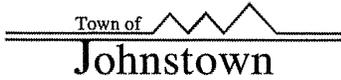


TOWN COUNCIL

MEETING

PACKET

July 2, 2018



Town Council

Agenda
Monday, July 2, 2018
Town Hall, Council Chambers
450 So. Parish Avenue
7:00 PM



MISSION STATEMENT-*"The mission of the government of the Town of Johnstown is to provide leadership based upon trust and integrity, commitment directed toward responsive service delivery, and vision for enhancing the quality of life in our community."*

Members of the audience are invited to speak at the Council meeting. Public Comment (item No. 5) is reserved for citizen comments on items not contained on the printed agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position. If you wish to speak at the Town Council meeting, please fill out a sign-up sheet and present it to the Town Clerk.

- 1) **CALL TO ORDER**
 - A) Pledge of Allegiance
- 2) **ROLL CALL**
- 3) **AGENDA APPROVAL**
- 4) **RECOGNITIONS AND PROCLAMATIONS**
- 5) **PUBLIC COMMENT (three-minute limit per speaker)**

*The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to have an item discussed or if there is public comment on those ordinances marked with an *asterisk. The Council member may then move to have the subject item removed from the Consent Agenda for discussion separately.*

- 6) **CONSENT AGENDA**
 - A) Town Council Meeting Minutes –June 18, 2018
 - B) Raw Water Usage Agreement - Clearview Non-Potable Management, Inc.
 - C) Order Granting Retail Liquor Store License for Red Barn Liquors, LLC
 - 7) **STAFF REPORTS**
 - 8) **OLD BUSINESS**
 - 9) **NEW BUSINESS**
 - A) ***Public Hearing** - Use by Special Review for Oil and Gas Exploration for the Cito Trust Property – Extraction Oil and Gas, LLC
 - 10) **COUNCIL REPORTS AND COMMENTS**
 - 11) **MAYOR'S COMMENTS**
 - 12) **ADJOURN**
-

WORK SESSION

- 1) Johnstown Community YMCA Update



NOTICE OF ACCOMODATION

If you need special assistance to participate in the meeting, please contact the Town Clerk at (970) 587-4664. Notification at least 72 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting.

AGENDA ITEMS 6A-C

CONSENT

AGENDA

- **Council Minutes – June 18, 2018**
 - **Raw Water Usage Agreement
(Clearview Non-Potable Management,
Inc.)**
- **Order Granting Retail Liquor Store
License
(Red Barn Liquors, LLC)**

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: July 2, 2018

ITEM NUMBER: 6A-C

SUBJECT: Consent Agenda

ACTION PROPOSED: Approve Consent Agenda

PRESENTED BY: Town Clerk

AGENDA ITEM DESCRIPTION: The following items are included on the Consent Agenda, which may be approved by a single motion approving the Consent Agenda:

- A) Council Meeting Minutes – June 18, 2018
- B) *Consider Raw Water Usage Agreement – Clearview Non-Potable Management, Inc.
- C) **Order Granting Retail Liquor Store License for Red Barn Liquors, LLC

*The Clearview Homeowners Association, which collectively operate their private, non-potable irrigation system as Clearview Non-Potable Management, Inc., desire to use water from the Town’s non-potable water delivery main during the “shoulder season” months (typically October and April) when the Home Supply Ditch ceases to provide irrigation water to their pond and the weather is still warm. The Association agrees to the standard non-potable rate (80% of treated water cost) for metered water use. The Town Attorney has reviewed the agreement. Staff’s recommendation is to approve the agreement and authorize the Mayor to sign it.

** The Local Licensing Authority conducted a public hearing on a retail liquor store license for Red Barn Liquors, LLC on June 18, 2018. Following the public hearing the Authority found the applicant is entitled to hold a retail liquor license. The attached Order grants a retail liquor store license for Red Barn Liquors, LLC.

LEGAL ADVICE: The entire Consent Agenda may be approved by a motion of the Town Council approving the Consent Agenda, which automatically approves each and every item listed on the Consent Agenda. If a Council member wishes to have a specific discussion on an individual item included with the Consent Agenda, they may move to remove the item from the Consent Agenda for discussion.

FINANCIAL ADVICE: N/A

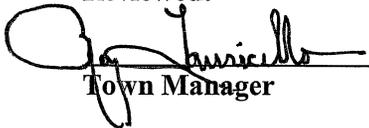
RECOMMENDED ACTION: Approve Consent Agenda

SUGGESTED MOTION:

For Approval: I move to approve the Consent Agenda.

For Denial:

Reviewed:



Town Manager

**COUNCIL
MINUTES**

The Town Council of the Town of Johnstown met on Monday, June 18, 2018 at 7:00 p.m. in the Council Chambers at 450 S. Parish Avenue, Johnstown.

Mayor James led the Pledge of Allegiance.

Roll Call:

Those present were: Councilmembers Lebsack, Mellon, Molinar Jr., Tallent and Young

Those absent were: Councilmember Lemasters

Also present: Avi Rocklin, Town Attorney, Roy Lauricello, Town Manager, John Franklin, Town Planner, Brian Phillips, Police Chief and Diana Seele, Town Clerk/Treasurer

Agenda Approval

Councilmember Lebsack made a motion seconded by Councilmember Mellon to approve the Agenda. Motion carried with a unanimous vote.

Public Comments

Mr. Rick Riez, Johnstown Milliken Chamber of Commerce President was present to share with Town Council the upcoming Taste of Johnstown scheduled for July 13, 2018.

Consent Agenda

Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve the Consent Agenda with the following items included for approval:

- June 4, 2018 Council Meeting Minutes
- Payment of Bills
- May Financial Statements
- Resolution No. 2018-10, Approving Preliminary Plat and Preliminary Development Plan – Johnstown Village Filing No. 1
- Resolution No. 2018-11, Committing Additional Funds for the Construction of a Community Recreation Center

Motion carried with a unanimous vote.

New Business

A. Public Hearing – New Retail Liquor Store License – Red Barn Liquors, LLC . – This is a public hearing to receive comments regarding the proposed new Retail Liquor Store License for Red Barn Liquors, LLC located at 3807 Weld County Road 48, Johnstown.

Mayor James opened the Public Hearing at 7:11 p.m. The applicants Suzanne and Tyson Hull presented their information. After having no public comments, Mayor James closed the Public Hearing at 7:30 p.m.

Councilmember Lebsack made a motion seconded by Councilmember Young to approve the issuance of a new Retail Liquor Store License for Red Barn Liquors, LLC. Motion carried with a unanimous vote.

B. Consider Water and Sewer Service agreement for Arby's at 2534 – A Water and Sewer Service Agreement was submitted to the Town by the developer and based upon the analysis with the construction of a restaurant, the total water requirement for the project is 1.73 acre-feet per year. Water credits will come from water previously dedicated in the 'water bank'. Councilmember Lebsack made a motion seconded by Councilmember Molinar Jr. to approve the Water and Sewer Service Agreement for Arby's and authorize the Mayor to sign it. Motion carried with a unanimous vote.

C. Consider 2018 Three Mile Plan – According to Colorado Revised Statutes Section 31-12-105(1)(e)(I) limits annexations by municipalities, that no annexation may take place which would have the effect of extending a municipal boundary more than three miles in any direction from any point of such municipal boundary in any one year. This section of the statutes also requires that, prior to the completion of any annexation within this three-mile range, the municipality shall have in place a plan for that three-mile wide area, which generally describes such elements as streets, waterways, utilities, parks, land uses, etc. for the area. The "Three Mile Plan" must be updated at least once each year. Councilmember Mellon made a motion seconded by Councilmember Young to approve the 2018 Three Mile Plan. Motion carried with a unanimous vote.

There being no further business to come before the Council the meeting adjourned at 7:52 p.m.

Mayor

Town Clerk/Treasurer

AGREEMENT

RAW WATER USAGE AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 2018 by Clearview Non-Potable Management, Inc., a Colorado corporation ("Clearview") and the Town of Johnstown, a Colorado home rule municipality ("Town").

WITNESSETH

WHEREAS, Clearview manages the non-potable system, including but not limited to the pump house, lines and pond, for certain real property located in Clearview PUD and Clearview 4 subdivisions, County of Weld, State of Colorado; and

WHEREAS, Clearview desires to use the Town's non-potable line as an emergency back-up and during off season "shoulder" irrigation months, typically October thru April, and to compensate the Town for the usage; and

WHEREAS, the Town agrees to permit Clearview to use the non-potable line as set forth herein.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The Town hereby agrees that Clearview may use the Town's non-potable water line as an emergency back-up and during off season "shoulder" irrigation months, typically October thru April of a given year. Prior to the use of the Town's non-potable water line, Clearview shall provide fifteen (15) days written notice to the Town. If notice is not feasible due to an emergency, Clearview shall promptly, and no later than three (3) calendar days subsequent to the usage, provide written notice to the Town.

2. Clearview's use of the non-potable water line shall be metered and such metered usage shall be payable by Clearview to the Town, at the standard rates set by the Town for other similarly situated properties, in a timely manner. If Clearview does not provide payment as required by the Town, the Town shall be entitled to all remedies available at law and may, in addition thereto, terminate this Agreement without providing notice as described in Paragraph 3.

3. Either party may terminate this Agreement, in such party's discretion and with or without cause, by providing sixty (60) days written notice to the other party.

4. For purposes of this Agreement, all notices and communications pertaining to shall be mailed or delivered to the parties at the following address:

Town of Johnstown
Attn: Town Manager
450 S. Parish Avenue
Johnstown, CO 80534

Clearview Non-Potable Management, Inc.
Attn: Verniece Thomas
PO Box 123
Eaton, CO 80615

Notice may also be sent via electronic mail ("e-mail") delivery on the condition that the receiving party provides written acknowledgement in e-mail form of receipt of the e-mail notice.

5. Clearview agrees to indemnify and hold harmless the Town and its officers, employees and agents from any and all claims, losses, injuries, damages and lawsuits and expenses, including but not limited to reasonable attorney's fees, arising out of or resulting from Clearview's use the Town's non-potable water line.

6. The parties acknowledge and agree that the Town is relying on, and does not waive or intend to waive by any provision of the Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 et seq., 10 C.R.S., as from time to time amended, or otherwise available to the Town, its officers, or its employees.

7. This Agreement may not be modified, amended, or otherwise altered unless mutually agreed upon in writing by the parties hereto. Clearview shall not assign or transfer its interest in this Agreement without the written consent of the Town. Any unauthorized assignment or transfer shall render this Agreement null, void, and of no effect as to the Town. This Agreement constitutes the entire agreement and understanding between the parties and supersedes all prior agreements or understandings.

Clearview Non-Potable Management, Inc.



By: Jim Hatfield
Its: President

Town of Johnstown

By: Scott James, Mayor

Attest:

By: _____
Diana Seele, Town Clerk

ORDER

**TOWN OF JOHNSTOWN
LIQUOR LICENSING AUTHORITY**

450 S. Parish Avenue
Johnstown, CO 80534
Phone No. (970) 587-4664

IN THE MATTER OF:

RED BARN LIQUORS, LLC

3807 County Road 48
Johnstown, CO 80534

Δ AUTHORITY USE ONLY Δ

**ORDER GRANTING RETAIL LIQUOR STORE LICENSE
FOR RED BARN LIQUORS, LLC**

THIS MATTER came before the Town of Johnstown Liquor Licensing Authority (“Authority”) on Red Barn Liquors, LLC’s (“Applicant”) Application for a Retail Liquor Store License dated March 16, 2018, for a premises located at 3807 County Road 48, Town of Johnstown, State of Colorado (“Application”).

The Authority conducted a Public Hearing on June 18, 2018, reviewed the Application and considered the evidence adduced by its investigation and the evidence presented by the Applicant, including, but not limited to, the following:

1. Notice of the hearing was posted at 3807 County Road 48, Town of Johnstown, State of Colorado on June 6, 2018 and published in the *Johnstown Breeze* on June 7, 2018;
2. The appropriate fees were paid;
3. The report prepared by the Johnstown Police Department, finding no concerns with the moral character of the Applicant based on a background check conducted through the Colorado Bureau of Investigation and recommending approval of the retail liquor store license;
4. The location of the premises complies with the zoning requirements; and
5. The Applicant’s survey of the designated neighborhood conducted by Oedipus, Inc., containing, of the total 184 signatures, 178 signatures (96.74%) in favor of the issuance of the liquor license, 1 signature (.54%) opposing the issuance based on the needs and desires of the neighborhood, 4 signatures (2.18%) opposing the issuance based on an abhorrence of alcohol and 1 signature (.54%) opposing the issuance for no stated reason.

Based on the foregoing, the Authority hereby:

FINDS that, pursuant to the Colorado Liquor Code, C.R.S. § 12-47-101 *et seq.*, the Applicant is entitled to hold a liquor license, the reasonable requirements of the designated neighborhood, the desires of the adult inhabitants and the number, type and availability of alcoholic beverage outlets support the issuance of the license and the statutory requirements are satisfied with respect to the Application; and

ORDERS that the Application is GRANTED.

Done and dated this ____ day of July, 2018.

BY THE AUTHORITY:

Scott James
Mayor, Town of Johnstown
Chairperson, Liquor Licensing Authority

ATTEST:

Diana Seele
Town Clerk

AGENDA ITEM 9A

**USE
BY
SPECIAL REVIEW
(OIL AND GAS EXPLORATION)
(Cito Trust Property)
(Extraction Oil and Gas, LLC)
(*Public Hearing)**

**** PUBLIC HEARING PROCEDURE- Use by Special Review for Oil and Gas Exploration for the Cito Trust – Extraction Oil and Gas, LLC***

- 1. Open public hearing**
- 2. Receive information from staff**
- 3. Ask to hear from anyone who supports the Use by Special Review**
- 4. Ask to hear from anyone who opposes the Use by Special Review**
- 5. Close the public hearing**
- 6. Ask for discussion**
- 7. Make decision and/or motion from Council.**
 - a. Need motion to approve or deny the Use by Special Review.**

(SUGGESTED MOTIONS):

For Approval:

I move to approve the Use by Special Review for oil and gas exploration for Cito Trust Property by Extraction Oil and Gas, LLC, with conditions as recommended by the Planning and Zoning Commission.

For Denial: I move to deny approval of the Use by Special Review for oil and gas exploration for Cito Trust Property by Extraction Oil and Gas, LLC.

TOWN COUNCIL AGENDA COMMUNICATION

AGENDA DATE: July 2, 2018

ITEM NUMBER: 9A

SUBJECT: *Public Hearing- Use by Special Review for Oil and Gas Exploration for the Cito Trust Property – Extraction Oil and Gas, LLC

ACTION PROPOSED: Consider the Use by Special Review

PRESENTED BY: John Franklin, Town Planner

AGENDA ITEM DESCRIPTION: This is a request by oil and gas operator Extraction Oil and Gas, LLC to develop eight (8) horizontal wells within a single drilling area, and construct a new tank battery/production facility per the attached plans. The overall property is currently in agriculture. The Town approved annexation of the property in 2007, which is zoned PUD-R Planned Unit Development – Residential.

There are seven (rural) homes within one-quarter mile (1320') of the proposed drill site. The closest dwelling is approximately 600' from the site. There are approximately 400 homes within one-half mile (2640') of the site in the Rocksbury Ridge and Carlson Farm neighborhoods. The closest home to the south is approximately 1600' from the site. The primary access is County Road 50 which is not paved.

On May 9, 2018 the Planning and Zoning Commission held a public hearing and voted unanimously to recommend approval of the Use by Special Review with conditions:

1. The Operator shall comply with Town and State regulations, including obtaining a Town Building Permit and payment of applicable use tax for permanent improvements, including all related pipelines.
2. The Operator shall apply for and receive an access permit (right-of-way work permit) from the Town prior to connecting, or upgrading, access to CR 50. The operator shall ensure that the existing gravel road surface is periodically cleaned of operation-related mud and debris, as directed by the Town. The operator shall provide contact information for the person responsible for the facility.
3. The Town will assign a street address to the driveway access for the production facility.
4. The operator shall direct all lighting sources away from residential.
5. Due to proximity to residential development, the operator shall assess the ambient noise levels near the surrounding homes, and provide noise mitigation during drilling and fracturing operations.
6. Given the uncertainty of the timing of future development surrounding the well and production facility/tank battery sites, the operator has provided for permanent visual screening of the facilities. The adequacy of screening is subject to Town staff approval, and construction should be coordinated with the property owner.
7. The operator shall call for utility locates prior to subgrade work.
8. The Operator shall coordinate with the Harry Lateral Ditch Company regarding protection of the ditch at crossings.

The applicant acknowledged and agreed to all conditions.

LEGAL ADVICE: If approved, the Town Attorney will prepare a resolution for Council consideration at a future meeting.

FINANCIAL ADVICE: N/A

RECOMMENDED ACTION: The Planning and Zoning Commission recommended approval with conditions of the Use by Special Review for oil and gas exploration - Cito Trust Property – Extraction Oil and Gas, LLC

SUGGESTED MOTIONS:

For Approval: I move to approve the Use by Special Review for oil and gas exploration for Cito Trust Property – Extraction Oil and Gas, LLC, with conditions as recommended by the Planning and Zoning Commission.

For Denial: I move to deny approval of the Use by Special Review for oil and gas exploration for Cito Trust Property – Extraction Oil and Gas, LLC

Reviewed:


Town Manager

**PLANNING AND ZONING
COMMISSION**

SUMMARY MINUTES

**SUMMARY MINUTES
PLANNING & ZONING COMMISSION
WEDNESDAY, MAY 9, 2018
COUNCIL CHAMBERS
450 S. PARISH AVE.**

- 1. CALL TO ORDER:** *Chair Dowling called the meeting to order at 7:00 pm.*
- 2. ROLL CALL:** *Present were Commissioners Montez, Dowling, Geisendorfer and Storms. Absent were Commissioners Eady and Kingsolver.*
- 3. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA:** *None*

4. PUBLIC HEARINGS:

A. Annexation and Gateway Zoning – US Engineering: *Chair Dowling opened the public hearing at 7:05 pm. Town Planner Franklin introduced the item and presented the staff recommendation. [Secretary's note: Commissioner Geisendorfer stated that the firm he works for was a consultant for US Engineering, but that he was not involved in the project, and believed he could vote impartially.] Dave Richards and Bob Brunson of US Engineering presented the request and answered questions.*

Commissioner Questions:

Should the disconnection be a Condition of approval? (It may, but is contemplated in the standard annexation agreement)

Public Comment:

Chief Ty Drage, Front Range Fire Rescue Authority asked the Commissioners to include direction that the owner disconnect the property from the Berthoud Fire District and petition for inclusion in the Front Range Fire Authority.

Mr. Richards agreed to the exclusion/inclusion, which is in the draft agreement.

Chair Dowling closed the hearing at 7:12pm and asked for discussion and a motion.

Motion by Commissioner Storms, seconded by Commissioner Montez to recommend approval with the conditions that an annexation agreement be prepared by the Town Attorney and signed by the owner for Town Council consideration with annexation and zoning.

Unanimous.

 **B. Use by Special Review for Oil and Gas Exploration – Cito Trust Property:** *Chair Dowling opened the hearing at 7:20 pm. Town Planner Franklin introduced the item and presented the staff recommendation. Chris Freeman and Troy Owens of Extraction Oil & Gas presented the request and answered questions.*

Commissioner questions:

- The farm access – is that an all-weather surface as is required? (Yes)*
- Extent of the notice list for the open house? (one-half mile radius – same as for the hearing notices.*
- Any other production facilities within one-half mile? (No)*
- Noise study completed per COGCC? (Yes)*

- *County Road 50 will be maintained? (In the vicinity of the access road)*

Public Comment:

- *Loren Roberts, 312 Fossil Dr.: Truck routes? (CR 50, CR 17 and I-25 frontage road)*
- *Mario Herrera, 4120 Loma Vista Place: Glad to see the road maintenance requirement. The road is very rough and dusty at times and needs better maintenance. As President of the Harry Lateral Ditch Company he wants to be sure that the Operator will work with the Ditch Co. on crossings. The ditch cannot be shut down during irrigation season.*
- *John Garcia, 3578 Dilley Circle in Carlson Farms: Objects to the ongoing oil and gas operations in the area. His home trembles due to fracking operations.*
- *Mike Sutak, 8445 LCR 14: Believes that berms should be extended all the way around for noise. Lighting should not glare onto his property. The dust on LCR 14/CR 50 is not mitigated – Town only grades the road – not mag chloride. The speed limit needs to be reduced down to 30 or 35 to help with the dust*
- *Vaugh Cito, 5194 CR 50: He will take care of the mud issue. Extraction will look at traffic signs to mark the access drive.*

Chair Dowling closed the hearing at 8:40 pm and asked for discussion and a motion.

Motion by Commissioner Montez, seconded by Commissioner Geisendorfer to recommend approval of the Use by Special Review for Oil and Gas Exploration on the D&B Cito Trust Property as requested by Extraction Oil and Gas, LLC with the following condition(s):

- 1. The Operator shall comply with Town and State regulations, including obtaining a Town Building Permit and payment of applicable use tax for permanent improvements, including all related pipelines.*
- 2. The Operator shall apply for and receive an access permit (right-of-way work permit) from the Town prior to connecting, or upgrading, access to CR 50. The operator shall ensure that the existing gravel road surface is periodically cleaned of operation-related mud and debris, as directed by the Town. The operator shall provide contact information for the person responsible for the facility.*
- 3. The Town will assign a street address to the driveway access for the production facility.*
- 4. The operator shall direct all lighting sources away from residential.*
- 5. Due to proximity to residential development, the operator shall assess the ambient noise levels near the surrounding homes, and provide noise mitigation during drilling and fracturing operations.*
- 6. Given the uncertainty of the timing of future development surrounding the well and production facility/tank battery sites, the operator has provided for permanent visual screening of the facilities. The adequacy of screening is subject to Town staff approval, and construction should be coordinated with the property owner.*
- 7. The operator shall call for utility locates prior to subgrade work.*
- 8. The Operator shall coordinate with the Harry Lateral Ditch Company regarding protection of the ditch at crossings.*

Unanimous.

5. NEW BUSINESS:

A. Approval of Minutes of April 25, 2018: *Motion by Commissioner Montez, seconded by Commissioner Storms. Unanimous.*

B. County Referrals: None

6. STAFF REPORT: *Town Planner Franklin reported on the following items:*

A. Recent Town Council Actions

B. Applications in Review

C. Project and Program Updates:

7. COMMISSIONERS' ITEMS: *None.*

8. ADJOURN: Chair Dowling adjourned the meeting at 8:55 pm.

Respectfully submitted by John Franklin, Town Planner, as Secretary to the Planning and Zoning Commission.

**STAFF REPORT
TO
PLANNING AND ZONING
COMMISSION**

AGENDA MEMORANDUM

TO: Johnstown Planning and Zoning Commission
FROM: John Franklin, Town Planner
DATE: For May 9, 2017
SUBJECT: Use by Special Review for Oil and Gas Exploration – Cito Trust property - Extraction Oil and Gas, LLC

PROPERTY DATA:

Applicant: Extraction Oil and Gas, LLC

Owner(s): D&B Cito Trust

Location: The drilling and production area is generally 4500' west of County Road 13 and south of County Road 50

Property Size: Drilling and production site is 9.8±ac

Current Zoning/Land Use(s): PUD-R/Agriculture

Surrounding Zoning/Land Uses:

North: PUD-R/CR 50, Agriculture

South: SF-1/Rocksbury Ridge and Carlson Farms single family residential

East: Weld County Ag/Agriculture

West: PUD-R/Agriculture

Comprehensive Plan Designation: Residential

Summary of Request:

General Description: Extraction proposes to drill eight oil and gas wells and install one production facility/tank battery. Drilling operations will take approximately two to three months. This is a centralized drilling and production proposal. A canvas wall is proposed to surround the drill site during operations and pre-drilling noise levels will be determined. After completion of the wells and production facility, a permanent screen consisting of a 6' berm with 6' evergreen trees is proposed on the south and southeast side of the site.

Attachments: Application materials, referral comments.

Municipal Code Review Provisions:

ARTICLE XI Oil and Gas Exploration and Production - copies in packet.

Crucial Referral Responses: The Front Range Fire Authority has submitted comments.

Technical Analysis:

There are seven (rural) homes within one-quarter mile (1320') of the proposed drill site. The closest dwelling is approximately 600' from the site. There are approximately 400 homes within one-half mile (2640') of the site in the Rocksbury Ridge and Carlson Farm neighborhoods. The closest home to the south is approximately 1600' from the site.

In accordance with the Town's regulations, the following criteria were evaluated:

(1) Whether the special use will be consistent with the Town's current comprehensive plan: The application is not inconsistent with the Comprehensive Plan.

The centralized drilling site (versus scattered sites) will reduce conflicts with existing and future development.

(2) Whether the special use will be compatible with existing conforming surrounding and probable future land uses: The area surrounding the site is planned for residential use. Town requirements of operators and developers for separation, buffers and screening will help protect existing and future residential development.

(3) Whether the special use will cause an unreasonable demand on Town services. The drilling operation will likely **not** require Town services.

(4) Whether the special use will unreasonably and adversely affect traffic flow and parking in the surrounding area. The proposed drilling operation is relatively isolated. Access to CR 50 is proposed using an existing farm driveway. CR 50 is a gravel road.

(5) Whether the public welfare requires approval of the special use. Oil and gas drilling and operations are under the jurisdiction of the Colorado Oil and Gas Conservation Commission. The Town land use policies encourages landowners and oil and gas operators to centralize oil and gas well development, provide locations as far away as possible from developed neighborhoods, and provide appropriate mitigation of noise and visual impacts.

Staff Recommendation: Based upon the above Staff recommends approval of the Use by Special Review based upon the written application and site plan materials as submitted, with conditions as follows:

1. The Operator shall comply with Town and State regulations, including obtaining a Town Building Permit and payment of applicable use tax for permanent improvements, including all related pipelines.
2. The Operator shall apply for and receive an access permit (right-of-way work permit) from the Town prior to connecting, or upgrading, access to CR 50. The operator shall ensure that the existing gravel road surface is periodically cleaned of operation-related mud and debris, as directed by the Town. The operator shall provide contact information for the person responsible for the facility.
3. The Town will assign a street address to the driveway access for the production facility.
4. The operator shall direct all lighting sources away from residential.
5. Due to proximity to residential development, the operator shall assess the ambient noise levels near the surrounding homes, and provide noise mitigation during drilling and fracturing operations.
6. Given the uncertainty of the timing of future development surrounding the well and production facility/tank battery sites, the operator has provided for permanent visual screening of the facilities. The adequacy of screening is subject to Town staff approval, and construction should be coordinated with the property owner.
7. The operator shall call for utility locates prior to subgrade work.
8. Other conditions which may be derived from the public hearing and Commissioner deliberations.

Planning Commission Action:

1. If the Commission desires to recommend approval:

"I move that the Commission recommend approval of the Use by Special Review for Oil and Gas Exploration on the D&B Cito Trust Property as requested by Extraction Oil and Gas, LLC"

Or,

2. If the Commission desires to recommend approval with conditions:

"I move that the Commission recommend approval of the Use by Special Review for Oil and Gas Exploration on the D&B Cito Trust Property as requested by Extraction Oil and gas, LLC with the following condition(s):

a. _____

b. _____

etc. "

Or,

3. If the Commission desires to recommend denial:

"I move that the Commission recommend denial of the Use by Special Review for Oil and Gas Exploration on the D&B Cito Trust Property as requested by Extraction Oil and Gas, LLC for the following reasons:

a. _____

b. _____

etc. "

APPLICATION

CITO TRUST WELL PAD

5102 WELD COUNTY ROAD 50

NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF
SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH
PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF WELD,
STATE OF COLORADO.



EXTRACTION OIL & GAS

**370 17TH STREET SUITE 5300
DENVER, COLORADO 80202
720.557.8300**

SUBMITTED: APRIL 12, 2018

TABLE OF CONTENTS

1.0 Project Overview.....3

2.0 Contact Information4

3.0 Operating plan5

 a. Site Preparation..... 5

 b. Drilling Phase 5

 c. Completion Phase 6

 d. Water Source 7

 e. Production Phase 7

 f. Interim Reclamation & Weed Control..... 8

 g. Plugging & Abandonment of Wells/Final Reclamation 8

4.0 Permits and Other Approvals9

5.0 Emergency Response Plan10

6.0 Mitigation Plan to Minimize Negative Effects.....11

 a. Noise Levels.....11

 b. Air Quality.....11

 c. Water Quality.....11

 d. Vibration12

 e. Odor Levels12

 f. Visual12

 g. Wildlife & Environment12

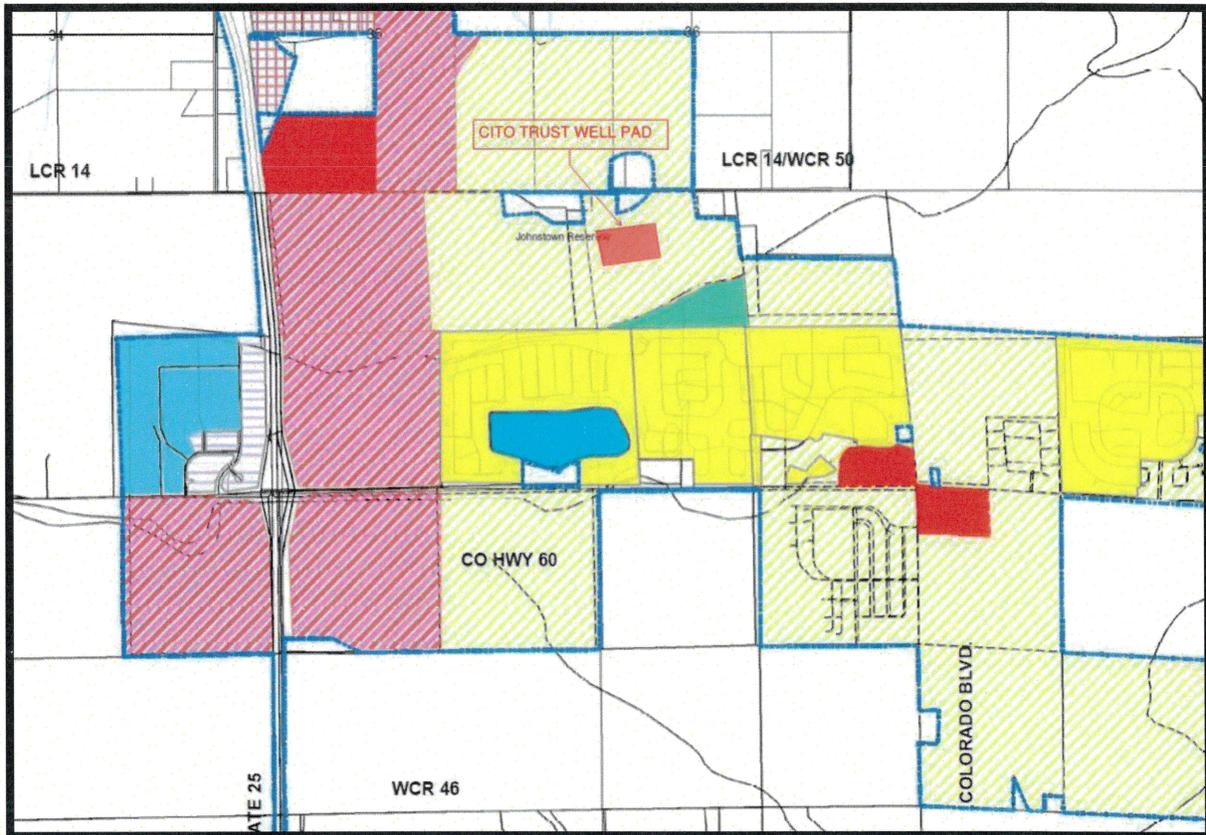
 h. Waste Disposal13

 i. Public Safety13

7.0 ATTACHMENTS14

1.0 PROJECT OVERVIEW

Extraction Oil & Gas, LLC (Extraction) has prepared a Use by Special Review application for the proposed Cito Trust well pad located at 5102 County Road 50, in the Town of Johnstown in the Northwest ¼ of the Northwest ¼ of Section 1, Township 4 North, Range 68 West of the 6th P.M., approximately 4,500 feet west of the intersection of County Road 13 (Colorado Boulevard) and County Road 50. The location is north of the Rocksbury Ridge and Carlson Farms subdivisions. The proposed pad is located on a 51 acre parcel of land owned by D&B Cito Trust that is currently zoned Planned Unit Development Residential (PUD-R). The property owners entered into a surface use agreement with Great Western Operating (Great Western) to conduct oil and gas operations on a portion of the property. Extraction has since completed a trade with Great Western and has now obtained this surface use agreement and leases in the area. Refer to the vicinity map included with this application.



2.0 CONTACT INFORMATION

Operator

Extraction Oil & Gas, LLC
370 17th Street, Suite 5300
Denver, Colorado 80203
Office: (720) 557-8300

Asset Manager: Troy Owens
Regulatory Manager: Blane Thingelstad

Surface Owner

D&B Cito Trust
5050 County Road 50
Loveland, CO 80534

Site Plan prepared by:

Uintah Engineering & Land Surveying
85 South 200 East
Vernal, Utah 84078
435.789.1017

A copy of the executed Surface Use Agreement with the surface owner is included as Attachment A.

3.0 OPERATING PLAN

The Operating Plan is divided into the Drilling Phase, Completion Phase, Subsequent Completion Operations, Production Phase and Abandonment of wells. All operations, including drilling, completion, production, abandonment, and final reclamation shall be consistent with the Colorado Oil and Gas Conservation Commission (COGCC) Rules and Regulations, specifically those set forth in the following series:

- 300 Series: Drilling, Development, Producing, and Abandonment
- 600 Series: Safety Regulations
- 800 Series: Aesthetic and Noise Control Regulations
- 1000 Series: Reclamation Regulations
- 1100 Series: Flowline Regulations

a. Site Preparation

The proposed pad and access road combined will be approximately 9.8 acres in size. Construction operations will include removal of current grass vegetation and stockpiling of topsoil, earthwork operations to grade the pad level for drilling operations, and construction of the access road. Additionally, storm water controls and mitigation BMPs will be installed during construction. Pad construction typically take 14 to 28 days to complete depending on site specifics such as topography. Prior to any subgrade work, utility locate services will be contacted to verify no buried utility lines will be encountered or impacted.

b. Drilling Phase

A drilling prognosis will be prepared prior to drilling that details the formation tops, mud program, logging program and casing program specific to wells on the pad site.

The drilling phase typically proceeds as follows:

- A conductor rig is moved onto the location to set conductor casing; typically, two conductors can be set per day. Conductors are anticipated for this site. Conductor casing can go to depths of 75-200 feet and holds back the loose gravels and soils from falling into the hole. The conductor casing is then cemented to the surface
- After the conductor casing is set, a surface, or "spudder," rig is moved onto location to set surface casing; typically, it takes one day per well to set surface casing.
- The surface rig will drill to approximate depths of 1550 feet. For this site, surface casing will be set at least 50 feet below the deepest known fresh water Fox Hills water well in the area or the base of the mapped Fox Hills formation; whichever is deeper. Surface casing is then run and cemented from this depth to the surface. Typical surface casing designs in the basin are a minimum of 1500 feet deep.

- Next, the drilling rig is moved onsite and rigged up. Mobilization of the drilling rig typically takes 2 to 4 days (a 24-hour drilling schedule is utilized). Under normal conditions, drilling is anticipated to take approximately 6 to 8 days per well.
- On this multi-well pad, the wellheads are 22 feet apart. The rig is set up on the first well to be drilled, then skids or walks to each subsequent well.
- Once the total depth is reached, the drill string is removed from the hole.
- Prior to running production casing, one well per pad has open-hole logs run to meet COGCC requirements. The objective target formations for this project are mapped and estimated to be between 6300-7300 feet deep.
- Production casing is then run, set in the hole and cemented in place to protect and isolate the deeper hydrocarbon bearing formations.
- Finally the blow out preventer is removed, the well is properly capped and secured and then the rig walk or skids to the next well on the pad.
- Once all wells on site are drilled, cased, cemented and the well heads capped and secure, the drilling rig is moved offsite. Extraction's drilling rigs are equipped with a closed loop system, therefore water used for drilling is recycled and re-used. No reserve pits will be constructed.

c. Completion Phase

Completion operations commence once the production casing cement has had sufficient time to cure. Typically, cement will cure to maximum strength within 72 hours. The quality will be verified by a cement bond log.

Typically, the completion phase proceeds as follows:

- The well is perforated based on an open-hole log analysis. Perforation occurs at specified intervals and pierces the steel casing, the cement and the formation. This process typically takes one day.
- The well is then fractured hydraulically creating hairline cracks in the formation to produce tiny voids that allow the hydrocarbons to flow from the formation. Sand is used as a propping agent to preserve the opened formation. Typically, two to four fracturing operations can be completed per day per well, at a rate of up to four wells simultaneously, including time to rig up, pump, and rig down. This process requires multiple, high-pressure, truck mounted pumps and the associated portable equipment. Once the process is complete, all associated equipment is moved offsite.
- The well is then flowed back to portable tanks which can take 1 to 20 days, depending on the number of wells and the length of the laterals. During this period, fluids are collected into temporary tanks and ultimately moved offsite.
- If necessary, tubing is run inside the casing to increase production efficiency. This process typically takes 1 to 3 days.

d. Water Source

Extraction has acquired water rights from various local sources which can be used during completion operations. Extraction typically contracts with third parties to transport and store water in temporary modular large volume tanks (MLVTs) on location for use during completion of the wells. Transportation of water to the MLVTs will be completed using temporary “lay flat” water lines laid on the surface within temporary easements with the surface owner. All lay flat lines will be removed after use. This technology eliminates the need to truck water to the pad during completion operations.

e. Production Phase

New production facilities will be constructed in accordance with COGCC rules and regulations as illustrated in the site plan.

The production facility typically consists of the following surface equipment:

- 8 Oil Tanks: Stores the produced oil, 400 bbl capacity each, welded steel, low profile at a height of less than 12.5 feet.
- 2 Water Tanks: Stores the produced water, up to 400 bbl capacity each, fiberglass or welded steel, a maximum of 12.5 feet in height.
- 4 concrete pits (2 x 60-barrel produced water pits; 2 x 50-barrel production drain pits).
- 11 Separators: Separate production fluid into their constituent components of oil, gas and water. These include 8 primary separators, with 3 additional low and high phase separators also used to achieve separation.
- 6 Compressors: 2 compressors will be used to compress produced natural gas for the sales pipeline, the other 4 to compress gas to lift oil to the surface.
- 4 Vapor Recovery Units (VRU): Compresses natural gas captured from the oil column and sent to the sales line.
- 4 Emission Control Devices (ECDs)/VOC Combustors: To be used only on an as-needed basis to incinerate natural gas that cannot be captured, processed and sold for commercial resale and/or in the event of an unplanned shut-down of the pad.
- 2 LACT Units (Lease Automated Custody Transfer): Safely measures oil loaded out by reducing the utilization of hatches and reducing any uncontrolled releases of emissions.
- 2 Vapor Recovery Towers (VRT): If needed, this piece of equipment can collect gas in a vertical separation format before oil goes to the tanks.
- 2 Meter Houses/Sales equipment: Measures the amount of produced gas.

Per COGCC regulations, secondary containment will be constructed around all tanks, including an engineered containment system built to surround the tank battery. The walls will be 26 to 36 inches tall. Containment facilities will be painted in accordance with COGCC Rule 804. All tanks containing hydrocarbons or produced water will be labeled to

identify their contents.

The wellheads will be connected to the separators via flow lines that will be buried 3 to 4 feet deep. The flow lines are typically 2-inch diameter schedule 160 welded steel, coated.

Once the production phase of the wells commences, daily monitoring of the wells begins. Daily reports consist of tank measurements, gas production estimates, pressure readings, and general facility care and maintenance. This information is compiled and recorded in the COGCC monthly report. The production phase continues until a well is no longer productive, or it is no longer financially viable to continue production. It is estimated that the average life of each well at this location will be 20 to 30 years.

Per Town of Johnstown Development Code Article XI, Section 17-193, the location of all flowlines including transmission and gathering systems will be recorded with the Weld County Clerk and Recorder within thirty days of completion of construction.

f. Interim Reclamation & Weed Control

Interim reclamation consisting of re-contouring and reseeding of areas disturbed during construction, drilling, and completion activities will be completed once the location is on production. Interim reclamation grading, screening, and landscaping will be completed in accordance with the visual mitigation plan. Interim reclamation will allow for daily operations of the oil and gas facility, access to the wells, maintenance of the facility and wells, work-overs, and normal production activity.

All areas, including well heads and production facilities, will be kept free of weeds, rubbish, and other waste material. As much as possible, all areas will be kept free of noxious weeds. If noxious weeds are identified on-site, the area will be treated as soon as possible in an effort to prevent the weed from flowering and spreading. To the greatest extent possible, machinery and equipment will not be parked or staged in weed infested areas.

g. Plugging & Abandonment of Wells/Final Reclamation

Extraction will plug the wells, remove production equipment and reclaim the pad when it becomes uneconomical to continue operating the wells, which is anticipated to occur in 20 to 30 years. This will include installation of a series of required cement plugs in the wells to eliminate future flow from the well, in accordance with Section 1000 of COGCC rules and regulations. After the well has been plugged, flow lines will be flushed of all hydrocarbons and capped or removed in accordance with Rule 1103 of COGCC rules and regulations. At this time, all tanks and equipment, lines and roads will be removed from the location. In accordance with Article XI of the Town of Johnstown Development Code Section 17-193 abandonment of any flowlines will be recorded with the Weld County Clerk and Recorder. Additionally regulations pursuant to Section 17-194 and 17-195 will be adhered to.

4.0 PERMITS AND OTHER APPROVALS

Extraction is not seeking any other permits other than those required by the Town of Johnstown and the COGCC. As required by the Town of Johnstown, Extraction will obtain a building permit prior to construction of the Cito Trust well pad and associated improvements, will obtain an access permit for road access, and will pay applicable use taxes for permanent improvements on location and associated pipelines.

The Colorado Oil and Gas permit applications were filed by Great Western Oil and Gas and approved by the COGCC (see Attachment B). Please note that a change of operator will be filed for the permits to update the operator to Extraction Oil & Gas, LLC. Additionally, all COGCC permits will be revised to reflect any changes that are proposed or that may occur as a result of this Use by Special Review application.

5.0 EMERGENCY RESPONSE PLAN

Refer to the Attachment C - Tactical Response Plan for information on emergency response at the proposed well pad. Extraction has obtained a street address for the Cito Trust well pad, which is as follows:

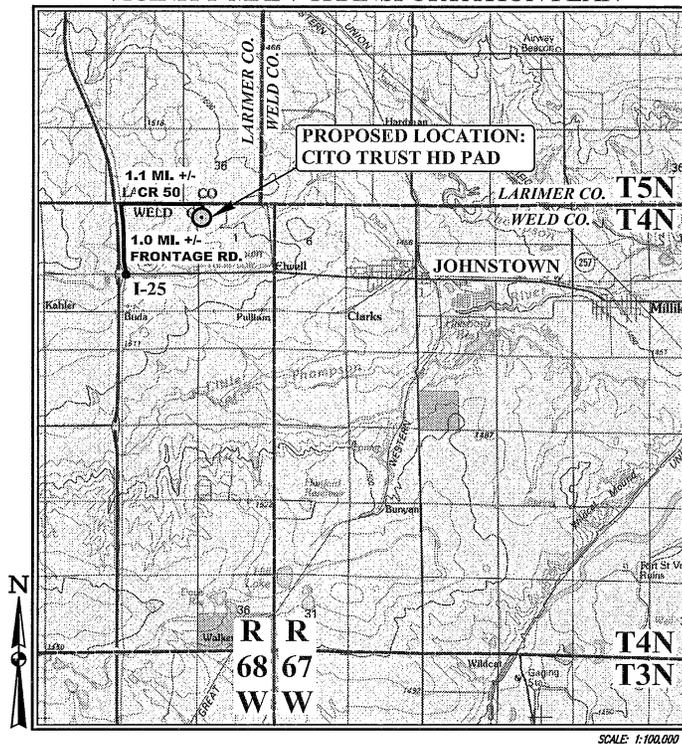
5102 Weld County Road 50
Johnstown, CO 80534

USR MAPS

USE BY SPECIAL REVIEW SUBMITTAL PLANS FOR THE
EXTRACTION OIL & GAS
CITO TRUST HD PAD

AN OIL & GAS PRODUCTION FACILITY
 LOCATED IN THE NW 1/4 NW 1/4 OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6th P.M.
 TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO

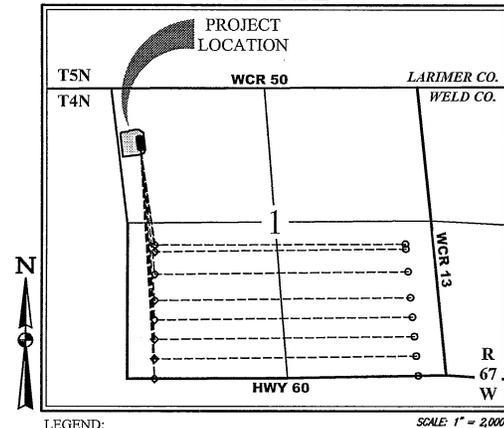
VICINITY MAP / TRANSPORTATION PLAN



TRANSPORTATION NOTES

1. ALL TRUCK TRAFFIC TO FOLLOW HAUL ROUTE AS SHOWN.

KEY MAP



- LEGEND:
- = WELLHEAD LOCATION
 - = TARGET BOTTOM HOLE
 - ◇ = ENTRY POINT

LAND USE INFORMATION

ZONING: PUD-R
 LAND USE: AGRICULTURAL

PARCEL ID: 106101200045
 OWNER: D & B CITO TRUST
 PARCEL AREA: ±51.55 ACRES
 PARCEL DESCRIPTION:
 LOT B REC EXEMPTION RE-3835

USE BY SPECIAL REVIEW AREA (OIL & GAS SURFACE USE AREA):

WELL PAD: ±9.277 AC.
 ACCESS ROAD: ±0.526 AC.
 TOTAL: ±9.803 AC.

SHEET INDEX

- C1 - COVER/VICINITY MAPS/TRANSPORTATION PLAN
- C2 - OVERALL SITE PLAN
- C3 - DRILL PAD SITE PLAN AND NOISE MITIGATION PLAN
- C4 - PRODUCTION FACILITY SITE PLAN AND VISUAL MITIGATION PLAN
- C5 - CONSTRUCTION DETAILS

CONTACTS

APPLICANT: EXTRACTION OIL & GAS
 370 17TH STREET, SUITE 5300
 DENVER, CO 80202
 TROY OWENS
 (720) 557-8303

PROPERTY OWNERS: D & B CITO TRUST
 5050 COUNTY ROAD 50
 LOVELAND, CO 80534

TOWN OF JOHNSTOWN PLANNING AND ZONING: JOHN FRANKLIN
 450 S. PARISH AVE.
 JOHNSTOWN, CO 80534
 (970) 587-4664

WELD COUNTY SHERIFFS DEPARTMENT: STEVE REAMS
 WELD COUNTY SHERIFF
 (970) 356-4000 OR 911

FRONT RANGE FIRE RESCUE: TYLER DRAGE
 CHIEF
 (970) 587-4464 x 105 OR 911

JOHNSTOWN POLICE DEPT: (970) 587-5555 OR 911

COLORADO OIL & GAS CONSERVATION COMMISSION: (303) 894-2100

ENVIRONMENTAL PROTECTION AGENCY REGION VIII: (303) 312-6312
 (800) 277-8917

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EXTRACTION OIL & GAS
 CITO TRUST HD PAD
 USE BY SPECIAL REVIEW
 SEC. 1, T4N, R68W, 6th P.M.
 COVER/VICINITY MAPS/TRANSPORTATION PLAN

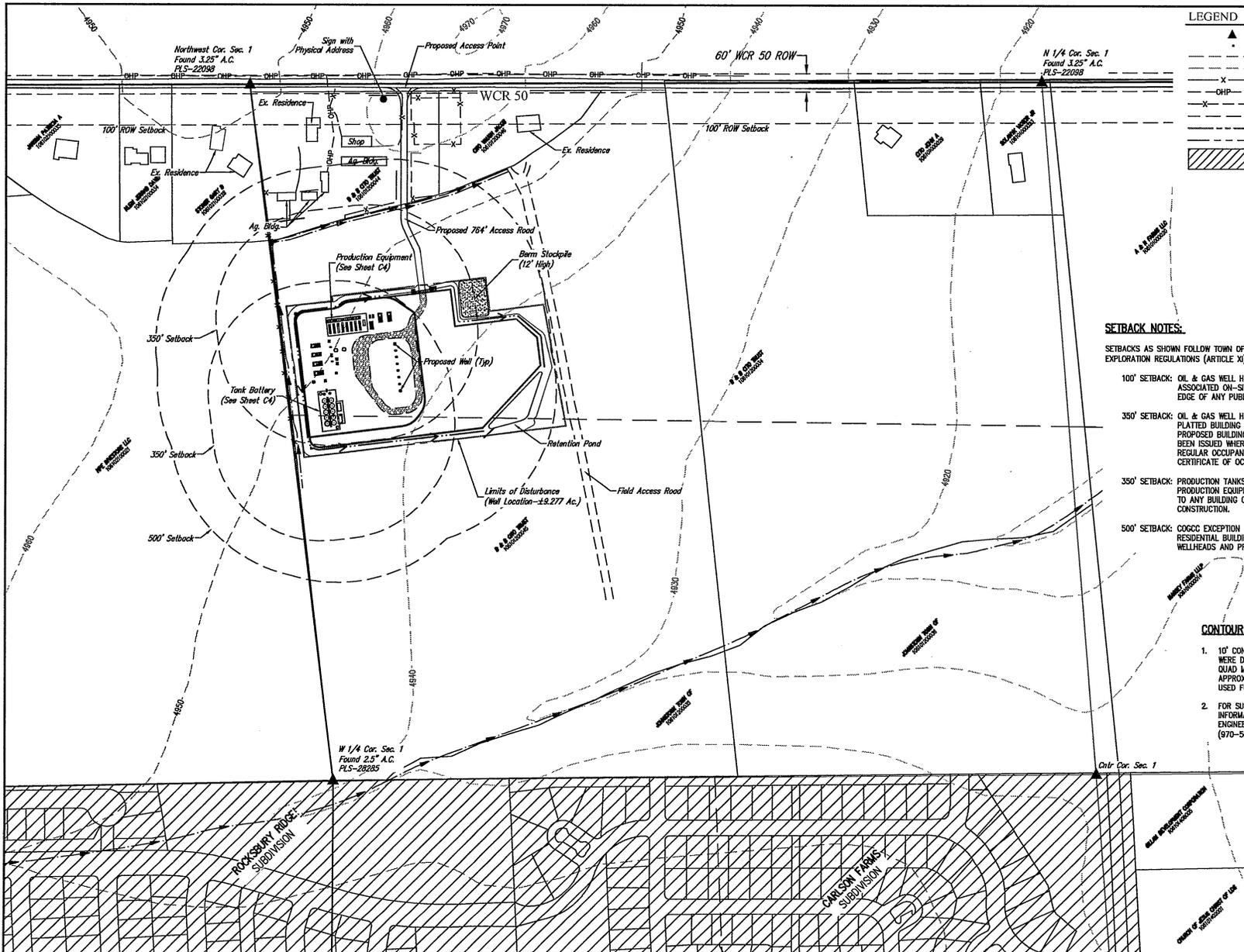
REV	DATE	BY	REVISIONS
0	08-28-17	C.J.C.	ISSUED FOR PERMIT
1	04-04-18	D.J.W.	UPDATE USER WITH NEW PAD DESIGN

SCALE: AS NOTED
 DRAWN BY: C.J.C.
 DATE DRAWN: 9-13-2017
 UELS FILE NO.: E-9285
 PROJ. NO.: EX101-17-0003

5/11/2017
C1

- SINCE 1964 -

E:\FILE E:\Projects\01817 V APRIL EXTRACTOR\01817 TRUST (E-2025)\DWG\01817.dwg



LEGEND

- ▲ SECTION CORNER (FOUND)
- PROPOSED WELL (SURFACE)
- EXISTING MAJOR CONTOUR 50'
- EXISTING MINOR CONTOUR 10'
- x- FACILITY FENCING
- x- EXISTING OVERHEAD POWER
- x- EXISTING FENCE
- x- SETBACK (AS DESCRIBED)
- x- LIMITS OF DISTURBANCE
- x- PARCEL LINES
- ▨ SUBDIVISIONS

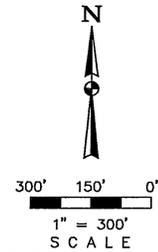
SETBACK NOTES:

SETBACKS AS SHOWN FOLLOW TOWN OF JOHNSTOWN OIL & GAS EXPLORATION REGULATIONS (ARTICLE X) AS FOLLOWS:

- 100' SETBACK: OIL & GAS WELL HEADS, TANK BATTERIES AND ASSOCIATED ON-SITE PRODUCTION EQUIPMENT TO THE EDGE OF ANY PUBLIC RIGHT-OF-WAY.
- 350' SETBACK: OIL & GAS WELL HEADS TO ANY APPROVED SUBDIVISION PLATTED BUILDING LOT. ANY OCCUPIED BUILDING, ANY PROPOSED BUILDING FOR WHICH A BUILDING PERMIT HAS BEEN ISSUED WHERE THE PRIMARY USE INCLUDES REGULAR OCCUPANCY, OR ANY BUILDING FOR WHICH A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED.
- 350' SETBACK: PRODUCTION TANKS AND/OR ASSOCIATED ON-SITE PRODUCTION EQUIPMENT PROPOSED FOR INSTALLATION TO ANY BUILDING OR BUILDING PERMITTED FOR CONSTRUCTION.
- 500' SETBACK: COGCC EXCEPTION ZONE SETBACK APPLIES TO RESIDENTIAL BUILDING UNITS AND IS MEASURED FROM WELLHEADS AND PRODUCTION EQUIPMENT.

CONTOUR NOTES:

1. 10' CONTOURS SHOWN ON THIS SHEET WERE DIGITIZED FROM PUBLISHED USGS QUAD MAPS, AND AS SUCH ARE APPROXIMATE AND SHOULD NOT BE USED FOR CONSTRUCTION ACTIVITIES.
2. FOR SURVEY CONTROL AND DATUM INFORMATION, CONTACT UNITAH ENGINEERING AND LAND SURVEYING - (970-506-1544).



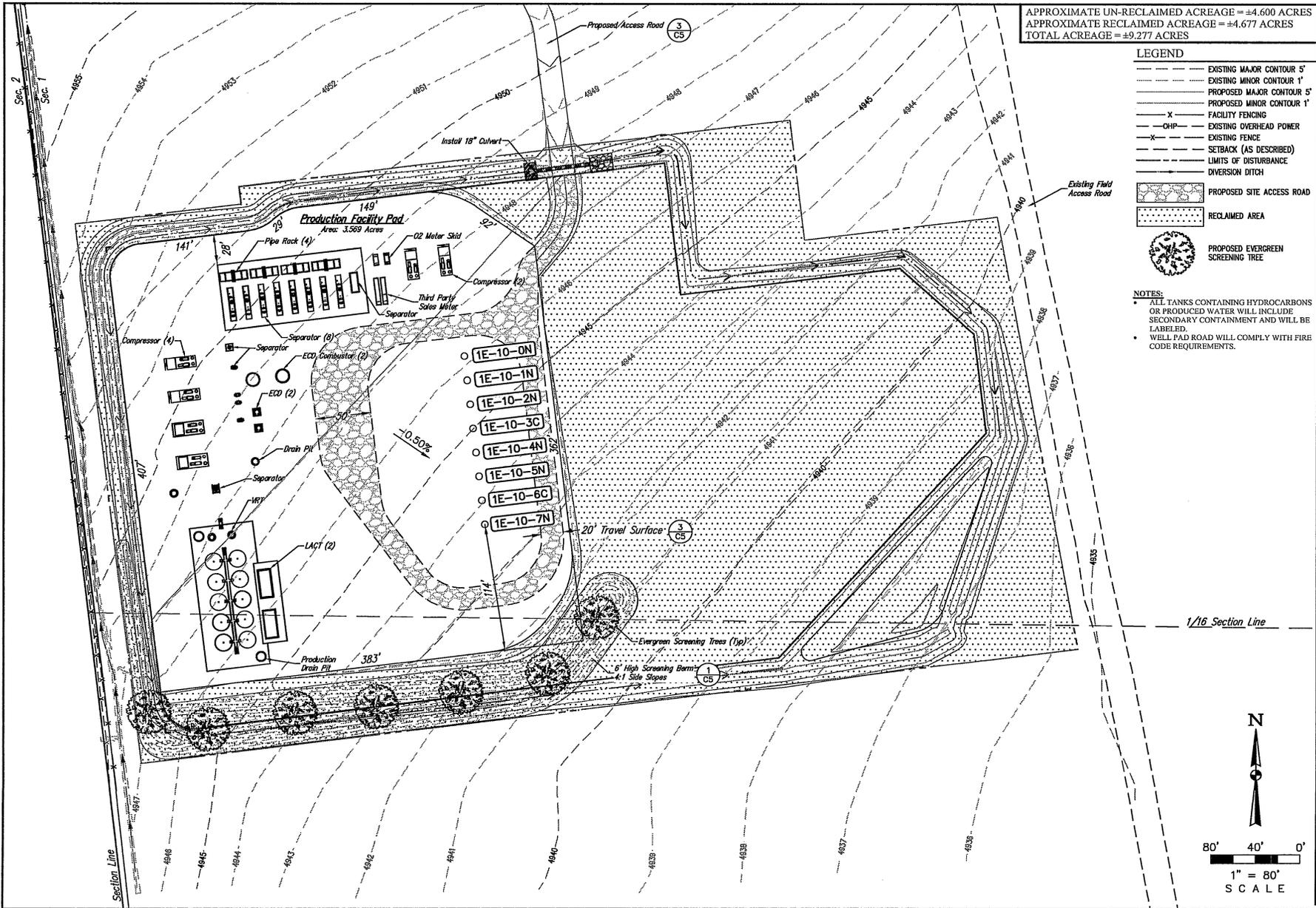
UNITAH
ENGINEERING AND LAND SURVEYING
85 South 200 East, Normal, UT 84678
P.O. 455, 789.1017 | www.unitahgroup.com
- SINCE 1944 -

EXTRACTION OIL & GAS
CITO TRUST RD PAD
USE BY SPECIAL REVIEW
SEC. 1, TAN, R68BT, 6th P.M.
OVERALL SITE PLAN

REV	DATE	BY	REVISIONS
0	08-28-17	C.J.C.	ISSUED FOR PERMIT
1	04-04-18	D.J.W.	UPDATE USER WITH NEW PAD DESIGN
2	04-10-18	D.J.W.	500' SETBACK CORRECTION

SCALE: AS NOTED
DRAWN BY: C.J.C.
DATE DRAWN: 9-13-2017
UNITS FILE NO.: E-9255
PROJ. NO.: EX101-17-0003
SHEET: **C2**

E:\FILE E:\bckm\2018\1 - APPL\EXTRACTION\CTO TRUST (E-2925)\DWG\Site Plan.dwg



APPROXIMATE UN-RECLAIMED ACREAGE = ±4.600 ACRES
 APPROXIMATE RECLAIMED ACREAGE = ±4.677 ACRES
 TOTAL ACREAGE = ±9.277 ACRES

LEGEND

- EXISTING MAJOR CONTOUR 5'
- EXISTING MINOR CONTOUR 1'
- PROPOSED MAJOR CONTOUR 5'
- PROPOSED MINOR CONTOUR 1'
- X- FACILITY FENCING
- OHP- EXISTING OVERHEAD POWER
- X- EXISTING FENCE
- X- SETBACK (AS DESCRIBED)
- X- LIMITS OF DISTURBANCE
- X- DIVERSION DITCH
- [Pattern] PROPOSED SITE ACCESS ROAD
- [Pattern] RECLAIMED AREA
- [Symbol] PROPOSED EVERGREEN SCREENING TREE

- NOTES:**
- ALL TANKS CONTAINING HYDROCARBONS OR PRODUCED WATER WILL INCLUDE SECONDARY CONTAINMENT AND WILL BE LABELED.
 - WELL PAD ROAD WILL COMPLY WITH FIRE CODE REQUIREMENTS.

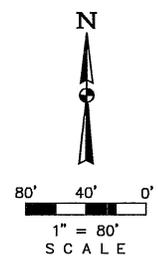


EXTRACTION OIL & GAS
 CITO TRUST HD PAD
 USE BY SPECIAL REVIEW
 SEC. 1, 74N, R68W, 6th P. M.
 PRODUCTION FACILITY SITE PLAN

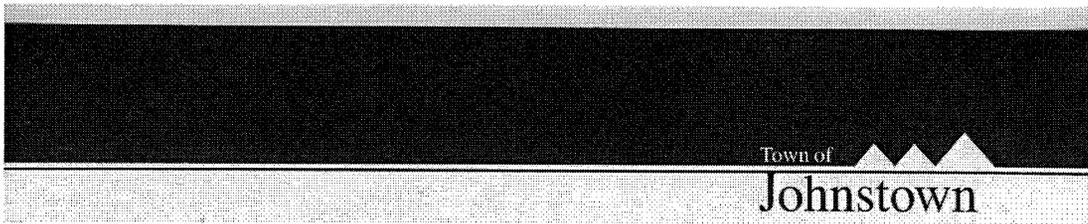
REV	DATE	BY	REVISIONS
0	08-28-17	C.J.C.	ISSUED FOR PERMIT
1	04-04-18	D.J.W.	UPDATE USR WITH NEW PAD DESIGN
2	04-10-18	D.J.W.	ADD NOTES

SCALE: AS NOTED
DRAWN BY: C.J.C.
DATE DRAWN: 9-13-2017
DLS FILE NO: E-9255
PROJ. NO: EX101-17-0003

SHEET	C4
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REFERRAL COMMENTS



November 14, 2017

Extraction Oil and Gas, LLC
370 17th Street, Suite 5300
Denver, CO 80202
Attn: Erin Mathews, P.E.

Re: Use by Special Review – Oil and Gas Exploration – Cito Trust Property

Technical review and referral of the application are in progress, but I will confirm our standard comments and recommendations, as they apply to the site:

1. The operator shall comply with Town and State regulations, including obtaining a building permit and payment of applicable use tax for permanent improvements, including all related pipelines.
2. The operator shall apply for and receive an access permit (right-of-way work permit) from the Town prior to connecting to, or upgrading access roads from a public street.
3. The Town will assign a street address to the driveway access for the production facility.
4. The operator shall direct all lighting sources away from residential.
5. Due to proximity to residential development, the operator shall provide noise mitigation prior to drilling which shall include special mufflers, on-rig screening and canvas, earthen and/or hay bale barriers as approved by the Town. The proposed canvas wall is acceptable.
6. Given the proximity of homes to the drilling and production site, permanent visual screening is recommended, especially to the Rocksbury and Carlson Farm neighborhoods to the south. The proposed combination of a minimum 2' height earthen berm and strategically placed 6' minimum height evergreen trees is an acceptable form of screening. Such site work should be coordinated with the property owner/tenant farmer.
7. The operator shall call for utility locates prior to subgrade work.

I have tentatively scheduled a public hearing and Planning and Zoning Commission consideration of the request for 7:00 p.m. on Wednesday, December 13, 2017 in the Town Council Chambers at 450 South Parish Ave. A document camera and laptop connection are available for presentations.

Town staff will publish notice of the hearing in the local newspaper. Please mail a written notice of the hearing on or before November 28 to the owners of record within ½-mile of the wells/production facility. Please confirm the mailing.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Franklin', with a long horizontal line extending to the right.

John Franklin, Town Planner

Copy to file

Town of

Johnstown

Planning and Zoning Department
450 S. Parish Ave. Johnstown, CO 80534
(970) 587-4664; Fax (970) 587-0141
www.townofjohnstown.com

DATE: November 13, 2017

REFERRAL OF APPLICATION

The Town of Johnstown has received the following application for review:

Project: Use by Special Review – Oil and Gas Exploration - Cito Trust Property

Location: South of CR 50 and one mile west of CR 13

Applicant: Extraction Oil and Gas

Please reply by: December 1, 2017

Tentative Planning and Zoning Commission Hearing: December 13, 2017

Planner: John Franklin ifranklin@townofjohnstown.com

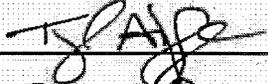
This application is submitted to you for review. Any comments or recommendations you consider relevant to this request would be appreciated. Please reply by the above listed date so that we may include your comments with others. If additional documentation is required, please advise us as soon as possible.

We have reviewed the request and find no conflicts with our interests.

Please see the attached letter.

Comments:

PLAN REVIEW COMMENTS ALSO INDICATED AS NOTES
ON SUBMITTED SITE PLAN.

Signature: 

Date: 11/16/2017

Agency: FRONT RANGE FIRE RESCUE

Review of Submitted Project

Front Range Fire Rescue Authority Comments

Applicant(s): Extraction Oil & Gas
Application for: Cito Trust Well Pad
Application Date: November 13, 2017
Contact: Tyler Drage, (970)587-4464 x105

This document pertains to an application for Use by Special Review (USR) for the installation of 12 new horizontal wells and associated other equipment by Extraction Oil & Gas (Operator), referred to as the Cito Trust Pad, located approximately 4500 feet west of the intersection of County Road 13 (Colorado Blvd) and County Road 50 in Johnstown, CO. For questions or clarifications of specific comments listed below, please contact Life Safety Chief Ty Drage: tdrage@frfr.co 970-587-4464 x105

IT SHALL BE THE RESPONSIBILITY OF THE OPERATOR TO SCHEDULE A FINAL INSPECTION AT LEAST 48 HOURS PRIOR TO THE PRODUCTION FACILITY GOING ON-LINE BY CALLING FRFR LIFE SAFETY CHIEF AT 970-587-4464 x105.

If all conditions in this permit have not been met at time of final inspection, a re-inspection fee may be assessed for additional inspections. Minimum re-inspection fee is \$75. Failure to comply may result in the issuance of a Stop Work Order.

GENERAL COMMENTS

With regard to fire and life safety issues, all requirements of adopted 2006 International Fire Code (IFC), including all appendices and local amendments, as well as the 2008 version of NFPA 30, shall be met.

The Operator shall ensure that current emergency contact information is posted on or near the facility at all times, in accordance with Colorado Oil and Gas Conservation Commission (COGCC) rules.

FACILITY SETBACK

The COGCC specifies a 500-foot setback between new oil and gas facilities and existing residential development or occupied structures, and 1,000 feet from a "high occupancy" building. The Town of Johnstown allows wellhead locations to be no closer than 350 feet from any approved subdivision platted building lot, any occupied building, any proposed building for which a building permit has been issued, or any building for which a certificate of occupancy has been issued. Information is not clear that setback specifications have been or can be met on all sides of the proposed facility. The Operator shall verify that all COGCC and Town setback specifications have been or can be met for all existing structures and previously approved development prior to initiation of any drilling operations.

- The proposed location of this facility is within property currently zoned as Planned Unit Development Residential (PUD-R). The Operator has not provided clear information regarding the existence of any previously approved/permitted developments or buildings adjacent to the proposed facility.
- The provided site plans place the production facility closer to existing buildings than allowed by setback specifications. The Operator shall provide additional detail to clarify proximity to existing occupied buildings and compliance with COGCC and Town setbacks.

EMERGENCY VEHICLE ACCESS

The Operator shall obtain a physical address on County Road 50 for the finished production facility. Numerals shall be minimum of four (4) inch height with a half-inch width and shall be a contrasting color with their background. The address numerals for the site shall be installed at a location that is clearly visible and legible from County Road 50. The facility address shall be posted prior to commencement of any activity on the job site.

Fire apparatus access roads shall be provided throughout the duration of site development up to and including the production facility. All fire apparatus access roads shall be a minimum of 20-feet in width and shall be finished by an application of an all-weather driving surface capable of supporting a design wheel load of 18,000 pounds (GVW 80,000 pounds minimum).

- Minimum turning radius is 25 feet inside, 50 feet outside OR meet the B40 turning template.
- Dead-end fire apparatus access roads in excess of 150 in length shall be provided with an approved area for turning around fire apparatus (minimum 100-foot diameter cul-de-sac).

In accordance with State rules, the Operator shall provide for security of the site to prevent unauthorized site access and/or tampering with any containers, tanks, or piping. If a security fence is provided around the facility, or if a gate is installed across the fire apparatus access road, the Operator shall install an approved Knox padlock or other approved means to ensure 24-hour fire department access.

WATER SUPPLY

A fire hydrant is required to be located within 600 feet of the entrance to the production facility on County Road 50. There appear to be two (2) fire hydrants in the area of County Road 50 and Loma Vista Place that would meet this requirement. The Operator shall work with the water provider to ensure hydrant functionality and to perform a flow test of at least one of those hydrants to measure the amount of water available. A hydrant flow test report will be provided to the fire department.

STORAGE OF HAZARDOUS MATERIALS

The storage and/or use of any temporary or permanent above-ground storage tanks for hazardous materials during site construction and/or development is strictly prohibited without a permit and inspection from Front Range Fire Rescue. The Operator shall provide a detailed hazardous materials inventory for all phases of site development. Storage locations shall be noted on corresponding site plans.

Hydrocarbon storage and distribution systems design, installation and operations shall be in compliance with the adopted 2006 International Fire Code: Chapters 50 and 57, as well as NFPA 30 and applicable federal and state regulations, as appropriate.

The Operator shall provide Front Range Fire Rescue with a final copy of the Spill Prevention Control and Countermeasures (SPCC) Plan.

The Operator shall install and maintain appropriate secondary containment around all above-ground storage tanks (AST), containers, and piping, including flowback water tanks. Containment systems shall be sufficient to contain the entire volume of the single largest container plus the volume of a 24-hour rainfall, in accordance with the 2006 IFC.

The Operator shall label all four sides of each tank or container to indicate the contents.

The Operator shall install signs to prohibit smoking with 25 feet of any tank, container or other appurtenance associated with oil and gas processing or storage.

The Operator shall maintain the facility and all appurtenances in good working condition at all times.

The Operator shall maintain a current and up-to-date emergency operations plan, and shall provide such updated plan to FRFR by March 1st of each year, in conjunction with State-mandated Tier II submittals.

- Tactical Response Plan (page 7, item 2.2) – Identify criteria for notification of hazardous materials response from fire department. If this is established in Section 4.1 of the Extraction ERP, then please provide that reference for review.
- Tactical Response Plan (page 8, item 2.3) – Add note to direct foreman/supervisor to coordinate with responding fire apparatus in a Unified Incident Command.
- Tactical Response Plan (page 11, item 3.1) – Reference to fire department is incorrect. Please correct to Front Range Fire Rescue.
- Tactical Response Plan (page 12) – Add Front Range Fire Rescue (970-587-4464 or 911) to NOTIFICATIONS section.
- Tactical Response Plan (page 13) – Fire department name and phone number are incorrect. Please correct to Front Range Fire Rescue and list phone number of 970-587-4464.

The Operator shall submit to annual re-inspection from FRFR to confirm compliance with applicable codes and standards, as necessary.

OPEN HOUSE NOTICE



EXTRACTION

Oil & Gas

Hello,

Extraction Oil & Gas wishes to cordially invite you to attend an open house regarding development of our Cito Trust location on Monday April 30th from 5pm to 7pm at the Candlelight Dinner Playhouse, in the Aspen Columbine Room. 4747 Marketplace Drive Johnstown, CO 80534

We are currently in the permitting process to develop the minerals in this area, and we would like to have the opportunity to discuss our operations and plans to safely and responsibly develop the energy resources we all need while minimizing inconveniences wherever possible.

The event will give you the opportunity to speak one-on-one with our team of energy professionals. This is an **Open House style event; please come by at your convenience.**

We look forward to meeting you, getting feedback and answering any questions you have.

**Monday April 30th from 5:00 to 7:00 pm
Candlelight Dinner Playhouse-Aspen Columbine
Room – 4747 Market Place Drive Johnstown**

We would also like to extend the invitation to you and your staff.

**WORK
SESSION
(Johnstown Community YMCA Update)**