



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 23 complaints involving 25 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 January 1, 2010 - March 31, 2010

BASELINE WATER REQUEST

Type: BASELINE WATER REQUEST

Date: 02/17/2010

Complainant: Melanie Palmer

171 Longview Lane

Bayfield

CO 81122

Description of Complaint:

Requesting a baseline water test of their domestic water well.

COGCC Response:

No ID'd impacts from oil and gas development. Good water quality. Iron-reducing bacteria and coliform bacteria present.

Type: BASELINE WATER REQUEST

Date: 03/22/2010

Complainant: Victor Androvich

24639 WCR 6

Hudson

CO 80642

Description of Complaint:

Landowner would like to have water well sampled. Well has flammable gas.

COGCC Response:

Water quality results show well to have constituents similar to other Laramie Fox Hills Aquifer water wells in area. Well contains biogenic methane gas. No evidence of any oil and gas impacts to water well. Summary letter with all analytical results sent to water well owner.

Type: BASELINE WATER REQUEST

Date: 03/25/2010

Complainant: Bob Ashleigh

0705 S. Cedar Springs Ranch Road Rifle

Co

Description of Complaint:

Bob Ashleigh called to request that his water well be sampled. It has not been sampled since it was installed, about three years ago. He does not have a complaint per se, just a request for sampling.



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COGCC Response:

Sample has been returned from lab and is being reviewed by staff.



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GROUND WATER

Type: GROUND WATER **Date:** 01/10/2010
Complainant: Tracy Dahl 14218 Switchback Rd. Weston CO 810919576

Description of Complaint:
Mr. and Mrs. Dahl are concerned that recent completion activities at the NFR 14-1R CBM well may have impacted water quality in Poison Canyon Fm. aquifer that their domestic well is completed in.

COGCC Response:
Letter summarizing results of January 2010 sampling and analysis of groundwater from the Dahl domestic well mailed. No impacts from nearby CBM drilling and stimulation activities were noted in the data. Most recent data was compared to results of several sampling events dating to 2004. Overall water quality has remained constant within the limits of sampling and analytical errors.

Type: GROUND WATER **Date:** 01/28/2010
Complainant: Shirley Andexler PO BOX1188 Walsenburg CO 81089

Description of Complaint:
Mrs. Andexler expressed concerns regarding water quality at her domestic well and continued operation of the MIMMP system.

COGCC Response:
No impacts from nearby CBM operations observed in analytical results. Methane concentration is currently less than 5µg/l. No impacts observed in this groundwater source as in some Poison Canyon aquifer wells a mile or two to the west.

Type: GROUND WATER **Date:** 02/16/2010
Complainant: Don Derowitsch River Ridge Ranch lot 60 Walsenburg CO 81089



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Description of Complaint:

Mr. and Mrs. Derowitsch have noted increased odor of hydrogen sulfide in water from their domestic well and are concerned about general water quality and possible impacts from MIMMP operations.

COGCC Response:

MIMMP operations by Petroglyph in the immediate vicinity of the Derowitsch domestic well have not had an adverse impact on water quality produced by the well. Dissolved methane concentrations are at levels that may pose an explosion risk even though the homeowner has installed an aerator system in the vented outdoor cistern. Petroglyph has installed a methane alarm system in the home.



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NOISE

Type: NOISE

Date: 02/16/2010

Complainant: Alva Padilla

Eaton

CO

Description of Complaint:

Complained that noise and lights from drilling rig disturbed sleep.

COGCC Response:

Placed rig on location with engine noise facing north away from houses 600' south of well site. Lights on derrick pointed at work floor for crew safety and must be on at night since rig operations are 24 hours per day.

Type: NOISE

Date: 02/25/2010

Complainant: Chris Creighton

Aguilar

CO 81020

Description of Complaint:

At 1:30 pm, on (02/16/10), I was contacted by Peter Gintautas. He said he was sending me a E-mail about a noise complaint on two wells. The Creighton 34-30 and the Orion 41-30. He asked me if I would take noise readings. I told him I would go the next day.

COGCC Response:

At 1:45 - 2:05 pm staff called and talked with Mr. Creighton. Staff told him they had taken noise readings at the Creighton 34-30 and Orion 41-30. The noise readings were in compliance for both wells. It was also explained that staff had talked with Elton Smith of Pioneer about putting up noise baffling walls at both locations. Mr. Creighton asked staff if they could send him an E-mail, about how he could get in touch with the COGCC commissioners. Staff sent the E-mail the next day (02/26/10).

Type: NOISE

Date: 03/29/2010



COGCC Complaint Report January 1, 2010 - March 31, 2010

Complainant: Tracy & Amy Dahl

1428 Switchback Lane

Weston

CO

81091

Description of Complaint:

At 2:14 pm on (03/10/10), I was contacted by Peter Gintautas. He sent me an E-mail about a noise complaint involving a trailer mounted compressor, at the North Fork Ranch 14-1R. He asked me if I would take noise readings. I told him I would look into it, weather permitting, the following week.

COGCC Response:

At 4:25 pm staff spoke with Amy Dahl, about the results of the noise readings. Staff informed her they were in compliance with the COGCC Regulations. She asked if staff could send her a copy of the noise readings. Staff sent her the information on 03/27/10.



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NOTIFICATION

Type: NOTIFICATION

Date: 01/12/2010

Complainant: L.G. Everist, Inc.

7321 E. 88th Ave #200

Henderson

CO 80640

Description of Complaint:

EnCana Oil and Gas (USA) Inc. has failed to comply with Rule 305(e) which require notice and an opportunity to request an onsite inspection before proceeding with a permit to drill a new well. Only recently has L.G. Everist, Inc., the surface owner at the site which is to be permitted as Nelson 4-6-32, learned that a formal permit application was filed. See attached scanned documents for complete description and supporting documentation.

COGCC Response:

Attorney (Robert Bruce) for surface owner (L.G. Everist) stated in phone call on 6/4/2010 that all issues have been resolved.

Type: NOTIFICATION

Date: 01/12/2010

Complainant: L.G. Everist, Inc.

7321 E. 88th Ave #200

Henderson

CO 80640

Description of Complaint:



COGCC Complaint Report January 1, 2010 - March 31, 2010

From written statement supplied by the complainant:

EnCana Oil & Gas (USA), Inc. ("EnCana") has failed to comply with Rule 305(e) which require notice and an opportunity to request an onsite inspection before proceeding with a permit to drill a new well. Only recently has L.G. Everist, Inc., the surface owner at the site which is to be permitted as Nelson 406032, learned that a formal permit application was filed.

Contrary to what may be indicated in your files, EnCana did not receive notice in compliance with Rule 305(e). Instead, Doug Perlman discussed a possible out of window waiver on September 10, 2009. See Exhibit B. L.G. Everist. responded on October 2, 2009. See Exhibit C.

After sending the letter on October 2, 2009, L.G. Everist, Inc. did not hear back from Encana. It was only after the 2009 holidays that L.G. Everist, Inc. discovered that EnCana applied for a permit. As you can see, the formal notice requirements for this permit have not been met, and L.G. Everist, Inc. has not been given a fair opportunity for a site inspection or to analyze the requested permit application.

L.G. Everist, Inc. requests that COGCC stay [See Rule 303(3)(m)] the pending permit application and schedule an onsite visit between the parties as contemplated by Rule 305(e).

COGCC Response:

Complaint withdrawn by landowner. See scanned documents for letter.



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ODOR

Type: ODOR

Date: 02/23/2010

Complainant: Lisa Braken

Silt

CO

Description of Complaint:

During the week of 2/15/10 There was a odor and noise in the area of API 05-045-14609.

COGCC Response:

No Violations were found at the pad site. Staff contacted Mrs. Bracken and relayed the events of the last week regarding the 05-045-14609.



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OTHER

Type: OTHER **Date:** 01/06/2010
Complainant: Tony Gale-Buccaneer Energy 633 17th Street, Suite 1970 Denver CO 80202

Description of Complaint:
Operator has failed to file the mud log or a completion report in a timely manner as per the COGCC rules. It is believed this is intentionally done to prevent other operators from competing with SG.

COGCC Response:
The delay between receiving the log and the public viewing was due to the need to clarify whether well information was protected by COGCC confidentiality rules.

Type: OTHER **Date:** 02/17/2010
Complainant: Val VanArtsdalen 8350 Widow Woman Canyon Trinidad CO 81082

Description of Complaint:
Mr. Van Artsdalen reported that he has recently had two small fires in the shed near his domestic well. He thinks the fires may have resulted from buildup of methane from his nearby water well or from seepage of methane through the ground under the shed.

COGCC Response:
Received quote for soil gas and well shed survey from Vista. Work will need to be scheduled for period when snow is gone from ground surface and soils are not saturated with water. COGCC was informed that earliest work could be accomplished is week of May 10th due to other commitments on their part.

Type: OTHER **Date:** 03/22/2010
Complainant: Troy Swain 1555 N. 17th Ave Greeley CO 80631



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Description of Complaint:

Weld County Department of Public Health & Environment received anonymous complaint that oil field waste had been dumped in a field at the intersection of CR 95 & 96.

COGCC Response:

Met property owner at 47021 County Road 95, Briggsdale, CO 80611 who gave COGCC permission to inspect property. Observed area in flat field to north of residence where bentonitic drilling fluids had been applied. It appeared that application had been done in compliance with COGCC Rule 907.d.(3)B with the exception of 10-days to incorporate. Landowner thought the fluids had been applied in December 2009 and indicated they planned on incorporating fluids into native soil as soon as weather allowed. Fluids had dried and there did not appear to be any threat of off-site migration.



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PITS

Type: PITS

Date: 03/09/2010

Complainant: Amy and Tracy Dahl

14218 Switchback Road

Weston

CO

81091

Description of Complaint:

Mr. and Mrs. Dahl believe that wastes were being disposed of at the drilling pit at the North Fork Ranch 14-1R well.

COGCC Response:

No finding of violation at this time concerning closure of drilling pit at the 14-1 R well site. Awaiting response from Pioneer regarding how they ensured that closure requirements of interim reclamation of drilling pits and threshold criteria of Table 910-1 were met.



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ROADS

Type: ROADS **Date:** 02/01/2010
Complainant: Steve Ammentorp 4575 Blue Sage Dr. Whitewater CO 81527

Description of Complaint:
 HOA road damaged from drilling activities and pipeline intallation in 2007. Aspen (original operator) was contacted and agreed to lay down new road bed and top dress with gravel/crushed rock. Road bed was layed down but no top dressing. Fram operating (new operator) drilled well (Whiting 26-5)in 07/2009. Fram graded road a few times which resulted in removal of most roadbed put in by Aspen. Road is now back in bad condition.

COGCC Response:
 The HOA is laying in a natural gas line so staff requested that the operator wait until this work is finished before they repair the road. There is one resident left who needs to cross the road with a line to their house.

Type: ROADS **Date:** 02/08/2010
Complainant: Charles Mitchek Cheyenne Wells CO 80810

Description of Complaint:
 Tenant complained that pumper and lease maintenance equipment is not using lease road during poor weather condtions and are traveling out into pasture.

COGCC Response:
 Issued an NOAV to require operator to use lease road

Type: ROADS **Date:** 03/18/2010
Complainant: ROBERT SWAN



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Description of Complaint:

Road not being maintained. Not able to get out due to snow.

COGCC Response:

Road was being repaired by the operator.



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SIGNS

Type: SIGNS

Date: 01/19/2010

Complainant: Mike Speaker

Fire Dept

New Raymer

CO

Description of Complaint:

Raymer fire department responded to treater fire at location on 1/9/10. Sign at lease road did not have emergency contact phone number. Because there was no phone number, the fire department contacted COGCC to inform somebody that they had shut-in well and put out fire. Also, stated that other tank batteries in area did not have proper signage with emergency contact phone listing.

COGCC Response:

NOAV issued for inadequate signage, improper tank labelling, site-wide oily soil, junk and trash on location, unused equipment stored on site, weed control, inadequate freeboard at water pit and oil on pit, leak at wellhead. Requested that operator verify proper signage at all facilities in area.



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SPILLS

Type: SPILLS

Complainant: Rick Bumgardner

6395 Parachute Creek

Parachute

Date: 01/05/2010

CO

Description of Complaint:



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Rick Bumgardner, a land owner on Parachute Creek, (south of Garden Gulch, west side of the creek, at 6395 Parachute Creek) came into the Rifle COGCC office 1/5/2010 at 11:10 am. Rick reported that PDC had a spill/release today at approximately 8 am. Rick reported that liquid was discharging from a 4" pipe at the base of a Rain for Rent storage tank (big, square tank) for about 20 minutes. Rick estimated that more than 20 gallons were released. Rick reported that it puddled in the road and ran down the road, but he said it did not make it all the way to the creek. Rick collected a sample of the liquid, however it is unknown if it was from the discharge or from one of the puddles in the road. The sample was collected in an 8-oz Kerr jelly jar, which Rick said was clean from the kitchen of his house. The jar contained about 7 oz. of liquid with lid and ring in place. Jay Krabacher smelled the liquid in the jar and said it had a hydrocarbon and shoe-polish type odor to it. Rick reported that Tony Barrientos, PDC Completion Supervisor Western Rockies, told him that the liquid was "fresh water from the creek", which Rick does not believe. Rick reported that the release was shut down after about 20 minutes of discharge and PDC built berms to contain the spill. Rick had Anthony's business card. Rick does not seem to believe PDC will sample and report honestly. Rick stated that "Tony lied to him about the contents of the tank". Rick took his sample with him, stating it was insurance and was going to put it in his cooler to keep it cool.

Jay and I pulled up the COGCC map and had Rick locate the well in question to the best of his ability. Rick indicated it was at the center of Section 17, 6S 96W. The well located where Rick indicated on the map, is PDC well Chevron 22D-17, API number 05-045-14738.



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COGCC Response:

The investigation into the spill that Rick Bumgardner reported is ongoing and has been assigned Spill

Tracking Number 1632063

Type: SPILLS

Date: 02/08/2010

Complainant: Charles Mitchek

Cheyenne Wells CO 80810

Description of Complaint:

Tenant expressed concern that there was salt water spilled out onto farm ground.

COGCC Response:

Observed no spills, no salt water contamination apparent, discoloration was caused from sediment runoff from well pad.

Type: SPILLS

Date: 02/17/2010

Complainant: Larry Grooms

Akron CO

Description of Complaint:

Landowner (Larry Grooms) claims a pit release flooded a small portion of his corn pivot.

COGCC Response:

Soil samples collected to determine if crop damage had or would occur, these did not exceed any Table 910-1 standards, as a result, COGCC did not conclude there was any crop damage. The complaint is still open because there were numerous violations. Staff collected a ground water sample from a nearby irrigation well on June 2nd to check for impacts to shallow aquifer. Results are pending.



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STORMWATER BMPs

Type: STORMWATER BMPs
Complainant: Charles Mitchek

Date: 02/08/2010
Cheyenne Wells CO 80810

Description of Complaint:
Tenant complained of erosion from well pad onto farm ground

COGCC Response:
Issued NOAV to require operator to design and implement erosion control measures



COGCC Complaint Report

January 1, 2010 - March 31, 2010

WATER WELL

Type: WATER WELL

Date: 02/23/2010

Complainant: Evelyn Schwisow

22795 Hwy 392

Greeley

CO

80631

Description of Complaint:

Complainant alleges impact to domestic water well from nearby oil & gas operations. May have been a nearby flowline leak in the past 1-1.5 years. Claims there is oil in the water well.

COGCC Response:

Based on water sample results and inspections of surrounding oil & gas facilities, there is no data that would indicate the water quality in the Schwisow domestic water well has been impacted by nearby oil and gas operations. Reference letter to Evelyn Schwisow dated 3/25/10 COGCC Doc#2605871.