



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- Site Name: **M 2019-058 Keenesburg No. 2 Mine (112-C)**
County_TR# (DRMS Use only) Permittee: **Weld County; TR No. 2; Colorado Sand Company LLC**
Operator (If Other than Permittee): **Colorado Sand Company LLC (hereafter "CSC")**
Permittee Representative: **Mr. Brady Reece - (970) 978-9858**

Please provide a brief description of the proposed revision:

CSC requests DRMS approval of a minor Technical Revision to update overall permit status and to facilitate Weld County approval of a third-party's (i.e., Chevron) proposed construction, usage, maintenance, and eventual reclamation of a new and realigned access/service road across the extreme southern extent of the Permit Area by Chevron (re: facilities/activities formerly associated with Noble Energy, Inc.) and/or its designated or authorized contractors, etc. The duration of roadway presence is indeterminate at this juncture and its presence may or may not exceed life-of-mine.

The proposed Chevron access/service road will extend west to east and generally coincident with the common section line between Sections 7 and 18, respectively, of T02N; R64W, 6th Principal Meridian. The road will extend approximately 3,000 feet (m/l) into the Permit Area, thence turning southerly and extending to a proposed wellhead (to be) designated 1041WOGLA20-0017 (refer to the attached figure).

All aspects of road construction, usage, maintenance, and eventual reclamation associated with the new road across the designated Permit Area will be carried out by Chevron in general accordance with the existing Setback Agreement (Exhibit 9.11 of M 2019-058), a copy of which is attached hereto, and any other applicable statutory obligations or land-use conditions/stipulations, if any, imposed on the owner/operator (Chevron).

Inasmuch as the proposed access/service road alignment is situated to the south of the LAP19-0002 pipeline corridor (which parallels and is located north of the proposed new roadway), there will be no concerns associated with the establishment of new "permanent, man-made features", if any, as current setback limitations already curtail any further southerly mine advance (if such were to occur in the proximal area) due to the presence of LAP19-0002 pipeline corridor.

It is CSC's position that construction, usage, maintenance, and eventual reclamation of the new road (by Chevron), exerts no material effect on the M 2019-058 Reclamation Plan, as approved. Accordingly, CSC respectfully requests written DRMS concurrence with this position via approval of this Technical Revision, with a copy of such approval to be provided to the attention of Kim Ogle, Principal Planner with Weld County Planning Services, at 1402 N. 17th Avenue, Greeley, Colorado 80631 and/or via email at kogle@weld.gov.

As defined by the Minerals Rules, a Technical Revision (TR) is: “a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan.” The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

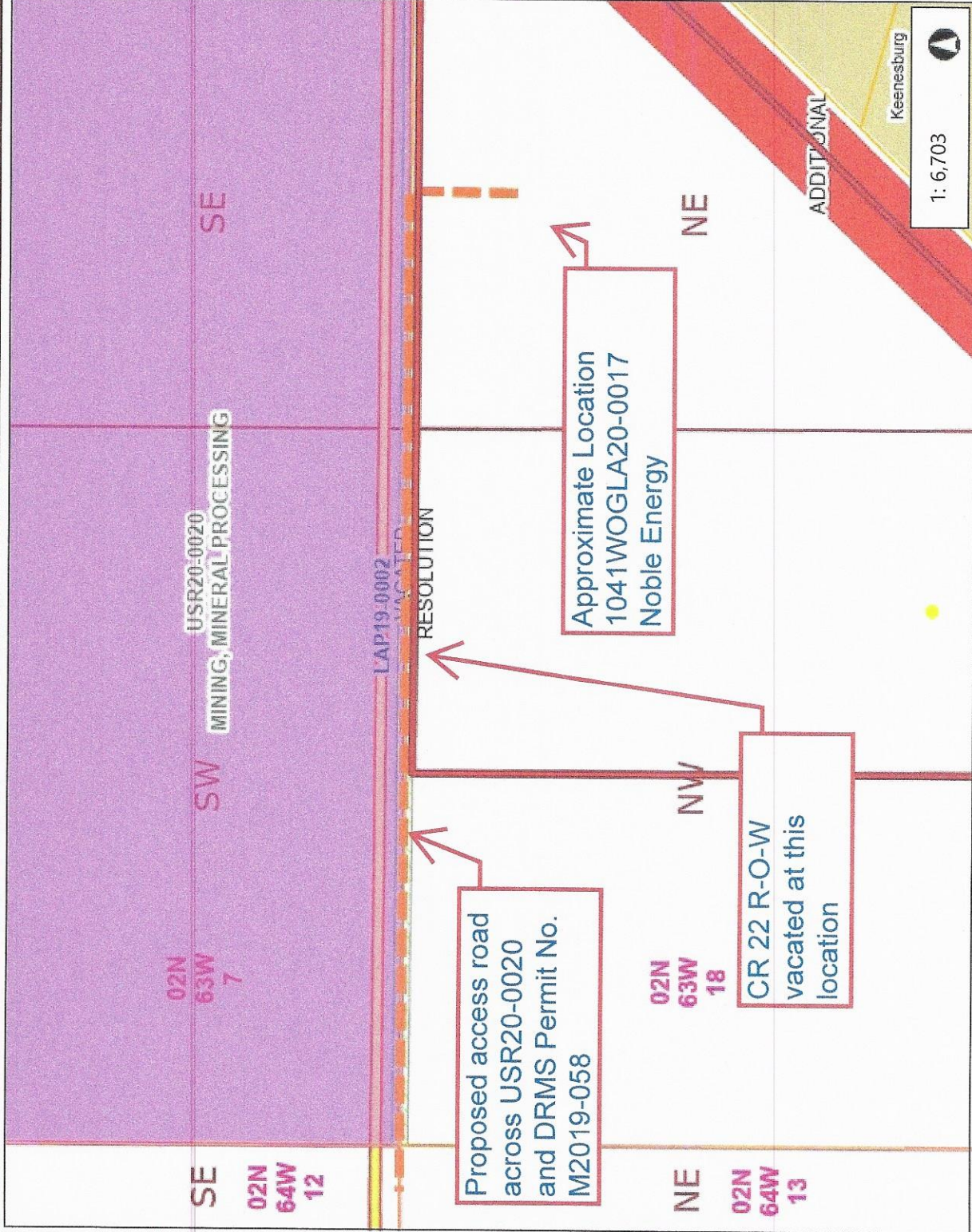
There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

Permit Type Required TR Fee Submitted (mark only one) 110c, 111, 112 construction materials, and 112 quarries \$216

112 hard rock (not DMO) \$175

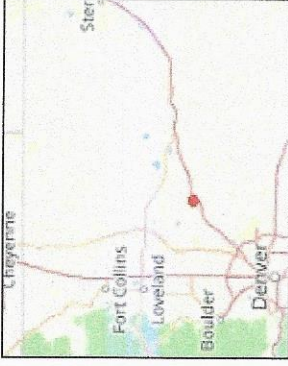
110d, 112d(1, 2 or 3) \$1006



1,117.1 0 558.56 1,117.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Parcels
- USR - Use by Special Review
- Weld County MS4
- Weld County Maintained Road
- Paved Road
- Gravel Road
- Road Right of Way
- County roads
- Vacated County roads
- Usage
- Wagon Trails
- Sub/ReFuture roads
- Private roads & Crossings
- State Highways
- Weld Oil and Gas Location Ass
- Oil and Gas Wells - Active
- Producing
- Permit
- Drilling
- Injection
- Shut-In
- Temporarily Abandoned
- Waiting on Completion
- Gas Storage / Monitoring
- Location Assessment for Pipeline
- Natural Gas

Notes



Exhibit 9.11

SETBACK AGREEMENT

NOBLE ENERGY, INC.

27COR
January 7, 2020

Colorado Sand Company, LLC
2001 Kirby Drive, Suite 360
Houston, TX
77019

Attention: Brian Amsberry, Operations Landman
Noble Energy, Inc.
1001 Noble Energy Way
Houston, TX 77070

Subject: Setback from Oil & Gas Assets
Proposed Keenesburg No. 2 Mine
Keenesburg, CO

Colorado Sand Company LLC ("CSC") is in the process of permitting for the purpose of constructing and operating a frac sand mine that will span, over the course of 20 years, an anticipated 5 contiguous Sections located on the southern portion of the Gutteresen Ranch, shown in Exhibit A. It is understood that Noble Energy, Inc. ("Noble") owns and operates several oil and gas related assets in the vicinity of the intended mining operation which are the CHAMPLIN 525 AMOCO "A"1 well that is capable of producing and located in section 5. The UPV 5-7K3 and J.H. CUYKENDALL 1 wells have been plugged and abandoned, shown in Exhibit A. Noble also has proposed future pads (4 EA.) with associated flowlines as well as one production facility located within the Operations Corridor, shown in Exhibit B.


CSC and Noble have discussed the planned mining operation and the parties are in agreement as to the mining plan, along these terms:

PTA? → A minimum of 200 feet will be kept from any actively used well heads and facilities of Noble's and 30 feet from any actively used flowlines of Noble's for the life of the mining operation until Noble notifies CSC that the asset is no longer in use. When CSC mines areas around Noble's plugged and abandoned wells exposing said wells. CSC will request Noble to cut off a new segment of casing to be flush with the mined surface grade – not exceeding greater than 20 feet segment. CSC must ensure ingress and egress for this operation and pay Noble for all associated costs, including, but not limited to, re-enter well for new plug and abandonment compliance, access road construction, workover rig, and workover rig pad construction (if needed). CSC agrees no mining will commence within the Operations Corridor, shown in Exhibit B, without a fully executed Compatible Development and Surface Use Agreement between Gutteresen Ranches LLC (landowner), CSC, and Noble.

The existing ranch road will be kept in its current location for the life of the mine.

The parties agree that if there is a change to either Noble's or CSC's plans with respect to their assets or mining plans, respectively, on the discussed property, that the parties will inform each other of the change, and work in good faith to develop a plan that allows both parties to continue their respective business operations to their maximum mutual benefit. Herein expressed, this letter agreement is not the referred to Compatible Development and Surface Use Agreement which shall be fully executed at a later date.

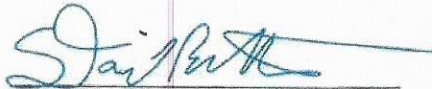
Noble Energy, Inc.


Signed:

Guttersen Ranches, LLC


Signed:

Colorado Sand Company, LLC


Signed:

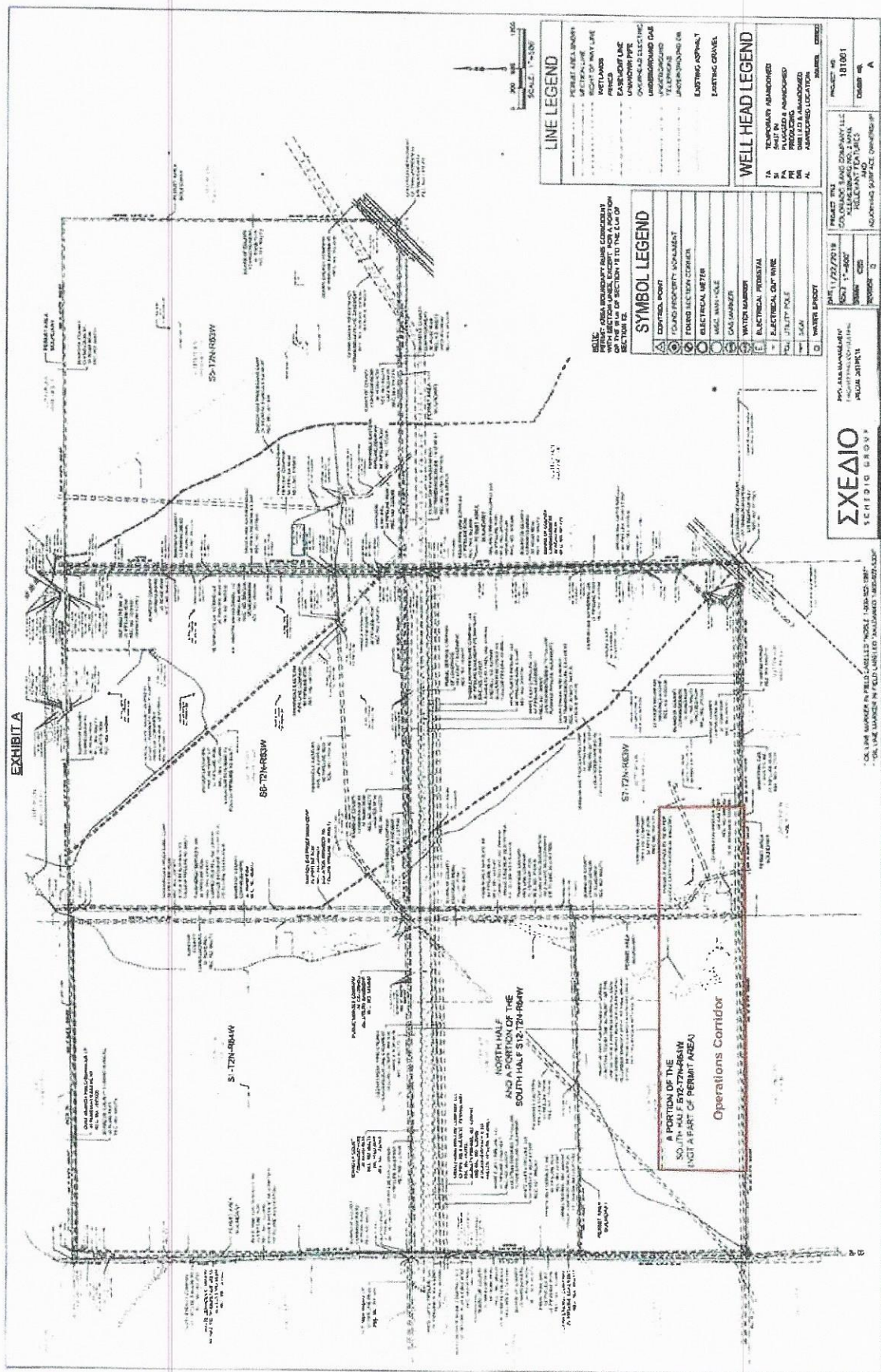


EXHIBIT B

Township 2 North, Range 64 West, 6th P.M.

Section 12: S/2S/2

Township 2 North, Range 63 West, 6th P.M

Section 7: SW/4SW/4

