



PLANNING COMMISSION

Mike Simone, Chairperson
Bushrod White, Vice-Chairperson
Kathy Kvasnicka
Thomas Holton
Thomas Meyers
Jimmy Dominguez

Planning Commission Agenda

Regular Meeting

130 South McKinley Avenue

Thursday, January 26, 2023

6:00 PM

(Order & Contents Subject to Change by Action of the Commission)

** Login information on how to attend this meeting virtually (optional) is on the last page of this Agenda.*

Call to Order

Approval of Agenda

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

a. Approval of the Minutes of the January 12, 2023 Meeting

Public Comment This portion of the Agenda is provided to allow members of the audience to present comments to the Board. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up.

Action Item(s)

a. P2023-001 Land Fed 10-29HZ Oil & Gas Special Use Permit

Discussion Items

a. Development Code Update

Future Business

a. Next Planning Commission Meeting on February 23, 2023

Adjourn

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RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 12, 2023

The Planning Commission of the City of Fort Lupton met in session at City Hall Chambers, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday, January 12, 2023.

Chair Mike Simone called the meeting to order at 6:12 p.m.

ROLL CALL

Commissioners Present: Chair Mike Simone, Vice-Chair Bushrod White, Members Kathy Kvasnicka, Thomas Holton and Jimmy Dominguez.

City Staff Present: Planning Director Todd Hodges, Planners Clay Hartley and Magaly Morales-Tejada and Economic Development Manager Michelle Magelssen.

APPROVAL OF AGENDA

Bush White moved to approve the agenda and Kathy Kvasnicka seconded.

CONSENT AGENDA

Bush White moved to approve the consent agenda and Kathy Kvasnicka seconded.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

Election of Chair and Vice-Chair

Vice-Chair Bush White called for a motion to maintain current Chair Mike Simone. Kathy Kvasnicka amended the motion to also maintain current Vice-Chair Bush White. There were no other nominations. Motion passed unanimously.

DISCUSSION ITEMS

6-Month Review of Development Code Update

Planning Director Hodges explained that the Development Code went into effect on July 16, 2022 and one of the conditions of approval for the code was to begin discussion for necessary updates to the adopted code within 6 months. City Staff has began implementing the code and has made redline changes to sections throughout the code for the Commission's review. This is only an initial discussion and additional changes may arise after further staff, commission, city council and citizen input.

Staff presented and discussed each proposed redline change, additional changes will be presented at future meetings.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 12, 2023**

STAFF REPORTS

Director Hodges provided an update on planning staff.

BOARD REPORTS

No board reports were presented.

FUTURE BUSINESS

The next meeting of the Planning Commission will be on January 26, 2023 at 6:00 PM.

ADJOURNMENT

Chair Simone adjourned the meeting at 8:03 PM.

Submitted by

Magaly Morales-Tejada, Planner I

Approved by Planning Commission

Mike Simone, Chair

RESOLUTION NO. P2023-xxx

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF A SPECIAL USE PERMIT FOR TEN OIL AND GAS WELLS AND ONE PRODUCTION FACILITY KNOWN AS THE LAND FED 10-29HZ OIL AND GAS SPECIAL USE PERMIT, ON A PROPERTY LOCATED IN A PART OF THE WEST HALF OF THE SOUTHEAST QUATER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on January 26, 2023, for the purpose of reviewing the application from Kerr McGee Oil and Gas Onshore, LP for a special use permit for ten oil and gas wells and one production facility; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 1000 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the Land Fed 10-29HZ Oil and Gas Special Use Permit for ten horizontally drilled wells and one production facility, conditional upon the following:

I. Prior to release of building permits:

- A. The title of the special use permit map shall include the Project No.: LUP2022-0025 & Plan No. SUP2022-0003.
- B. Applicant shall submit a special use permit map that complies with standards as described in Article 2.08, and Article 2.06 (B) (1-4) of the Fort Lupton Development Code. This map shall be reviewed by City staff.
- C. Any redline comments provided by City staff shall be made to the special use permit map.
- D. Permits from the Colorado Oil and Gas Conservation Commission shall be provided prior to operations.
- E. Applicant shall submit a plan for fencing that is acceptable to the Planning Department and to the landowner.

- F. Applicant shall provide written evidence that any requirements of the Public Works Director and the Development Review Engineer have been adequately addressed.
- G. Applicant shall provide written evidence that the comments from the Fort Lupton Fire Protection District have been adequately addressed.
- H. Applicant shall provide written evidence that the comments from the Colorado Division of Water Resources have been adequately addressed.
- I. Applicant shall provide written evidence that the comments from the Weld County Oil and Gas Energy Department have been adequately addressed.
- J. The following notes shall be placed on the site plan:
 - i. Lighting on the site shall be maintained so that light is directed downward and shall not spill onto adjacent properties.
 - ii. The property shall maintain compliance with all applicable state and federal regulations at all times.
 - iii. Applicant must submit a fencing plan to the Planning Department for review and approval.
- K. Applicant shall submit a PDF of the updated Land Fed 10-29HZ Special Use Permit map for review and approval prior to printing. The final approved map shall be submitted with the applicants' signatures ready for City signatures and recording.

II. Prior to construction:

- A. Applicant shall obtain all necessary building permits.

DONE THIS 26TH DAY OF JANUARY, 2023, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director



LAND FED 10-29HZ SPECIAL USE PERMIT (SUP) - STAFF REPORT
PROJECT NO. LUP2022-0025 & PLAN NO. SUP2022-0003

PROJECT DESCRIPTION

Project No.: LUP2022-0025 / Plan No.: SUP2022-0003

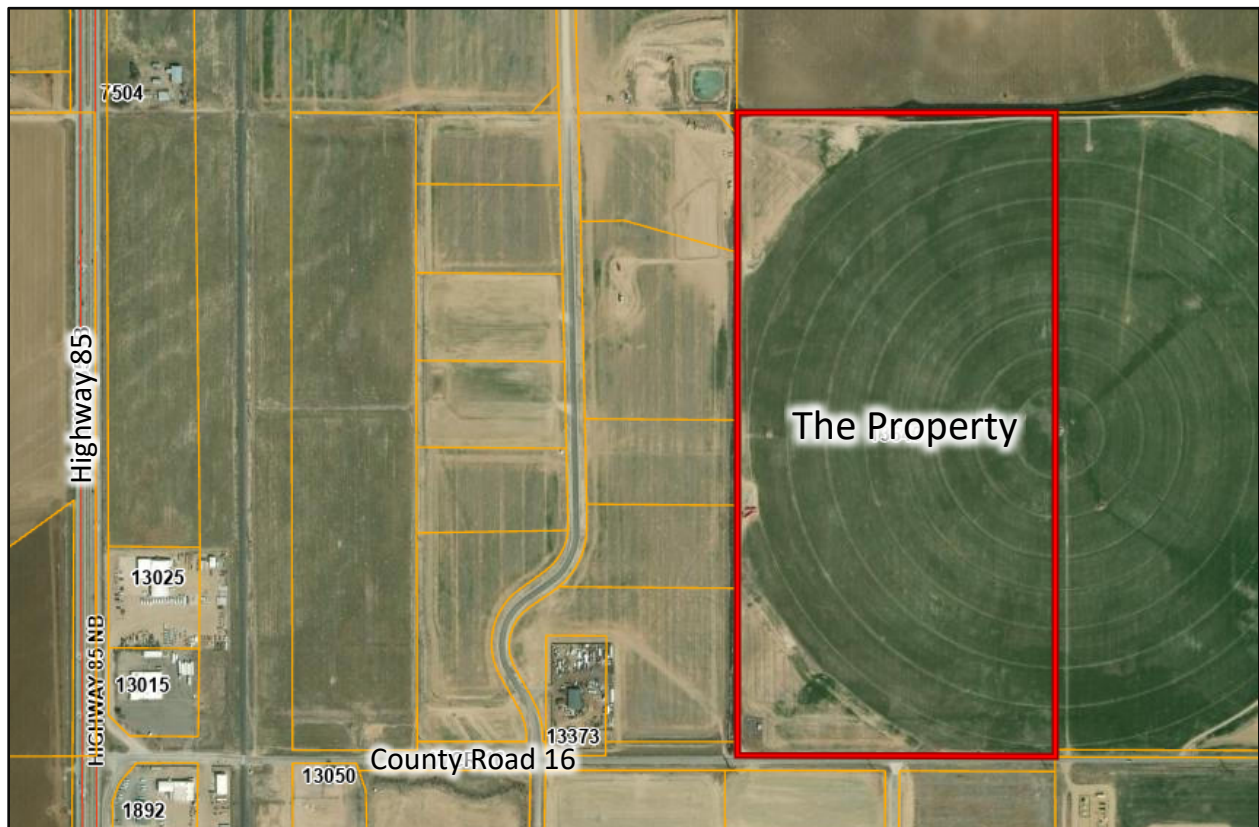
Project Name: Land Fed 10-29HZ Special Use Permit

Owner's Name: Lloyd Land

Representative: Matt Wells with Kerr McGee Oil & Gas Onshore, LP ("Applicants")

Location of Request:

The site is situated a half mile north of County Road 16 and approximately 0.6 miles east of Highway 85. The oil wells and facility will be in the northwestern portion of the "Property" (Parcel No. 130929000038). The Property is located in the western half of the southeast Quarter of Section 29, Township 2 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado.



This parcel is contained within, and surrounded by, the North Land PUD on the west, east and south. To the north is Agricultural zoning within Weld County. Properties that directly abut the subject parcel are currently used for agriculture. The North Land PUD allows for all permitted uses within C-1, C-2, I-1, and I-2 zones as they are described in the Fort Lupton Development Code (FLDC).

Nature of Request:

The Applicant has submitted a request for a Special Use Permit that would allow for ten horizontally drilled oil and gas wells and one production facility. The facility will have employees and contractors onsite 24 hours a day, seven days a week during the drilling and completion phases. Once the wells are brought online and producing, a lease operator will inspect the wells on a regular basis under normal conditions, and as required by any special circumstances under the supervision of the Kerr McGee Oil & Gas Onshore (KMOG) Area Manager. In addition, all new well sites are remotely monitored 24 hours a day, seven days a week by representatives in KMOG's Integrated Operations Center (IOC), located in Platteville, Colorado. From the IOC, KMOG personnel can turn wells and equipment on and off, look at tank levels, and verify pressures and temperatures.

A special use permit provides flexibility for different uses within a zoning district and allows for potential, additional uses subject to specific conditions. These uses are not generally appropriate throughout the district, but due to the varying design and operational characteristics of particular application of a use, or due to conditions in the area where a use is proposed, it may be considered appropriate based on a case-specific review. An oil and gas facility is considered a special use within the Fort Lupton Development Code.

Site Size: KMOG shall construct one temporary operations area (Oil & Gas Location) of approximately 13.72 acres for the drilling, completion, and production facility. After drilling and completion activities are finished, the site will be reclaimed to approximately 3.78 acres, (approximately 1.9 acres for the wells and 1.88 acres for the production facility). This is the permanent disturbance area until such time KMOG evaluates the well production and determines the wells are no longer economically feasible, at which time the wells will then be plugged and abandoned (P&A) and the area reclaimed. Final reclamation will commence once the last well on the site is P&A.

Zone District: PUD (Planned Unit Development).

Proposed Use: 10 oil and gas wells and one production facility.

Existing Use: The Property is currently vacant.

Hearing Dates: Planning Commission: January 26, 2023 at 6:00 PM; and
City Council: February 7, 2023 at 6:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado or virtually via GoToMeeting.

Staff Recommendation: Approval with conditions, as listed in the proposed Resolution.

APPLICATION PROCESS

The Applicant is requesting approval of a special use permit. A special use permit application is processed under Article 2.08 of the Fort Lupton Development Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions, or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study, or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Fort Lupton Development Code requires published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Fort Lupton Press on January 5, 2023.

Notice of the public hearings was posted at least fifteen (15) days prior to the hearings, as required by the Fort Lupton Development Code.

Notice was mailed to neighbors within one thousand (1000) feet of the Property on January 10, 2023.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The property is zoned PUD and permits all uses allowed under C-1, C-2, I-1, and I-2 zone districts as they are defined in the Fort Lupton Development Code. The Code requires that oil and gas wells, drilling infrastructure, and production facilities obtain a special use permit in all zone districts.

A special use review requires a public hearing before the Planning Commission and City Council. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district.

Article 2.08 (B) states that a special use permit shall be reviewed according to the following conditions:

1. All criteria for site plan review in Section 2.06.B. are met.
 1. Generally.
 - a. The plan meets all applicable standards or the criteria for any discretionary approvals.
 - b. The plan does not substantially undermine any goals or objectives of the Comprehensive Plan that are applicable to the area or specific project.
 - c. The plan does not present any other apparent risks to the public health, safety or welfare of the community.

2. Site Design and Engineering.

- a. The plan provides safe access and internal circulation considering the site, the block and other surrounding connections, and appropriately balances vehicle, bicycle and pedestrian needs for the context.
- b. The plan provides or has existing capacity for utilities and other required improvements to serve the proposed development.
- c. The plan provides adequate management of storm water runoff.
- d. The plan provides proper grading considering prevailing grades and the relationship to adjacent sites.

Staff Comment: The Applicants have been working with City staff to comply with applicable provisions of the Code, and they have submitted all required special use permit application materials as required. The site plan for the proposed project complies with the standards set forth within the Fort Lupton Development Code. Access from County Road 16 will be limited to emergency vehicles only. Primary access will come from County Road 18 and Northland Drive.

This project conforms to the objectives of the Comprehensive Plan and furthers the intent of the proposed zoning district. This proposal is otherwise determined to be consistent with the Comprehensive Plan.

The Property is located in the North Land PUD. This PUD allows for all uses in the Fort Lupton C-1, C-2, I- 1, and 1- 2 zone districts. Within the North Land PUD these uses include but are not limited to:

The location and development of industrial uses which generate limited amounts of noise, fumes, dust, vibrations and traffic, or which are designed in such a fashion that such factors are contained. Additional permitted uses as defined in the PUD regulations are the manufacture of and use for electrical generation of wind, solar, coal, and gas.

This oil and gas facility is located in an area that has been targeted as industrial within the Comprehensive Plan's Future Land Use Map. Oil and gas wells and production equipment are a permissible land use as defined in both the North Land PUD documents and within Fort Lupton's Comprehensive Plan.

2. Any associated site development or construction complies with requirements of The Fort Lupton Development code, including any conditions or additional requirements identified for the particular use.

Staff Comment: The Special Use Permit Application that was submitted clearly shows all the planned and reasonably anticipated areas of work, equipment, storage, roads, and circulation. Any changes to circulation that have been required by Public Works will be made to the site plan.

3. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.

Staff Comment: This oil and gas facility is compatible with the surrounding PUD. The uses permitted within the North Land PUD are of an intense nature. Impact to the community will be mitigated through several measures that the Applicant intends to take. Traffic during the production phase is lessened through the use of pipelines that transport oil and gas.

The North Land PUD allows for intense commercial and industrial uses, so buffering and design incompatibility with adjacent residential areas are not a consideration at this time. Setbacks are within the required range for this project. A Site Safety and Emergency Action Plan (EAP) have been included with the SUP application. The EAP is kept on file with the rest of the SUP application and discusses all procedures involved in responding to an emergency.

All production equipment will be painted in neutral tones in order to blend with the surrounding landscape. The applicant has identified a process for reclaiming the area once the wells cease to be substantially productive. When the area is reclaimed, the entire parcel can be developed with the exception of the areas within the 50-foot setback that is required for plugged and abandoned (P&A) wells. A drainage and erosion control plan was submitted for review as part of the application and both were accepted by the Public Works Director. Any necessary changes will be part of the proposed resolution that is brought before Planning Commission and City Council.

4. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or to mitigate any other potential impacts that are specific to the proposed use.

Staff Comment: Mitigation efforts that will be taken by the Applicant are discussed in the previous section. Additionally, sound and environmental impacts are regulated by the State of Colorado.

5. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.

Staff Comment: The Fort Lupton Development Code does not specify a time limit for the duration of Special Use Permits. The duration of an oil and gas well permit is governed by the State of Colorado. The Fort Lupton Development Code does set a timeframe for the applicant to begin the project once the SUP has been approved:

Approval of a special use permit shall authorize the applicant to apply for a building permit and other applicable development or construction permits. Except where specific standards of this code or the permit process establish a different period for acting on an approved special use permit, approval shall be valid for one year, and the Planning Commission may grant a one-year extension. Any application not acted upon according to the approval and conditions within this period shall be void.

6. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.

Staff Comment: Fort Lupton's 3-Mile Plan as well as the Comprehensive Plan both address the potential for growth within this area of the City. The 3-Mile Plan points out that much of this

region is dry and irrigated agricultural land. If developed, or expanded through annexation, potential exists for trail and open space dedication on the parcel that contains this proposal as well as on surrounding properties.

Establishing industrial, commercial, and open space projects within this area could add value to adjacent and regional properties. This proposal does not hinder these kinds of development in significant ways. Immediately, much of the land is vacant and usable. In the future, once wells are P&A this property could return to its undeveloped state. With the exception of the 50-foot setbacks that are required, there is significant potential for open space and trails to be established with little geographic hindrance.

7. The recommendations of professional staff or other technical reviews associated with the application.

Staff Comment: *All referral comments from agencies have been taken into account. Input will be included in any conditions of approval for the Resolution being considered by Planning Commission and City Council. Planning Department staff will ensure compliance with all conditions of approval, either as listed on the proposed Resolution, or as added by the Planning Commission or City Council.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The properties that contain and surround this proposal are designated for industrial uses on the Future Land Use Map within the Comprehensive Plan. Oil and gas wells and production facilities are a use that would be best suited to industrial zones. The North Land PUD has specific language that identifies and allows for industrial uses and Fort Lupton's Comprehensive Plan targets this region for industrial growth.

Additionally, the Comprehensive Plan discusses the importance of industrial areas to the local economy stating that, "this designation allows for a mix of heavy and light industrial users as well as office development, intended to provide an appropriate environment for higher-intensity users. These areas should be utilized to attract major employers and support economic development." If executed thoughtfully, industrial development has the potential to complement and augment residential and commercial growth within the community.

The Land Fed facility is a compatible use for this region and has the potential to meaningfully contribute. For the foreseeable future, this special use permit should not significantly hinder or discourage other commercial and industrial users that may wish to be located in this part of Fort Lupton.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Building Inspector	OMI	City Attorney
GIS Specialist	Police Chief	Public Works Director
Fort Lupton Fire Protection District	Division of Water Resources	United Power
Comcast	CenturyLink	Xcel Energy

Postmaster	Fulton Ditch Company	Weld County Dept. of Public Health & Env.
Weld County Dept. of Planning Services	NCWCD	CDOT
Economic Development Manager	Weld County Public Works	Development Review Engineer
Weld County School District RE-8	Weld County GIS	Platteville Ditch Company
State Geologist		

RECOMMENDATION

Staff recommends conditional approval of the Land Fed 10-29HZ Special Use Permit. Conditions are listed on the proposed Resolution provided.

Additional documents are available for review at:

<https://www.fortluptonco.gov/DocumentCenter/Index/722>

Special Use Permit Application

City of Fort Lupton

Proposed Oil & Gas Wells

**Land Fed 10-29HZ
Well Pad and Production Facility
(10 Wells on 1 Pad)**

Township 2 North, Range 66 West, 6th P.M.
NW/4 SE/4 Section 29
Fort Lupton, Colorado

APPLICANT:

Kerr-McGee Oil & Gas Onshore LP
1099 18th Street
Denver, Colorado 80202



September 30, 2022

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1. Narrative

1.1 DESCRIPTION OF INTENDED USE

Kerr-McGee Oil & Gas Onshore LP (KMOG), a subsidiary of OXY USA Inc., intends to horizontally drill ten (10) oil and gas wells from one well pad location, on property owned by ALE Partnership. The proposed wells will be known as the Land Fed 29-11HZ Pad, the well names are listed in Section 1.2. The desired outcome of this application is to permit the wells to all formations. The purpose of these wells is to produce hydrocarbons from underlying formations known to have commercial potential from the production of the hydrocarbons.

A pre-application meeting with the City of Fort Lupton was held on May 5, 2022, and preliminary siting for the project was reviewed and given preliminary approval to move forward with the development application – Special Use Permit. Members of the Colorado Oil and Gas Conservation Commission (COGCC) staff also attended the meeting (virtually) at the invitation of the City of Fort Lupton.

Invitations to a neighborhood meeting were sent out to all surface owners and tenants who lived 2,000 feet from the parcel lines of the proposed Land Fed 10-29HZ site. The invitations also offered residents individual calls and or meeting opportunities to answer their questions. The neighborhood meeting was held on September 20, 2022, with a virtual Zoom conference meeting. No members of the neighborhood attended the meeting.

The wells and production facility are proposed to be in the northwest quarter of the southeast quarter of Section 29, Township 2 North, Range 66 West 6th P.M. See the aerial vicinity map below showing an arrow for the site access from County Road 18.

1.2 SITE IMPROVEMENTS

KMOG shall construct one temporary operations area (Oil & Gas Location) of approximately 13.72 acres for the drilling, completion, and production facility. After drilling and completion activities are finished, the site will be reclaimed to approximately 3.78 acres, (approximately 1.9 acres for the wells and 1.88 acres for the production facility). This is the permanent disturbance areas until such time KMOG evaluates the well production and determines the wells are no longer economically feasible, at which time the wells will then be plugged and abandoned (P&A) and the area reclaimed. Final reclamation will commence one the last well on the site is P&A.

These are the names of the 10 wells proposed for the Land Fed 10-29HZ pad:

Land Fed 29-1HZ	Land Fed 29-6HZ
Land Fed 29-2HZ	Land Fed 29-7HZ
Land Fed 29-3HZ	Land Fed 29-8HZ
Land Fed 29-4HZ	Land Fed 29-9HZ
Land Fed 29-5HZ	Land Fed 29-10HZ

After the wells have been drilled to total depths, completed (hydraulically fractured) as wells capable of production, KMOG will perform interim reclamation of drilling and completions areas no longer required for production purposes. If any of the wells are not capable of production, that specific well (or wells) will be P&A as a dry hole and the same reclamation of the site will apply. Flowlines will be installed to connect the wells to the production facility. These wells will have a wellhead assembly installed on site. Pumping units may be installed should pressure within the wells necessitate their use.

1.3 CHARACTERISTICS OF DRILLING AND COMPLETION OPERATIONS

KMOG management will utilize authorized employees and professional contractors to conduct the drilling and completion operations on site. Drilling will be continuous, 24 hours a day seven days a week, for this period. Completion operations will be performed on each well following the drilling phase. The production facility will be installed, and the wells put on-line. KMOG anticipates mobilization and pad construction to begin in the third quarter 2023 contingent upon approval from the City of Fort Lupton and the COGCC.

Estimated schedule for operational phases are as follows:

- | | |
|-------------------------------|---------------|
| • Pad Construction | August 2023 |
| • Surface Drilling Operations | October 2023 |
| • Horizontal Drilling | October 2023 |
| • Hydraulic Fracturing | January 2024 |
| • Prod. Facility Construction | December 2023 |
| • Interim Reclamation | June 2024 |

These dates are estimates subject to permitting approvals, drilling schedule, and rig availability.

1.4 CHARACTERISTICS OF MAINTENANCE

Once the wells are brought on to production a lease operator will inspect the wells on a regular basis under normal conditions and as required by any special circumstances under the supervision of the KMOG Area Manager. In addition, all new well sites are remotely monitored 24 hours a day, seven days a week by representatives in KMOG's Integrated Operations Center (IOC), located in Platteville, Colorado. From the IOC, KMOG personnel can turn wells and equipment on and off, look at tank levels, verify pressures and temperatures.

1.5 COORDINATION WITH THE COGCC RULES

KMOG will comply with the COGCC rules relative to oil and gas development.

- Waste: KMOG will comply with COGCC rules for waste handling and management, including the following:
 - a) KMOG uses a closed loop or "pitless" system for drilling and fluid management and does not construct a reserve pit.
 - b) Drilling mud will be spread on lands outside of the city limits in a manner approved by the COGCC or taken to a commercial disposal.
 - c) A commercial size trash bin for removing debris will be located on site. This bin will be for use by all parties affiliated with the operation.

- d) Human waste will be properly handled by portable sanitary facilities located on site. KMOG will contract a sanitary service company to provide and maintain the self-contained sanitary facilities throughout the oil and gas operation.
- e) Produced water will be hauled away and properly disposed of in accordance with COGCC regulations.
- Abandonment and Plugging (P&A): KMOG will comply with COGCC rules for P&A of wells.
- Seismic Operations: KMOG does not have plans for seismic operations related to this application. If this changes KMOG will work with the city regarding the specific requirements.
- Signs: Well tank and production facility (battery) will be signed in accordance with the COGCC rules. KMOG will maintain these signs in good condition for the life of the wells and production facility.

Reclamation: KMOG will comply with the COGCC requirements relative to reclamation. Additional information about final reclamation is detailed in the Operating Plans section of this document.

1.6 ENVIRONMENTAL MITIGATION

- Noise: KMOG will meet all applicable noise requirements set forth by the City of Fort Lupton and the COGCC Rules. Exhaust from all engines, motors, and related equipment, shall be vented in a direction away from occupied buildings where practical. KMOG utilizes many other noise mitigation techniques as standard practice including a modified drilling rig with noise reduction features and a quiet completions fleet engineered with pump enclosers to reduce noise.

The results of the proactive planning, noise modelling, and implementation of Best Management Practices, KMOG's proposed oil and gas operations at the Land Fed Pad are expected to comply with permissible noise levels required by both the COGCC Rule 423 and City of Fort Lupton municipal code. KMOG feels there is very low risk associated with environmental noise as a nuisance impact on the surrounding area. Therefore, no sound walls are recommended for any of the operations, and no continuous monitoring need be deployed.
- Vibration: KMOG will meet all applicable vibration requirements set forth by COGCC regulations during operations. There is not any unusual vibration anticipated from the proposed operation.
- Visibility: KMOG will meet all applicable visual impact requirements set forth by COGCC regulations during operations. The permanent facilities will be painted in uniform, noncontrasting, nonreflective color tones in a manner to harmoniously blend with the surrounding environment.
- Safety: Authorized representatives and/or KMOG personnel shall be on-site during drilling and completion operations. The completed oil and gas facility and well pad will be surrounded with a fence and gate with a lock for safety. KMOG personnel will monitor the well sites regularly upon completion of the well. Additionally, all new well sites are remotely monitored 24 hours a day seven days a week by representatives in KMOG's IOC in Platteville, Colorado. A copy of an Emergency Action Plan (EAP) and Tactical Response Plan (TRP) is included with this application, in the Exhibits section of this document.
- Wildlife/Environmental: KMOG contracted with an environmental consultant to perform a complete biological assessment of the location in July 2021 and June of 2022. This assessment was to identify sensitive resources that could be affected by the construction and subsequent operations of the proposed oil and gas development. This assessments studied the potential adverse impacts to sensitive natural resources, including vegetative communities, surface waters, and wildlife. The finding

determined potential adverse impacts to the ecosystem are anticipated to be minimal and include disturbance to existing agricultural operations within and surrounding the location and ground or structure nesting birds. Construction at the location will not impact surface waters, federally threatened or endangered species, or Colorado Department of Wildlife (CPW) High Priority Habitats.

1.7 RELATIVE PLANS

- Air and Water Quality: KMOG will meet all applicable air and water quality requirements set forth by COGCC regulations during operations. KMOG will comply with the Colorado Department of Public Health and Environment regulations by filing an Air Pollution Emissions Notice (A.P.E.N.), along with any other additional required application data. If production volumes exceed required thresholds, KMOG will install emissions control devices as warranted to obtain required reductions of ozone precursors. The COGCC sets forth specific requirements for casing depth to protect ground water sources.
- Odor: KMOG will meet all applicable odor requirements set forth by COGCC regulations during operations. There are no noxious, prolonged, or unusually high amounts of odor expected from the proposed operation. KMOG will implement the following to mitigate odor:
 - a) Utilizing a Group III base oil drilling fluid will be the primary defense against odor control
 - a. The Group III drilling fluid eliminates odor in the following areas:
 - i. Shaker area and cuttings transfer tank
 - ii. Active and reserve oil-based mud tanks
 - iii. Three-sided cuttings collection/storage tanks
 - iv. Drilling tubulars racked in derrick
 - v. Cuttings loads in transport to landfill
 - b) Storage of excess drilling fluid (e.g., fluid not being used in the active mud system) in closed, upright tanks.
 - c) Drill cuttings will be run through a centrifugal dryer to minimize odor during temporary time on location and during transport to disposal.
 - d) Drill cuttings will not remain in storage at the oil and gas location for more than a 24-hours period. Disposal will occur before the end of the 24-hour period
 - e) In the unlikely event that nuisance odors do become a problem during active production drilling operations, KMOG will have a contingency water-soluble odor neutralizer with essential oils available to treat the drilling fluid system on an as needed basis.
- Dust: A tracking pad will be placed at the access road entrance to mitigate mud and dust on Northland Drive. Water will be placed on dirt access roads to mitigate dust as needed. Where feasible, additional dust suppression products may be used to further abate dust.
- Lighting: KMOG will meet all applicable visual impact requirements set forth by the COGCC. Where practical lights will be shielded and turned inward toward the rig to minimize disturbance to existing structures or public roadways.

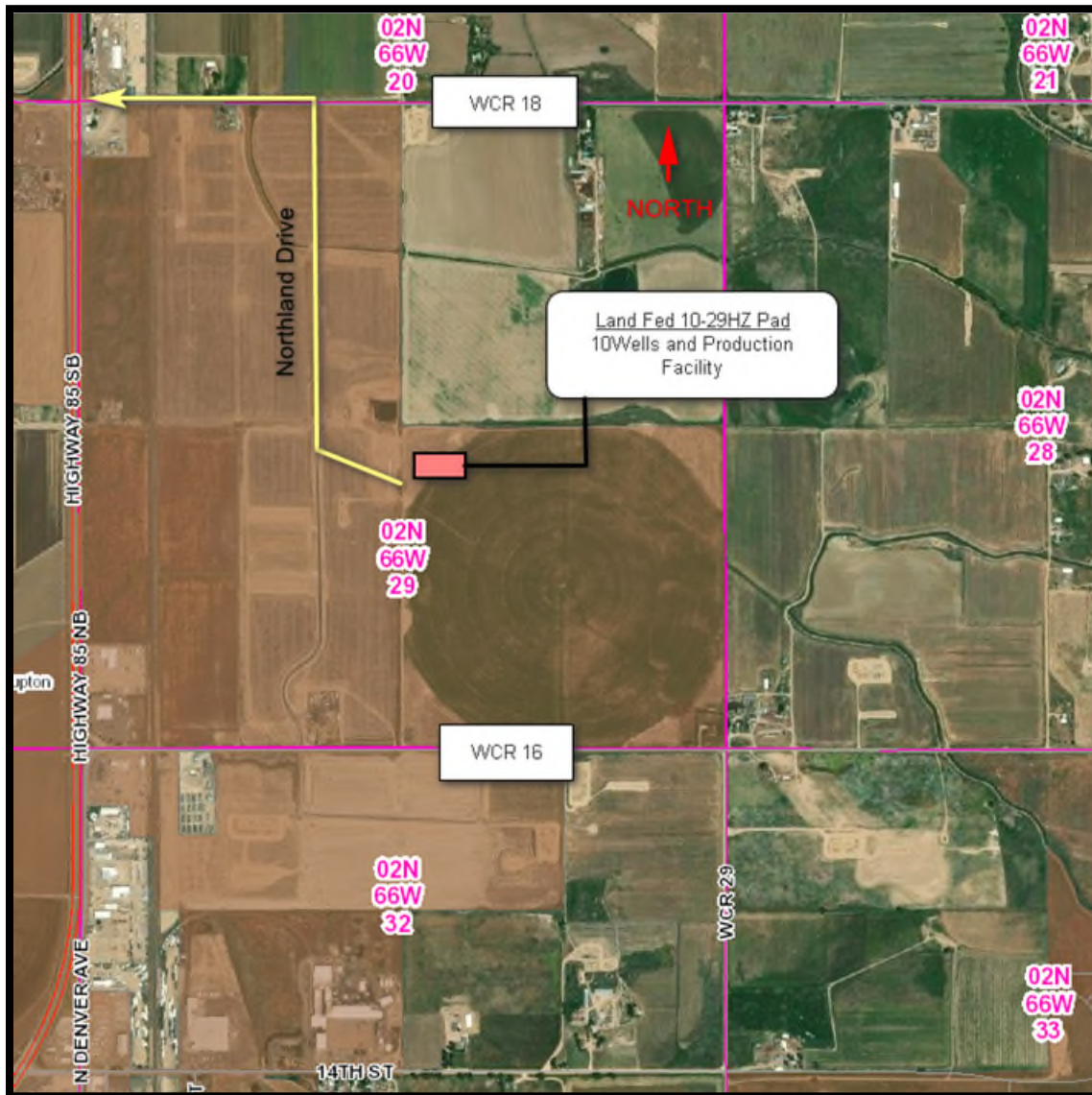
During drilling and completions, KMOG will have temporary, mobile light towers around the pad pointing towards the equipment. The towers will be directed downward, inward and shielded to avoid

glare on public roads and building units. All lights located on the production rig will be pointed down and inward, except for the red aviation warning lights which are required for safety purposes.

KMOG may use lighting that is necessary for public and occupational safety and as required by the Federal Aviation Administration.

The only permanent lights on location will be at the facility located on the Lease Automatic Custody Transfer (LACT) buildings. The strobe lights on the buildings are emergency indicators that will activate if there is an upset at the LACT. The strobe light will be downward facing and will have a shroud over it. The other light on the building is for personnel visiting the facility at night.

Access Road and Haul Route: KMOG will utilize the lease access road, Northland Drive, and WCR 18 for all traffic associated with construction and production of the wells proposed for the Land Fed 10-29HZ Pad. The access road will be properly graded for adequate drainage and maintained to prevent dust and mud; culverts shall be utilized where necessary.



- Pipelines: KMOG utilizes a comprehensive below ground pipeline system to transport produced oil and natural gas to processing facilities, resulting in a smaller tank production facility with fewer tanks. KMOG does not store oil on-site. This reduces the facility size and creates compact development areas. Oil and natural gas pipelines will be installed and operational once the wells are brought online. KMOG contracts with a third-party midstream company for this pipeline takeaway. The pipeline infrastructure mitigates truck traffic in the area, thereby significantly reducing impacts to roads, noise, and emissions.
- Required Permits: the following permits are required for this application:
 - COGCC Oil and Gas Development Plan (OGDP) – Approved permits will be provided to the City of Fort Lupton upon receipt from the COGCC
 - Special Use Permit – Fort Lupton
 - Building Permit – Fort Lupton

2. Operator Information

2.1 OPERATOR IDENTIFICATION

Kerr-McGee Oil & Gas Onshore LP
 1099 18th Street
 Denver, Colorado 80202
 Tel:(720) 929-6000
 Fax: (720) 929-7297

Kerr-McGee Oil & Gas Onshore LP (KMOG), is a fully insured and bonded oil and gas operator, organized as a Delaware Limited Partnership and authorized to do business in the State of Colorado as Kerr-McGee Oil & Gas Onshore LP. All insurance and bonds held by KMOG meet the requirements as set forth in the rules and regulations as adopted by the COGCC.

2.2 SURFACE OWNER

ALE Partnership
 12501 Riverdale Rd.
 Brighton, CO 80602

A copy of the fully executed Surface Use Agreement (SUA) is included in the Special Use Permit Submittal.

3. Operating Plans

3.1 CONSTRUCTION & DRILLING PHASE

The initial pad construction and drilling operations are expected to take about six to nine months (under normal circumstances). The subject land is first surveyed, and well locations are staked in accordance with COGCC regulations. The drilling pad is designed to prevent run off so that any spills will be contained on-site. Prior to major grading and earthwork, erosion and sediment controls are installed to divert stormwater run on and manage stormwater runoff from the site to a stabilized outlet structure(s). The pad is lined with a layer of compacted clay materials to help prevent fluids from migrating vertically to the subgrade. From this point forward, twenty-four (24) hour operations of dirt work begin to prepare the location, including leveling the surface where the drilling rig will be located. After the location has been prepared, a drilling rig will move onto location to drill the surface intervals of the wells and cement the surface pipe to protect ground water. This process will take approximately one day per well under normal circumstances, subsequently a 10 well pad will take 10 days to complete initial surface drilling operations including cementing the surface casing pipes. Depending on the size/type of rig utilized to drill the surface interval, production drilling operations will either begin immediately with the same rig or a different rig will be moved onto location to drill the production interval. Production drilling operations will take four to five days per well, under normal circumstances. The actual drilling proceeds at a constant rate unless subsurface or mechanical problems are encountered.

If the well is deemed viable, casing is run in the hole and cemented (alternatively the well is plugged according to COGCC regulations). The casing, constructed of steel pipe, is designed to specific criteria to provide an integral conduit for transporting hydrocarbons to the surface. The casing strength is further enhanced by the cementing process. Cement is placed in the space between the casing and the wall of the hole. The cement anchors the casing, provides increased burst resistance, and contains the fracturing and produced fluids. The cement is also designed to special criteria. The cement is then allowed to cure and subsequently the rig is moved off location. At this point the drilling phase is complete.

3.2 DRAINAGE AND EROSION CONTROL PLAN

Changes in natural drainage patterns are not anticipated. The well site will be monitored during the drilling and completion phases for any stormwater erosion or sedimentation concerns. Necessary measures will be taken to correct any problems, immediately in most cases. Once the drilling and completion phases are complete, the drill site will be restored as near as practical, to its original grade and vegetation planted as required by COGCC regulations and surface use agreements. KMOG will continue to monitor the site until all applicable regulatory requirements for revegetation have been met.

KMOG uses a closed loop or “pitless” system for drilling and fluid management and does not construct a reserve pit. The drilling company will actively manage the area around the rig equipment such that any minor fluid spills will be diverted and drained to small pumps strategically located and from there, if only water, will be pumped into the drilling fluid system. If the fluid is contaminated by fluids other than water, it will be pumped into a separate container and removed from the site to an approved disposal facility.

3.3 WATER SOURCES FOR ACTIVITIES

Water for use in completion operations will be secured by KMOG through its own “Water on Demand” system, or from a water supplier in the immediate area of the drill site. Water use will be approved for

commercial and industrial use and will be subject to a mutually acceptable agreement between KMOG and the water supplier. The water-on-demand system is a network of over 180 miles of underground pipeline that stretches the length of the 20-mile by 30-mile field to source and transport water to completions crews. This system eliminates more than 2,000 truck trips per day field wide, also reducing associated concerns of traffic, noise, emissions, and dust.

3.4 COMPLETIONS PHASE

Upon the conclusion of production drilling operations, and as dictated by operational schedules, the well pad is then prepped for completion operations. The construction of the production facility may occur concurrent with the drilling and/or completion operations. Completion operations include all operations performed after drilling operations and prior to first production. These completion operations consist of well preparation, fracture stimulation, and preparing the well for production to sales.

The well preparation phase of completion operations is performed to prepare for the fracture stimulation operation. Initially, the necessary wellhead equipment is installed to conduct well preparation operations. KMOG wells are designed, built, operated, and maintained to the highest standards. Logging is performed to confirm the cement quality behind the well casing meets KMOG and regulatory standards. The wellbore is pressure-tested to confirm the casing can withstand the high pressures associated with a fracture stimulation. Lastly, the remaining necessary wellhead equipment is installed to prepare the well for fracture stimulation. A crew of one to six people are required to perform the above operations. The cumulative duration of the well preparation operations is three to four days.

The fracture stimulation operation is conducted to stimulate the flow of hydrocarbons from the targeted geologic formation to the wellbore and up to the wellhead. Fracture stimulation consists of pumping a water and sand mixture into the wellbore at a high pressure and flow rate. The water/sand mixture exits the wellbore to contact the rock formation through perforations made to the well casing. The stimulation operation for each well is performed in stages to concentrate the stimulation of the rock formation at designed intervals along the wellbore. In the event multiple wells are included in the fracture stimulation operations, only one well is under stimulation at one time. During stimulation, a crew of 35 to 45 people are required. The cumulative duration of the fracture stimulation operation is three to seven days per well.

At the end of the fracture stimulation operation, the well is prepared for long-term production. A coiled tubing unit is utilized to mill the plugs set in the wellbore to isolate the stimulation stages and to clean out the wellbore. Production tubing is installed to direct the flow of hydrocarbons inside the wellbore to the wellhead at surface. Once the production tubing is landed, the well is managed by the Production Operations group. The cumulative duration of the post fracture stimulation operations is two to five weeks with a crew of three to ten people.

The completion process is a 24 hour a day, seven-days a week operation and crews are rotated every 12 hours for continuous operations. Once fracture stimulation operations begin there will be varying activity on location until the well is turned over to permanent production operations.

3.5 PRODUCTION PHASE

The production phase may overlap the completion phase. After the completion fleet has cleared the location, the wells are connected to a production facility. Gathering equipment may also be installed on location by a third-party gathering company. The production and gathering facility, may consist of

maintenance/oil tank(s), water tank(s), separator(s), Lease Automatic Custody Transfer (LACT) units, vapor recovery unit(s) (VRU), emission control device(s) (ECDs), meter(s) house, E-house, chemical tote(s), purge flare(s), communications tower, temporary produced water tanks, temporary ECDs and temporary generator. The temporary equipment will be on site for six to 12 months and then will be removed. In addition, pumping units may be installed. The production facility will be connected to the wells by pressure tested flowline buried approximately four feet deep. At this point, the gas and oil purchasers are preparing to connect the gas and oil sales meter loop.

The production facility installation is completed by constructing an earthen or metal berm around the production tank(s) and separator. The enclosed area will have sufficient volume to contain the entire contents of the largest tank plus adequate freeboard to contain a 24-hour 25-year precipitation event. The berms will be inspected at regular intervals and maintained in good condition. When a berm is provided around tanks no potential ignition sources shall be installed inside that area.

The lease operator then begins monitoring of the wells. Reports consist of tank measurements, gas sales estimates, and pressure reading. This information is compiled monthly and filed with the COGCC.

When a well is completed for production, all disturbed areas no longer needed will be restored and re-vegetated as soon as practicable. All segregated soil horizons removed from crop lands shall be replaced to their original relative positions and contour and shall be tilled adequately to re-establish a proper seedbed. The area shall be treated if necessary and practicable to prevent invasion of undesirable species and noxious weeds, and to control erosion. Any perennial forage crops that were present before disturbance shall be re-established. All segregated soil horizons removed from non-crop lands shall be replaced to their original relative positions. The segregated soil horizons will contour as near as practicable to achieve erosion control and long-term stability and shall be tilled adequately to establish a proper seedbed. The disturbed area then shall be re-seeded in the first favorable season.

At some point in the well's life, tubing may be run in the well with the possible addition of a plunger lift, pumping unit or gas lift may be used. This will extend the well's producing life and maximize reserves.

3.6 WEED CONTROL

All locations, including wells and surface production facility, will be kept free of weeds, rubbish, and other waste material. During drilling, production, and reclamation operations, all disturbed areas shall be kept reasonably free of noxious weeds and undesirable species. When a well is completed for production, all disturbed areas no longer needed will be restored and revegetated as soon as practicable.

3.7 PLUGGING AND ABANDONMENT PHASE (P&A)

Plugging and abandonment is the cementing of a well and removal of its associated production facility. This also includes the removal of flowlines after all the wells on the pad are plugged and the remediation and reclamation of the well site.

Upon the plugging and abandonment of a well, all cellars will be backfilled. All debris abandoned gathering line risers, and flowline risers, and surface equipment will be removed, and the location will be graded and re-contoured. Within 90 days after a well is plugged and abandoned, the well site shall be cleared of all non-essential equipment, and debris. All access roads to the plugged and abandoned wells and associated production facilities shall be closed, graded and re-contoured in accordance with the COGCC regulations and Surface Use Agreement (if applicable). Culverts and any other obstructions that were part of the

access road(s) shall be removed. Well locations, access roads and associated facilities shall be reclaimed. As applicable, compaction alleviation, restoration, and revegetation of well sites and access roads shall be performed. After plugging a well, reclamation work will be completed within three months on crop land, and six months on non-crop land, or with landowner consent reclamation will occur during optimal re-vegetation times of the year.

Successful Final Reclamation of the well sites and access roads will be considered completed when:

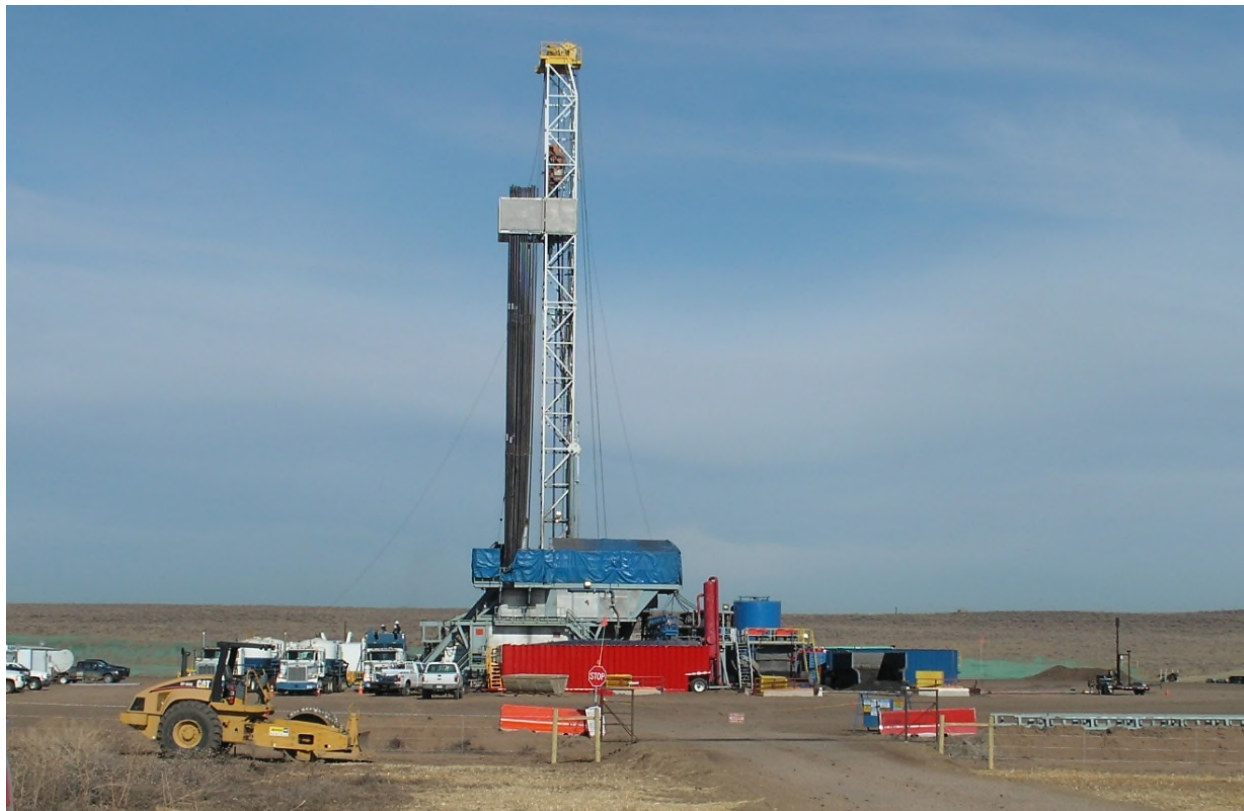
- Cropland areas have been returned to former use and monitored for at least two growing seasons to confirm there is no areas of stunted growth and/or subsidence which may impact yield.
- Non-cropland areas have been reclaimed and a uniform vegetative cover has been established that reflects pre-disturbance or reference areas forbs, shrubs, and grasses with total percent plant cover of at least 80% of pre-disturbance or reference area levels, excluding noxious weeds and overstory or tree canopy cover.
- Disturbances resulting from flow line removal have been adequately reclaimed and the area is reasonably capable of supporting the pre-disturbance land use.
- A Sundry Notice, Form 4, has been submitted to the COGCC, which describes the final reclamation procedures and any mitigation measures associated with final reclamation

KMOG estimates to plug and abandon (P&A) 16 wells and remove eight facilities, reclaiming approximately 0.75 to 1.5 acres per well. This is contingent upon the approval of permits by the City of Fort Lupton and the COGCC, successful drilling and completion of the proposed wells and bringing them onto production. Development of the OGDP will result in the reclamation of approximately 8.3 acres more than are disturbed.

4. Equipment Illustrations

4.1 TYPICAL DRILLING RIG

Temporary, used during the drilling phase.



4.2 TYPICAL WELLHEADS

Permanent equipment for the life of the well.



4.3 TYPICAL SEPARATORS

Permanent equipment, part of the production facility.



Production Separators / Inlet Bulk and Test Separator - takes oil, natural gas and water coming from wells and separates them. These separators are approximately 12 to 20 -feet tall to top of exhaust stack / gas dryer pipe.



Second Stage Bulk Separators - this is the second stage of separation that takes oil and natural gas coming from wells and separates out oil from natural gas. These are approximately 20 feet 8 inches -tall to top of Pressure Safety Valve (PSV) outlet.

4.4 TYPICAL MAINTENANCE – CONDENSATE/OIL AND WATER TANKS

Permanent equipment, part of production facility. These tanks store water produced from the separators, which is later trucked out for off-site disposal. The Maintenance Tank is used for oil storage when separators require maintenance. Both tanks are approximately ten-feet tall (top of tank), 16 feet 6 inches tall to top of vent pipes.



4.5 LACT UNIT - (LEASE AUTOMATED CUSTODY TRANSFER)

Permanent Equipment part of the production facility. LACT contains pumps that run oil through Coriolis meter which read final numbers that go into sales line. Approximately 9 feet 2 inches tall.



4.6 TYPICAL GAS METER BUILDING

Records gas that flows through the site and into gathering system. Also houses the custody transfer gas meter. Approximately 7 feet 8 inches tall.



4.7 TYPICAL ELECTRICAL HOUSE

Houses the electrical circuits, approximately 9 feet 3 inches tall



4.8 TYPICAL WELL MANIFOLD AKA E-HOUSE

The wellhead manifold is where all the flowlines from the wells are brought into the production facility, approximately 7 feet 8 inches tall



4.9 TYPICAL GAS LIFT COMPRESSOR

This artificial lift is used to assist the production of the wells as they have less natural pressure help, approximately 15 feet tall.



4.10 VOC COMBUSTOR / EMISSION CONTROL DEVICE (ECD)

Volatile Organic Compound (VOC) Combustor also known as Emission Control Device (ECD) burns off emissions from produced water tanks, approximately 15 feet tall.



4.11 FUEL GAS (FG) SCRUBBER

The fuel gas scrubber dries produced gas to use for the burners on the ECD, VOC and separator burner systems, approximately 14 feet 2 inches tall.



4.12 TYPICAL AIR COMPRESSOR

Air compressor supplies air to the pneumatic valves on location, approximately 9 feet 4 inches tall.



4.13 TYPICAL CHEMICAL TOTE

Chemical totes store and pump corrosion and scale inhibitor products to preserve the integrity of the production equipment, approximately 7 feet 4 inches tall.



4.14 TYPICAL COMMUNICATIONS TOWER

Communication tower is used to remotely monitor the production facility from the Integrated Operation Center (IOC). Approximately 34 feet tall.



4.15 TYPICAL TEMPORARY EQUIPMENT

Tanks (Produced Water Storage)

Tanks store water produced from separator during initial production. Later tanks are trucked out for disposal. Color varies depending on contractor and availability. Temporary tanks are on location for 6-12 months, approximately 10 feet 4 inches tall.



Temporary ECDs

Emission Control Device (ECD) burns off emissions from produced temporary water tanks. Approximately 24 feet 7 inches tall.

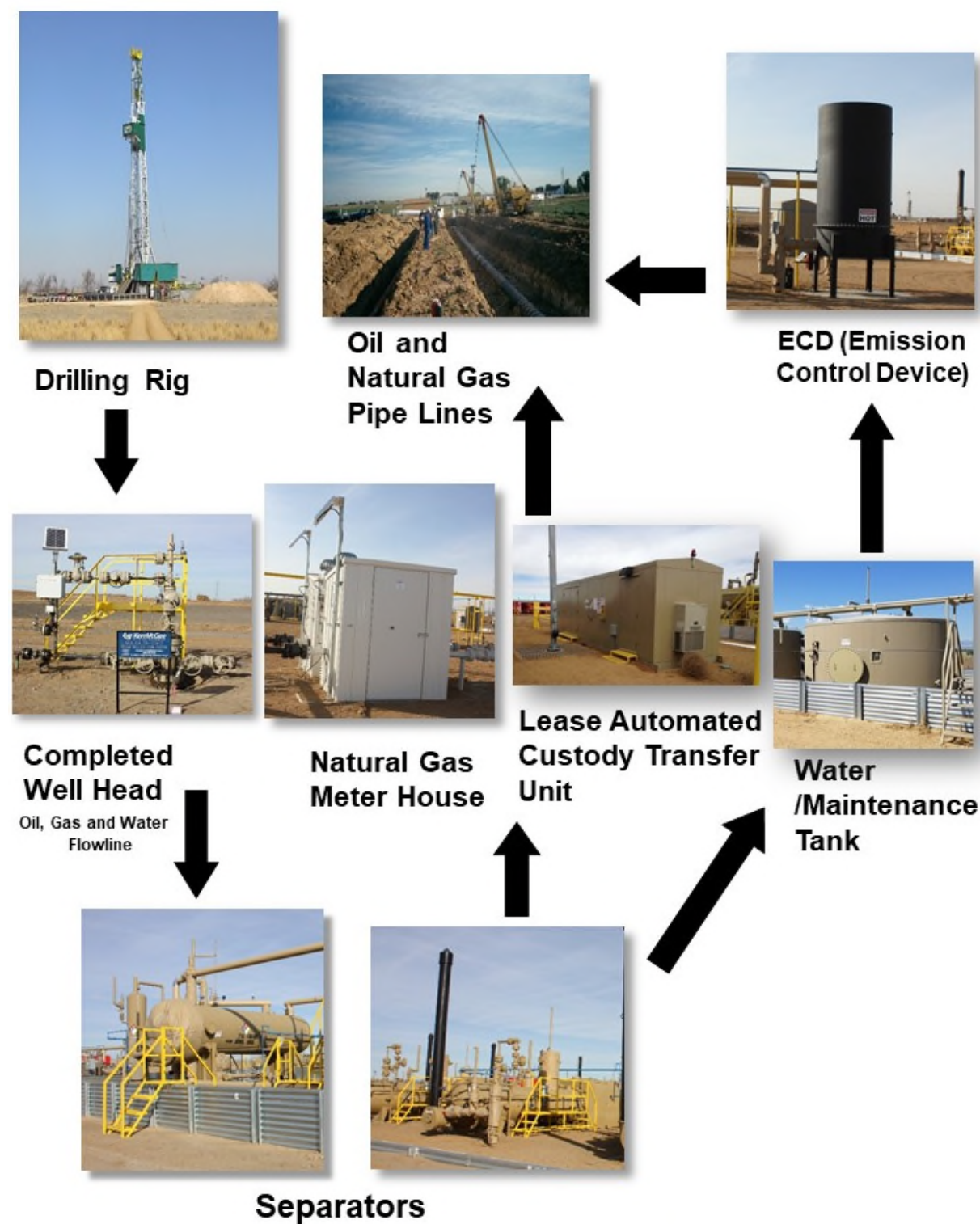


Temporary Generator – Used to operate equipment at the facility until such time as power can be brought onto the location, approximately 5 feet tall



Temporary Purge Flare – Used at the time of facility commissioning to capture gas when purging the facility of oxygen, approximately 24 feet tall



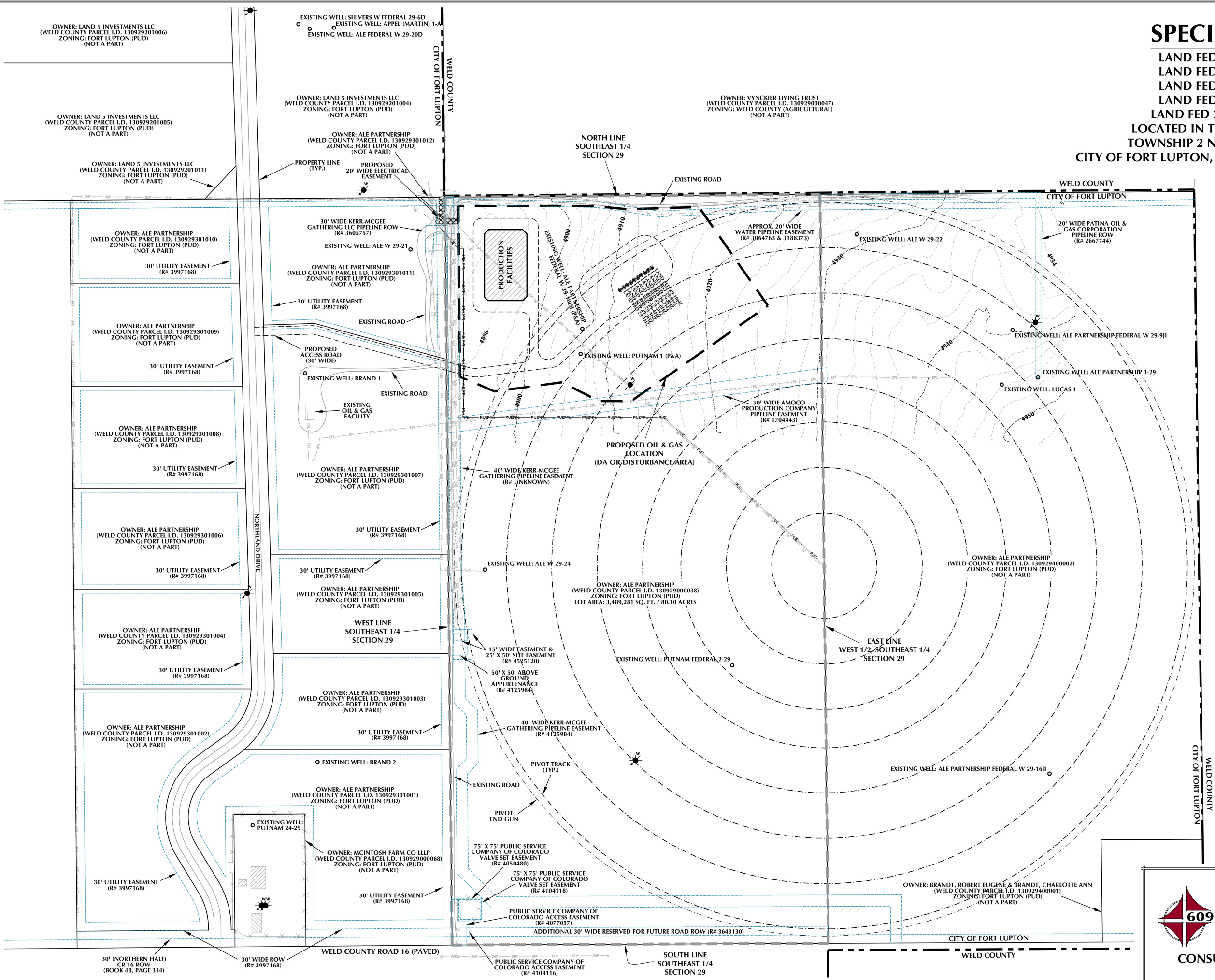


5. Exhibits

5.1 SPECIAL USE PERMIT REVIEW – SITE PLAN DRAWING

SPECIAL USE PERMIT

LAND FED 29-1HZ, LAND FED 29-2HZ,
LAND FED 29-3HZ, LAND FED 29-4HZ,
LAND FED 29-5HZ, LAND FED 29-6HZ,
LAND FED 29-7HZ, LAND FED 29-8HZ,
LAND FED 29-9HZ & LAND FED 29-10HZ,
LOCATED IN THE SOUTHEAST 1/4, SECTION 29,
TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.
CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO



LEGEND

- FORT LUPTON CITY LIMITS
- LEASEHOLD/MINERAL INTEREST
- PROPOSED OIL & GAS LOCATION (DA OR DISTURBANCE BOUNDARY)
- PROPERTY LINE
- EXISTING CONTOURS (2' INTERVAL)
- EXISTING ROAD
- PROPOSED ROAD
- ROW / EASEMENT
- EXISTING PIPELINE
- EXISTING FENCE
- EXISTING BURIED POWER LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING OVERHEAD POWER POLE
- EXISTING WATER LINE
- PROPOSED BURIED WATER LINE
- PROPOSED BURIED POWER LINE
- PROPOSED WELL LOCATION
- EXISTING WELL LOCATION
- EXISTING RESIDENCE
- EXISTING BUILDING
- EXISTING WATER WELL



0 75' 150' 1" = 150'

NOTE:
THIS EXHIBIT IS NOT A PROPERTY
BOUNDARY SURVEY AND CANNOT
BE RELIED UPON TO DETERMINE
OWNERSHIP.

SITE DEVELOPMENT
PLAN



LOVELAND OFFICE
6706 North Franklin Avenue
Loveland, Colorado 80538
Phone 970-776-4331

SHERIDAN OFFICE
1095 Saberton Avenue
Sheridan, Wyoming 82801
Phone 307-674-0609

Kerr-McGee Oil &
Gas Onshore LP
1099 18th Street
Denver, Colorado 80202

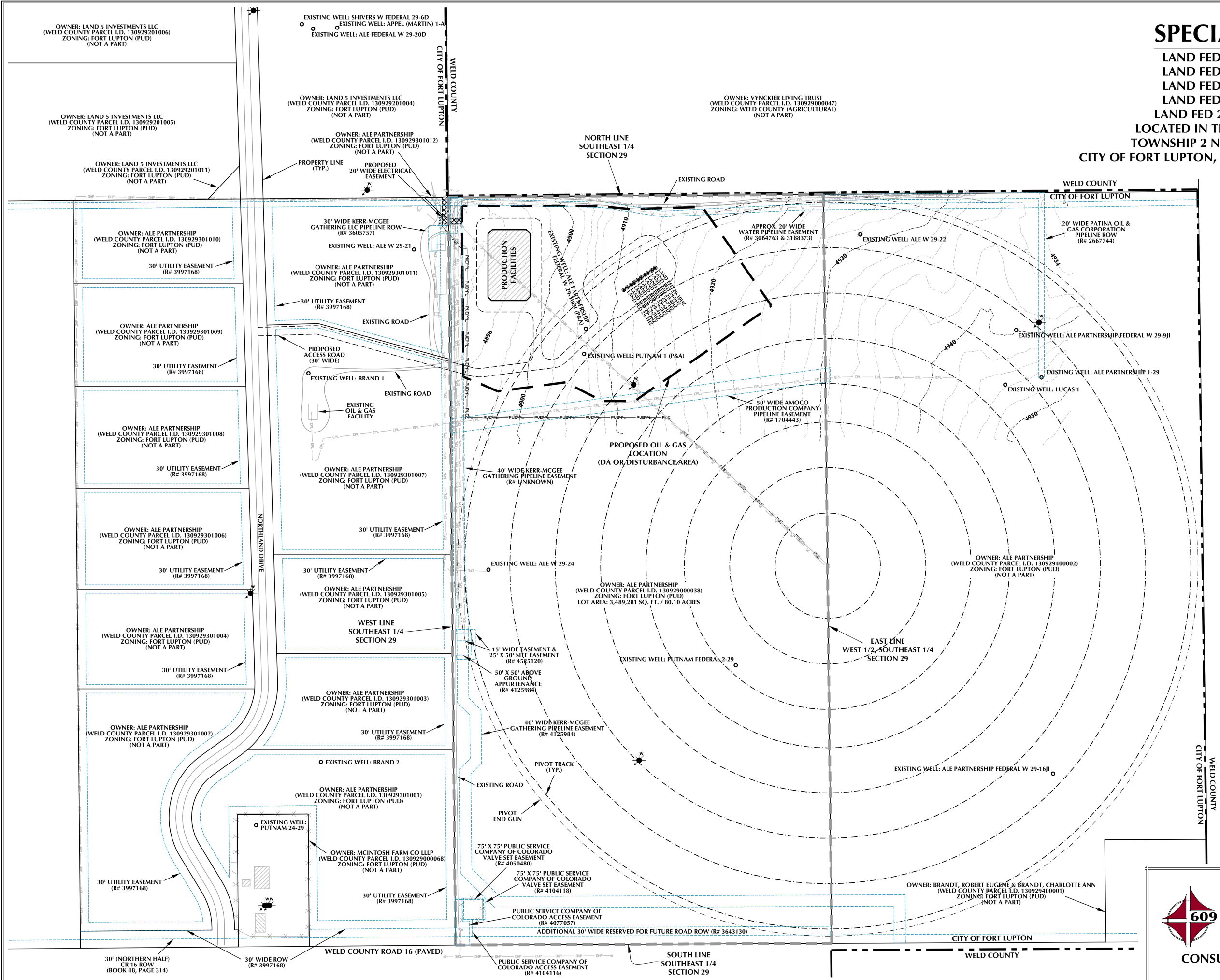
SCALE: 1" = 150'	PAGE 1 OF 1
JOB: 14-136	DATE: 9/19/22
DRAFTED BY: MLD	REVIEWED:

6. Exhibits Submitted Separately

- 6.1 EMERGENCY ACTION PLAN (EAP) AND TACTICAL RESPONSE PLAN (TRP)**
- 6.2 PRELIMINARY DRAINAGE AND EROSION CONTROL REPORT**
- 6.3 PRELIMINARY DRAINAGE AND EROSION CONTROL PLANS**

SPECIAL USE PERMIT

LAND FED 29-1HZ, LAND FED 29-2HZ,
LAND FED 29-3HZ, LAND FED 29-4HZ,
LAND FED 29-5HZ, LAND FED 29-6HZ,
LAND FED 29-7HZ, LAND FED 29-8HZ,
LAND FED 29-9HZ & LAND FED 29-10HZ,
LOCATED IN THE SOUTHEAST 1/4, SECTION 29,
TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M.
CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO



SITE DEVELOPMENT PLAN

Kerr-McGee Oil & Gas Onshore LP
1099 18th Street
Denver, Colorado 80202



CONSULTING, LLC

LOVELAND OFFICE
6706 North Franklin Avenue
Loveland, Colorado 80538
Phone 970-776-4331

SHERIDAN OFFICE
1095 Saberton Avenue
Sheridan, Wyoming 82801
Phone 307-674-0609

SCALE: 1" = 150'	PAGE 1 OF 1
JOB: 14-136	DATE: 9/19/22
DRAFTED BY: MLD	REVISED:



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the ___10th___ day of __January__, 2023, a true and correct copy of the foregoing Notice of Public Hearings for the ___Land Fed 10-29HZ Oil and Gas Special Use Permit___ was sent via United States Mail, postage pre-paid, to the following addresses:

ALE PARTNERSHIP
C/O BUCKNER WADSWORTH &
ASSOCIATES LLP

VYNCKIER LIVING TRUST
13786 COUNTY ROAD 18
FORT LUPTON, CO 806219206

36 S 18TH AVE STE F
BRIGHTON, CO 806012452
MCINTOSH FARM CO LLLP
11910 RIVERDALE RD
BRIGHTON, CO 806028142

MCINTOSH FARM CO LLLP
11910 RIVERDALE RD
BRIGHTON, CO 806028142

ALE PARTNERSHIP
C/O BUCKNER WADSWORTH &
ASSOCIATES LLP
36 S 18TH AVE STE F
BRIGHTON, CO 806012452

BRANDT ROBERT EUGENE
13971 COUNTY ROAD 16
FORT LUPTON, CO 806219215

FEHRN WILLIAM WALTER JR
1861 14TH ST
FORT LUPTON, CO 806218722

NORTH STATE REAL ESTATE LLC
2889 LOWERY ST
WINSTON SALEM, NC 271016127



City Official



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Sign Posting Affidavit

Land Fed 10-29HZ Special Use Permit

Project No. LUP2022-0025;

Plan Nos. SUP2022-0003



Facing South

Facing South

I, Matt Wells hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 10 day of January, 2023.

Matt Wells

Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Leslie Miranda this 20th day of January, 2023. Witness my hand and seal.

My commission expires October 3, 2026.

Leslie Miranda

Notary Public



From: [Jean Schaffer](#)
To: [Clay Hartley](#)
Subject: Legal Proof: FLP770 Public Hearing
Date: Thursday, December 29, 2022 10:34:08 AM
Attachments: [AdProof_36895.pdf](#)

Hi Clay Hartley,

Here is your legal notice.

See an attached prepress proof of the notice. Please carefully proof this, including the case number and make sure it's all accurate. Let me know if you need changes or anything else.

Total due: \$26.56 We will invoice your firm or business
Order No.: 36895
Advertiser No.: 16441

Description: FLP770 Public Hearing
Run dates: FLP: 1/5/2023

And finally, an affidavit of publication will be mailed (via US mail) to you after the notice finishes its run. Expect them within a week following the last run on 1/5/2023. You will need to file it with the court.

In addition to the prepress proof, please verify your address here:
City of Fort Lupton Legals***
130 S McKinley Avenue
Fort Lupton CO 80621

If you have decided you don't need the notice, please tell us so it can be canceled. Thanks.

Thank you for publishing your legal notice with Colorado Community Media! We appreciate your business.

Thank you,
Jean Schaffer

Jean Schaffer • Legal Specialist • 303-566-4123

Please send any replies to legals2@coloradocommunitymedia.com OR
jschaffer@coloradocommunitymedia.com

You can use our link to pay online:
<https://secure.goemerchant.com/secure/custompayment/cocommmedia/14596/default.aspx?>

Christmas / New Year;

Christmas, closed Monday Dec. 26th, pub date: Dec. 29th
Sales deadline: Tues. Dec. 20th

New Years, closed Mon. Jan. 2, 2023, pub date: Jan. 5th
Sales deadline: Wed. Dec. 28th

Colorado Community Media publishes legal notices for the following counties:
Adams, Arapahoe, Clear Creek, Denver, Douglas, Elbert, Jefferson and Weld Counties

OFFICE ADDRESS: 750 W. Hampden Ave., Suite 225
Englewood, Colorado, 80110

AFFIDAVITS are sent every Thursday for all legal notices that FINISH publishing that week. They are sent via US mail (unless prior arrangements have been made) and most often arrive within a seven-day window. Please watch for the affidavit as we generally charge to replace the affidavits. If you need a replacement affidavit or have questions concerning one, please contact Carla Bethke at 303-566-4082.

Public Notice

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a Special Use Permit referred to as the Land Fed 10-29HZ Oil and Gas Special Use Permit, located 0.5 mile north of County Road 16 and approximately 0.6 miles east of Highway 85 in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the **Planning Commission on Thursday, January 26, 2023, at 6:00 P.M.**, and before the **City Council on Tuesday, February 7, 2023, at 6:00 P.M.** or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall is closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND. LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE CITY OF FORT LUPTON, COLORADO IN THE WEST HALF OF THE SOUTHEAST QUATER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

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