected the subject location. Noble has also begun investigating the incident. Noble's investigation originally centered around the only active workover operations in the area. Noble's investigation subsequently focused on the subject well which had been swabbed several weeks prior to the date of the complaint.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### OTHER

**Type:** OTHER **Date:** 10/24/2008  
**Complainant:** WESTERN RESOURCE Boulder CO

**Description of Complaint:**  
Western Resource Advocates was contacted by a landowner who wanted to remain anonymous but did want to report what they believed was an ongoing spill. A photograph of a pit and lab reports were submitted to the COGCC by WRA.

**COGCC Response:**  
COGCC staff conducted a site inspection. Pit had been backfilled and no indication of a leak or release was evident.

**Type:** OTHER **Date:** 11/26/2008  
**Complainant:** Troy Swain 1555 N. 17th Ave Greeley CO 80631

**Description of Complaint:**  
Complaint alleged that the Operator was taking waste fluids from other operators and improperly disposing in their injection well.

**COGCC Response:**  
Representative from Operator indicated the Apollo 15-18I had recently been permitted as a commercial disposal well. Apollo had recently brought it on line and had injected some produced water generated from Apollo operations only.

**Type:** OTHER **Date:** 12/01/2008  
**Complainant:** Lisa Bracken Silt Co

**Description of Complaint:**



## **COGCC Complaint Report October 1, 2008 - December 31, 2008**

From: L Bracken [mailto:colobroker1@earthlink.net]

Sent: Monday, November 03, 2008 1:17 PM

To: Helgeland, Gary

Subject: Fluid on ground at Aspen Properties site off 331 road

Hi Gary, this is a picture of the fluid on the ground – we had not had any rain in weeks when this photo was taken (Oct 30 2008). Maybe it's just a normal thing – but maybe there is a leak. Don't know. There was no odor and the fluid appeared clear.

Again, this site is right off County Road 331 (left hand side of road) on the Aspen Properties land. The site can be easily identified by a camouflage-painted condensate tank.

Will you please let me know what it is, if it is anything but water?



## COGCC Complaint Report October 1, 2008 - December 31, 2008

Thanks, Lisa Bracken

**COGCC Response:**

Operator stated that they would respond and get someone to look at this site. Staff visit saw no sheen or odor.

**Type:** OTHER

**Date:** 12/08/2008

**Complainant:** Mark Richers

14975 Riverdale Rd

Brighton

CO

80602

**Description of Complaint:**

Phase I audit identified wellsite as possible environmental problems.

**COGCC Response:**

COGCC staff inspection (12/8/08) shows miscellaneous spillage at well tank battery and miscellaneous trash/junk on tank battery and well sites. NOAV (#200199788) issued to operator to correct issues.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### PITS

**Type:** PITS

**Date:** 12/18/2008

**Complainant:** Terry Fitzgerald

**Description of Complaint:**

Pits are ready to overflow. Wildlife fences have been knocked down.

**COGCC Response:**

COGCC staff inspected the area days before required winter closure. Overall, the project area was in good condition. The area was tidy, the Bull Canyon Road gate was closed and locked, and stormwater management controls were functioning properly. As shown in the attached photos, the reserve pits are full. Staff found no evidence of any fluid overflow from the pits. There is some spilled bentonite drilling mud on the NE corner of the 16U#1 pad near a topsoil storage area, and it looks like a tank dripped some more of the drilling mud on the access road as it was removed from the location. The bentonite mud poses no threat to human health and safety or the environment, and will be bladed into the surface material of the pad and road when Petrox does their last pass of maintenance before leaving the area for the winter closure. Petrox will also finish the minor repairs needed on the reserve pit fences, bird deterrent flagging, the liner on the north end of the 16U#1 reserve pit, and clean out the 16U#1 well head cellar.

**Type:** PITS

**Date:** 12/18/2008

**Complainant:** Terry Fitzgerald

**Description of Complaint:**

Pits close to overflowing. See complaint #200200571 for details.





## COGCC Complaint Report October 1, 2008 - December 31, 2008

**COGCC Response:**

Determined to be Federal surface. United States Forest Service to take lead.

**Type:** PITS

**Date:** 12/18/2008

**Complainant:** Terry Fitzgerald

**Description of Complaint:**

Pits close to overflowing. See Complaint #200200571 for details.

**COGCC Response:**

Determined to be Federal surface. United States Forest Service to take the lead.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### SOIL CONTAMINATION

**Type:** SOIL CONTAMINATION

**Date:** 11/24/2008

**Complainant:** Troy Swain

555 N 17th Ave

Greeley

CO

80631

**Description of Complaint:**

Weld County Dept. of Environmental & Health (Troy Swain) received complaint regarding possible drilling mud disposal along WCR 49 & 30 (NENE Section 25, Township 3 North Range 65 West).

Bob: The Department received a complaint on 11/19/08 regarding dump trucks dumping black and gray soil on property on the west side of WCR 49, south of CR 30. I went by yesterday 11/20/08; it is drilling wastes On SW corner of WCR 49 & 30 going S about 1/2 mile. According to the Weld County Assessor records, the property is owned by Wes Moser, Inc., I will mail you a copy of the complaint. Our Department is referring it to COGCC through you. The Complainant was informed it was probably drilling mud, if so; the Department would refer it to COGCC.

**COGCC Response:**

Operator is disposing the used drilling mud as a soil amendment, which is allowed under COGCC Rule 907.d(3)B. Beneficial reuse of drilling mud as a soil amendment is allowed with permission of the surface landowner.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### SPILLS

**Type:** SPILLS **Date:** 12/03/2008  
**Complainant:** Weld County Dept of Health 1555 N. 17th Ave Greeley CO 80631

**Description of Complaint:**  
Complainant said trucks were spilling drilling mud on WCR 51 just south of Hwy 34.

**COGCC Response:**  
All drilling mud was cleaned up on WCR 51. Operator will ensure trucks are properly loaded and secured to prevent future spills.

**Type:** SPILLS **Date:** 12/17/2008  
**Complainant:** Walter Stonehocker 15600 Holly St Brighton Co 80602

**Description of Complaint:**  
Landowner has several oil & gas locations that may have soil and/or ground water impacts. Landowner submitted several investigation documents for COGCC staff review. Area covers both sections 7 and 8, T1S, R67W. Some locations are active and some appear to be P&A'ed locations.

**COGCC Response:**  
COGCC staff are reviewing the report (contains information on 33 separate well site/production facilities) to proceed with enforcement, if necessary and to determine if a site is orphaned.



## COGCC Complaint Report October 1, 2008 - December 31, 2008

### VEGETATION

**Type:** VEGETATION

**Date:** 12/14/2008

**Complainant:** Lisa Bracken

Silt

CO

**Description of Complaint:**

Complainant states she has observed dead zones with extreme lack of vegetation associated with this well site and extending to surrounding property.

**COGCC Response:**

COGCC staff met Brad Stephanson of Cordilleran and toured pastures and fields in question. Observable difference noted however appears to be difference in agricultural practices or land use.



# COGCC Complaint Report

## October 1, 2008 - December 31, 2008

### WATER WELL

**Type:** WATER WELL **Date:** 10/10/2008  
**Complainant:** Amee Ellsworth 20991 CR 20 Ft Lupton CO 80621

**Description of Complaint:**  
 Landowner has water well with gas in it and would like the COGCC to sample.

**COGCC Response:**  
 The water well is impacted with production gas and the COGCC is investigating which well(s) may be the source. Investigation is continuing and has not been completed.

**Type:** WATER WELL **Date:** 10/21/2008  
**Complainant:** JAY SANDQUIST 18510 WCR 39, PO BOX 193 LASALLE CO 80645

**Description of Complaint:**  
 Complainant called to report that the water in his water well smells like crude oil. The water well was drilled several years ago. He first observed the odor in August 2008, and it has not diminished. He owns the surface for the s/2 of the nw/4 of 32-4n-65w (80-acres). The Lambert R G 32-6 (Noble) is the closest oil & gas well to his water well. Nearby oil & gas wells were recently stimulated. KPK and Encana operate other wells on the 80-acre parcel.

**COGCC Response:**  
 Sample results show no oil and gas impacts to Mr. Sandquist's water well. Letter was sent with all of the analytical data.

**Type:** WATER WELL **Date:** 10/31/2008  
**Complainant:** Ryan Cheese 262 West Mesa Road Durango CO 81303



## COGCC Complaint Report October 1, 2008 - December 31, 2008

**Description of Complaint:**

New water well drilled 7/2008. Concerns with strong hydrocarbon odor in house. Owner collected samples for VOCs and chemistries. Concerned impact may be from nearby gas wells.

**COGCC Response:**

No methane, hydrogen sulfide, or VOCs detected in well water. Odor likely from bacterial growth. Staff sent letter with "How Well Do You Know Your Water Well" booklet (document #1733272).

**Type:** WATER WELL

**Date:** 11/04/2008

**Complainant:** Russ Bachofer

11585 WCR 18

Ft Lupton

CO

80621

**Description of Complaint:**

Mr. Russ Bachofer

Mr. Virgil Sorenson

There are two water wells on their property that they would like to have sampled for possible oil & gas impact.

**COGCC Response:**

The COGCC sampled both the Bachofer and Sorensen water wells on 10/21/08. No oil & gas impacts were observed.