



Town of Johnstown

USE BY SPECIAL REVIEW PERMIT APPROVAL

APPLICANT/DEVELOPER: Kerr-McGee Oil & Gas Onshore LP

REPRESENTATIVE Tracy Colling, Kerr-McGee
Tracy.Colling@Oxy.com

FROM: Town of Johnstown, Colorado
Matt LeCerf, Town Manager

DATE: December 15, 2020

RE: **Point Three 11-16HZ Oil & Gas Site, 8501 Weld County Road 44 – Approval with Conditions (Planning Case #USR19-0002) & Point Three 11-16HZ Approved 2A – Document #402405790**

Per the Oil & Gas Operator Agreement between Kerr-McGee Oil & Gas Onshore LP and the Town of Johnstown, dated December 16, 2019, and authorized by Town Council via Resolution 2019-31, Kerr-McGee may apply for three (3) Use By Special Review (USR) permits for oil & gas extraction facilities within the Town. Said facilities are administrative approvals per this agreement, subject to compliance with all applicable codes and regulations, and approvable by the Town Manager.

In accordance with the Johnstown Municipal Code and the Johnstown Comprehensive Plan, the Town has reviewed the Point Three USR and accompanying documents as referenced above. All comments and redlines have been addressed during the review process and your final construction drawings, Site Development Plan, and reports have been reviewed by the Town of Johnstown.

Findings

1. The applicant, Kerr-McGee Oil & Gas Onshore LP, desires to construct an oil & gas extraction pad and related appurtenances at 8501 Weld County Road 44 in the Town of Johnstown.
2. The facility proposes twelve (12) horizontal well heads and one (1) facility pad.
3. The proposed facilities are within the scope of the operator agreement.
4. The facility will be appropriately screened and visual impacts mitigated to the degree reasonably possible.
5. Approvals will be obtained from Front Range Fire Rescue relating to emergency access and response prior to construction.

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6. Haul routes have been reviewed and approved by Town of Johnstown Public Works. These are the exclusive routes for this specific project and use of alternative routes is not permitted without written approval by the Town.
7. All development plans have been reviewed and approved by Town Staff and the Town Engineer to meet all applicable review criteria and Town development standards.
8. The conditions imposed by the Town of Johnstown are not unreasonable, per the operator agreement.

Conditions of Approval

1. The Operator must maintain ongoing compliance and comply with all terms of the existing Operator Agreement.
2. Applicant/Developer shall dedicate thirty (30) feet of right-of-way on the western boundary of the property and fifteen (15) feet of right-of-way along the portion of the property that is adjacent to Weld County Road 44, per the operator agreement.
3. Applicant/Developer must maintain an approved, accessible, and functional emergency access at all times. This access shall be approved by Front Range Fire & Rescue Fire Protection District. Proof of access shall be provided in the form of an emergency access easement, accessed from Parish Ave. (Weld CR 17). Applicant/Developer must provide executed copy of said easement upon approval of this Use by Special Review. Executed copy shall be recorded with Weld County Recorder's Office within ninety (90) days of approval of this Use by Special Review.
4. Final construction documents for all development improvements (accesses, drainage facilities, etc.) shall be submitted to the Town, and be reviewed/approved by the Town prior to construction.
5. The Applicant/Developer shall provide to the Planning and Development Department two (2) sets of final, stamped full-size hard copies of both USR plans and Construction Drawings incorporating all changes, amendments, and conditions to the plans that resulted from the review processes.
6. Construction must follow the plans as approved by the Town of Johnstown. Any updates, changes or modifications to said plans must be submitted to the Town of Johnstown for review and approval prior to construction or installation.
7. Building permits shall be obtained for all equipment on site, as required, as well as all development impact fees paid at the time of said permit issuance.
8. The Town shall conduct an inspection of this site once all phases of construction are complete. It shall be the responsibility of the applicant/developer to contact the Planning and Development Department to schedule said inspection with at least 72 hours' notice.

Certificates of Occupancy are dependent upon all elements of the development being completed, per approved plans. Said inspection shall be scheduled at the discretion of the Town.

9. Within thirty (30) days of the completion of construction of the full project, the applicant/developer shall provide the Town with one (1) set of as-built drawings for this site, in electronic and hard copy form.

Therefore, it is found that the proposed oil & gas extraction facility, located at 8501 WELD COUNTY ROAD 44, Johnstown, Colorado, is approved by the Town, and

Per the Operator Agreement (2019), this USR meets the requirements for administrative approval by the Town Manager, subject to the conditions listed in this Memorandum,

And is hereby Approved with Conditions:

Signed:


Matt LeCerf, Town Manager

Date: 12/15/2020

**Acknowledgement to this Approval and Compliance
With the Conditions:**


Danielle E. Piernot, Director of Regulatory Affairs
Attorney-in-Fact for Kerr-McGee Oil & Gas Onshore LP

Date: 12/17/2020

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