



Kathy Denzer
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August 23, 2019

Stephen E. Rodriguez
Local Government Designee
City of Aurora Planning Department
15151 E. Alameda Parkway
Aurora, CO 80012

Re: Variance Request – Rush 4-65 29-30 4DH, 4CH, 4BH, 4AH, 3DH & 3 CH – Rush South

Dear Stephen,

ConocoPhillips respectfully requests a variance letter as set forth in the City of Aurora Operators Agreement and Best Management Practice 46. Water Quality Monitoring Plan.

As a result of the Initial Phase I Due Diligence performed by APTIM on ConocoPhillips behalf, it was determined that of the six permitted water wells identified, five wells have been plugged and one is a landfill monitoring well upgradient of the Rush South pad site and therefore is unsuitable for sampling per the requirements set forth by the OA.

Based on APTIM's recommendation as noted in the attached letter, ConocoPhillips is submitting this variance request for city review and approval. Also attached is the plan ConocoPhillips will take to install a monitor well if the variance is denied.

If you have any questions regarding this letter, please don't hesitate to contact me at 303.268.3773.

Sincerely,

A handwritten signature in black ink that reads "Kathy Denzer".

Kathy Denzer
Senior Coordinator, Regulatory

cc: Sean Lieske, Joshua Godwin
Attachments



August 22, 2019

Liang Yu
Senior Environmental Coordinator
ConocoPhillips Corporation
34501 East Quincy Ave, Building 1
Watkins, Co 80137

Subject: Variance Request and Form 4 Sundry Notice – RUSH 4-65 29-30 4DH, 4CH, 4BH, 4AH, 3DH & 1CH - Rush South (Phase 2)

Dear Mrs. Yu:

Below is a brief summary of APTIM's efforts to identify and document potential sampleable domestic water wells located within ½ mile of the Rush South location.

Initial Phase I Due Diligence efforts were completed, at the direction of ConocoPhillips, in order to identify domestic water wells which could be utilized as sample locations as required by the City of Aurora Operators Agreement (OA). Phase I efforts included a review of all available documentation associated with permitted water wells located within ½ mile of the Rush South location. Of the six (6) permitted water wells which were identified, all but one had been plugged and are unsuitable for sampling. The remaining well is an upgradient monitoring well which does not meet the requirements set forth by the OA and is therefore also unsuitable for sampling.

Due to the lack of sampleable wells available within ½ mile of the Location, it is recommended that a Form 4 Sundry Notice be prepared for the Rush South location and submitted to meet the requirements of COGCC Rule 609. Following that it is also recommended that a Variance Request be submitted to the City of Aurora to meet the requirements of the Operators Agreement.

The water wells which APTIM identified as being located within 1/2 mile of the Rush South location and their associated sample designations are listed below.

Well Permit No.	Approximate Distance from COP (Ft)	Sampling Priority	Determination of Sampling Priority	Property Owner (tax records)
251833	1990	1	Only well available to sample within 1/2 mile. Well is upgrade from the location and also a monitoring well.	DENVER, CITY & COUNTY OF
2005003AB	1952	NA	well plugged 08/16/2004 - will not be able to sample	DEPARTMENT OF HUMAN SERVICES
2005004AB	1952	NA	well plugged 08/16/2004 - will not be able to sample	DEPARTMENT OF HUMAN SERVICES
2005025AB	1952	NA	well plugged 08/16/2004 - will not be able to sample	DEPARTMENT OF HUMAN SERVICES
33994MH	2318	NA	well plugged 09/21/1999 - will not be able to sample	DENVER, CITY & COUNTY OF
42193MH	2318	NA	well plugged 5/03/2003 - will not be able to sample	DENVER, CITY & COUNTY OF

If no other sample sources within ½ mile become available, APTIM suggests attempting to sample a single well downgradient and within 1 mile of the Rush South location to meet the requirements of the Arapahoe County MOU.

If you have any questions regarding this letter, please don't hesitate to contact me at 303-741-7052.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daisy', with a stylized flourish extending from the end.

Daisy Young, G.I.T.
Geologist, APTIM

Please Reply To: Daisy Young

Phone: 303-741-7052

E-Mail Address: daisy.young@APTIM.com

Installation of Water Monitoring Process ConocoPhillips

If the City requires the installation of water monitoring well(s), the following will occur.

1. Soon after the City approves the O&G permit, ConocoPhillips will attempt to obtain rights to drill a water monitoring well on property down gradient from the proposed O&G location. It is estimated that it will take approximately 4 months prior to the scheduled spud date for the O&G well to complete this process.
2. If ConocoPhillips is unable to obtain rights to drill a water monitoring well on property down gradient from the proposed O&G location it is estimated that 3 months prior to the scheduled spud date, the process outlined below regarding an Easement Well, will be initiated.
 - a. Once rights to drill are obtained by ConocoPhillips and after receiving notice to proceed, APTIM will begin the process to obtain permits to install monitoring wells from the SEO. Following permit approval, it is estimated that monitoring wells will be installed 3 months prior to the scheduled spud date but no later than the scheduled spud date for the O&G location.
 - i. Monitoring wells will be installed as either a nested well or as individual wells capable of testing all available aquifers downgradient from the O&G location and will be located on or near the location. ConocoPhillips and the City will agree on the placement and design of the monitoring wells prior to permit submittal.
 - ii. As the need to install a monitoring well may not arise until several months following the initial permit approval process, discussions regarding the location and configuration of a proposed monitoring well may be facilitated as part of a separate submittal to the City. Any determination that a monitoring well will be needed outside of the initial permit approval process will be communicated to the City as soon as possible. Should that occur, ConocoPhillips and the City will coordinate and agree on the placement and design of the monitoring wells via a separate submittal prior to APTIM submitting the monitoring well permit as per Section 2.2.1 1. A. above.
 - iii. Testing of these monitoring wells will be conducted using standard industry procedures, consistent with the COGCC Rule 609 Model Sampling and Analysis plan and will include the intervals and analytes as listed in Section 3.2 and 4.0 below for baseline and subsequent sampling.
 - iv. If ConocoPhillips is unable to obtain rights to drill the requested well, the City may request that ConocoPhillips drill monitoring well(s) capable of testing all available aquifers on one of the City of Aurora's existing easements (Easement Well) within ½ mile radius of the O&G location.

- a) If an Easement Well is deemed necessary, the process to install and sample the monitoring well(s), including city approvals and SEO monitoring well permits, followed by construction and sampling activities will begin as soon as possible with sampling to be completed no sooner than 6 months prior to the scheduled spud date but no later than the scheduled spud date for the O&G location
 - b) If the City has not obtained an easement prior to ConocoPhillips beginning drilling operations, the City may request the easement well be installed anytime during the drilling, completions, or production phase of the O&G well once the City has obtained a suitable easement.
 - c) The City's request to drill a City Easement Well is outside of the O&G permit application process. The City shall not delay the O&G permit application process if the City chooses to request that Operator drill a City Easement Well. The City shall process Operator's OGP's once the Operator has complied with or received a variance regarding the Baseline Water Quality Testing or has agreed to drill a Requested Well.
 - v. Monitoring wells will be constructed according to industry standards as per the Well Construction Rule 2 CCR 402-2 and according to any permit requirements as directed by the SEO. Construction diagrams which are representative of typical monitoring well construction as per Rule 2 CCR 4020-2 are shown in Figure 2. Construction diagrams specific to this O&G location will be provided as part of continued discussions with the City regarding monitoring well construction, placement, and approval for this O&G location.
3. Any timelines listed above will be subject to change based on City requirements and O&G location specific issues which may be outside of ConocoPhillips' control.