

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

Section 390 Categorical Exclusion for Oil and Gas Development

NUMBER: DOI-BLM-CO-110-2011-0064-CX(390)

CASEFILE/PROJECT NUMBER: COC56876 and amend access road ROW COC64597

PROJECT NAME: APDs for Foundation Energy Pad A (12B-18-1-103, 11-18-1-103) and Pad B (4A-18-1-103, 5-18-1-103, 6-18-1-103)

LEGAL DESCRIPTION: T. 1 S., R. 103 W., Sec. 18, NW¹/₄NW¹/₄, 6th Principle Meridian (Pad A)

T. 1 S., R. 103W., Sec. 18, SE¹/₄SE¹/₄, 6th Principle Meridian (Pad B)

APPLICANT: Foundation Energy Management

BACKGROUND: The applicant proposes to drill 5 new oil wells on two existing pad locations (See Figure 1).

DESCRIPTION OF PROPOSED ACTION:

Pad A

The proposed 12B-18-1-103 and 11-18-1-103 wells would be drilled from Pad A and would require an additional 0.2 acres of disturbance to extend the northeastern boundary of the pad. The pad extension would accommodate additional frac equipment that will be used to stimulate the well bore. The existing road would be used to access this location, and the pipeline for these wells would tie in to the existing pipeline corridor.

Pad B

The proposed 5-18-1-103, 6-18-1-103, and 4A-18-1-103 wells would be drilled from Pad B and would not require any new disturbance outside of the existing disturbance. The existing road would be used to access this location, and the pipeline would tie in to the existing pipeline corridor.

This action, if approved and implemented, would result in approximately 0.2 acres of new surface disturbance.

Design Features:

The applicant has agreed to the following design features:

1. The operator will provide post construction data (.dwg and GIS files of as-built surveys). The purpose of this request is to help BLM track total acres disturbed on a lease-by-lease basis. Ideally, the surveyor would re-visit the location after construction has ended and collect survey boundaries of the total extent of area that was disturbed to construct the well pad.
2. The pad will be expanded minimally as shown on Figure 1. All future fracing operations will be confined to this area unless other arrangements are made and approved through the BLM.
3. Weeds are present on the steep, west facing slope. The BLM has requested that the operator inventory and treat all noxious weeds in all areas within the proposed disturbance areas in accordance with the Pesticide Use Proposal (PUP) on file with the BLM WRFO.
4. The designated Natural Resource Specialist (NRS) of the White River Field Office will be given 24-hour notification via email or phone prior to beginning all reclamation activities associated with this project. Reclamation activities may include, but are not limited to, seed bed preparation that results in disturbance of surface soils, seeding, constructing exclosures,(e.g., fences) to exclude livestock from reclaimed areas.
5. The operator will be required to meet with the WRFO reclamation staff in March or April of each calendar year and present a comprehensive work plan. The purpose of the plan is to provide information pertaining to reclamation activities that are expected to occur during the current growing season. The operator shall also provide a map that shows all reclamation sites where some form of reclamation actively is expected to occur during the current growing season.
6. The BLM has required that the west facing slope of the existing location be re-seeded. The recommended method will include hydro-mulch/seed for this slope. Jute matting or other matting material will not be required.
7. Reclamation will be done as requested by the BLM. Interim Reclamation may include replacement of topsoil immediately following the end of completion operation.
8. All seed tags will be submitted to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended via Sundry Notice. The Sundry will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the Sundry Notice will include the well or wellpad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro seeded, drilled), whether the seeding activity represents interim or final reclamation, an estimate of the total acres seeded, an attached

map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

9. In the event a producing well is completed, the unused areas of the well location will be recontoured to appropriate configuration (that allows lease operations and alleviates steep cut and fill slopes, minimizing accelerated erosion). Some of the stockpiled topsoil will be redistributed over the unused area and seeded with an approved seed mixture. This will be done the fall season after proper backfilling of the reserve pit has occurred. A seed mixture will be provided by the BLM in the Conditions or Approval, or prior to reclamation.

Decision to be Made: The BLM will decide whether or not to approve the Proposed Action, which includes construction activities, drilling five oil wells on two existing well pads, and installing two spur pipelines.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: “Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.”

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

1) Is surface disturbance associated with the Proposed Action less than five acres? Surface disturbance associated with the Proposed Action is less than five acres. The proposal includes drilling 5 oil wells total on two existing well pads. The NEPA document that applies to this action is CO-110-2005-132-EA (signed on 6/17/2005). Approximately 0.2 acres will be re-disturbed if this action is approved and implemented.

2) *Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?* Surface disturbance on the entire leasehold (COC56876) based on review of 2009 aerial photo and review of all new disturbance features (proposed and existing) on the entire leasehold is approximately 43 acres or less.

3) *Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)* CO-110-2005-132-EA analyzed five oil wells and four well pads. The five proposed wells are on existing well pads. There is currently one producing oil well on Pad A and three producing oil wells on Pad B.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 3/8/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	7/29/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/26/2011
Zoe Miller	Ecologist	Special Status Plant Species	7/8/2011

REMARKS:

Cultural Resources: The original well pad locations (Bonneville Banta Ridge Fed. #12-18-1-103) Pad A, and (Bonneville Banta Ridge Fed. #4-18-1-103) Pad B, were inventoried to 10 acres at the Class III (100 percent pedestrian) level (Montgomery 2002) in 2002 with no cultural resources identified along the proposed access route or on the well pad locations. If all soil disturbing operations can be contained within the original 10 acre area there will be no potential to impact any known cultural resources and there would be no net loss of data to the regional archaeological data base. If 10 acres is not adequate then no further ground disturbance should be permitted until a new inventory is conducted and approved.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of sensitive properties, appropriate mitigation and/or protection measures may be required.

Paleontological Resources: The proposed well pads are in an are generally mapped as the Douglas Creek member of the Green River Formation which the BLM, WRFO has classified as PFYC 4 formation meaning it is known to produce scientifically noteworthy fossil. If it becomes necessary to excavate into the underlying sedimentary rock formations for the reserve/bloolie/cuttings pits there is a potential to impact scientifically noteworthy fossil resources.

Threatened and Endangered Wildlife Species: There are no special status animal species that are known to inhabit or derive important use from the project area.

Both well pads (Pad A and B, Figure 1) are located in mule deer severe winter range, a specialized component of winter range that supports virtually an entire area's deer during the most severe winters (heavy snowfall, extreme temperatures). These ranges receive heaviest use between January and April.

In general, woodlands surrounding the well pad locations are limited in extent and do not provide adequate nesting substrate for woodland raptors. Similarly, there are no cliffs or rock outcrops in the area that may provide nest substrate for cliff nesting species. There are no known raptor nests within the vicinity of the project area.

Vegetation clearing will be minimal (~0.2 acres) and adjacent to or within existing areas of disturbance. As such, impacts to terrestrial wildlife, namely migratory birds, regarding direct habitat loss would be negligible. If construction and drilling activities took place outside the migratory bird nesting season (May 15 – July 15) the Proposed Action would have no conceivable influence on migratory bird nesting activities. Should drilling activities take place during the breeding season, there may be potential to displace birds or disrupt nesting activities on an additional two to five acres of surrounding habitat. Based on breeding bird densities in the White River Field Office, this may impact one to two nesting pair of likely more generalized species.

Threatened and Endangered Plant Species: There are no special status plant species concerns.

REFERENCES CITED:

- Armstrong, Harley J., and David G. Wolny
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.
- Montgomery, Jacki
2002 Cultural Resource Inventory of Bonneville Fuel Corporation's Banta Ridge Federal #4-18-1-103 and #12-18-1-103 Well Locations and Access roads, Rio Blanco County, Colorado. Montgomery Archaeological Consultants, Moab, Utah. (02-131-02: SHPO #RB.LM.NR1240)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
2. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
3. If it becomes necessary to excavate into the underlying sedimentary rock formation to construct the reserve/blooiie/cuttings pit or bury any well tie pipelines an approved paleontological monitor shall be present on site before any such excavations begin and shall remain until all such excavation operations have been completed.
4. No activities (e.g., drilling, construction etc.) will be allowed between January 1 and April 30 to avoid unnecessary disruption of big game during the critical winter period.
5. The designated Natural Resource Specialist (NRS) will be notified 24 hours prior to beginning all construction-related activities associated with this project that result in disturbance of surface soils via email or by phone. Construction-related activities may include, but are not limited to, pad and road construction, clearing pipeline corridors, trenching, etc. Notification of all construction-related activities, regardless of size, that result in disturbance of surface soils as a result of this project is required.
6. In an attempt to track interim and final reclamation of federal actions related to the development of federal mineral resources, the operator shall provide the designated Natural Resource Specialist with geospatial data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed) features associated with this project and included in the Application for Permit to Drill (APD) or Sundry Notice (SN), as appropriate. These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the

operator shall notify the designated Natural Resource Specialist via email or by phone, and provide justification supporting an extension of the required data submission time period. GIS polygon features may include, but are not limited to, constructed access roads, existing roads that were upgraded, pipeline corridors, and well pad footprints. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or, (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-built feature. Geospatial data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only), or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the *Content Standards for Digital Geospatial Metadata* from the Federal Geographic Data Committee standards. Questions shall be directed to WRFO BLM GIS staff at (970) 878-3800.

If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to:

BLM, White River Field Office
Attn: NRS Staff
220 East Market Street
Meeker, Colorado 81641

Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.

If for any reason the location or orientation of the geographic feature associated with the Proposed Action changes, the operator shall submit updated GIS data to designated BLM NRS staff person within 7 calendar days of the change. This information shall be submitted via Sundry Notice.

7. A Reclamation Status Report will be submitted electronically via email and as a hard-copy to WRFO Reclamation Coordinator. Please submit the hardcopy to:

BLM, White River Field Office
220 East Market Street
Meeker, Colorado 81641
Attn: Brett Smithers

The Reclamation Status Report will be submitted annually for all actions that require disturbance of surface soils on BLM-administered lands as a result of the Proposed Action. Actions may include, but are not limited to, well pad and road construction, construction of ancillary facilities, or power line and pipeline construction. The Reclamation Status Report will be submitted by September 30th of each calendar year, and will include the well

number, API number, legal description, UTM coordinates (using the NAD83 datum, Zone 13N coordinate system), project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., Phase I Interim, Phase II Interim, or Final), whether the well pad or pipeline has been re-vegetated and/or re-contoured, percent of the disturbed area that has been reclaimed, method used to estimate percent area reclaimed (e.g., qualitative or quantitative), technique used to estimate percent area reclaimed (e.g., ocular, line-intercept, etc.), date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person(s) responsible for developing the report. The report will be accompanied with maps and GIS data showing each discrete point (i.e., well pad), polygon (i.e., area where seed was applied for Phase I and/or Phase II interim reclamation or area reclaimed for final reclamation), or polyline (i.e., pipeline) feature that was included in the report. Geospatial data shall be submitted: for each completed activity electronically to the designated BLM staff person responsible for the initial request and in accordance with WRFO geospatial data submittal standards (available from WRFO GIS Staff, or on the WRFO website). Internal and external review of the WRFO Reclamation Status Report, and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report.

The following applicable mitigation from CO-110-2005-132-EA has been carried forward:

1. The operator will be responsible for complying with all local, state, and federal air quality regulations and provide documentation to the BLM that they have done so.
2. Revegetate surfaces disturbed during construction. Stockpiled soils must be covered and adequate ground cover must be applied (e.g. woody debris) to minimize surface exposure to eolian processes.
3. Dust abatement (spreading water) will be required during dry periods.
4. In accordance with Condition of Approval #179 from Appendix B of the White River ROD/RMP, application of herbicides must be under field supervision of an EPA-certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.
5. It will be the responsibility of the operator to eliminate migratory bird access to reserve pits that store or are expected to store fluids that pose a risk to these birds (e.g., waterfowl, wading birds, raptors, and songbirds) during drilling and completion activities and until such pits are reclaimed. Exclusion methods may include netting, the use of “bird-balls”, or other alternative methods that effectively eliminate migratory bird access to pit contents and meet BLM-approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to eliminate migratory bird use two weeks prior to when drilling activities are expected to begin. The BLM approved method will be applied within 24 hours after drilling activities have begun. All lethal and non-lethal events that involve migratory birds will be reported to a White River Field Office

Petroleum Engineer Technician immediately.

6. The applicant shall be required to collect and properly dispose of any solid wastes generated by the Proposed Actions.
7. The operator will be responsible for complying with all local, state, and federal water quality regulations as well as provide documentation to the BLM that they have done so. Furthermore, “Gold Book” surface operating standards for oil and gas exploration and development must be implemented in construction of well pads and access roads.
8. To mitigate surface erosion due to removal of ground cover at the well pad, it is recommended stockpiled soils be covered and silt fences be used on down gradient sides. It is also recommended that upon reclamation flow deflectors and sediment traps (woody debris) be redistributed over the area along with Native Seed Mix #5.
9. To mitigate contamination of local ground water, environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of impermeable matting under equipment is suggested to intercept such contaminants prior to contacting soils. Furthermore, all pits must be lined and all wastes associated with construction and drilling will be properly treated and disposed of. Finally, aquifers beneficial for human consumption and livestock encountered during the drilling process must be properly sealed to reduce potential for contamination.
10. All road construction must strictly adhere to “Gold Book” surface operating standards for oil and gas exploration and development. Access roads will be designed to provide adequate cut-slope grade, and drains as needed to control surface runoff and keep soil losses to a minimum.
11. To mitigate surface erosion due to removal of ground cover on well pads and access roads, stockpiled soils shall be covered and silt fences will be used on down gradient sides. Upon reclamation flow deflectors and sediment traps (woody debris) must be redistributed over the area along with Native Seed Mix #5.

Native Seed Mix #5		
Species (Variety)	Lbs. PLS per Acre	Ecological Sites
Basin Wildrye (Magnar)	2	Foothill Swale, Sandy Swale, Swale Meadow
Western wheatgrass (Rosanna, Arriba)	3	
Bluebunch wheatgrass (Secar)	1	
Thickspike wheatgrass (Critana)	2	
Fourwing saltbush (Wytana)	1	
Alternates: Utah sweetvetch, globemallow		

12. Heavy truck traffic must be eliminated during wet periods to reduce deterioration of the roadways and prevent rut development. Seasonal restrictions for heavy truck traffic must be implemented and enforced.

13. Complete reclamation will follow abandonment of well pads. Access roads and well pads will be recontoured and 100% of disturbed surfaces will be revegetated with Native Seed Mix #5.
14. White River ROD/RMP of 1997, Appendix B; COA #7: All trees removed in the process of construction shall be purchased from the Bureau of Land Management. The trees shall be cut with a maximum stump height of six inches and disposed of by one of the following methods:
 - a. Trees must be cut before being dozed off the area of disturbance. Trees shall be cut into four-foot lengths, down to four inches in diameter and placed along the edge of the disturbance.
 - b. Purchased trees may be removed from federal land for resale or private use. Limbs may be scattered off the area of disturbance but not dozed off.
 - c. Chipped and scattered.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

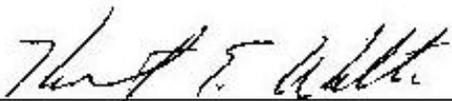
NAME OF PREPARER: Brett Smithers

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

09/23/2011

ATTACHMENTS: Figure 1. Project area map.

Foundation Energy Proposed Pad A (12B-18-1-103, 11-18-1-103) and Pad B (4A-18-1-103, 5-18-1-103, 6-18-1-103) Wells

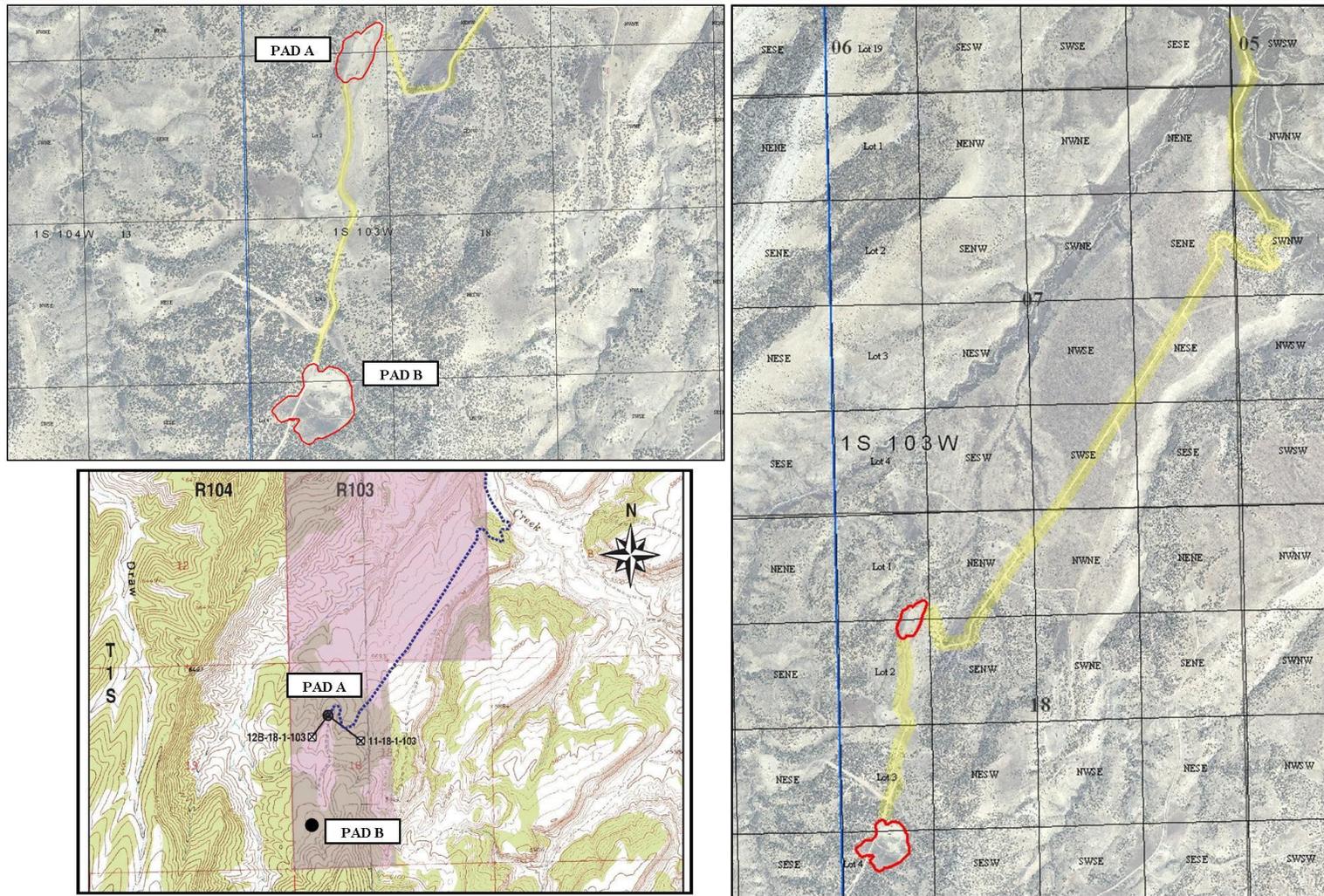


Figure 1. The figure above illustrates the geographic location of each existing well pad where the proposed wells will be drilled (symbolized as red polygons). The proposed access road to each well is symbolized as a transparent yellow line.

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DECISION RECORD

PROJECT NAME: APDs for Foundation Energy Pad A (12B-18-1-103, 11-18-1-103) and Pad B (4A-18-1-103, 5-18-1-103, 6-18-1-103)

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2011-0064-CX(390)

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0064-CX(390), authorizing the pad expansion and construction, operation, and maintenance of the five wells and associated pipelines.

Mitigation Measures:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
2. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
3. If it becomes necessary to excavate into the underlying sedimentary rock formation to construct the reserve/blooiie/cuttings pit or bury any well tie pipelines an approved paleontological monitor shall be present on site before any such excavations begin and shall remain until all such excavation operations have been completed.
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5. It will be the responsibility of the operator to eliminate migratory bird access to reserve pits that store or are expected to store fluids that pose a risk to these birds (e.g., waterfowl, wading birds, raptors, and songbirds) during drilling and completion activities and until such pits are reclaimed. Exclusion methods may include netting, the use of “bird-balls”, or other alternative methods that effectively eliminate migratory bird access to pit contents and meet BLM-approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to eliminate migratory bird use two weeks prior to when drilling activities are expected to begin. The BLM approved method will be applied within 24 hours after drilling activities have begun. All lethal and non-lethal events that involve migratory birds will be reported to a White River Field Office Petroleum Engineer Technician immediately.
6. The applicant shall be required to collect and properly dispose of any solid wastes generated by the Proposed Actions.
7. The operator will be responsible for complying with all local, state, and federal water quality regulations as well as provide documentation to the BLM that they have done so. Furthermore, “Gold Book” surface operating standards for oil and gas exploration and development must be implemented in construction of well pads and access roads.
8. To mitigate surface erosion due to removal of ground cover at the well pad, it is recommended stockpiled soils be covered and silt fences be used on down gradient sides. It is also recommended that upon reclamation flow deflectors and sediment traps (woody debris) be redistributed over the area along with Native Seed Mix #5.
9. To mitigate contamination of local ground water, environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of impermeable matting under equipment is suggested to intercept such contaminants prior to contacting soils. Furthermore, all pits must be lined and all wastes associated with construction and drilling will be properly treated and disposed of. Finally, aquifers beneficial for human consumption and livestock encountered during the drilling process must be properly sealed to reduce potential for contamination.
10. All road construction must strictly adhere to “Gold Book” surface operating standards for oil and gas exploration and development. Access roads will be designed to provide adequate cut-slope grade, and drains as needed to control surface runoff and keep soil losses to a minimum.
11. To mitigate surface erosion due to removal of ground cover on well pads and access roads, stockpiled soils shall be covered and silt fences will be used on down gradient

sides. Upon reclamation flow deflectors and sediment traps (woody debris) must be redistributed over the area along with Native Seed Mix #5.

Native Seed Mix #5		
Species (Variety)	Lbs. PLS per Acre	Ecological Sites
Basin Wildrye (Magnar)	2	Foothill Swale,
Western wheatgrass (Rosanna, Arriba)	3	Sandy Swale, Swale
Bluebunch wheatgrass (Secar)	1	Meadow
Thickspike wheatgrass (Critana)	2	
Fourwing saltbush (Wytana)	1	
Alternates: Utah sweetvetch, globemallow		

12. Heavy truck traffic must be eliminated during wet periods to reduce deterioration of the roadways and prevent rut development. Seasonal restrictions for heavy truck traffic must be implemented and enforced.
13. Complete reclamation will follow abandonment of well pads. Access roads and well pads will be recontoured and 100% of disturbed surfaces will be revegetated with Native Seed Mix #5.
14. White River ROD/RMP of 1997, Appendix B; COA #7: All trees removed in the process of construction shall be purchased from the Bureau of Land Management. The trees shall be cut with a maximum stump height of six inches and disposed of by one of the following methods:
 - b. Trees must be cut before being dozed off the area of disturbance. Trees shall be cut into four-foot lengths, down to four inches in diameter and placed along the edge of the disturbance.
 - d. Purchased trees may be removed from federal land for resale or private use. Limbs may be scattered off the area of disturbance but not dozed off.
 - e. Chipped and scattered.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 3/08/2011. External scoping was conducted by posting this project on the WRFO’s on-line National Environmental Policy Act (NEPA) register.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Drilling additional wells from an existing pad allows for extraction of the mineral resource while minimizing surface disturbance.

ADMINISTRATIVE REMEDIES

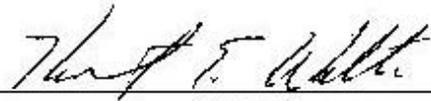
State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

09/23/2011