

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

BATTLEMENT MESA METROPOLITAN DISTRICT

Held, Thursday, the 24th day of September 2015 at 401 Arroyo Drive, Battlement Mesa, Colorado.

Attendance

A regular meeting of the Board of Directors of Battlement Mesa Metropolitan District, Garfield County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following Directors present and acting:

Vinnie Tomasulo
Bill Nelson
Michelle Foster

Steve Rippey, Anne Huber, Sandy Yeager, Mary Anderson and Amie Martin were also in attendance.

Call to Order

Director Nelson called the meeting to order at 9:05 am.

Conflict/Disclosures

None

Public Comments

None

**August 27, 2015
Regular Meeting
Minutes**

A motion was made by Director Foster and seconded by Director Tomasulo to approve the August, 2015 regular meeting minutes as submitted. The motion carried unanimously.

**August 2015
Financial Statements**

A motion was made by Director Foster and seconded by Director Tomasulo to approve the August 31, 2015 financial statements as submitted, subject to audit. The motion carried unanimously.

GVRC Report

See attached report

**District Managers
Report**

See attached report.

URSA Plan Report

See attache report.

GVRC Purchase Agreement

A motion was made by Director Tomasulo and seconded by Director Foster to approve the GVRC purchase agreement as submitted. The motion carried unanimously.

Other Business

Sandy Yeager stated that BMMD's ACH agreement with Alpine Bank has expired. Alpine Bank is requiring a resolution be passed by the Board of Directors along with a new contract be signed.

The Board of Directors agreed to hold a special meeting to pass a resolution and sign the new contract on Thursday, October 1, 2015 at 9:00 am.

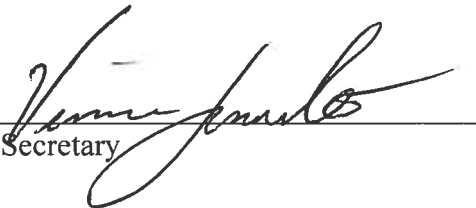
Mr. Rippy stated that a portion of BMMD's property that adjoins BMC property where the proposed URSA BMC "B" pad is located is not fenced and it may be a good idea to fence the area to delineate the property boundaries as development activity starts on the pad. Mr. Rippy suggested a woven or welded wire fence would be sufficient.

The Board of Directors discussed the issue and asked Mr. Rippy to get a price for the fencing and labor and come back to the Board in October.

Adjournment

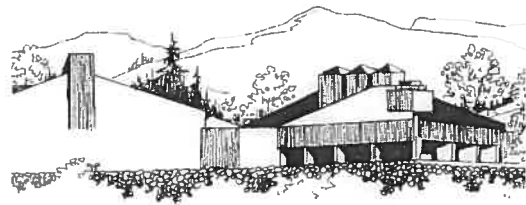
There being no further business to come before the Board, and upon a motion made and carried, the meeting adjourned at 10:07 am.

The foregoing constitutes the true and correct minutes of the above referenced meeting and was approved by the Board of Directors of the Battlement Mesa Metropolitan District on the 22nd day of October 2015.


Secretary

Grand Valley Recreation Center
398 Arroyo Drive
Battlement Mesa, Colorado 81635

www.gvrc.net 970 285 9480



Memo: Battlement Mesa Metropolitan District Board of Directors
From: Anne Huber
Subject: Monthly Report September 17, 2015

Garfield County Federal Mineral Lease: Group Fitness Room and Racquetball Court Floors and Walls.

Painting, floor sanding and refinishing are nearly complete in the Group Fitness Room. There were no unexpected issues in this room.

After inspection and evaluation of the racquetball walls, the contractor, Zane Reeves, asked that we consider an alternate wall treatment – installing high impact wall panels. The panels meet US Racquetball Association specifications. The color will be Frosty White. An information sheet is attached.

We appreciate the Board of Directors approving this change. I notified the GCFMLD of the change and they determined that it did not amount to a material change in the grant application and no modifications would need to be made to the application. Unfortunately, no additional grant funds are available.

Oversight Manager for the P/BM Parks and Recreation District

I was invited to attend the interviews for the oversight manager. There were five applicants. A special meeting will be held Wednesday, September 23, 2015 at 7 PM to consider the Oversight Management position.

Fran Storm's Visit

Fran enjoyed seeing many friends and we enjoyed her outgoing and unique personality. She appreciated the drop in September 14th.

Canvas Creations

Two classes have been scheduled: October 16th and 23rd
The class on September 11 had 20 participants.

VFW Flag Disposal

John Daily reported that 31 flags were properly disposed of and the GVFPD assisted.

Swim Lessons

Parent-Tot, two Preschool classes and a Level 2 class are currently being offered for the fall session.
Preschool and Level 4 classes will be offered beginning October 12 – November 4.

Insanity

An intense cardio workout will be taught by newly certified instructor Kelly Bartunek beginning Friday, October 2 at 5:45 PM

Annual Veterans' Day Dinner

Plans are underway for the annual dinner. The sponsors this year are Clarks Market, URSA, WPX and Mama's Restaurant. The date and time are Wednesday, November 11, 2015 at 6 PM.

Colorado Mountain College

The College is currently offering Genealogy. In 2016, CMC will offer Beginning Genealogy, Intermediate Genealogy, Introduction to Alternative Healing (to be taught by GVRC's Georgiann McDaniel), Get Smart About Credit for Teens and Young Adults; and Adult Budgeting. Alecia Mekis is the Non-Credit Coordinator for CMC. The start dates vary for each class.

AARP Driver Safety Class is scheduled for Friday, September 25th. Ron Jensen is the instructor.

PEO Fashion Show will be held on Saturday, October 10th

Western Slope Rodeo Royalty Clinic is a first time event for GVRC. This will be a workshop on October 3rd to educate participants about etiquette, interview skills, speech and public speaking, modeling, appearance, rodeo knowledge, safety and horsemanship. Madelaine Mills, Miss Rodeo Colorado 2016 Lady-In-Waiting will be in attendance.

Volleyball with Parks and Recreation is scheduled to begin October 20. The Parks and Recreation Department has also requested times for their 3rd/4th grade and 5th/6th grade basketball teams to practice at GVRC. Dates and times have not been set.



High Impact Wall Panels

Built to withstand the rigors of professional play

Hollman's high-density, high-impact plastic laminate panels provide a pre-finished playing surface that stands up to rigorous usage. They comply with USA Racquetball Association specifications and are tested and approved by the World Squash Federation (WSF).

Hollman's tongue and groove panels can be applied against the most common types of framework: steel studs, wood studs, and/or steel or wood furring. They are set in place with construction adhesive, then screwed through the tongue of the panel, which pulls each panel tighter and flush against the framing members. This ensures the smoothest playing surface and tightest seam fits possible. We stagger each row of panels to create the interlocking design that is the Hollman trademark of quality.

Due to the durability and reputation of our panels, they have many usages beyond the courts including indoor soccer dasher boards, gymnasium wall finishes and multi-purpose room finishes. The Hollman panels are available in an array of colors and patterns to enhance your project. These high impact, plastic laminate panels can be mounted either vertically or horizontally and will provide many years of virtually maintenance free service.

USAGE POSSIBILITIES:

- Racquetball and Squash Courts
- Basketball courts/Gym walls
- Indoor Soccer walls
- School gyms and multi-purpose rooms
- School hallways
- Community activity centers

• **Architectural Specifications Section 13032.02(Panels):**

- A) Type: Precision tongue-and-groove
- B) Thicknesses Available: 1 1/8", 7/8", and 5/8"
- C) size: 48"x96"
- D) Density: 55# per cubic foot. High pressure laminate shall be .50" in thickness

Battlement Mesa Metropolitan District

Manager Report

Date: September 24, 2015

To: Board of Directors, Battlement Mesa Metropolitan District

From: Steve Rippy, District Manager

Recreation Center Transfer: In order to speed up the communication process concerning the asset purchase agreement I asked Michael Richards for permission to allow Matt Dalton's office to work directly with the Park District's attorney to reach agreement on the indemnification section which is the last remaining item in the agreement. Mr. Richards has agreed and it is my hope to have the agreement ready for signature at the September Board meeting.

P/BMPRD Management Proposal: On Thursday, September 10th I met with the Park District Board and participated in an interview concerning the BMMD's proposal to provide oversight management of their operations. I am not aware of their timing to make a decision on the management position.

Engineer's Report: This past month Chris Manera, engineer with Colorado River Engineering, and I met on site at URSA's proposed BMC B Pad and also met to review the development plans for the B & D Pads and associated pipelines. Mr. Manera has completed a report addressing several items that he has noted that need consideration and/or incorporation into URSA's development plan. A copy of the report is in your packet.

Distribution & Collection Maintenance: On Tuesday, September 15th BMMD staff repaired a 4" water main that serves Alder Court located in Stone Ridge Village. Seven homeowners were without water for a few hours while the crew completed the repair. Staff is currently conducting fire hydrant flushing to remove sediment from the water mains and recently repaired a fire hydrant along Stone Quarry Road near Tamarisk Meadows. Staff repaired water service lines on Willow View Way, Ponderosa Circle, Dogwood Lane and Hawthorne Way. The Pressure Reducing Valve (PRV) was replaced at the lower entrance to Willow Creek Village and the PRV at 1st Eagles Point was rebuilt. Staff also replaced a curb-stop on Oro Court and Iron Wedge Circle and replaced with new meter pits.



September 14, 2015

Board of Directors
Battlement Mesa Metropolitan District
401 Arroyo Drive
Battlement Mesa, CO 81635
Via Email: Steve Rippy <srippy@acsol.net>

RE: JOB #1097 – URSA APPLICATIONS GARFIELD COUNTY – BMC PAD B, BMC PAD D, BMC PIPELINE

Dear Board of Directors:

Colorado River Engineering, Inc. has reviewed the submittal applications by URSA to Garfield County for the BMC-B Well Pad, BMC-D Well Pad, and the BMC B Pipeline Phase 1 project. We have prepared this letter to briefly summarize our recommendations concerning primary issues associated with the projects and its potential impacts to the Association's infrastructure.

1. The **BMC Pad B** is directly adjacent to and just upstream of the intake to water supply for the Battlement Mesa Services Association (Association) on the Colorado River. Due to the proximity and large population served, we believe measures should be developed to further protect the health, safety, and welfare of the citizens receiving their water supply from the Association.
 - a. Water Quality Monitoring - Future continuous source sampling for water diverted from the river is recommended to serve as an early warning tool. Water quality parameters could be monitored for hydrocarbons, pH, and other parameters to provide immediate indicators of changes in the water quality. Alarms or controls could alert the Association in the event that monitored parameters exceed alarm levels.
 - b. Spill Prevention Control and Countermeasure (SPCC) Plan - The existing field wide SPCC does not include any contact information or include any direct actions for notifying the Association in the case of an event. The SPCC has placeholders for a site specific plan and an emergency response plan (Appendix A & B) but our copy of the application does not include these documents. The SPCC should be revised to include the contact information, protocols, and emergency actions associated with protecting the water supply intake. An emergency action plan should be developed to identify specific actions, equipment, and protocols to provide protections to the existing water intake and alternative supply. Alternative supply options could include providing a pump and pipeline diverting from the river upstream of the pad site.



- c. COGCC Rule 317.B - In the Article 7 Standards Analysis (Section 5.03.08(6) Water Pollution) the application states that the site does not fall within a COGCC 317.B Buffer Area. We believe the pad site is within the boundary, based on the on-line COGCC GIS mapping tool. The attached map from the COGCC shows the buffer zones and approximate pad location which fall within the “intermediate zone”. Attached is Rule 317.B with Section (d) highlighted for the intermediate zone rules. We recommended that site include Rule 317.B approval from the COGCC. The rule does address the SPCC and emergency response issues presented earlier in our comments. The rule also requires water quality testing for baseline and periodic quarterly monitoring.
 - d. Drainage Plan – We recommend that the outlet system for the detention pond include engineered inlets, designed to provide better storm water quality treatment than currently provided. The current design only involves open ended pipe culverts. The inlets should be multi-tiered inlets with the lowest inlet designed for Water Quality Capture Volume to provide slow release discharge rates for higher frequency small storms (See Garco LUR 7-204-C-3.d.). The inlets should include a sump and hooded outlet for oil and water separation. Engineering calculations should be provided to show the routing times through the detention ponds.
 2. **BMC Pad D** – Same comments as BMC Pad B with only noted difference is that Pad D is in the external buffer zone for COGCC Rule 317.B.
 3. **BMC Pipeline** – The pipeline engineering drawings show approximate locations for some of the Association’s water and sewer lines. URSA should update the design drawings to accurately depict existing utilities. The design drawings also should provide any details on the plans, profiles, or detail sheets to show construction details related to crossing or paralleling the Association’s infrastructure. For example, details should be provided to show how the pipeline will be constructed at water line crossings. The scale provided on the design drawings makes it difficult to review in detail the construction plans related to the Association’s infrastructure. We recommend that the design include improved scaled drawings, show separation distances, provide details for crossings or any other engineering design criteria, and incorporate any engineering specifications for relevant design details into the drawings. The submittal set should also include technical specifications for all materials, materials testing, and installation requirements. Once the details and specifications are provided, we request the opportunity to review and provide comments. All of these documents will also be required for the applicant’s third party engineer who must certify the construction (QA/QC) as per County regulations.



If you have any questions, please feel free to call our office at (970) 625-4933.

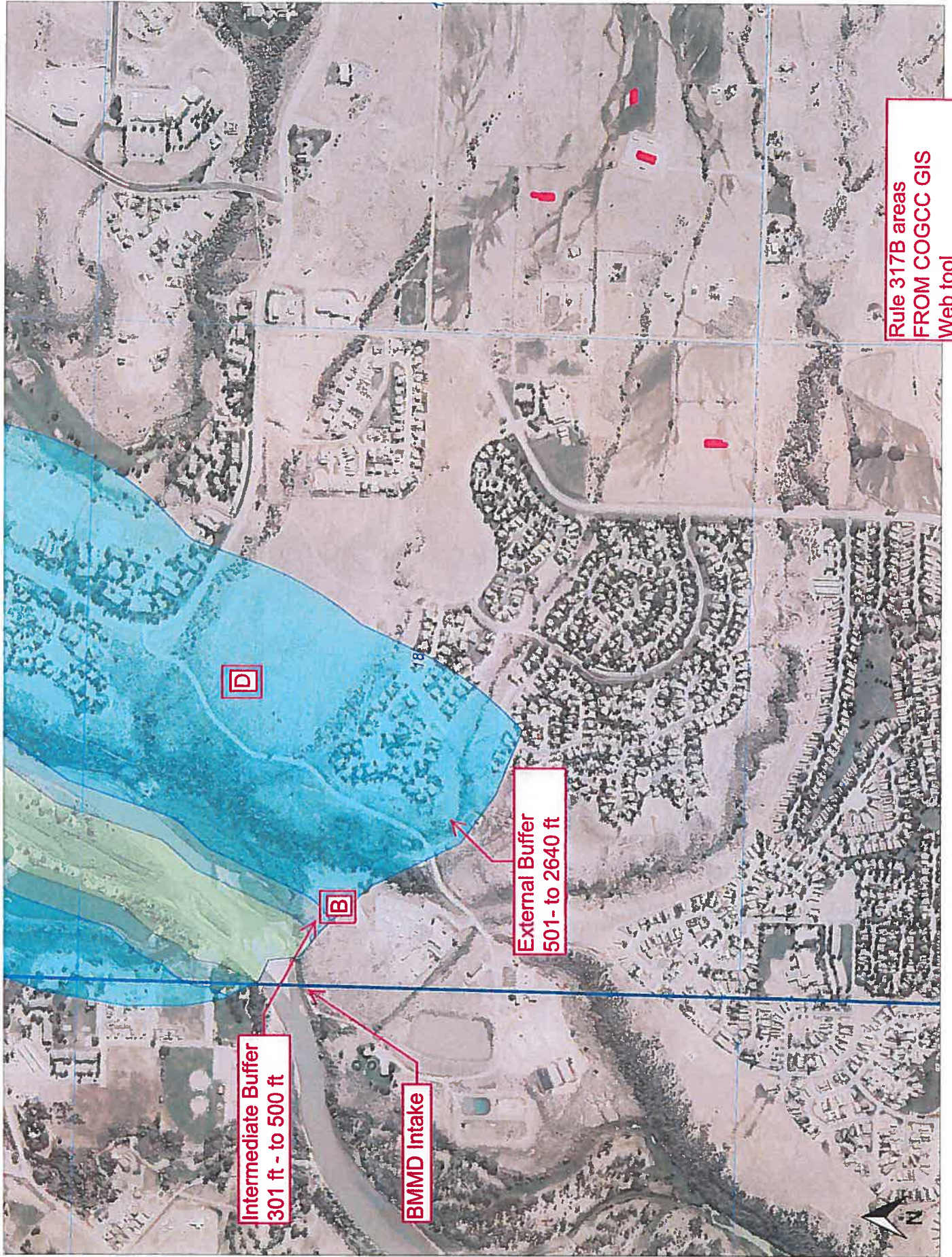
Sincerely,

A handwritten signature in black ink, appearing to read "C. Manera". The signature is written over a horizontal line.

Christopher Manera, P.E.

cc:

M:\CREjobfiles\1097-BMMD\Word Files\2015-9-14 BMMD Comments Letter.docx



Intermediate Buffer
301 ft - to 500 ft

BMMD Intake

External Buffer
501 - to 2640 ft

D

B

Rule 317B areas
FROM COGCC GIS
Web tool
CRE 9/11/2015

317B. PUBLIC WATER SYSTEM PROTECTION

a. Definitions. For purposes of this Rule 317B:

- (1) **Drilling, Completion, Production and Storage (“DCPS”) Operations** shall mean operations at (i) well sites for the drilling, completion, recompletion, workover, or stimulation of wells or chemical and production fluid storage, and (ii) any other oil and gas location at which production facilities are operated. DCPS Operations shall exclude roads, gathering lines, pipelines, and routine operations and maintenance.
- (2) **Existing Oil and Gas Location** shall mean an oil and gas location, excluding roads, pipelines, and gathering lines, permitted or constructed prior to the later of May 1, 2009 for federal land or April 1, 2009 for all other land or the date that the oil and gas location becomes subject to Rule 317B by virtue of its proximity to a Classified Water Supply Segment.
- (3) **New Oil and Gas Location** shall mean an oil and gas location, excluding roads, pipelines, and gathering lines, that is not an existing oil and gas location.
- (4) **New Surface Disturbance** shall mean surface disturbance that expands the area of surface covered by an oil and gas location beyond that initially disturbed in the construction of the oil and gas location.
- (5) **Non-Exempt Linear Feature** shall mean a road, gathering line, or pipeline that is not necessary to cross a stream or connect or access a well or a gathering line.

b. Applicability Determination.

- (1) Rule 317B is applicable to DCPS Operations within Surface Water Supply Areas. The applicability of Rule 317B will be determined by reviewing the Public Water System Surface Water Supply Area Map, attached as part of Appendix VI, or by entering information into the Public Water System Surface Water Supply Area Applicability Determination Tool, also located on the Commission website.
- (2) The Public Water Systems subject to the protections of this Rule 317B are those listed in Appendix VI. Any additions or deletions to the Public Water Systems listed in Appendix VI or the Public Water System Surface Water Supply Area Map, also located in Appendix VI, shall be by Commission rulemaking, as provided in Rule 529.
- (3) DCPS Operations at New Oil and Gas Locations within a Surface Water Supply Area will be subject to the requirements in Rules 317B.c, 317B.d, or 317B.e based on the buffer zones defined in Table 1, below. DCPS Operations at Existing Oil and Gas Locations within a Surface Water Supply Area at which no new surface disturbance has occurred after the date Rule 317B became applicable to that oil and gas location will be subject to the requirements in Rule 317B.f.(1) based on the buffer zones defined in Table 1. DCPS Operations at Existing Oil and Gas Locations within a Surface Water Supply Area at which new surface disturbance has occurred after the date Rule 317B became applicable to that oil and gas location will be subject to the requirements in Rule 317B.f.(2) based on the buffer zones defined in Table 1.
- (4) For Classified Water Supply Segments that are perennial and intermittent streams, buffer zones shall be determined by measuring from the ordinary high water line of each bank to the near edge of the disturbed area at the oil and gas location at which the DCPS Operations will occur.

- (5) The buffer zones shall apply only to DCPS Operations located on the surface. The buffer zones shall not apply to subsurface boreholes and equipment or materials contained therein. The buffer zones shall not apply to DCPS Operations located in an area that does not drain to a classified water supply segment protected by this Rule 317B.

TABLE 1. Buffer Zones Associated with DCPS Operations.

Zone	Classified Water Supply Segments (ft)
Internal Buffer	0 - 300
Intermediate Buffer	301 - 500
External Buffer	501 - 2,640

c. Requirements for DCPS Operations Conducted at New Oil and Gas Locations in the Internal Buffer Zone.

DCPS Operations conducted and Non-Exempt Linear Features located at New Oil and Gas Locations within a Surface Water Supply Area may not occur in whole or in part within the Internal Buffer Zone identified in Table 1 unless a variance is granted pursuant to Rule 502.b and consultation with the Colorado Department of Public Health and Environment occurs pursuant to Rule 306.d and a Form 2A or Form 2 with appropriate conditions of approval has been approved, or the Director has approved a Comprehensive Drilling Plan pursuant to Rule 216 that covers the operation. In determining appropriate conditions of approval for such operations, the Director shall consider the extent to which the conditions of approval are required to prevent impacts to the Public Water System.

(1) The Commission shall grant a variance if the operator demonstrates that:

- A. The proposed DCPS Operations and applicable best management practices and operating procedures will result in substantially equivalent protection of drinking water quality in the Surface Water Supply area; and
- B. Either:
 - i. Conducting the DCPS Operation outside the Internal Buffer Zone would pose a greater risk to public health, safety, or welfare, including the environment and wildlife resources, such as may be the case where conducting the DCPS Operations outside the Internal Buffer Zone would require construction in steep or erosion-prone terrain or result in greater surface

disturbance due to an inability to use infrastructure already constructed such as roads, well sites, or pipelines; or

ii. Conducting DCPS Operations beyond the Internal Buffer Zone is technically infeasible and prevents the operator from exercising its mineral rights.

(2) At a minimum, for any DCPS Operation at a New Oil and Gas Location within the Internal Buffer Zone, the Director shall include as conditions of approval in the Form 2A, Form 2, or Comprehensive Drilling Plan, the requirements of Rule 317B.d.

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e. Requirements for DCPS Operations at New Oil and Gas Locations within the External Buffer Zone.

The following shall be required when DCPS Operations are conducted at New Oil and Gas Locations within a Surface Water Supply Area and in the External Buffer Zone as defined in Table 1.

- (1) Pitless drilling systems or containment of all drilling flowback and stimulation fluids pursuant to Rule 904; and
- (2) When sufficient water exists in the Classified Water Supply Segment, collection of baseline surface water data consisting of a pre-drilling surface water sample collected immediately downgradient of the oil and gas location and follow-up surface water data consisting of a sample collected at the same location three (3) months after the conclusion of any drilling activities and operations or completion. The sample parameters shall include:
 - A. pH;
 - B. Alkalinity;
 - C. Specific conductance;
 - D. Major cations/anions (chloride, fluoride, sulfate, sodium);
 - E. Total dissolved solids;
 - F. BTEX/GRO/DRO;
 - G. TPH;
 - H. PAH's (including benzo(a)pyrene); and
 - I. Metals (arsenic, barium, calcium, chromium, iron, magnesium, selenium).

Current applicable EPA-approved analytical methods for drinking water must be used and analyses must be performed by laboratories that maintain state or nationally accredited programs.

Copies of all test results described above shall be provided to the Commission and the potentially impacted Public Water System(s) within three (3) months of collecting the samples. In addition, the analytical results and surveyed sample locations shall be submitted to the Commission in an electronic data deliverable format.

- (3) Notification of potentially impacted Public Water Systems within fifteen (15) stream miles downstream of the DCPS Operation prior to commencement of new surface disturbing activities at the site.
- (4) An emergency spill response program that includes employee training, safety, and maintenance provisions and current contact information for downstream Public Water System(s) located within fifteen (15) stream miles of the DCPS Operation, as well as the ability to notify any such downstream Public Water System(s) with intake(s) within fifteen (15) stream miles downstream of the DCPS operations.

In the event of a spill or release, the operator shall immediately implement the emergency response procedures in the above-described emergency response program.

If a spill or release impacts or threatens to impact a Public Water System, the operator shall notify the affected or potentially affected Public Water System(s) immediately following discovery of the release, and the spill or release shall be reported to the Commission in accordance with Rule 906.b.(3), and to the Environmental Release/Incident Report Hotline (1-877-518-5608) in accordance with Rule 906.b.(4).

f. Requirements for DCPS Operations at Existing Oil and Gas Locations.

- (1) Existing Oil and Gas Locations and DCPS Operations at Existing Oil and Gas Locations within a Surface Water Supply Area and within zones specified in Table 1 shall be subject to the following requirements instead of the requirements of Rules 317B.c, 317B.d, or 317B.e provided that no new surface disturbance at the Existing Oil and Gas Location occurs after the later of May 1, 2009 for federal land or April 1, 2009 for all other land or the date Rule 317B became applicable to the oil and gas location:
 - A. Collection of surface water data from a Classified Water Supply Segment consisting of a sample collected immediately downgradient of the oil and gas operation will occur by the latest of June 1, 2009, within six (6) months after the date Rule 317B became applicable to the oil and gas location, or when sufficient water exists in the stream:
 - i. pH;
 - ii. Alkalinity;
 - iii. Specific conductance;
 - iv. Major cations/anions (chloride, fluoride, sulfate, sodium);
 - v. Total dissolved solids;
 - vi. BTEX/GRO/DRO;

- vii. TPH;
- viii. PAH's (including benzo(a)pyrene); and
- ix. Metals (arsenic, barium, calcium, chromium, iron, magnesium, selenium).

Current applicable EPA-approved analytical methods for drinking water must be used and analyses must be performed by laboratories that maintain state or nationally accredited programs.

Copies of all test results described above shall be provided to the Commission and the potentially impacted Public Water System(s) within three (3) months of collecting the samples. In addition, the analytical results and surveyed sample locations shall be submitted to the Commission in an electronic data deliverable format.

- B. An emergency spill response program that includes employee training, safety, and maintenance provisions and current contact information for downstream Public Water System(s) located within fifteen (15) stream miles of the DCPS Operation, as well as the ability to notify any such downstream Public Water System(s) with intake(s) within fifteen (15) stream miles downstream of the DCPS Operations.

In the event of a spill or release, the operator shall immediately implement the emergency response procedures in the above-described emergency response program.

If a spill or release impacts or threatens to impact a Public Water System, the operator shall notify the affected or potentially affected Public Water System(s) immediately following discovery of the release, and the spill or release shall be reported to the Commission in accordance with Rule 906.b.(3), and to the Environmental Release/Incident Report Hotline (1-877-518-5608) in accordance with Rule 906.b.(4).

- C. Operators shall employ and maintain Best Management Practices, as necessary, to comply with this rule.

- (2) Existing Oil and Gas Locations and DCPS Operations at Existing Oil and Gas Locations within a Surface Water Supply Area and within zones specified in Table 1 for which new surface disturbance occurs on or after the later of May 1, 2009 for federal land or on or after April 1, 2009 for all other land or the date Rule 317B became applicable to the oil and gas location shall be subject to the requirements of Rule 317B.f.(3) instead of the requirements of Rules 317B.c, 317B.d, or 317B.e where the additional new surface disturbance is addressed in a Comprehensive Drilling Plan accepted pursuant to Rule 216, or if:

- A. The new disturbance from the DCPS Operation will not increase the existing disturbed area prior to interim reclamation by more than one hundred (100) percent up to a maximum of three (3) acres, and
- B. The new surface disturbance occurs in a direction away from the stream or no closer to the stream if moving away from the stream would result in more damaging surface disturbance such as location on a steep slope, in an area of high soil erosion potential, or in a wetland.

- (3) Where the provisions of Rule 317B.f.(2) apply, the following zone requirements shall apply:

- A. For all zones, the requirements of Rule 317B.f.(1), except that the sampling parameters in Rule 317B.f.(1).A shall occur no later than six (6) months after commencing the DCPS Operations at the Existing Oil and Gas Location.
- B. For External and Intermediate Buffer Zones: pitless drilling systems or containment of drilling, flowback, and stimulation fluids with impervious liners, as provided in Rule 904.
- C. For Internal Buffer Zones:
 - i. Pitless drilling systems;
 - ii. Flowback and stimulation fluids contained within tanks and placed on a well pad or in an area with downgradient perimeter berming;
 - iii. Berms constructed in compliance with Rule 603.e.(12) around all crude oil, condensate, and produced water tanks; and
 - iv. Notification of potentially impacted Public Water Systems within fifteen (15) stream miles downstream of the DCPS Operation prior to commencement of new surface disturbing activities at the site.